

Shoreline Master Program
SAG Meeting August 22, 2007

Caucus Representatives

Jerry Barnes – Agriculture

Raleigh Chinn – Business/recreation

Lee Bernheisel – Environment / Conservation

Jon Wyss – Natural Resources

Absent Wendy Witt – Homeowners / Property Owners

Chris Johnson – City of Okanogan

Dave Acheson – Town of Winthrop

Absent - City of Omak

Absent – Town of Brewster

Absent – Town of Pateros

Introductions

Review Agenda

Jeremy reminded all the members of their roles and suggested that while all opinions are important, we need to move forward on the Goals and Policies, this is the third meeting on this topic, so he will allow about 3 comments per topic then we will move on. Jeremy also reminded the group that this is an advisory group not a decision making group.

Kurt gave an overview of the SMP structure and why the goals and policies are important and how they relate to what comes later in the process.

Lee commented that he didn't feel the product reflected the changes that had been made. He also stated that most of the shorelines in Okanogan County are Shorelines of Statewide Significance and we need to look at state vs. local interests.

Kurt said that he is keeping track of changes but that it was decided not to send out a new version of the draft goals and policies every month because in his experience that caused confusion in the group.

Chris Johnson suggested having the notes better reflect major topics of discussion and not just decisions.

It was decided that there will be a bulleted section at the end of the minutes reflecting major topics. It was also decided that there will be a period of time on the agenda for the members to comment on the minutes and add corrections or additions. This is not intended for typographical errors but major issues of omission.

Kurt said that we will be moving in general regulations next and then onto specific regulations. We are on the last goal and will try to have a revised draft goals and policies document for the next meeting.

Flood Protection Goal #1

Chris asked if we are going to integrate the Chanel Migration Zone into the floodway?

Clynda suggested adding a 2nd goal for integrated strategies for processes not completed to integrate what comes later.

Jon Wyss said that when GMA hits it will all change.

Clynda said that goal #1 has to have “reduce or stop damage”

Jerry asked about restrictions beyond the shoreline jurisdiction.

Kurt explained that the act encompasses upland activities that may have an impact on the shoreline area but shoreline rules don't necessarily apply.

Jerry said so a permanent crop would not be affected?

Kurt said that agriculture is exempt.

GOAL #1 “Minimize and reduce flood damage, including damage resulting from actions outside shoreline areas”.

Moving into policies starting with Flood

Policy #1

Lee feels that the word minimize doesn't belong

Clynda said that the document can say “avoid and minimize”

Lee said that the priority has to be to avoid according to the act. He said that standards are much more stringent for Shorelines of Statewide Significance, it may be ok to use minimize in some cases, but not very often.

Jon said that while he respected what Lee was saying, but feels that by percentage most shorelines within Okanogan County were not Shorelines of Statewide Significance but were streams and small lakes on private land.

Lee said that Libby Creek doesn't even meet the parameters to be classified under the act.

Kurt said that shorelines of statewide significance in Okanogan County were the Okanogan River, Lake Osoyoos, Palmer Lake, Similkameen River, Twisp River, Methow River and Columbia River.

Clynda said that another that needs to be considered are collector streams that run 300 miles.

Chris said that shorelines of statewide significance vs. streams not on the list deal with environmental designations not goals and policies which affect both here.

Doug said that minimize and mitigate vs. should avoid gives you what you are shooting for anyway, it says shall not should.

Clynda said that we need to make these general goals and avoid using minimize or mitigate.

Lee said we should quote from the act so people know where it comes from.

Clynda said Shorelines of statewide significance could be explained in the introduction.

Lee said that it is in the current Shoreline Master Program.

Jeremy said that policies allow for interpretation.

Kurt said that Dave's point is good regarding should not shall to avoid the notion of takings.

Goal #3 goes to general.

Goal #4

Clynda said that Douglas County was more specific so that the professional was identified.

#5 was ok.

Starting with general policies.

Policy #1

Clynda doesn't like "unanticipated"

Lee said that the new language weakened the document too much, he liked without the changes.

Chris feels that wouldn't allow for development of water dependent uses in municipalities.

It was decided that the group would look at policy #1 and send suggestions to Kurt or Char.

Policy #2

Lee likes the language as it is, feels that the suggestions weakens the intent.

Kurt said that adding the designations will clarify the intent. Designations will key the restriction.

Jeremy said that it is important to remember that the underlying principal will state that each will affect appropriate environmental designation and will be applied within that.

Kurt said that specific regulations will be incorporated in the appropriate environmental designation. He reminded everyone that it was important to leave the general goals and policies general and get more specific later.

Jon agrees, otherwise it could keep out economic investors but we want to keep the language strong enough so that the environment is not destroyed.

Dave said it needs to be added within the context of the appropriate environmental designation of the shoreline.

Chris disagreed because a lawyer will appeal, he feels it needs to be screwed down tight in regulations but keep general looser.

Clynda said isn't the goal not to degrade the shoreline environment?

Chris said some people think that a marina is degrading the shoreline, they think the only way is to enhance.

Jerry agrees with Chris.

Lee said they are missing the point on economics, Okanogan County hasn't like the SMP since it started, people of the state have decided that shorelines are important.

Jon said that the act is only as good as the legislative body.

Goal #3

Clynda asked why it said it has to prevent degradation instead of no net loss.

Dolores said that it seemed redundant/

Jeremy said that maybe we need to define prevent degradation as no net loss.

Clynda said she didn't know she just hadn't seen prevent degradation before.

Chris said that natural or conservancy that is ok, but not urban or industrial.

Lee said you are missing the point, some people don't want development.

#4

Clynda suggested "but not limited to"

#5 same issue

#6, going to come back to this one.

#7 ok

Goal #2

#1 ok

#2 ok

#3 Clynda asked will there be a statement saying if conflict the SMP trumps the comp plan? That the stricter would apply

Economic development

Dave asked why is municipal corporation only in this section

Kurt said most say municipalities there in

Kurt gave an overview of regional SMP versus that specific to towns.

Chris said we need to include language “are intended to”

Clynda suggested taking out Corporation.

Next meeting scheduled for September 26, 2007.

Major Topics During 8-22-07 Meeting

- Waters of Statewide Significance vs. local waters.
- Lack of opportunity to view changes in documents.
- Concern over what appears to be relaxing the language of the act.