

BOARD OF OKANOGAN COUNTY COMMISSIONERS
11/05/2018

In Attendance at Meeting:

Jim DeTro- JD (BOCC)

Andy Hover - AH (BOCC)

Chris Branch – CB (BOCC)

Lanie Johns – LJ (Clerk of the Board)

Perry Huston - PH (Administrator & Planning Director)

Angie Hubbard – AHu

These notes have been taken by one of several volunteer citizen note takers and published on the website of Represent Okanogan County (ROC.) The notes have been taken as close to verbatim as possible, with any writer's comments or explanations in italics. For officially approved minutes of Board of Commissioner meetings, normally published at a later date, see www.okanogancounty.org.

Summary of significant discussions

WRIA 49 Planning Grant

PH presented a proposed grant application to the Department of Ecology (DOE) for funding the WRIA 49 Watershed planning effort. The details were discussed prior to the commissioners passing a motion to approve the application. There was another lengthy discussion on the composition of the group that will conduct the plan, including who should be a voting member and who provide technical input. PH hopes to have the group assembled and beginning work in early 2019.

Water Availability Study Area (Tunk Watershed)

PH outlines the process for the temporary restriction on subdividing parcels, which is currently under a 6-month moratorium. The proposal for a maximum 2-year moratorium, while water availability is studied, will go before the Planning Commission for a public hearing on November 19th. Meanwhile, PH has begun the study – an analysis of buildable lots. He presents maps delineating parcels, underlying zoning and multiple parcels that are under single ownership.

Comprehensive Plan (Comp Plan) review

PH reports on a proposed timeline for revising the Comp Plan: when the draft plan is released for review there will be a 45-day scoping period for review, after which the Planning Commission will hold a public hearing. The Planning Commission will select a preferred alternative to recommend to the county commissioners, along with any proposed revisions. The county commissioners will then make final determinations. PH anticipates that the Comp Plan could be finalized by May or June, 2019. The commissioners directed PH to release the draft for public review. Public notice will be published next week.

Update Planning Department

WRIA 49 Planning Grant

PH – Sent you copies of the grant pre-application form and the grant itself. The big number will be \$300k.

AH – So, we will have one grant that is reimbursable?

PH – That is what I understand from discussions with Vanessa (*Department of Ecology – DOE*). I broke it down into 7 tasks. About \$100,000 in facilitation, presumably by the conservation district. (*PH details the 7 tasks – too rapid to record the entire description. The commissioners have a hard copy to look at.*) Streamflow mitigation projects – this will likely be done by the facilitator. Part of this will be the technical analysis to identify the benefits. I am not aware that the budget for each task will be fixed.

AH – Are you going to offset your revenue budget to account for what we pay for wages? Part of your expenses will be in these items?

PH – (*too rapid to record*).

AH adds details of the budget structure, also too rapid to record.

PH – Whatever offsets the current budget...

AH – I would like to see that (*in the current budget*), kind of low-ball it.

PH – I can do that...

AH asks LJ about the normal procedure for approval of grant applications; LJ describes process.

AH – I don't think there is any way this could cause us increased workload that would negatively affect our budget...

PH – They have already told us to backdate the billing for our hours (*to the beginning of 2018*).

CB moves to approve the grant application; seconded by JD. Motion passes unanimously.

PH – I do not know the timeline at this point. DOE will have to sign off on the application and develop a contract. Again, we will capture the expenses we have incurred, to date. Also pertaining to study – I have received some additional names (*for the composition of the study team*)

AHu projects the list – water right holders, irrigation districts, organizations.

AH – So they are okay with members that don't live in the watershed?

PH – As I understand it.

AH – So we are keeping the Upper Columbia Salmon Recovery Board (UCSRB) as a voting member? Okanogan Co. is a member of that board.

PH – They could also be a member of the technical advisory board. They do compete for funding of that sort, as do Okanogan Highlands Alliance.

AH – I almost think that they need to be moved to the technical advisory board. Melanie should not be able to vote on the decisions. I am on the board, as a county commissioner. It seems a little convoluted to have that entity as a voting member.

CB – I don't think it makes that much of a difference. This voting thing has gotten convoluted. Is anybody a member of the Farm Bureau? (*apparently not*)

AH – This is a little different.

CB – I would put them on the technical board...

AH – I thought we agreed on... (*Commissioners examine the list of potential participants, apparently thinking about the composition of the voting membership*)

CB – Didn't we move Conservation Northwest?

PH enumerates the organizations that have been designated for the technical advisory board. Too rapid to record.

CB – Just as a reminder, those folks we have on this list have been subject to consternation.

PH – Fundamentally the important thing is to get everybody into the room to has this all out. We haven't decided how the technical group interacts.

AH – The Orca taskforce (describes the structure).

CB – Actually, that's the way the planning unit operated, prior. The technical folks added value, in terms of the conversation.

PH – The arrangement we had with the initiating government, the groups just sent their names.

CB – You didn't hear from the Water Quality Society? (*no*) I would just take them off.

(More discussion of individuals considered for the planning unit. The notetaker decides not to try to capture all the details and to note any conversation that seems significant.)

PH – Every name that I have has come to me.

CB – Jon Wyss doesn't live in the county. He represents timber interests, right? (*correct*) *CB continues down the list.* The Farm Bureau has several members on here, right?

AH – Four or five.

CB – Anybody can be a member, right?

AH – The conservatives do outnumber the environmental interests, but they are the ones that are more affected...

JD – Are we going to pick it (*the list*) apart? (*no*) This is a large list. We will find out by the third meeting how many are serious.

CB – As far as I am concerned, as long as we have a lot of water rights holders...

PH – The question is how much water are you going to use (*for development*)? How are you going to mitigate for that? Once you get past the water-for-water it can get complicated (*e.g, land acquisition*).

CB – We had a list. It hasn't changed a great deal. This will go through the same iterations.

JD – We only have one irrigation district?

(More conversation about the composition of the group)

PH – Let's talk about the schedule. We will meet on Thursday for an update. December, the same thing. Hope to have the list finalized by then, so we will know who is voting, who is not.

JD – There are a lot of people with two hats. (*gives multiple examples*). You can't avoid it.

PH – Hope to have a clear direction in early 2019. They can structure the work themselves. Vanessa has to begin to schedule the technical people from DOE. By the first part of the year I am hoping they will have their structure and the facilitator will be, or will be close to being, on-board. It's been a little bumpy and jerky, but we are not wasting time.

AH – I am looking at budget. We are going to get a bunch of money in 2019 to pay for work we have done in 2018. Do you have an idea of how much?

PH - \$3,000 -\$4,000. Not much. I met with Oroville-Tonasket Irrigation District (OTID) in Omak last week. They were mostly looking for updates. They would like for the group not to get any bigger. Afraid it will get unwieldy. Wanted to know if Conservation District would facilitate. Thought that would be good idea. Saw value in Craig (*Nelson*), who was around for the first planning effort. I told them that it was up to you.

CB – I think Craig will do a good job of keeping it balanced. Only problem I see is that he has multiple cooperators in the group that he has to maintain a good relationship with.

PH – Commissioners, do you want me to prepare an RFQ?

Audience member Lorah Super expresses that the Conservation District board, that she is part of, wants to confer. PH agrees to come to their meeting tomorrow evening; LS agrees. Commissioners agree also.

CB notes the need for sideboards on the RFQ for the purpose of controlling the budget. PH agrees and describes the tasks: water budget, mitigation.

PH – I have talked to Craig. If we don't put all the tasks in his contract it gives us flexibility going forward. Other people could pick some of those up or we may put them on him.

CB notes the ties to the Comp Plan and Zoning. PH agrees.

CB – If we can limit the scope of work so that the Conservation District doesn't go too deep, I think we can do it with the amount of money available.

PH – I can discuss that with the Conservation District tomorrow and report back.

Water Availability Study Area (Tunk Watershed)

PH – Goes to Planning Commission on November 19th. You have established a 6-month interim control. By sending it to the Planning Commission and them holding a public hearing and sending recommendations to you, you will be free to establish the study area. In the meantime we have started the study. (*project map. It shows large areas with multiple parcels under common ownership*). Tied to this map we will also study well logs and water use. (*Projects another map showing undeveloped and developed parcels – barn, tool shed, etc.*)

AH – Have you got a total parcel count for the area? (*PH & AHu look for that number*)

PH -This map shows the underlying zoning (*Part is on the reservation; the rest is in 20 and 5 acre parcels*). This forms the basis for the lots analysis. We have the USGS study laying out the hydrology of the creek – gaining reaches, losing reaches. Where you want to go is your decision – maybe changing zoning to 20 acres.

AH wonders about the potential for beaver activity to store water. JD notes that they were trapped out during the 1960's & '70's.

PH – Trying not to waste effort. This is work we will have to do for the WRIA 49 study.

AH – So you can bill to that?

CB reading from a document notes the number of lots in certain areas. 107 in the lower section with only 7 developed. AH notes that it is a rain-dominated basin and the rapid runoff.

CB – That watershed has a significant forest element to it.

PH – We will try to tie well logs to parcels. Do a water use study.

More discussion of beavers.

JD notes that Lower Tunk encompasses a 14,000 acre ranch. A discussion of how parcels are counted ensues.

PH – We are going to start with the coarse analysis and then drill our way in in the more sensitive areas.

CB – The uses that are allowed by zoning – R5 or R20.

AH – If you can have one house per acre...

CB – (*Distributes the District Use Chart.*) I can see a Comp Plan that discusses the potential for different uses allowed in various areas.

PH – You have a lot of zones on the book that don't appear on the landscape.

Discussion of addressing various issues in the Comp Plan, Zoning Code and District Use Chart. CB notes that current zoning doesn't address strictly residential areas and cites cannabis grows being located inappropriately. PH mentions the issues from the cannabis grows at Benson Creek. An out-of-compliance event center in a restricted area is discussed. Relevant water law is discussed.

OCC 17A Nightly Rentals

PH – Getting a fair response to our letters – about 60% return rate. Working with the Veranda Beach group, getting across to them that individual homeowners need a license. Pretty good return out of the Methow. We are going to send a reminder out. We sorted through a few that we just can't cite where they are. We have opened a list of potential violators. Propose revising ordinance to strike out the restriction on owning more than one.

CB asks for information on the price of rents being affected by nightly rentals.

PH – We don't get much comment on that from anywhere other than the Methow Review District. Comments include concerns about long term housing stock availability, taxes, effect on neighborhoods.

CB – If you don't control that end of it, you have to do something to make up for it to keep affordable housing (*cites service workers living in Pateros and working in the Methow*). It is something for us to think about.

Tabor quit claim

PH – Have that almost ready to send to you. Legals have been broken out and I will send those to you.

CB questions the standards for the BLA(?)

PH – They have some standards (*describes, but too quickly and legalistically to record*)

Comprehensive Plan (Comp Plan) review

PH – Sent you a revised checklist, proposal and scoping. I have been talking with Dave (*Gecas, assistant prosecuting attorney*) about timelines and will send that to the Yakama Nation. The draft is about ready to begin scoping. Will do a 45-day period, to account for holidays. Will be over by the first of the year. (*Lists the elements that have been addressed – too rapid to record*). At the end of this review period I will have the significant issues that have to be addressed in the Draft Environmental Impact Statement (EIS). Planning Commission will hold public hearing and pick a preferred alternative. Then you will decide whether to adopt that recommendation or amend and adopt or send it back to the Planning Commission for further work. If so, they will hold another public hearing.

CB – So has Dave been in contact with the YN?

PH – *(Inaudible)* I am hoping we will be done by May-June. Depends on how long the Planning Commission works on it.

CB – So we haven't heard back from the Yakamas?

PH – Not as far as I know. Anything else you want us to show you? *(no)* Observations?

AH – DOE – is there greater water availability as you get closer to the river?

PH – We are going to tear into that. I am interpreting that DOE's position is that closed basins are off the table for additional wells. That ignores other water sources. The reason for the EIS is that Comp Plan is likely to have environmental impact.

CB – Andy, would you remind me of that status of water for the city of Twisp?

AH – If I knew I would tell you, but I am not sure. I now they acquired a water right from MVID. *(AH lists uncertainties).*

CB – So if the 2 cfs reaches down to Twisp...

AH – Can't use it for a municipal water supply. Single user only.

CB – Is there any potential to change that, for mitigation? *(cites a situation in Oroville).*

Discussion of the potential for moving some of the 2 cfs from upper to lower reaches. AH notes some stakeholder opposition.

CB – Who is against amending that rule?

AH – I asked that. They are concerned about opening it and getting comments on all the other sections. Yakama Nation and WDFW are dead set against using it downstream.

Discussion of mitigation for development, availability of water rights for sale

PH – How can I facilitate your consideration of the Comp Plan? At some point we need to put it out for public review.

CB – I think it might be better to put it out.

PH – Can I pull the trigger?

AH – I think so.

CB – If we put it out for scoping we will find out what the concerns are.

AH – But it won't come back to us, right?

PH – The next step is that it goes to the Planning Commission. *(Describes the process)*

CB – I trust the process.

PH – Bottom line is that it is still a draft. If we try to put out a draft that everyone agrees with, it will be a long time coming. The Planning Commission is going to hear from a somewhat different group than you will hear from.

CB – In many ways, no matter what we do here, it still has to go through the Planning Commission. I say we go with it. (*other commissioners agree*).

PH – I will publish it next week. Very good. The comments will start rolling in. We will send the environmental checklist, the draft and the draft EIS. We will send it to the agencies and tribes. It will be available on our website. Dave has been in communication with the Yakamas. You might want to invite him up here for an executive session (*discussion of scheduling*).