

**COMMISSIONERS' MINUTES
KITITITAS COUNTY, WASHINGTON
SPECIAL MEETING**

WEDNESDAY

1:30 P.M.

AUGUST 16, 2006

Board members present: Chairman David Bowen and Vice-Chairman Alan Crankovich, Commissioner Perry Huston.

Others: Mandy Robinson, Deputy Clerk of the Board; Joanna Valencia, CDS Staff Planner; Darryl Piercy, Director of CDS; Anne Wantanabe, Representing the Proponent; Nathan Wiess, Proponent; Ken Bevis, Representing DOFW; Bart Ausland, Representing DNR; John Jensen, Appellant; and approximately 16 members of the public.

APPEAL HEARING EASTON RIDGE LAND COMPANY SEPA NOTICE CDS

At approximately 1:30 p.m. **CHAIRMAN BOWEN** opened an appeal hearing to consider an appeal from John Jensen of the SEPA Notice of Action Amended Mitigated Determination of Non-Significance (MDNS) of a Forest Practices Application from Easton Ridge Land Company, Landowner, for the Conversion of Forestland to a non-forest use pursuant to RCW 76.09.060: Conversion of Forest Land to Other Use. Application approval would allow the removal of an estimated 318 Th Board Feet of timber and the construction of 48,000 feet of roads. Location: North of Sparks Road, East of Easton Airport and Cross County Drive and Northeast of Interstate 90, within all of Section 1, T20N, R13E, W.M. in Kittitas Country. Tax Parcel numbers: 20-13-01000-0002 (Lot 1A), 20-13-01000-0004 (Lot 2A, 20-13-01000-0005 (Lot 3A, 20-13-010000-0006 (Lot 4A).

JOANNA VALENCIA, CDS STAFF PLANNER presented a staff report on the appeal. They gave notice to opposing parties and County. She noted there was a letter from John Jensen attached for the Boards records and review.

APPEALLANT - JOHN JENSEN read over the letter he submitted on June 19, 2006. Mr. Jensen also stated he had enclosed a petition (8 pages) including 151 signatures signed by residents that were supporting Mr. Jensen's reason's to appeal, and a photo to show the area he is discussing. He said that it hasn't been logged to date, but yet the recommendation is to begin helicopter logging. He stated that he has a lot of frustration with the fact that twice now he has had to come up with appeal money. He stated we are only temporary custodians of the land and we have no business tampering with the land, it is one thing to log responsibility but this is not the case.

DARRYL PIERCY, DIRECTOR OF CDS wanted to clarify terms and stated, land use designation is rural land which is not a resource land in

our comprehensive plan. Easton is not a rural community, it is urban growth node.

ANNE WANTANABE, REPRESENTING EASTON RIDGE LAND COMPANY passed out packets for the Boards review and wanted it noted that Joanna did a good job giving a good overview of what has happened so far, Anne went over the contents of the packet she presented to the Board. Anne also wanted it noted that she supported the Community Development Staff as they have done the job to the best of there ability, and that the lack of CDS presence at the site visit on April 10th doesn't effect the job they did, it was only to show ALPS the site and the timber harvest specifically. Anne also wanted it noted that they have not done any work on the land at this point.

INTRESETED PARTIES- MARGE BRANDSRUD presented the Board with a letter of comments in support of the Appellant and read it for the record, the letter was in regards to the Amended SEPA MDNS Easton Ridge land Company (FPA-05-01).

FINAL ARGUMENTS - JOHN JENSEN, stated that CDS did an inadequate job, and stated that we have not addressed the real issues how are you going to put 9 miles and where are you going put it. Mr. Jensen stated documents need to be clear and concise and they are not they are only suggestions. Once again Mr. Jensen urged the Board to set this Forest Practice application aside until these issues are addressed. **MS. WANTANABE** wanted stated on the record in regards to **Ms.Brandsrud's** letter there is no intention of mining commercial or other in the area.

CHAIRMAN BOWEN had a few questions for Fish and Wildlife, in regards to the change in space for wildlife habitat. **KEN BEVIS** said they have no intention of taking away the Elk habitat, and that the Elk really don't need that much coverage much to most people's surprise. He also stated that they have worked very hard with the County and the proponent to have gotten to where they have is really a substantial accomplishment. Mr. Bevis also stated they have worked hard with the County to amend the language to MDNS.

BART AUSLAND, REPRESENTING THE DNR said there is a Washington Forest Practice Rule Book they have to follow and the permit is within the rules. The Forester is responsible to put on the permit correct information. Mr. Ausland stated there is a map showing the roads approved for Boards review in the back of **Mr. Bevis's** Documents.

BOARD DISCUSSION- CHAIRMAN BOWEN stated he understands Mr. Jensen's concerns but it's all procedural. Mr. Bowen stated he never heard much in regards to that other then the discussion of whether it was done in a timely manner and the issue with the consulting agencies.

COMMISSIONER HUSTON stated he is unable to offer a support of a ruling; DNR has the authority to do the permit. Kittitas County is the Lead Agency for the Permit application and Jensen did appeal in a timely manner, but we need to look at what the issues are here and that is, that SEPA didn't take into effect the accumulative impacts of potential projected action. He said we should be dealing with SEPA Forest Practice action, and should be dealing with the SEPA analysis of that action. He felt need to start looking of what we require and possibly update that. The bright line is identifying the individual specific actions.

COMMISSIONER CRANKOVICH said he wanted an interpretation from Piercy. He stated the main point is lack of specific comments for mitigation. His interpretation is to lessen or eliminate the impact and what the interpretation means. There is a difference from recommendation and a requirement so how do you explain those rulings. **MR. PIERCY** stated that under a SEPA document, there is a variety of regulations in the law and then there are mitigation laws that allow for improvement. As time has gone on there is new science to those who are specialist in that field and we try to keep up with that and enforce it, and the department tries to apply the appropriate happy medium of new law and science. Unfortunately sometimes they are conflicting which makes things even more difficult.

COMMISSIONER HUSTON suggested taking some time to think and look at RCW'S. He stated he wants an answer to how many times you can amend a SEPA?

COMMISSIONER HUSTON moved to continue the Appeal Hearing to August 23, 2006 4:00 p.m. in the Commissioners Auditorium, record is open to work product and closed to testimony with the exception of legal input to the question the Board has proposed, Commissioner Crankovich seconded. Motion carried 3-0. Record is open for clarification on SEPA documents as to whether or not a second comment period should have been issued.

Meeting adjourned at 3:20 P.M.

DEPUTY CLERK OF THE BOARD

**KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON**

Mandy Robinson

David Bowen, Chairman