

Minutes of
Community Development Services Study Session

March 10, 2003

Those Present: Perry Huston, Bruce Coe and Max Golladay

Also Present: Mark Charlton, Kevin Eslinger, Urban Eberhart, Dave Duncan, Brad Haberman, Mary Burke, Ellen Murray Howe, Paul Bennett, David Taylor and Catherine Dunn

State Wetland Regulations

David Taylor gave the background on the current issue with the Department of Ecology. He outlined a meeting with Catherine Reed from the DOE who stated that the DOE would be regulating inadvertent wetlands caused by irrigation and other agricultural activities. He said that leaking irrigation canals and laterals that cause wetlands will be under the regulation of the DOE.

Max Golladay wondered if the irrigators tightlined the irrigation laterals to stop the leakage would they then be guilty of destroying a regulated wetland.

Bruce Coe commented on the fact that DOE has denied rights to return flows.

Urban Eberhart, KRD Board member, said that they had been working for years on water uses efficiency projects. When Christine Gregoire was the director of the DOE, they worked on projects to make the irrigation systems more efficient with the water.

Taylor said that they are choosing to ignore State law exempting agricultural practices from wetland regulations.

Perry Huston said that the DOE has no platform in statute, case law or moral obligation for this stance. He added that the DOE could sue over this nonsense.

Taylor said that he wanted to make the irrigation users aware of a potential problem.

Huston directed Taylor to write up a white paper on this subject.

Eberhart said that they had prevailed in the 1980's with the DOE.

Mary Burke agreed with Eberhart saying that the DOE is looking at the obverse side of the argument. The County needs to support irrigated agriculture and make some sort of declaration that the county recognizes the Acquavella suit and

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irrigated agriculture. She said that this declaration should be sent to US Rep. Doc Hastings, US Rep. Jennifer Dunn, US Rep. George Nethercutt and US Rep. Jay Inslee.

Burke reminded the Board that in addition to wetlands there are many bills in the legislature and cases in the courts regarding water.

Golladay said that he was currently waiting on a response to HB 1514.

Watershed Planning

David Taylor asked if there was anything the Board would want from him before the April 1 public hearing on The Tri-County Water Resource Agency.

Urban Eberhart said that David Gerth is circulating a white paper that the Board should see.

Mary Burke commented on the adoption process. It was agreed that although Kittitas County may adopt the watershed plan, Yakima County and Benton County may not.

Perry Huston said that they would call a public hearing, have copies available and have the planning unit members available to answer questions.

Water Conservancy Board

David Taylor presented Tom Chini's dilemma about resigning. He didn't want to put the WCB in the position of not being able to finish current work because they didn't have enough members.

There was discussion of the amended RCW that required a Water Right user and a non-water right user. The definition of non-water right user was a problem to understand. The determination was to send a group of names to the DOE and let them decide who would fit.

Foundation only permits

David Taylor said that when he met with the homebuilders group they did not realize that the building department did not receive complete plans for all the foundation only permits. They agreed with the new policy to require engineered plans to receive a foundation only permit.

Bruce Coe said that the concept of Foundation only permits mystified him.

Temporary business Activities permit was tabled.

Community Development Services

David Taylor reported on the cross-training that took place on Thursday between the plans examiners and the building staff.

He also reported that code updates would be coming to bring the department up to date.

The dumping of carcasses on private land was discussed briefly.

Taylor asked the Board for a 4% increase in pay for Dan Davis due to his help in the reorganization of the two departments. The Board approved the increase. A PAF will be sent up to Human Resources.

Bruce Coe said he had received a call about the Thorp School District dugouts. He asked Taylor to look into this.