



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

CAO Draft Comments

Rick <rgraves@gorge.net>

Mon, Jul 18, 2022 at 9:51 AM

To: Mo-chi Lindblad <mo-chil@klickitatcounty.org>, Lorraine Zoller <lorrainezoller@gmail.com>

Mo-chi,

As you know I have been working on comparing the CAO Draft with the existing CAO. These are my comments I hope to discuss tonight after the Shorelines Hearing. I have included Lori Zoller in these email as her name is mentioned in my comments and I felt like it would be appropriate.

Thanks for providing a time to further discuss the CAO Draft,

Rick



CAO Proposed draft.pdf

649K

KC Planning Commission
Meeting July 18, 2022

CAO continue discussion on proposed draft

1) Introduction- So since I have been on the Planning Commission the 4 Commissioners I have represented have taken the position that when it comes to an Ordinance like the CAO or SMP they prefer to do the minimum required under WA State Law. The CAO was not required under State Law but in 2001 several State Agencies and the Yakamas filed a Law suit to put pressure on KC to adopt a CAO. Therefore the minimum necessary became what would get the agencies & Tribe to drop the lawsuit. In 2004 an original CAO was adopted but not fully supported by the Commissioners.

2) I am opposed to the draft CAO that the Planning Commission has reviewed in 2 workshops and I am recommending that it not move forward to a Public Hearing as it is written for several reasons that are listed below:

A) In our workshop discussions myself and Lori Zoller wanted to know what differences/changes there is between our existing CAO and the draft. Dan the consultant working with Planning on the Draft, at our second workshop, pointed out new language and sections that were not in the existing CAO with some explanations and reasons for the changes or additions. After a thorough examination of the Draft I found several very concerning changes that were not pointed out.

1. Mitigation Plans-Monitoring details continuing 5 years after work is complete
2. Special Provisions Streams
3. Type F Streams - Buffer averaging changes from 50% to 25%
(With a 150' setback on Type F this is an big impact)
4. Financial Assurance Section

B) I am also very concerned about the effect on private property owners of changing current conforming lots into non-conforming

C) Does being adjacent to a Critical Area constitute a Critical Area Review

D) In General the problems we have with our existing CAO is the lack of good Mapping and it seems that Best Available Science does not exist. Little or no explanation of how you would apply the section on recharge areas for wells used for potable water.

E) Section on Critical Fish/Wildlife Conservation Areas-

List of Classification: Endangered

Threatened

Sensitive

Species of local importance

Habitat of local importance

Association with the above 2 classifications

F) Sections that reference a requirement for mapping but does not does not say by whom. Planning?

Paul Grew



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

Tonights meeting comments

Lorraine Zoller <lorrainezoller@gmail.com>

Mon, Jul 18, 2022 at 12:09 PM

To: Mo-chi Lindblad <mo-chil@klickitatcounty.org>, Denice Lee <denicel@klickitatcounty.org>, Rick <rgraves@gorge.net>

Please find a short note with my comments in regards to the meeting this evening. I would like to ask they be shared and entered into the record.

Thank you..Lori Z

 **Pin Cmm Comments.docx**
14K

7/18/2022

To: Mo-chi Linblad, Planning Director

Re: KC Planning Commission, Further discussion of the CAO for tonight's meeting 7/18/2020

As I could not join you this evening, I would like to submit this letter in regards to my continued thoughts and concerns on the update of the CAO. I understand I can present my concerns at the Public Hearing, but I would like my thoughts shared for all at this evening's meeting and conversations.

I have reviewed Mr. Graves comments as well and agree with all points.

First, Klickitat County has always been very proud to put their people and landowners' rights and concerns first. I am very concerned over the turn this proposed CAO draft, as presented to Planning Commission, has taken.

We were told it was being redrafted to clean up the language and make it more understandable. I have been on Planning Commission for 10 years now and as well worked in Watershed Planning, Fish Recovery and as well in Forest Practices for the State and USFS. The new draft was anything but "more understandable" even though I do have some background in these types of documents. In fact, it was so confusing I asked for a copy of the old CAO and to be able to see where items were struck or corrected and reentered to be sure of its content. Although we were present some information at the second meeting, I am still not satisfied the intent to clarify the CAO to the reader has been accomplished. It is, I believe, written for the very environmental accomplished reader, such as it's author, the contractor.

I have very serious questions about the County being able to accomplish, maintain and afford several of the changes. Our Planning Department is short on staff and like all departments, working to stay with a dedicated budget. We all understand we will be facing short comings in the future with the current rate of inflation.

The new CAO includes several requirements for mitigation plans that will take a 5-year monitoring plan to complete. That program will have to be fully developed with documents etc. Then, who will implement and monitor. Which staff and where will the budget come from. As well, if the contractor, that again is a large ticket item to our now stretched budgets.

I also must add my concerns for the potential cost of the above items to the landowners. And, what about the loss of income property, be it ag or buildable properties within these new, overly large set back?

I also agree with Mr. Graves and have concerns on the mapping or lack of, and again if this document is passed the costs of creating associated maps. And I do feel that the classifications are far reaching, with almost a disconnect.

Thank you for your time and consideration, Lori Zoller



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

Planning Commission work on CAO

Lorraine Zoller <lorrainezoller@gmail.com>

Thu, Jun 23, 2022 at 12:22 PM

To: Mo-chi Lindblad <mo-chil@klickitatcounty.org>

Cc: BOCC Unknown <bocc@klickitatcounty.org>, Norma Benson <benson.norma@gmail.com>, Jay McLaughlin <jay@mtadamsstewards.org>, julie1957@embarqmail.com, Kelly Johnson <kelly@tetrahedronwines.com>, Mat Spalding <kingbee1953@gmail.com>, "mark dominionranch.com" <mark@dominionranch.com>, Tony Riley <tr@rileybrothersinc.com>, "rgraves@gorge.net" <rgraves@gorge.net>

Good morning. I am sending a note to all to update you on my quest for information in regards to the CAO and potential impact to the settlement agreement for the EOZ. I have it from a source that is qualified and I trust there would be no impact. Thank you Mo-chi for your patience and I look forward to working with you all through my other thoughts and questions.

Best regards,

Lori Z

On Wed, Jun 22, 2022 at 9:59 AM Lorraine Zoller <lorrainezoller@gmail.com> wrote:

Thank you Mo-chi. We looking forward to working with you as well. Lori Z

On Wed, Jun 22, 2022 at 9:35 AM Mo-chi Lindblad <mo-chil@klickitatcounty.org> wrote:

Lori,

Thank you for your email. Pursuant to our follow up phone conversation, you mentioned that the Planning Department will be receiving further comments from other Planning Commission members within the next couple weeks. As such, I will wait for these comments and provide a comprehensive response before the next Planning Commission meeting in July.

I would like to emphasize that additional Planning Commission workshop(s) can be scheduled if warranted. The intent of these workshops is to assist the Planning Commission members to gain a better understanding of the proposal. The Critical Areas Ordinance update is a transparent public process. All comments/questions received will become a part of the record.

Thank you again. I look forward to your continued interest and involvement in this project.

Mo-chi Lindblad | Director

Klickitat County Planning Department

Voice: 509.773.5703 | www.klickitatcounty.org

On Wed, Jun 22, 2022 at 8:25 AM Lorraine Zoller <lorrainezoller@gmail.com> wrote:

Good morning Mo-chi. Thank you for forwarding the Settlement agreement. Also, thank you for your time and consideration.

I was surprised last night that the schedule is set as the workshop last night being the last meeting for the Planning Commission prior to the public hearing in Sept and consideration by the BOCC in Oct for approval.

I appreciate you committed to receiving emails from the Planning Commission members to answer further questions. I am concerned that, even though we still have July and Aug., we will not be able to have other workshops in person on this document due to staff time and budget concerns.

I would like to confirm and ask that any information, questions and answers be shared with all participants and that they become part of the official record. Please confirm if those two items are possible?

I would like to clarify my questions in regards to the Settlement agreement.

Due to the wide biodiversity in our County from East to West there are approved decisions in the final EOZ that require all utility projects undergo environmental review on a site by site basis.

The final CAO language supported those decisions.

If we revise the CAO to add the exception of utilities we will be striking that site by site requirement in the EOZ.

It is simple to take a quick look at the Settlement agreement based on the EOZ, but we need to really consider how adjusting the CAO may impact the working order as it applies to the EOZ.

So this is my first question.

Please advise?

Best wishes,

Lori Z



Mo-chi Lindblad <mo-chil@klickitatcounty.org>

Planning Commission work on CAO

Mo-chi Lindblad <mo-chil@klickitatcounty.org>
To: Rick <rgraves@gorge.net>

Thu, Jul 14, 2022 at 7:21 AM

Rick,

Do you have time for a call to discuss your concern? Thanks.

Mo-chi Lindblad | Director
Klickitat County Planning Department
Voice: 509.773.5703 | www.klickitatcounty.org

On Thu, Jul 14, 2022 at 7:16 AM Rick <rgraves@gorge.net> wrote:

Mo-chi,

I plan on attending the Planning Commission meeting on the 18th. As far as the CAO I have been continuing to review information and comparing the existing CAO to the new draft. I have a number of questions and would like to see us have another workshop. Could you check with the other Planning Commission members about another meeting.

Thanks,

Rick

On 6/30/2022 7:51 AM, Mo-chi Lindblad wrote:

Rick,

I understand completely, and thank you for spending the time in reviewing the draft. I look forward to receiving your comments. I have been working with Dan and his team on the updates, and will present all information to the Planning Commission. The next PC meeting is on July 18 at 6pm, will you be able to attend this meeting?

Thank you.

Mo-chi Lindblad | Director
Klickitat County Planning Department
Voice: 509.773.5703 | www.klickitatcounty.org

On Thu, Jun 30, 2022 at 7:41 AM Rick <rgraves@gorge.net> wrote:

Mo-chi,

I got your phone message but I have been operating equipment this week out of cell service. I am working on the CAO comments and will be comparing the existing CAO to the new draft and hope to have comments by end of next week. Additional research I need to look at is what is required by WA State Law and what other Counties CAO looks like. I am also very concerned about what information Dan has used to prepare the Draft such as comments from the Tribe or special interest groups and make sure this is disclosed to the KCPC. Thank you for your patients on this but hoping you understand that the CAO is the document that I hear the most complaints and concerns about and I feel like it warrants us putting in whatever time necessary to get it right.

Thanks again,

Rick

On 6/22/2022 9:34 AM, Mo-chi Lindblad wrote:

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