

Board of Okanogan County Commissioners  
4/9/18

**Present:**

Jim Detro - (JD) BOCC  
Andy Hover- (AH) BOCC  
Chris Branch -(CB) BOCC  
Lanie Johns- (LJ) County Clerk  
Dan Higbee- (DH) Building Dept.  
(Several others listed under specific sections, below.)

*These notes have been taken by one of several volunteer citizen note takers and published on the website of Okanogan County Watch (countywatch.org) The notes have been taken as close to verbatim as possible but are summarized as necessary. Any writer's comments, questions, or explanations are in italics. For officially approved minutes of Board of Commissioner meetings, normally published at a later date, see [www.okanogancounty.org](http://www.okanogancounty.org).*

**Summary:**

***Public Hearing: Cannabis***

*After brief discussion the public hearing on an interim ordinance governing Cannabis operations is approved with no members of the public testifying. A DNS has been completed. Hearing on the final draft will be before Planning Commission on May 14, 2018.*

***Veranda Beach/Lake Management District***

*Huston, Ana Lyons (Weed Board) and possibly others met with parties from Veranda Beach development in regards to the proposed Lake Management District. No official response, but speculation is that they may not have a positive response because landowners would pay more but have possibly less treatment for weeds at their location.*

***WRIA 49: Planning Unit Membership & Structure; Watershed Plan Revisions.***

Lengthy, informative discussion regarding history of the unit among prior leaders, list of organizations previously involved and their reps, importance of attendance. Decisions: For sake of continuity and because they worked so well together, previous members to the Planning Unit who are still available will be invited to return; Huston to contact them, asking whether they want to be an active, voting member or technical resource; agency folks will remain advisory members. Member groups to be contacted later if prior reps not willing. Possible inclusion of additional groups discussed. Conservation District board can discuss offer to remain lead entity of the Unit on first Tuesday in May.

***Comprehensive Plan:***

*Houston announces new draft to BOCC sent to them this morning. Discussion later on agenda. Draft contains: all previous changes; addition of statement on water banking; changes to aquifer recharge mentioning cities. PH opinion is that banking can protect from relinquishment, with Kittitas perhaps leading the way. Huston will improve wording on water quality. Debate on Resource Lands - Huston opines that they do not need to be quantified. Details of wording discussed. AH questions if statement on reducing density has been deleted. Revised map possible for next week.*

### **1:30 - Public Hearing** on Interim control ordinance

PH - outline:

1. Process - We did not have a public hearing for interim ordinance, so must have one within 60 days .
2. At the “end of the day, “ BOCC should repeal or keep interim control .

In terms of process, I have issued a DNS for the final ordinance (Determination of Non-Significance regarding environmental impact) and put the drafts up for public comment. Planning Commission hearing will be May 14, due to a conflict with Memorial Day holiday. PC will have hearing on proposed regulation and send on to you their recommendations. The review should be completed within June-July of this year

2018-2: Copy.

One of your tasks is to adopt findings following the Public Hearing. A matter of interpretation: We built findings into the ordinance. If you are satisfied as to the reasons you took your actions, nothing is needed. If you want to add to it, we will have a resolution along with the additional findings.

(To BOCC) Any questions?

CB - Findings built into the ordinance?

AH - If we keep the interim controls, the motion would be to keep interim controls and send to Planning Commission (PC)?

PH - PC has already received the first draft. May 14th at 7PM will be the hearing. If you wish to adopt or add findings, get staff to prepare a resolution.

JD - Any question? Anyone wish to testify? (*No one wants to.*)

CB - It's pretty well covered. Makes motion to adopt the ordinance, which adopts revisions. (*There is some question as to which ones they are adopting.* )

CB - Moves ...(? Seems not to address what PH wants.)

PH - Clarifies what he wants. We need a motion leaving interim controls in place, 2018-02.

CB - So moves.

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PH 2:00 is Initiating Governments meeting.

AH - *(Still folks sitting in the crowd.)* Wants to clarify that interim controls are in place and moves on to the Planning Commission for a hearing. They then pass on recommendations to Commissioners who will *(adopt?)*

### **PH - Veranda Beach/Lake Management District**

*(Note taker assumes this was a meeting referred to previously in a BOCC session that would occur with Veranda Beach personnel and county officials in regards to the proposed Lake Management District for Lake Osoyoos.)*

We had a good discussion. Ana Lyons of weed board was there to answer questions. They not take any action while we were there. Do not know at this point what their predisposition is. It was not a meeting of the interim homeowners association. We have taken care of that. Noxious weeds is willing to talk about administration of the program. I will begin preparing a resolution on intent to adopt, different maps with different options, so we can gauge how many individual parcels would be part of the Lake Management District. Ana thinks a good number is the \$45.00 per year we have been talking about. Will base annual assessment upon the number of lots, etc. We haven't had any additional input at this point. Another resolution will require another public hearing. Any questions?

CB - No feel for why they want?

PH I think they will not want....*(?the Management District?)* One question was if they were a part of the district, how often each person would be treated. He repeats that this would not be the case, more likely a triage situation. That is not consistent with what they do now. For the most part, they treat the front of their Lakeshore every year. So that wouldn't make them happy. They would be contributing more than what it costs them now for less treatment. He thinks they were doing the math, contributing more \$\$ but getting less treatment.

AH - Did you say that all lots would be paying \$10,000?

PH - That's what they are spending, not sure how much per lots. They are spending \$8,000 per year. *(Not sure whether a conflict or not.)*

CB - So if something changes in the future, the district will not have anything to hold them to?

PH - Correct. The 3 lots they own on waterfront area owned by (?) Those could be included. The ones not on the waterfront, would (not?) according to the 1st proposal.. All elective. They can treat, not treat. None of the proposals have had at any time a landowner opt- in or opt- out. The last proposal, the BOCC was talking about all waterfront properties in, including those not developable. Everyone else would be included, would hope the door open to treating all.

CB - Questions the number of 3 that have lots on the water.

PH - Will have to double - check on one plat. All fee simple for most part.

CB - The 1-3 are not...

PH - Ones on waterfront, I think the Homeowners Assoc maintains control, but actually owned by the resort. Do not remember if...all the cottages back in division 1 or 2 that do not have waterfront property, have access to waterfront.

CB - 12 on the other side.

PH...That is what I don't remember. Whether they went down and hit the water I'm not sure. Think there were 7.

Any questions on Lake Management Dist?

PH - While we are waiting - I did talk with Ms. Volkers...*(not clear what he's talking about.)* Josh has not reported on damage to trail.

*(The following is apparently regarding ATV's.)*

AH - Has Public works started working on a map from District 1 yet?

PH - Cecil had to do some other work, do not think they have completed it. The plan was that once the rough map was continued, they'd all sit down with DNR/ WDFW.

AH - Would it be more beneficial to schedule upfront? I know it takes quite a while to get these scheduled. Just a cursory glance at property ownership.....

PH - We can pose the question if there are any roads you are interested in adding?

AH - Last time we tried to schedule with USFS, they were 2-3 weeks out and couldn't come. To know ahead of time....

CB *(to AH)*- We were going to include part of your district in here

AH - Doesn't make sense not to include Mallot, Brewster, Pateros, in that area.

PH - We hadn't actually defined that boundary. Decided to start with Branch's district and work our way down.

PH - Will do that outreach and put it on their radar screen.

*(Note: 9 people in audience - unusually large.)*

PH \_ I have not set hearing for 17.8400 (*No indication what this is*) - It entered in my mind that you might want to consider it for normal, or?? ASK WHAT THIS IS.-

CB - Would be helpful to do it after regular hours.

AH - Here, though?

PH - Yes. Will put it on for public hearing in evening.

## COMPREHENSIVE PLAN

PH Update: A new Comp Plan draft was sent out earlier this morning. I added a statement about water banking. We talked about water banking under water rights, but added more specific language. Made changes in aquifer recharge - referred to cities, etc. The draft I sent you accepted all previous changes. We still have the old version. We have it loaded on the machine. If we have time, will pick up later today.

AH - Water banking is important in all ways, ie re agriculture, lots of people downriver who will want water from up here. Usually for non-ag use, because if someone can't keep farming and wants to sell their water, we can somehow put it in the bank for ag use - we can keep the water in the county.

PH - In my opinion, water banking has evolved to protect from relinquishment. Was appropriate but now, with Kittitas leading the way in some respects, you can buy water for imitations. Is that an issue in 48? Arguably no, until resources are exhausted. It WILL be an issue in 49. All water banking discussion - I am still talking with OTID ( *Oroville, Tonasket Irrigation District*) on that subject.

PH - Offers to others to come up to the table.

## Agenda and WRIA Area 49 Watershed Plan revisions/ Watershed Planning Unit

### Participants at table.:

Tom Mc Daniel- City Admin, Omak

Jay O'Brian - manger of OTID

Craig Nelson - Conservation Dist

Jerry Barnes - Chairman ( *of past Okanogan Watershed Council, I believe.* )

Vanessa Brinkhouse - (*on phone, VB*) DOE watershed planing.

Members of Colville Tribe are in the audience.

### PH - We must revise the watershed plan. Must address interim instream flow.

Shows map of WRIA 49. Extends north to boundary of Canada and enters into Colville reservation. A number of other WRIA's: 48, 47 , 60, 52, 51. The only one we are directed to revise is 49. 48 already has interim flow rule. Others have no in stream flow rules. Ecy must create the in stream flow rules on the schedule for these other WRIA's. Applies to new domestic groundwater withdrawals.

DOE responsibility to decide if the actions intended in the plan, after counting new project uses of water..... Our work centers on instream flow and domestic wells. We are not authorized to impair senior water rights. None of this legislation is authorized to impair senior water rights.

WDOE will work with Initiating Governments to (reads from document he passed out.)

### First steps

1. Re-form watershed planning unit.
2. Identify lead agency.

AH - Lead agency is by a vote of the initiating governments? Or it can be passed to the Planning Unit?

**Initiating gov's** may decide whether to pick up where they left off, or to start from beginning.

**Invitation to Tribes.** Once the Initiating gov't's have decided lead agency, lead agency shall invite a rep from each federally recognized Indian tribe that has a usual and accustomed harvest area within the WRIA to participate as part of the planning unit.

### **Initiating Governments.**

Involved:

CN - Craig Nelson (Conservation District)  
JB - Jerry Barnes (Planning Unit and others)  
VB - Vanessa Brinkhaus (WDOE)

### **Questions and answers:**

AH - I want to back up. Who makes the decision on which tribe to invite?

PH - The lead agency is directed to invite. Arguably, they are to report to the planning units. My interpretation is that Initiating Governments are responsible.

CN - My memory is a bit blurry, but if I remember correctly, the Colville Tribes were selected, but at that time they did not wish to participate; but we left it up to them to change at any time.  
Under minimum requirements - us , the planning unit, must (?) out and the way to offset it.

AH -Use of the word "consumptive." What is the number that they have defined?

PH - 6091 (*new legislative Hirst "fix"*) does not offer that to us. Other bodies have suggested some of the uses.....

AH - There is a DOE document too....

PH - We are looking at what neighboring counties have done.

AH - How are we collecting the \$500 fee from a well driller?

Asks Vanessa - Is the DOE generating a list of all notices to instruct, and sending on to county?

VB - The \$500 fee is collected for each new building permit. I will check to see if the NOI gets anything going.

Dan Higbee / PH Site: analysis application or ???

AH - Can a property just sit and not put in the well?

PH Potential scenario - well driller contacted, goes through steps to drill well....no one may have collected fee.

AH - We need to iron this out.

PH - 5,000 gallons has been reduced to 3,000 gal/ day as domestic use. 1/2 acre , stock watering, and 5,000 for industrial/commercial have not been changed. This raises the question of domestic use vs outdoor use.

This may need to be dug into to see during the grace period,...what can be used.

AH - I thought DOE said 5,000 gal instantaneous and 3,000 over the year.

PH - No more than 5,000 any given day, but a running average of 3,000 gal. This is the direction in the bill.

For this particular (chart, giving idea of who the planning unit members were)

CN - At any one time, only 25 people active, but this list includes alternates. One person passed away, so another rep from city was a part. Several people comment on the list, people they knew didn't come, rarely attended or were regular.

CN - The planning unit met twice a month for 4.5 years.

JB - This is getting to serious business and economics of the county. We need more involvement. *(No one comments.)*

**PH - Now on agenda: Members and selection process for the Council.**

We can parallel this list or streamline it. Other Initiating Governments may have some ideas. Observations?

**Ideas:**

\*We need some technical people

AH - Asks Jerry about more participation? Larger list of reps, or more people doing it?

JB - Need more people who actually showed up at the meetings. *(Later it is clarified that some members hardly ever attended.)*

CN - 15-20 was average attendance of most meetings. Most of the way, 20-14 organizations had a seat at the table.

CB - So Initiating Gov's themselves include Omak, Municipalities...From my experience, municipalities look at senior water rights.

AH - Makeup of the planning unit...

PH - How do you wish to invite the agencies, want them to be advisory members or participating members?

CB - That worked before *(advisory members.)*

AH -My tendency is not to have agencies as voters.

JB - It kept a lot of agency verbiage out of the plan.

JB - We had federal, state game, ecology, some in those positions worked very well, some tried to push agendas a bit..... more a thing of personalities. We kept reasonable participation. It worked.

**Qu - How many voting members were there?**

CN - 27 entities (seats) Most were a member (representative) with an alternate, some only had a rep.

JB - Some of us represented more than one interest. I myself had 3 interests. (Names them.) But I only had 1 vote, not 3.

CN - If a person and alternate were both there, they had to decide who had the vote. That system was developed by the Planning Unit themselves. They came up with this early on.

AH - Participation is critical.

CM - Yes. There were people missing...some organizations had no alternates so there wouldn't be any one there. Some had both regular and alternate, and neither came.... I questioned whether they even read the minutes. This slows the whole process.

JB - We all looked out for the other person's subject. We were not trying to have little camps of our own. We all looked out for Ag, Municipal, etc.

CB - So with the voting situation.....the bill said we vote by consensus.

CB - We had vote back-up, but did do everything by consensus.

PH Posing questions - Do you wish to change the make up of the planning unit, or should we parallel the old structure? It will depend upon who comes back.

AH - Does someone have a list of who they represent - 27 entities....

**\*(?) - Of that list you have, how many are viable?**

CN - OK County OTID - Tom scott always there, and very important. Another member has passed. Omak - there off and on. Jed Short. County Hort Assoc...pretty regular. Jerry Barnes - Cattlemen's Assoc. etc (3 groups), Private Timber - didn't show up much, Steven Mitzner. Well drillers - Chester La Fontaine. Mining - John Winter - came only once, early on. Okanogan, Tonasket, Oroville, Conconully, Non-district irrigators : Jim Utt, regular. still around. Other irrigation districts (?) Walt Olson....Environmental - Jere Gillespie. Still around, can she take it on? Recreation - Jenna Swan. Realtor - Sportsman, Osoyoos Lake Water Society - names 2, who have passed or had health issues .....

CB - Should check water board. Last few - Farm Bureau (Ok county) Sarah Kretz, Alt. OK County Grange - PUD - both rarely showed. Landowners - Mike Keely, Walt Roys, one other. Usually there. Ok City (?) Coalition. Names several. That's the group. From my standpoint, regardless of who does it? ...I'd recommend asking those on the list to see if they want to participate, if they are still around and living.

CB - Should invite Riverside. (JD thinks they might participate now.)

JD - We didn't have any river pumpers. One of them might be important.

CN - There are 120 legal ones. Structure: Same as what it was before, with addition of Riverside and ..... Contractor or builder might be a position to add.

JB - There was a real estate position but it didn't materialize,. Maybe we need construction rather than sales this time.

**\*Question - was this group productive?**

CN - Worked very well together. As I recall, they asked to send people who work together and want to find a solution , not people who don't want to hear the other side. We certainly had some contentious discussions, but even after many meeting, if required, they found a solution.

CB - to be engaged in the conversation, they need to be there or will be left by the wayside.

JD - Another anomaly - uptake aquifer. Points to someone in the audience.....

CB - Actually anyone who is a purveyor,,??? (*can't hear. Mic pointed away from him.*)

Discussion with several voices. Hard to follow. One person at the table - emphasizes listening to each others.

JB - We had Brewster district manager. Did Barrels (?) show up?

JD - Town district (Alta Vista?) JD cant think of his name either.

JB - The Mallot one didn't.

AH - Do we want to increase membership to include all these people?

CB - They sorted themselves out. Another thing to consider ....senior water rights holders in each basin would be of benefit.

JD - 48 has always stayed active, 49 stopped after (?) things accomplished.

CN - We had a number for a quorum. Thinks it was 8.

**\*Technological support important.**

CB - We had the agencies, and when additional info was necessary, there were studies as a result of the work...they asked for information. We ended up with 3 different streams the USGS worked on. A lot of the technical info came from what the planning unit thought they needed.

JB - Some experts were invited

CN - Not just agencies, but WA Water Trust, WA Rivers Conservancy - who are centered around salmon recovery, etc. They work with a lot of water users.

CB - Did some water right workshops.

PH - Would it be useful to have staff take the list Craig has and built upon it, listing all the basins in the WRIA?

CN - Smallest is 15 A to 40,00 A. 26 basins.

PH - We can generate the list that represents everyone in terms of organization, not actual members. Next, what selection process do you want to follow? Could send letter to each organization to see if they are interested. May want to talk about consolidating interests.

CN - For our purposes, we lured groups - NE... (lists a number of basins.) Then E Central, other creeks. We lumped the basins into 11 sub-groups. 2 of those are not technically in WRIA 49.

PH - I will make comprehensive list of organizations that might be interested.

JD - Go to Craig's master list, determine who is not interested or deceased, then build...

CB - When the list gets generated.... (*Can't understand.*)

PH - We will make a list based upon discussion of all the organizations that might have an interest, and so forth, basins, date purveyors, etc. That will give a list of potential organizations. Could send them all a letter asking if they wanted to be represented.

AH - Go back to Craig's lumping together.

PH - If we go to (?) maps we can identify senior water right holders.

AH - I will step back a bit.

PH - For purposes of original watershed plan, „etc. but in terms of identifying senior water rights holder, it's all identified by the maps.

PH - Also heard desire to reach out to those members who were on the planning unit to see if they are still interested in participating. That could be the step of asking the organization. What I heard was there was some desire to have continuity in the conversation.

Qu: How long of a process will this be? Is there \$\$ available for people to travel?

**Vanessa**, are you still here? Answer: I have an update for you guys. I have the news as of this afternoon.

CN - To answer, depends upon rules from Ec'y. Some times they reimburse for mileage, but for time, probably not. On Water Quality, they paid mileage, but when we got to this, did not. Cost of meals, eating, etc. considered eligible.

PH - Deadline is Feb, 20 21. 2 years, 7 months.)

PH Some of other WRIAs have different dates.

**PH - Summarizes: Will generate list of participants, reach out to members of previous board. What kind of a selection process will be considered for those positions that are opening? Can the organization send one person?**

AH - If they chose not to participate, does the basin not have a rep? (Senior water right holder)

CB - If they don't want to participate, they might suggest someone else.

CB - We might at some point look at the list and say that we have a balanced group?

AH - Who is doing this work? Are you, PH, doing it now because we don't have an agency? You, PH, have a lot to do as it is.

PH - We will put your list together. Sounded like you wanted outreach to those on the Planning Unit. We will bring it back before it is sent out to others.

## **Lead Agency**

PH - Item 5 - Lead entity. You had a lead entity before (CN, Conservation Dist.) if you want to consider another one, I suggest an RFQ - the bill would imply that there was some expectation of picking up where you left off. In this case, icons list (?) might be considered an Intergovernmental Agreement.

AH - The lead entity has the (IBG?)... giant book of material

CB - Wouldn't it be true that the Conservation District has to consider what the offer is? We'd rather you are the lead entity and not get paid...

CN - First Tuesday of month is the board meetings (*can consider the offer*).

CB - Could we have an observation of what that conversation looks like?

CN - In the past, whoever the lead agency was, it was the agent that could ask for grant \$\$.

PH — To put on a finer point, from Planning Dept, if there is a desire for the Cons District to continue, that is fine. but otherwise I will make a proposal for an RFQ. Interlocal agreement is a different process. I wouldn't do an RFP, but an RFQ to get the right skill set. I assume it would be a contract with Ecology.

*(Most input is to just have the Conservation District continue as lead. It will take others a long time to catch up.)*

JB - To our way of thinking...we already have Okanogan County's way of thinking. Some of the entities are not in the same mindset.

AH - Good that we are all in agreement that we can go to the direction of Conservation District.

## **Vanessa (VB) - Grants**

There will be a couple of different types of grants

\*local capacity grants, up to 50,000 to support the lead agency staff for implementation.

\*Phase 1 watershed planing grant Will help the lead agency . For Facilitating, estimating impact of domestic wells for 20 years, identifying additional technical info as needed to complete the plan.

Phase 2 - Likely gathering technical info, update. They said they would get the “template” to us in a couple of weeks. From there will contact lead agency, provide them the template and fill out. It will not go through electronic system. Will be paper grant. Snail Mail. We’ll eventually integrate to electronic system. For WRIA 49 - I will likely be the grant manager.

### **Questions:**

CB - To Vanessa - Ec’y presence at meetings ? Will you be the one?

VB - Yes. If need a for technical support, I may be hydrogeologist . Me on a regular basis if no need for technical assistance.

PH - Is there money available to assist planning dept ?

(Vanessa?) That would be local capacity grant. In re the lead agency, it is often the county. Capacity grant is for implementing the new law. Would need to check to see if a different lead agency is designated, it will depend upon whether the county or another leader agency gets \$\$\$. Or if the county can contract with Cons Dist.

AH - We are having to do things in parallel. For example, county has to record the new wells, etc. If Cons Dist is lead agency, can we will go through the lead agency for that time?

VB- I will check. We can back up the charges back to when it was started.

CB - to CN - Did you do all the recording?

CN - Yes, We had a sort -up , and then Phase 1 and Phase 2.

PH - I am referring to pre-planning work. We are currently building tracking systems, etc. Vanessa, did you think that was originally the original target? She will check.

PH Craig had prepared some preliminary budget numbers.

CN - Without knowing, I’d still want to pencil this out. Would rather pencil out after hearing some of this stuff. I was asked what it would cost to facilitate a process and didn’t know what the process was. Initial gut was 100,000 a year but need to know more. I’ll be calling Vanessa.

PH - Reason I brought this up is that the numbers have been structured to a point as proposed to what we think it will cost. Phase one was pretty tight in terms of getting the work done (before.)

VB - the 4 criteria that were mentioned, the 150,000 - supporting planning sessions, 20 year impact studies, deciding technical services needed. Before Phase 2. Do not know numbers for Phase 2.

50,000 - implementation

150,000 - watershed planning

Could be all wrapped into one contract. They are not sure.

AH - Watershed Council in Methow has been active and said if there was any way they could help, they would. CN acknowledges this.

PH - This completes your agenda in terms of action items. We will circulate the list of those interested in participating further. We should get updates from Vaneessa in a couple of weeks. Craig and I need to put our heads together. no reason to wait at this point. No need for an RFQ, going the IGA route.

AH - Question about an invitation to prior members.

CN - Right now. Frame it as to whether they want to be an active member or technical - in any capacity whatsoever.

JD - So that's our Agenda.

PH - That's our agenda. any questions?

JD - to PH - We have about 45 min before next agenda item. Query the crowd with questions?

### **Comp Plan Draft (About 3:15)**

Groundwater section - I tidied up. Added a section on water banking. Fairly definitive. County will support water banks when feasible (in Kittitas, there are private investments in water banks.) CB - are they sold on the open market?

PH - Original one was formed by Suncadia. It had been moved upstream from Ellensburg. The most senior water right obtained was downstream in Ellensburg. This was some several years before water banking came to forefront. They led the change. As I understand, Kittitas has obtained water and created their own water bank to mitigate for water uses from groundwater wells exempt from permitting in accordance with RCW 90.44.050 as well as creating the opportunity for those seeking an individual or group domestic water supply to obtain a water supply of sufficient seniority to minimize the potential for interruption due to low instream flows or impairment of senior water rights. etc.

Line 426. Reads from Comp Plan draft aloud. Objective is to take water that is being used in another capacity and converting it for use to exempt wells. But if you can buy into a water right, you have created a water supply with a low possibility of interruption. Tried to capture it in this language here. (BOCC looking at computers.)

AH Question - we are covered by an existing rule . The overarching question is are we following a rule created by planning efforts. Remember you have two rules - 48,49. Why are we not addressing those rules, either cursory, or otherwise, in this water section?

PH - Approach was to keep it more general keeping in mind that in the total of all the WRIAs in county, only two have in stream flow rules. Idea was to have an overarching rule to recognize our responsibility under the PEA to protect wells and quantity of groundwater. This particular passage is more specific to the interaction prior to that ...but it comes up in so many comments, we ought to address it.

CB - Would it send a message to especially the Yakamas, that this applies to 48 when there were so many uses already there.. What if it said.....(cut off)

AH - There are other things you can do to help that. In the rule, it doesn't mention water banking, but I think it's a good idea. Not just saying there is a rule and we follow it..... words matter.

CB - in this case, they really do....(cut off)

AH - We are not doing anything out of the ordinary by saying we are following rules.

PH - In other interactions, we mentioned authorities in re ground water.

AH - Maybe at the very bottom, in addition to planning objections above. OK county is also governed by in stream flow rules to 48/49, pertaining to certain parts of the county. Why not just say we are following these rules set out by Ecology? And presumably 173, 49 (?) will be the rule.... I know we are trying to talk in generalities, but i think this is one place we can't get around.

CB - It's a policy statement. You can even list. But this one is a little narrow, because water banks are more specifically....there are other reasons for water banking, such as commercial uses, ....

PH - Keep in mind the 2cfs is only senior to the instream flow. ....I would make distinction between "applicable" vs "motivation." Will there be more motivation in 48 or 49?.....

CB - I was thinking about in 49, you have a water right sitting there in a reserve status, and the owner of the water right is trying to sell it, whether in our out of the basin.

PH - Elsewhere, we talk about offering as much motivation as we can to leave the water in the county.

CB - I know of one in that status so far, but no one is there to buy it.

PH - I can create a passage here.....

AH - I was trying to look up the letter that ...or the presentation that they ...Yakamas sent....

PH - They cued on..one is water banking of course, and one is under the banner of hydraulic continuity. The whole idea of density accompanying water supply. Under the banner of water quality.... Quantity is one thing, quality is the other. We can take a look at ....make sure... that is adequately clearly stated. In chapter 12, that may be the best spot. I will come up with a passage.

*(Note: What is projected on the screen has the alternatives listed.)*

## **Resource Lands**

Another thing I did add: Resource Land/Ag - under banner of needs of the industry, forest land ....no quantifiable amount for need of the industry. ( Line 648.)

AH - I think we said it's not that relevant any more. The needs of the industry change so quickly. As I follow tree deals in china, etc.. What ARE the needs of the industry? 80% of the pistachios in CA are exported. What are the needs of the industry? For export?

PH - I' don't think we need to quantify it in this Comp Plan. If we are challenged, we may need to come up with something..... it's a legal requirement.

AH - doesn't understand how somebody, the legal system, could say, how did you figure out how much timber needed to be put into timer resource land?

CB - You know the section of that hearings board case....

PH - What I would offer is that what brought it out is that anything that fits the designation could be designated. From some perspectives, was to qualify as much as could be needed....there was an outside boundary put. You didn't designate everything that could possibly qualify, but you designated enough..

AH - The critical needs of the industry...was that specific?

(?) Yes, Lewis county. Came up in Kittitas too....

AH - the only way you could quantify....say how many people raise cattle in Ok County....how much \$\$ do you need? How much property do you need? There are a lot of people who own cattle that also have a spouse that goes and works ...they do not have to base their earnings on cattle productions.

PH - The message, if you will, came out of the decision....it was the quality of the analysis. What did you base it on? If the decision was that we don't want any more than we have to, no leg to stand on. ....etc. etc. If you have this stuff in your record, you have designated enough.

AH - If we are not required to regulate, is it that important?

CB - The fear is, if you designated....or why would they require you to designate? Because eventually, they will expect you to regulate. As in Critical Areas - not required to regulate when passed, but as soon as passed, required to regulate.

AH - Problem is that we are not being consumed by municipal growth right now. Why would you designate Ag land?

CB - the reason across the country is that Ag land (*is diminishing?*)

AH - Rural development does not .... you could still farm on 40 acres.

CB - If we can get that conversation captured....one acre lots equals opportunity to farm?? What typically you will see, the ability to farm at any scale is impaired by high density growth.

AH - There are different models out there where you can make \$\$ subdividing property and also do some form of agriculture. Even a 70A block of property, then developing saying that we are going to keep 50 A open and rent it to a farmer....

CB - if you were to designate ag lands, what you do with the regulation is still to be determined. If you designate Ag lands and you have policies that said our purpose is to actually , if it is in, say, in a designated Ag lands area, then it can happen the way you describe. In Chelan county, they put in a restaurant, Blue berry hills, and there was a fight that occurred. In actuality, they have a blueberry patch and people pick it, at the same time people are seeing farming.

AH - important also that the document has to be good enough, ie that your intent is clear and there is no....that further down the line people do not take advantage of what you wrote.

CB - If we can come up with a reasonable....there can be a list of things.

*(They go back to Resource Lands in Comp Plan..Do we list options of what can be done like this? )*

PH - Goes back to line 532 .....conditions and permissible uses. Trying to decide whether a good idea or not. We left off of planning objectives - a lot deal with Ag, but are listed in the Resource section. On Ag, line 213..... Ag actives shall be reconvened and provided in the rural and resource designation.

CB - So are other things, right?

PH - yes, that is the incompatibility.

AH talks about big brown nets along fruit trees on highway.....it prevents spray, doesn't it?

JD - lots of things. birds,, etc.

PH - Incompatible uses.. reads a section that has to do with this.

AG - Maybe a statement that incompatible planning objectives should be reviewed. Either you put planning objectives under each topic or you address it all at once.

pH - Here is Transportation Grid as it relate to Ag., as example.

AH - Talks about importance of readability of comp plan.

CB - Should be written so that it leads the reader from one area to the next.

One goal - protect Ag lands without undue hardship to Ag community.

AH =- so when you get to the end of that section, do you reference some planning objectives?

CB - I would list some of the tools that might be used. Subdivision rules. Planned Development, etc. the things that drive density. Going back to the top, vision statement, and when we get down here, we want to be sure we are still moving toward the visions etc.

PH - Has his own suggestion on this. Goes back to line 137... general.... down to mentions city expansion areas, but doesn't get into it. .. Cannot follow. /.....

AH - Scroll up to Com Plan Objectives...ok.

PH - We could keep those very general objectives here, and then lock the ones we looked at into the source Land Designations, etc.

Cb - when you put down some populations, in the Zoning, you don't need to use those options. there could be other options that come up later.

**General Planning Objectives.** ..... here is our objectives for this area (Forest Land)...under reach section.

Chapter 12, Aquifer Recharge - about line 3430.

It is about a city (changed to county) protecting water system. I borrowed this from (??) *(Says he was tidying up. )*

AH - Did you take out the section that referred to lowering density?

PH - not sure.

AH - Asks PH if she can have the revised map for next week? Angie will try. She has to meet with Ted too.

#### **4:00 - Charlene Grooms: Portal fees**

Clerk's Portal fees: There will be a public portal for the citizens. But people can sign up and have rights that are assigned to them. For example, Attorneys can see the confidential legal stuff, but public cannot see it. It will be a lot of paperwork, but it replaces need to make copy of for people. This will need a little time to maintain the records.

CB - You are proposing to share that cost with other departments?

CG - People within the county will not be charged. Media, title co's, attorneys' offices - because they can get into it themselves. Basically another convenience fee. The way we have it broken down, within the clerk's association, the more people using it the more we have to maintain. Each attorney, by signing in to Ok county....they will need to do this for every county they need to work with. The are doing that now. People are not reacting as if it is excessive.

AH - who would write up a resolution to adopt those fees?

AH - the Sheriff's office....take a look at what they just wrote. Most recent one.

If anyone in BOCc wants to access, I'll have you fill out the paperwork ....laughter, etc.  
Maybe your people will see things before you do (laughter.)

Note taker leaves 4:15