

Shoreline Master Program
SAG Meeting June 3, 2009

Caucus Representatives

John Umberger- Property Owners

Jerry Barnes – Agriculture

Raleigh Chinn – Business/recreation

Alternate Jason Paulsen – Environment / Conservation

Absent Jon Wyss – Natural Resources

Alternate Craig Nelson – City of Okanogan

Absent George Brady – Town of Pateros

Absent Chris Johnson – City of Okanogan

Absent Chris Branch – Cities of Tonasket and Oroville

Dolores Castillo – Colville Confederated Tribes

Vicky Welch – Methow Watershed Council

Absent Dave Acheson – Town of Winthrop

Absent Ralph Malone - City of Omak

Absent Sharon Brown – Town of Brewster

Lee Bernhiesel – Environment/Conservation

Staff: Angie Hubbard, Okanogan County; Kurt Danison, Highlands Associates,
Clynda Case, DOE.

Member Reports: None

Regulations:

Lee- I do not feel like my comments have been taken into consideration throughout this process. Would my comments have more weight if they were submitted in writing? Kurt/Angie-Your comments throughout the process have shaped the document that is in front of you today. We have the advisory board to get different perspectives on different issues. However, the purpose of the board is not to write the document word for word. The written comments received by the Lake Osoyoos Association, the Department of Ecology, and The Colville Confederated Tribe gave specific input by line in the document that could be researched and used. We sent out the first draft of regulations at the end of October. At that time we asked the advisory group to submit written comments via email to the County knowing that we would not have another meeting until January. We have given a lot of opportunities for everyone to comment on the drafts that have been sent out.

John U – Will this process be similar to the Comprehensive Plan process that is going on right now? Kurt – Yes, there will be a comment period and hearings with the Planning Commission and the Board of County Commissioner's.

Clynda – After the County has adopted the SMP and submitted the document to Ecology there will be a comment period no less than 30 days (WAC 173-26-120 (2)).

Changes made to the Regulations:

Kurt explains that buildable area is the area that pertains to lot coverage.

Lee-Does this include the very large UGA's that certain cities may be requesting? Yes-Shoreline Recreation, Shoreline Residential, and High Intensity designations may be used within the UGA's if they meet the designation criteria in Chapter 7.

Kurt explains that if two lots are physically separated by a road or right of way then the lot furthest from the shoreline would not be subject to the setback as long as they will not be disturbing the vegetation buffer or the use buffer beyond the allowable limitations stated in the regulations.

Lee – I have repeatedly mentioned that I want the 200 foot setback to remain in place. It is needed to protect the ecological function of the shoreline. I do not think that the County is listening to me and my concerns and comments. Kurt explained that the 200 foot setback takes place only because of the prohibition on subdivision in the shoreline in the current master program. We had a meeting that discussed lot lines do not make the impact on the shoreline but the use, setback and lack of vegetation management do have a considerable impact.

Kurt explained some of the assumptions made for the buildout analysis. If the parcel was in conservancy designation then it received a zero for the amount of new development that would take place. If a parcel was less than the minimum lot size for that designation and was already developed then the parcel would be assigned a zero. If the parcel was less than the minimum lot size for that designation and has not been developed it received a one assigned for the amount of development. If the minimum lot size was over the minimum lot size for the shoreline designation then he looked at the frontage requirement for that designation to determine if the lot could be further divided and how much potential development could take place. Anything entirely within the floodway would have a zero for the buildout because it is state law that you are not to build in the floodway. In the Methow Review District there is a zoning regulation that currently states no structures for human habitation are allowed in the 100 year floodplain. Because of that Kurt had made the assumption that anything within the 100 year floodplain on the Okanogan and Methow Valley's would be zero. However there is not that restriction in the Okanogan Valley currently.

Jerry – stated that it is foreseeable that the Methow Valley would have a zero buildout in the 100 year floodplain but that would not happen in the Okanogan Valley.

Kurt then asked the SAG members if they objected to him using the same process listed above to go through and change the Okanogan. No one objected to that.

Jason Paulsen – brought up the point that in certain areas the Channel Migration Zone is larger than the floodway. Is there a mandate that dictates the CMZ must be used for the jurisdictional boundary?

Clynda – There is a disconnect between existing documents that have been developed and the current draft SMP.

Lee – Why does Chapter 11 give the County broad discretion to change the rules? The County does not get to change the rules we have to meet no net loss of ecological function. The only discretion the County gets is to reduce the wetland buffers by about 25% only if the project proponent demonstrates they will achieve no net loss through mitigation and habitat assessments. Lee – We have a responsibility to the state if we know that these regulations are not being enforced.

John U – The FEMA maps are not correct for my property, they show about 70 feet that should not be within the 100 year floodplain. Kurt – The FEMA maps were developed for flood insurance purposes.

We need to make sure that the suggested changes to the Characterization that Jerry has provided will be made.

Vicky – What is the timing for the Cumulative Impacts Analysis from Entrix? We have to be done by the end of June.

Clynda – Back to the earlier discussion of the Channel Migration Zone comment. If the Channel Migration Zone is not in the critical areas provisions the Department of Ecology will find that not acceptable.

Craig N – Just a suggestion to make the legend for the maps a separate file.

