

Minutes of
Community Development Services
Study Session

December 29, 2003

Those Present: Perry Huston and Max Golladay

Also Present: Allison Kimball, David Taylor and Catherine Dunn

Commissioner Huston's Email/Code Enforcement

David Taylor said that he had met with Commissioner Huston and the upshot of their meeting was contained in the email Huston had sent out. The basis of their discussion was the cross-training of the Administrative Supervisor/Operations Supervisor and Permit Technicians. Huston said that there were a lot of folks who could only answer 3 questions. As a result, the public is being bounced all over the department to get their questions answered. Max Golladay said that the hardest part is interpreting the question.

Taylor said that his vision was to have a training manual for each position to enable the department to cross train. He used the Summary of the Planning Application handout as an example of how it could be used. He said that a summary is the first step of the procedures set out in the email.

Water Policy/Watershed Planning

Taylor distributed a handout he had received from Mark Charlton, Farm Bureau. Hertha Lund, Farm Bureau attorney, said that there is very little chance they can get behind it.

David Taylor said that Jim Trull, Sunnyside Irrigation District would like to pursue Kittitas County Water Policy and Max Benitz, Benton Co. will talk with Senator Honeyford and lobby him hard.

Max Golladay said that Federal legislation sets the requirements at Parker. Taylor said that there would be a significant drop in water amounts by the WA ST DOE.

Taylor said that the DOE had two working groups on this rule without letting them communicate, and then they swapped tasks.

APPROVED
1/10/04

Taylor went on to say that the Farm Bureau can live with parts of this policy but he didn't think the County could. The Cattlemen's Assoc. is opposed to it but has no clout in Olympia. The DOE will be turning a valid water right into a license. He said that this is similar to the grazing rights. What was a right is now a license.

Golladay wondered what level of security do they think they are getting. They won't get it.

Taylor said that if you wanted to move water, you just had to worry about impairment.

Huston said if they want this, they should just go to DOE and give them 1/3 of their water rights, if DOE promises to leave them alone.

Golladay said that he didn't want our County's endorsement on it. This gets away from the real problems. We won't testify for it – probably will testify against it.

Huston said that he had a municipality that had been planning based on their water rights. The Farm Bureau was giving the DOE exactly what it wants.

Taylor said that the Snake River Irrigators are against the policy and other irrigators would be. Huston said that Urban Eberhart doesn't understand. Taylor said that they should because this is ground water as well as surface water with hydro-continuity.

Huston said that the Farm Bureau hasn't been paying attention to the Aquavella process. There will be a 20 year process for adjudication. Taylor said that the water court is good and the general adjudication for Federal reserved rights was good but together they don't outweigh the bad.

Huston said that the county has been down this road with the Eastern Washington Growth Management Hearings Board. A water court would give people a chance to start yelling impairment. Taylor said that the onus of impairment is that the appellant needs to prove it.

Huston said that the trouble is that the counties chicken out. They settle their lawsuits before the suit is finalized and give away too much in settlements. I told the WSAC Legislative Steering committee to pound sand when they suggested this course of action.

Golladay remarked that he expected some comments on this proposal today from other counties.

Comprehensive Plan Fees

David Taylor handed out a report on this year's costs of the Comprehensive Plan amendment process compiled by Clay White, Planner II. It showed that the average cost of an application was \$447.29 while we only charged \$25 per application. He suggested that the fee be the same as a rezone - \$450. Taylor said that the plans were not to change the Open Open Space in anticipation of the inception of a Public Benefits Rating System.

Taylor said that he wanted the Board to be aware of this for when the department asks for a public hearing.

Max Golladay said that he guessed the county will have to apply for a CTED Growth Management Grant.

Taylor clarified that it would only involve text or map changes.

BOCC Issues/Concerns

Max Golladay expressed concern over the Farm Bureau draft Water Policy legislation. His concern was when it gets too far afield from County interests and issues.

Perry Huston suggested that the County become more militant. Golladay agreed that they wouldn't expect that of us. Huston expressed concern that the Farm Bureau was selling themselves down the river. He added that he knew they were tired of the fighting.

Golladay said that he would be telling Mark Charlton that the county was going to walk away from this draft legislation.

Huston said that they would be opening the door to a lifetime of negotiations that wouldn't end well.

David Taylor said that he didn't know why they were pursuing this. Golladay said that it wasn't Eastside driven but must be coming from the West side of the state.

Taylor said that the Farm Bureau thinks that they would win finality and predictability of their water rights. His opinion was that they have fallen right into DOE's hands. He said he would put together a white paper on this proposed legislation and see what that does.

Taylor said that the department would update the Board with the Water Policy legislation and Huston's email.