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**Subject: Methow Valley Citizen's Council Comments on Environmental Impact Statement Addendum A: Revisions to the Okanogan County Comprehensive Plan February 11, 2011**

Thank you for the opportunity to comment on the update of the 2009 Environmental Impact Statement: Addendum A: Revisions to the Okanogan County Comprehensive Plan. Because of the probable adverse environmental impacts of the Draft Comprehensive Plan under current review a new environmental impact statement (EIS) is needed, but even with the addendum it is inadequate. The county should prepare an EIS that complies with the State Environmental Policy Act (SEPA) and the regulations adopted under SEPA.

Addendum A cannot be accepted as an update of the 2009 EIS for the 2009 Draft of the Okanogan County Comprehensive Plan since the 2009 Draft Comprehensive Plan is not similar to the 2011 Draft Comprehensive Plan now under review.

Okanogan County has prepared three EIS documents related to the comprehensive plan:

- Environmental Impact Statement (Draft 1) Okanogan County Comprehensive Plan Revisions(3/11/09).
- Environmental Impact Statement (Draft 1) Addendum 1 Revisions to Okanogan County Comprehensive Plan (preferred alternatives) (05/12/09).
- Environmental Impact Statement Addendum A: Revisions to the Okanogan County Comprehensive Plan (02/11/11).

Taken together, these documents do not meet the requirements for a non-project EIS. In addressing the adequacy of a nonproject EIS for rezone, the Court of Appeals wrote that:

In *Leschi v. Highway Comm'n*, 84 Wn.2d 271, 525 P.2d 774 (1974), a majority of the Supreme Court held that the adequacy question is one of law, subject to de novo review by the courts. The test to be applied is “whether the environmental effects of the proposed action and reasonable alternatives are sufficiently disclosed, discussed and that they are substantiated by supportive opinion and data.” *Leschi v. Highway Comm'n*, supra at 286, 525 P.2d at 785.

An EIS shall include:

- A Fact Sheet meeting the requirements of WAC 197-11-440(2).
- A table of contents.
- A summary.
- Alternatives including the proposed action and the no-action alternative.
- A description of the affected environment, the significant impacts, and mitigation measures.

WAC 197-11-442 provides that while a county shall have more flexibility in preparing an EIS for a nonproject action for a comprehensive plan, “alternatives should be emphasized.”

WAC 197-11-440(6)(a) requires that for the elements of the environment significantly affected by the proposed action, “the EIS shall describe the existing environment that will be affected by the proposal, analyze significant impacts of alternatives including the proposed action, and discuss reasonable mitigation measures that would significantly mitigate these impacts.” In the *Ullock* decision, the Court of Appeals held “that an EIS is adequate in a nonproject zoning action where the environmental consequences are discussed in terms of the maximum potential development of the property under the various zoning classifications allowed.”

[One of the issues related to the comprehensive plan has been the county’s apparent decision to not designate any private agricultural or forest lands as Resource Lands for protection. It has been proposed to designate these lands as High-Density Rural, but it is not considered as an Alternative. The designation of Public Lands and Conservation Easements as Resource Lands has been designed as substitute for private Resource Lands, but that plan has not been discussed as an Alternative.]

Other than acreages in various plan designations and zones, there is no description of the existing environment, such as how much land is used for agriculture, the county's leading employer; eventhough economic impacts were identified as an affected element of the environment during scoping. There is no description of available water supplies, fish and wildlife abundance and habitat, or existing and projected housing units despite the fact that these were all identified during scoping as affected elements of the environment. The only reference as to how the proposed comprehensive plan and alternatives will affect the existing environment is the contention that the new comprehensive plan will have lower densities then the current comprehensive plan, no mitigating measures are identified. The documents prepared to date have almost no supportive opinion and data (no citations or reports), as an EIS is required to include. These documents fail to comply with the SEPA or the rules adopted to implement SEPA.

In 2002, the average farm size was 858 acres. There were 1,486 farm operations utilizing 1.2 million acres (including public land) and half of the agricultural holdings that exceeded 160 acres were 1,280 acres or more. Only 11% of the earth's surface is suitable for agriculture and 2 acres are being lost each minute. In Washington 23,000 acres are being lost each year. Meanwhile the planet's population hit 7 billion this year and is expecting to explode to 9 billion in just 40 years. Our society with its "customs and culture" should be doing everything possible to protect its productive cropland. Without protection of our watersheds and ground water our agricultural Resource Lands will be lost.

The comparison of the current Draft Comprehensive Plan to the current (1965) plan is a flawed comparison because the 1965 plan advocated for protection of productive agricultural lands, local food security and warned against the blight that would occur with sprawling development. It is a far superior comprehensive plan. The minimum designation (1 acre minimums does not reflect the content or vision of 1965 document).

**[Statements below in quotation marks are from Environmental Impact Statement Addendum A; underlining for emphasis and comments within brackets are those of MVCC.]**

"The review of this attachment will be conducted concurrently with the public hearings on the comprehensive Plan." "This addendum will consider only those impacts anticipated by implementation of the Comprehensive Plan. During the course of the review process, the Okanogan Regional Planning Commission, supported by the Okanogan Board of County Commissioners, decided to conduct separate but consecutive reviews of the Zone Code and Subdivision regulation." "--- the drafting of this Environmental Impact Statement will proceed as five separate addendums."

[This document dated February 11, 2011 only became available on March 5, 2011, after Hearings had been conducted in both the Methow Valley and Oroville.. Documents regarding these issues have not yet been made available to the public. Comprehensive Plan revisions should be determined only after those hearings are completed, all relevant documents have been made available, and public input considered. Then information would be adequate for an EIS analysis and its public review.]

"The release of each addendum will be noticed and have a 30 day comment period. The final Draft Environmental Impact Statement will be a compilation of the addendums." [Comments should be made on the Final Draft, not separately on each of the addendums? The "impact analysis" can not be completed until there is a Final Draft of the Revised Comp Plan and all the "addendums", related hearings are over, and the public comment period for all those documents considered. The suggested "timeline" does not provide for a comprehensive public review of all components included in the EIS.]

"This Environmental Impact Statement started with a scoping period which began on January 14, 2009 and ended on February 20, 2009." "This addendum will provide analysis in each of the areas identified during the scoping process."

[At that time the current draft of the Revised Comp Plan did not exist for scoping an EIS. The omission of agriculture suggests that cropland and food production were not identified as issues of interest in the scoping process; that cannot be correct.]

While it is recognized that the county is not obligated to answer each Scoping comment in this draft EIS, Scoping comments have not been adequately incorporated into this Draft EIS. As an example, the following scoping comments submitted by the MVCC have not been addressed in this Draft EIS.

**Scoping comment/concerns:**

1. Is the process consistent, easily understood, well-advertised, and user-friendly enough to encourage the input of citizens who are knowledgeable regarding properties, projects, and probable environmental impacts?

The process and deadlines of this EIS and Comprehensive Plan have been so difficult to follow that it is impossible to comment effectively. Fluctuating Draft Comp Plans and staged EIS's which address substantially different drafts, the overlap of Critical areas, shorelines, and zoning ordinances, and the separate processes of EIS and Comprehensive Plan drafts are all cause for confusion as to when input is best made on what issues. The public did not have the benefit of access to the Draft EIS until public hearings on the Comprehensive Plan had already been well underway. An adequate EIS or draft EIS must be available to the decision-makers and to the public at the appropriate time during the public process.

2. How do the various alternatives and the minimum lot sizes in each plan affect population density and the resultant human impact upon the environment?

Not only are the various alternatives extremely unclear, but the effects of various densities considered in the various drafts of the Comprehensive Plan are not analyzed in the EIS. The densities considered in various drafts (1/5 acre zoning, 20/40 acre zoning, 5/20 acre zoning for the Lower Methow) should be considered as different reasonable Alternatives and analyzed for the benefit of the decision-makers and public comment in an EIS. At this point, the public is forced to comment on the Comp Plan without the benefit of any analysis or comparisons on the various densities that have been proposed.

3. How do the alternatives address the impacts of traffic resulting from the various allowable population densities?

Many county roads in the Methow Valley cannot realistically be widened. Closely related to the issue of population density is the issue of the traffic generated by the allowable minimum lot sizes. How are rural areas with narrow roads affected by the various alternatives? What would be the differences in the impacts upon traffic between the 20/40 acre minimum lot sizes recommended by the Lower Valley Advisory Group and the currently proposed 1/5 acre minimum lot sizes in the Draft Comp Plan? What would be the difference in traffic between the 5/20 acre minimum zoning proposed by the previous Draft Comp Plan and the 1/5 acre minimums in the current draft? Such issues will likely affect other areas of the county also and should be addressed in the EIS.

4. Will the Plan develop a Comprehensive Land Use map that shows critical areas as well as resource lands?

Resource Lands are designated on the map, but it is not revealed which lands would be designated for mining, which would be agricultural, nor which would be forest lands. thus, it is not possible for the public to comment on environmental impacts of any of these designations. A map of these areas should be available in the Plan and the various environmental impacts analyzed in an EIS.

What public input can the county refer to, that drove them to zone remote areas, in Agricultural land use, with no public services and inadequate water resources, as urban densities of 1 acre minimums?

How can the county explain the reduction in parcel sizes in low density rural and the removal of medium densities? In the Tunk Valley there are about 30,000 acres of contiguous shrubbe -steppe that now could be chopped into 1's and 5's? What is the rationale for that?

5. What is the impact of the various alternatives upon zoning?

At the public hearings on this Comprehensive Plan, the Commissioners made a point of stating that the map accompanying the Plan was not exact nor well-developed in regards to zoning designations. How is it possible for the public or the decision-makers to know the environmental impact upon zoning of various Alternatives without accurate information as to which designation would cover any particular area?

6. Okanogan County is designated as a nuclear-free zone. Is the Plan consistent with this designation? What steps need to be taken to maintain this status?

7. To what degree will each of the proposed Plan alternatives affect the environment by incorporation of the monitoring and enforcement of: Air quality regulations? Water quality regulations? Water quantity regulations? Road or bridge building, clearing and culvert construction and upkeep?

A plan without provisions to fund enforcement will not adequately protect the environment from adverse impacts the plan purports to avoid. The lack of enforcement of county regulations is currently a more serious problem than the out-of-date nature of the plans. The public cannot comment adequately on the Comp Plan without knowing what the impacts of any alternatives that have been considered.

The above are only representative examples of the many scoping questions and comments which have not presented adequately to determine the Scope of this EIS.

“The current proposal under review would implement no changes in the boundary or underlying zoning of the Methow Review District. This no-action alternative will not create any probable, significant, and adverse impacts to the environment.”

[This suggests that the input from Hearings presently underway will not alter the current draft and that the hearings are a meaningless exercise. Probable adverse effects are discussed elsewhere.]

It is unclear what the alternatives being considered are. What is the actual “no action alternative” and what other alternatives being considered is not clearly identified. As documented above, nonproject EISs for comprehensive plans are to emphasize alternatives. Addendum A does not meet this requirement. The addendum frames the alternatives using some, but not all, of the county’s existing zones making it unclear how the new comprehensive plan will change relative to the existing comprehensive plan.

Addendum A does not fully summarize the existing comprehensive plan and zones that it attempts to identify. For example, on page 3 Addendum A includes the Methow Review District. It does not mention the Upper Methow Valley Comprehensive Plan and the existing comprehensive plan designations including the “Rural Residential Designation” which has a density of one dwelling unit per five net residential acres and the “Low Density Residential Designation” which has a density of one dwelling unit or less per 20 acres. It also does not mention the allowed densities in the Methow Review District which are 20 acres per housing unit with an allowance for a second unit per OCC 17.14.040(2) in the Uplands MRD 20 zone, five acres per housing unit with an allowance for a second unit per OCC 17.14.040(2) in the Valley Floor MRD 5 zone, a minimum of one acre per housing unit Valley Floor MRD 1 zone, and a minimum of Minimum of 12,500 square feet/unit Valley Floor MRD 12,500 zone. It does not identify the acreages in these various zones, include a map of them, or analyze them.

With exception of the Minimum Requirement District, none of the descriptions discussed the densities allowed of either the existing or proposed comprehensive plan designations or zones. So it is impossible to understand or analyze their impacts. There are several Okanogan County zones that are not mentioned. These include the Agriculture District (AD) and the Auto-Oriented Commercial District. They are certainly part of the no action alternative, which seems to be the existing zoning.

Page 4 of Addendum A indicates that land under a public ownership will be designated as “Resource Lands.” It does not make clear whether they will be designated as agricultural, forest, and mineral resource lands of long-term commercial significance under the Growth Management Act. If so Addendum A should then analyze the adverse environmental impacts of attempting to convert public forest and range land to pastures, crop land, barns, orchards, and other agricultural activities. How irrigation water rights will be transferred from private lands in valleys to state and federally owned lands should be explained and the environmental impacts analysed. Addendum A does not quantify the land used for agriculture, forestry, and mining in the county or analyse how it will be changed under Alternatives being considered.

Retaining the existing agricultural lands, for example, for winter pasture, barns, orchards, and irrigated agriculture would likely have lower environmental impacts than attempting to convert publicly owned forest land and grazing land for these purposes. Retaining existing privately owned gravel mines would also likely have lower environmental impacts than requiring them to relocate to state and federal lands.

### **Public Land**

“This land currently bears the designation of public land. At this time, no land in Okanogan County bears a Resource Land designation. The current proposal would place lands under public ownership under the Resource Lands designation.” “To achieve consistency, the land in a Resource Land designation would be assigned a zone of either Commercial Agriculture - 20 or Forest - 20 depending upon the characteristics of the land.”

[This presentation suggests that all county resource lands are public lands and that those public lands are either “Commercial Agriculture or Forest”; only a small percentage of the public land acreage is in

commercial production. Most commercially productive county agricultural lands are privately owned. This proposal is contrary to public land management practices and does not provide for the legislatively intended protection of privately-held productive forest and agricultural cropland. This does not support a “no-action alternative”.]

“The Resource Land designation promotes zoning that minimizes the conversion of these lands to other uses and discourages the permitting of incompatible uses.”

[That is the rationale for the protection of crop-producing agricultural lands, although the Comp Plan draft being analyzed has not included any private crop-producing lands within that designation. That does not reduce “the potential for density in terms of residential use” as claimed in the following sentence.]

“Further analysis of impacts caused by the expansion of the Resource Land designation will occur when the proposed changes to the Zone Code are analyzed in Addendum D of this Environmental Impact Statement.”

[The public cannot adequately comment now on an EIS that will only be completed at a later undetermined date. The elimination of private commercial forest and agricultural croplands from “Resource Land designation” has not at this time been dealt with in this document, nor has the impact of the yet to be presented Zone Code.]

### **Molson Overlay**

“The current proposal would change the Molson Overlay to a Rural-Low Density designation.” “This no-action alternative will not create any probable, significant, and adverse impacts to the environment.”

[If this zoning is set and now is the time for EIS analysis then why is the release and subsequent public review of zoning projected to be announced after March 28, 2011? If the zoning “would change” then this is not a “no action alternative”.]

### **Barnholt Overlay**

“The current proposal would change the Barnholt Overlay to Rural-High Density designation.” “This no-action alternative will not create any probable, significant, and adverse impacts to the environment.”

[How can the impact of zoning be analyzed if the relevant addendum (Attachment D) is not to be released until sometime after March 28? If the zoning “would change” then this is not a “no action alternative”]

### **Minimum Requirement District**

“The Minimum Requirement District is a zone designation.” “the land currently in the Minimum Requirement District will bear the land use designation of either Rural-High Density or Rural-Low Density.”

[The Comp Plan draft now under consideration proposes that all current Commercial Forest and Agricultural private croplands be designated Rural-High Density, thereby assuring their potential for “sprawl” (increased residential density). This seems to represent a zoning change in what has been called a “no action alternative”.]

“Further analysis of impacts caused by the use of the Rural-High and Rural-Low density designations will occur when the proposed changes to the Zone Code are analyzed in Addendum D of this Environmental Impact Statement.”

[These designations are being proposed here and their impacts should be analyzed and presented here for public review.]

“Density in the Minimum Requirement District is one acre. Due to constraints brought by topography and other regulatory restrictions, it is unlikely a build out density of one acre could be achieved.”

[The current draft attempts to remove the constraint of “regulatory restrictions” by omitting private Commercial Forest and Agricultural croplands from that Resource Land designation and the constraint of topography assures the “build out density of one acre” would be concentrated on valley-bottom and bench-top Commercial Agricultural croplands. That would produce residential “sprawl” and unacceptable environmental impacts.]

For purposes of this analysis, a one acre density will be assumed. Further analysis of impacts caused by the use of the Rural-High density designation will occur when the proposed changes to the Zone Code are analyzed in Addendum D of this Environmental Impact Statement.”

[Where is the analysis referred to here? The analysis of impacts recognized here to occur should be presented now for public review. This is not a “no action alternative”.]

“Further analysis of impacts caused by the use of the Resource Land designation will occur when the proposed changes to the Zone Code are analyzed in Addendum D of this Environmental Impact Statement.” “Further analysis of impacts caused by the use of the Rural-Low Density designation will occur when the proposed changes to the Zone Code are analyzed in Addendum D of this Environmental Impact Statement.” “Further analysis of impacts caused by the use of the Rural-High Density designation will occur when the proposed changes to the Zone Code are analyzed in Addendum D of this Environmental Impact Statement.”

[These analyses should be presented here for public review.]

### **Compatible Uses**

“The policies in this proposed Comprehensive Plan encourage a mix of compatible uses while at the same time discourages the permitting of incompatible uses. By promoting agriculture and resource based activity”

[This is not true; designation of private Forest Lands and Agricultural Lands as High-Density Rural will permit incompatible uses and decrease, not promote these activities.]

“Further analysis of impacts caused by the permitted and/or conditional uses considered compatible in the Comprehensive Plan Land Use designations will occur when the proposed changes to the Zone Code and Zone Designation Map are analyzed in Addendum D of this Environmental Impact Statement.”

[The analysis should be presented here for public review.]

### **Responses to Scoping Issues Addendum A pp. 7 to 17:**

It is unclear what required part of an EIS this section attempts to address. It does not “describe the existing environment that will be affected by the proposal, analyze significant impacts of alternatives including the proposed action, nor discuss reasonable mitigation measures that would significantly mitigate these impacts.”

#### **1) Earth**

“Reducing the overall footprint of development and promoting a more compact transportation grid reduces the potential for the creation of impervious surface and promotes more open space.” “The policies contained in the proposed Comprehensive Plan do not direct the reduction of review processes or protections contained in these bodies of regulation.” “As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by the proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[There are no bases presented for the conclusions reached. The analysis should be presented here for public review. If the attachments noted are part of this EIS then they should be presented at the same time for public review.]

This “earth” section does not describe the existing geology and soils in Okanogan County. It does not identify, for example, whether any of the Natural Resource lands will be on erodible soils and what the impacts of attempting to farm such soils would be. It does not identify the prime farmland soils in the county and what the consequences of not protecting those soils for agriculture will be. There is no attempt to analyze the impacts of the alternatives, only an unsubstantiated claim that the “overall footprint” of development will be reduced presumably by the new comprehensive plan alternative. Even if this is true, if that smaller footprint will be focused on flood plains, geological hazards, and easily erodible soils, the environmental impact may be much greater than the existing comprehensive plan. Because Addendum A, and earlier environmental documents, do not identify anything about existing geology and soil conditions there is no way of knowing the relative impacts of the alternatives. All of the elements of the environment suffer from these problems. The bottom line is that Addendum A is not “substantiated by supportive opinion and data” as SEPA requires.

There are readily available sources for much of data that the Addendum A requires. For example, soils data can be

downloaded from the United State Department of Agriculture Natural Resources Conservation Service website in a variety of forms, including geographic information system (GIS) coverages. This includes such information as easily erodible soils and prime farmland soils. The website can be found here: [http://www.or.nrcs.usda.gov/pnw\\_soil/wa\\_reports.html](http://www.or.nrcs.usda.gov/pnw_soil/wa_reports.html)

## 2) Air Quality

The Methow Valley and other mountain valleys with steep topography and local inversions are susceptible to extreme air quality situations. Since inversions in high mountain valleys are localized, they are not managed by state or regional air quality control agencies in our area. Okanogan county developed an air quality ordinance as mitigation required by the Record of Decision for the Early Winters ski area proposal in the 1980's, in order to maintain the clean air quality that was existing, in the face of expected development. This ordinance has since been abandoned. Thus, there does not exist any local control over air quality in sensitive areas such as the Methow Valley except generalized alerts designed for the region overall. The Lower Methow in particular is very narrow with very steep sides. The currently low population density has protected it to some degree from the effects of inversions, particularly in the winter. 1-acre zoning could have a drastic effect upon the current situation. The following quotation of Sue Billings on a Department of Ecology website explains the situation further:

### **Department of Ecology News Release - Jan. 5, 2005**

Billings added that the Methow Valley is particularly sensitive to smoke due to its steep topography and local inversions. She encouraged Methow Valley residents to consider alternatives to burning, particularly when the air quality is bad. Alternatives to outdoor burning include composting, mulching and disposal at the local solid-waste facility. "Prescribed burning, wildfires, woodstoves, agricultural fires and residential burning all contribute during various seasons." (Accessed at <http://www.ecy.wa.gov/news/2005news/2005-003.html> on 3/27/11)

The "air" section on page 8 does not identify the current air quality of the county, nor of the Methow Valley in particular. It does not attempt to compare the air emissions of any alternatives that were considered. It does not include air quality impacts to residential and rural areas at various levels of population density if wood heat is used, nor does it address the impacts to the Federal Class I air quality standards of the adjacent Pasayten Wilderness. It fails to address whether current regulation and enforcement would be sufficient to maintain Class I and Class II standards with the various population densities and related activities proposed in the Comprehensive Plan. In addition, it fails to address the impacts upon visibility that small minimum lot sizes (such as 1 and 5 acres) would have county-wide, particularly those areas which depend upon tourism and recreation.

## 3) Water

Serious evaluation of the potential impacts of future development on groundwater resources is missing in the three EIS documents prepared to date (see Water and DOE letter attachments).

- a) The uses and densities proposed under the Comprehensive Plan present a high risk of contamination to what constitutes the primary source of public water supply in Okanogan County.
- b) Significant groundwater contamination from septic systems has already been found in arid regions of the northwest at lot sizes proposed under the draft Comprehensive Plan.
- c) Existing state and local Department of Health regulations are designed to mitigate the impacts of septic systems on groundwater quality, but may not be sufficient to prevent groundwater contamination.
- d) The quantity of groundwater available for future domestic use in Okanogan County is not yet known but there is evidence of significant limitations.
- e) Failure to manage and protect groundwater resources could prove costly to existing and future homeowners, farmers and local government.
- f) The most cost-effective way to mitigate the potential impacts of development on the quantity and quality of groundwater resources in Okanogan County may be to limit lot sizes and overall development densities.

### **Groundwater** (see Water and DOE letter attachments)

"The proposed policies and land use designations in the Comprehensive Plan will result in a net decrease in overall density from the existing comprehensive plan." "Reducing the overall footprint of development promotes open space that allows greater recharge of aquifers.

[Substitution of high density residential for open space cropland will not reduce the "overall footprint" nor allow greater recharge of aquifers. The proposed Rural-High Density designation for currently productive private croplands will increase overall density and decrease groundwater.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by the proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”  
[These analyses should be presented here for public review.]

**Surface Water** (see Water attachment)

“The proposed policies and land use designations in the Comprehensive Plan will result in a net decrease in overall density from the existing comprehensive plan.”

“This promotes the expansion of more efficient urban water systems and increases the likelihood that the areas of greater density will be served by sanitary sewer systems.” “Reducing the overall footprint of development promotes open space that allows greater recharge of groundwater aquifers and retention of precipitation for better surface water flows and levels.”

[These statements are not true; when high density developments are allowed on agricultural benchlands and valley floors surface waters are impacted negatively.]

“The Comprehensive Plan works in concert with the Shorelines Master Program, Critical Areas Ordinance, Okanogan County Zone Code, and Okanogan County Subdivision regulation. The policies contained in the proposed Comprehensive Plan do not direct the reduction of review processes or protections contained in these bodies of regulation.”

[These analyses should be presented here for public review. If the attachments noted are part of this EIS then they should be presented at the same time for public review.]

The ground water section does not discuss the existing condition of ground water resources. The surface water section does not discuss the existing condition of surface water resources and surface water availability.

Neither the surface or ground water sections document whether there is any legally or actually available surface or ground water to support the rural and urban growth allowed by either alternative. Neither section discuss the impacts of this growth, particularly if it uses exempt wells, on senior water rights holders.

This is particularly important because a significant number of Okanogan County’s subbasins and streams are already overappropriated. As the “Level 1 Watershed Technical Assessment Final Report: Okanogan River Watershed Resource Inventory Area 49” concluded:

The Joseph and Osoyoos subbasins appear to be overappropriated for both surface and ground water, while the Salmon subbasin appears to be overappropriated only for ground water. Projecting appropriations to meet water demand to 2026, the Salmon subbasin would also become overappropriated for surface water in 20 years, but appropriations in the Sinlahehin and Omak subbasins would remain well below the available surface and ground water.

Cities in the county lack needed water for both current users and future growth. “Brewster has already fully used its existing water right of 1,205 acre-feet per year (AFY), and by 2026 is projected to need an additional water right of 887 AFY ... Oroville (279 AFY), Riverside (227 AFY), Okanogan (137 AFY), and Tonasket (78 AFY) would also need additional annual water rights.”

Streams are also overappropriated: ENTRIX summarized data for the 23 named streams that have more than 1 cfs of flow appropriated (Appendix A-1.2b); of these flow data is available for only 13. Flow data for 9 of the 13 suggest that these streams may be overappropriated (Table ES-1), and part of a tenth stream (Lower Salmon Creek) is dewatered by irrigation diversions every summer. In addition, unquantified water claims could affect a much longer list of streams.

The proposed comprehensive plan’s decision not to designate and protect private agricultural lands could increase demand for water on the converted land. This would make these impacts even worse. None of the SEPA documents available, including Addendum A, included any of this readily available information.

**4) Plants**

“The proposed policies and land use designations in the Comprehensive Plan will result in a net decrease in overall density from the existing comprehensive plan.”

[This is not true; with designation of Rural-High Density for existing forest and crop lands residential density (sprawl) will be dispersed and increased.]



“Reducing the overall footprint of development and promoting a more compact transportation grid reduces the potential for the creation of impervious surface and promotes more open space.”  
[This is not true when High-Density Rural designation of private croplands will increase residential density, despersal (“sprawl”), and resulting impermeable surfaces.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”  
[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This plants section does not discuss the county’s native plant communities nor concerns regarding introduction of exotic species.

### **5) Animals**

“The proposed policies and land use designations in the Comprehensive Plan will result in a net decrease in overall density from the existing comprehensive plan.”  
[This is not true; with designation of Rural-High Density for existing forest and crop lands existing wildlife habitat will be decreased.]

“The proposed policies encourage the use of development practices that recognize those areas critical to wildlife in Okanogan County.”  
[This can best be determined after analysis of Attachments B and C dealing with Shorelines and Critical Areas. These have not yet been made available for public review.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”  
[The analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

The animals section does not discuss the native species in the county nor for the protection of those designated by the state and federal agencies as of “special concern”, “threatened”, or “endangered” (i.e., steelhead, chinook salmon, bull trout, lynx, grey wolf, grey squirrel, sharp tail grouse).

### **6) Energy Natural Resources**

“The proposed policies and land use designations in the Comprehensive Plan will result in a net decrease in overall density from the existing comprehensive plan. The proposed land use designations allow zoning with greater density and more intensive uses adjacent to urban centers and major transportation corridors.”  
[This is not true when High-Density Rural designation of private forest and crop lands will increase and disperse residential density (sprawl).]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”  
[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This energy natural resources section does not discuss existing energy consumption and how it will change with the Alternatives presented.

### **7) Environmental Health**

“Reducing the overall footprint of development promotes the creation of better on-site waste management systems.”  
[This is not true when High-Density Rural designation of private croplands will increase residential

dispersal and density.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

The environmental health section does not discuss the county’s existing environmental health conditions or how Alternatives might affect them.

### **8) Land and Shoreline Use**

“The proposed policies encourage clustering of density adjacent to the transportation grid to reduce impacts and minimize the footprint of development.”

[This is not true when High-Density Rural designation of private croplands will increase residential dispersal and density.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This land and shoreline use does not discuss existing land use patterns.

### **9) Housing**

“The proposed land use designations allow zoning with greater density and more intensive uses adjacent to urban centers and major transportation corridors.”

[This is not true when High-Density Rural designation of private croplands will increase “sprawl” (residential dispersal and density).]

“The policies in this proposed Comprehensive Plan recognize the need for affordable farm housing. It encourages zoning which places the workforce in proximity to the agricultural operations.”

[The proposed policy of designating croplands as High-Density Rural will decrease Agricultural Lands and the need for farm housing.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This housing section does not discuss the current number of housing units in the county or housing needs or future housing projections.

### **10) Aesthetics**

“The proposed Comprehensive Plan contains no policies specific to aesthetic values.” [The designation of productive cropland on valley floors and benchlands as High-Density Rural will increase residential density and infrastructure (i.e., powerlines and roads) and impact aesthetic values critical to the county economy.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This aesthetics section does not discuss the county's current conditions, even though Okanogan County is well known for highly scenic landscapes on which the county's visitor industry depends.

### **11) Light and Glare**

"The proposed Comprehensive Plan contains no policies specific to light and glare." [The designation of productive cropland on valley floors and benchlands as High-Density Rural will increase residential density and infrastructure such as yard lights increasing light and glare.]

"As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement."

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This section on light and glare does not address current lighting conditions or even note in passing that the night sky still is quite visible in many parts of Okanogan County.

### **12) Recreation**

"The policies in the proposed Comprehensive Plan recognize the importance of outdoor recreation to the economy and lifestyle for Okanogan County residents. The critical role that management policies and practices on public lands have on the recreational opportunities in Okanogan County is recognized."

[The designation of forest lands and productive cropland on valley floors and benchlands as High-Density Rural will increase and disperse residential density, as well as fencing associated with "open range", while decreasing open space and opportunities for outdoor recreation associated with Forest and Agricultural Lands.]

"As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement."

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This recreation section does not identify existing recreational conditions.

### **14) Transportation**

"Reducing the overall footprint of development and promoting a more compact transportation grid."

[This is not true. The designation of productive cropland on valley floors and benchlands as High-Density Rural will increase dispersal of residential density and infrastructure (i.e., powerlines and roads) which will extend the existing transportation grid and increase associated costs.]

"As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement."

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This transportation section does not identify existing transportation conditions.

### **15) Public Services**

"Reducing the overall footprint of development and promoting a more compact transportation grid and settlement raises the efficiency and reduces the cost of service delivery."

[The designation of productive cropland on valley floors and benchlands as High-Density Rural will increase residential density and infrastructure (i.e., powerlines and roads) in what is now open space which will extend the existing transportation grid and increase associated costs.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This public services section is also devoid of data on where public facilities and services are located and available.

#### **16) Utilities**

“Reducing the overall footprint of development and promoting a more compact settlement pattern creates the opportunity for more predictable and efficient expansion of utility infrastructure.”

[This is not true; the High-Density Rural designation of private croplands will increase and disperse residential density. This proposal could result in great losses to utility providers who make services available to developments without permanent residents to reimburse costs.]

“By encouraging higher density and more intensive uses in proximity to the transportation, it increases the ability to maintain concurrency between development and the necessary expansion of utility infrastructure”.

[This is not true. The designation of productive cropland on valley floors and benchlands as High-Density Rural will increase residential density and infrastructure (i.e., powerlines and roads) in what is now open space which will extend the existing transportation grid and increase associated costs.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This utilities section is also devoid of data on where utilities are located and available.

#### **17) Economic Impacts**

“The proposed land use designations allow zoning with greater density and more intensive uses adjacent to urban centers and major transportation corridors.”

[The designation of productive cropland on valley floors and benchlands as High-Density Rural will increase residential density and infrastructure (i.e., powerlines and roads) and impact aesthetic values. That designation in addition will decrease open space, increase fencing associated with “open range”, as well as decreasing opportunities for outdoor recreation and crop production critical to county economy.]

“These policies increase the likelihood that development can proceed with greater efficiency, both in terms of construction cost and cost of service delivery, which lends itself to the greater possibility of development proceeding in response to market demand and emerging opportunity.”

[See above relevant comments under Housing, Transportation, Utilities, and other sections.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This section on economic impacts says nothing about the county’s economy. The Washington State Employment Security Department has documented that the “agriculture and government sectors were, and will be for the foreseeable future, the main driving force of the Okanogan County economy.” Agriculture is Okanogan County’s largest employer, providing jobs to 16 percent of county residents. “In 2007, agriculture, forestry, fishing and hunting paid an annual average of \$35,305 ...” This was a higher annual wage than those in the construction industry, although not as high as manufacturing workers who

earned an average of \$37,302. Many of these manufacturing workers process agricultural and forest products.

A report prepared for the Washington State Department of Commerce estimates that travel spending in Okanogan County totaled 129.2 million dollars in 2009, the latest year for which figures are available. This is up from 101.2 million dollars in 1999. The report estimates that travel spending supported 1,640 jobs in Okanogan County in 2009. Again, this necessary data is omitted by the economic impacts section.

The failure of this section to discuss the adverse economic impacts on these sectors and allowing the existing farms and ranches to convert to residential development under the new comprehensive plan and zoning is clearly a major weakness of Addendum A and the EIS.

### **18) Public Safety**

“Reducing the overall footprint of development and promoting a more compact transportation grid increases the efficiency of public service delivery such as emergency medical and law enforcement. This reduces the cost of service delivery or allows a higher level of service for the resources available.”

[See above relevant comments under Transportation, Utilities, and other sections.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

In the public safety section there is no information on law enforcement, fire, and emergency services. Their currently capacity to serve an addition population growth and where is there no capacity is not analysed.

### **19) Customs and Culture**

“This proposed Comprehensive Plan recognizes the importance of agricultural and resource based activities on the economics and lifestyle of Okanogan County. The compatible activities in the proposed land use designations give emphasis to these activities and inform future revisions to the Zone Code.”

[This is not true. The designation of productive forest lands and croplands on valley floors and benchlands as High-Density Rural will increase residential density and infrastructure and impact aesthetic values. That designation is not compatible with “customs and culture” of the county and will decrease open space, increase fencing associated with “open range”, as well as decreasing opportunities for outdoor recreation and crop production critical to the county's economy.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This customs and culture section does not identify existing conditions including how the state and federal lands contribute to the forest products, agriculture, and visitor sectors. The impact of converting forest and range land to agricultural lands on these economic sectors is not analyzed.

### **20) Climate Change**

“The proposed policies and land use designations in the Comprehensive Plan will result in a net decrease in overall density from the existing comprehensive plan.”

[This is not true; High-Density Rural designation of private forest and croplands residential density will increase and disperse, open space, vegetation, and air quality will decrease.]

“By reducing the potential for off-the-grid development and the subsequent use of generators for power production and wood fueled heat, the emissions generated by the use of these appliances should be reduced. The net result of the proposed policies and designations should decrease the likelihood of

impact to the environment than possible with the current comprehensive plan and related regulation.”  
[This is not true. Dispersing residential density to private forest and agricultural lands by designating them High-Density Rural will increase rural development and not produce the positive affects list above.]

“As noted previously in this Addendum, the likelihood of probable, significant, and adverse impacts caused by proposed revisions to those regulations will be examined in Addendums B, C, D, and E of this Environmental Impact Statement.”

[These analyses should be presented here for public review. If the attachments noted above are part of this EIS then they should be presented at the same time for public review.]

This climate change section does not identify current emissions and future emissions, even though that is the current state of the art. See Fehr & Peers, EDAW, and AECOM, Assessment of Greenhouse Gas Analysis Tools (State of Washington Department of Commerce: December 2009).

**Summary:**

“The net result of the proposed policies and designations should decrease the likelihood of impact to the environment than possible with the current comprehensive plan and related regulation.”

[This will not be the effect of designating private forest and crop lands High-Density Rural. The proposed changes in land use would produce negative environmental impacts to all of the above scoping issues. It appears that the approach of this EIS as a series of Addendums was designed to prolong the process and avoid timely and meaningful public input.]

None of these sections analyze how the alternatives will impact these elements of the environment or reasonable mitigation measures. As documented above this is required by SEPA, in WAC 197-11-440(6)(a).

The environmental documents currently available, including Addendum A, do not comply with SEPA and the regulations adopted to implement SEPA. An environmental impact statement that does should be prepared and made available for public review.

**ALTERNATIVES:**

[See attached Lower Valley Advisory Group (LVAG), Middle Methow Neighborhood Group (MMNG), and water documents.]

The previous drafts of the Comprehensive Plan are sufficiently different from the current draft that they should have been considered as reasonable Alternatives in this Draft EIS. In addition, the suggestions of the Neighborhood Groups and the Lower Valley Advisory Group were sufficiently different from the Draft of the Comp Plan that they should be incorporated as reasonable alternatives which offer less impact to the environment than the current Draft:

**1. Example of Extension of the Methow Review District as an Alternative:**

The Okanogan County Planning Commission included the Lower Methow Valley to Black Canyon as an extension to the Methow Review District in the draft they passed on to the Okanogan County Commissioners for their approval. This proposal was supported by the Lower Valley Advisory Group (a publicly approved group of citizens charged by the County with the task of writing a Sub Area plan for the lower Methow, financed and facilitated by the county, and advised by Highland Associates as consultants.) The Lower Valley group, after nearly 2 years of study of subdivision pressure and public input from residents and landowners, originally recommended 20 acre minimums in the lowlands and 40 acre minimums in the uplands down to Amy’s Manor. As a compromise, the group then supported the Okanogan County Planning Commission recommendation to extend the Methow Review District (with 5 acre minimums in the lowlands and 20 acre minimums in the uplands) to Black Canyon. (see LVAG attachments)

The entire Lower Methow is designated critical habitat for three listed salmonids: Spring Chinook salmon, steelhead, and bull trout. The productivity and abundance of these species is directly tied to habitat quality, degradation of which could cause a decrease in the parameters that measure recovery.

Huge amounts of public money have been spent to restore fish related habitat upstream in the Methow, and the success of these efforts will depend to some degree on habitat conditions and related land management in other portions of the watershed. Our Commissioner Mr. Hover, as Chair of the Salmon Recovery Board (responsible for the millions of dollars of

public monies that have been and will continue to be spend to restore their habitat in the Methow) will have exact figures regarding the expenditure of public monies to date. Regional salmon recovery planning efforts have identified a number of limiting factors and biological strategies to restore fish. These could be prevented or adversely affected by increased development in floodplains/riparian areas in the Lower Methow. In addition, due to its confined channel with less meander than the upper valley, these strategies are not as easily implemented in the Lower Methow as they are in the Upper Methow. Prevention of further degradation would be an excellent strategy for these lower reaches of the Methow. These relevant areas of the Lower Methow are designated for 1-acre minimum lot sizes in the current Draft Comprehensive Plan, and current practices encourage long, skinny lots with dense housing along the river bank.

Any increase in residential density with accompanying roads, wells, and septic systems on private lands or agricultural activity such as livestock production or irrigated crops on public lands would threaten the “critical habitat” of concern. Best available science should require the restriction of residential density in the lower valley; it should be provided the same protection given to the upper valley to protect the “critical habitat” which is part of the recovery effort for these fish. An inventory of the water resources of the Methow watershed prepared in 2000 provides information that must be considered prior to designating Resource Lands in the Lower Methow (Salmon, Steelhead and Bull Trout Habitat Limiting Factors, Water Resource Inventory Area 48, Washington State Conservation Commission Final Report, Carmen Andonaegui, 7/18/00).

The following information related to the drainages in question in the Lower Methow was derived from this report: Libby Creek is over adjudicated, resulting in the dewatering of lower Libby Creek during low flow years. This results in direct mortality to steelhead juveniles, an ESA listed species, and a decrease in steelhead habitat. Management strategies should be implemented to avoid this occurrence. On USFS and private lands, manage livestock grazing to avoid and minimize impacts to existing riparian habitat and to allow for the recovery of riparian stands to mature stands. [Any increase in residential density in the lower valley with accompanying roads, wells, and septic systems on private lands or agricultural activity such as livestock production or irrigated crops on public lands would threaten the “critical habitat” of concern.]

The lower reaches of the mainstem and South Fork Gold Creek are privately owned. Roads parallel every major stream in the drainage having a major affect on aquatic habitat (USFS 2000f). Summer Chinook salmon spawn in the Methow River below the confluence with Gold Creek. Small numbers of spring chinook salmon spawn in the first 3 miles of Gold Creek (Edson 1990; USFS 2000f). Summer steelhead spawn and rear in the Gold Creek drainage (USFS 2000f). On private land in the lower reach of the South Fork Gold Creek alterations to the floodplain may be negatively impacting floodplain functions (TAG 2000). The conversion of riparian areas to agricultural and residential use in lower Gold Creek has degraded aquatic habitat (L. Hofmann, WDFW, pers. Comm., 2000). An assessment of water diversions and their affect on stream flow, aquatic habitat, and riparian habitat is needed, as well as an assessment of road location on sediment delivery and stream channel function. This should include both county and USFS roads. Sedimentation in the drainage should be addressed by identifying roads for closure, relocation, obliteration, and drainage improvements. [There should be no increase in roads that would accompany designation of these lands as High-Density Rural.]

Black Canyon Creek joins the Methow River at RM 8.1; summer steelhead spawn in the lower 0.4 miles of Black Canyon Creek (USFS 1999a). Sediment levels are very high in Black Canyon Creek, due to heavy management in the drainage (roading, timber harvesting, and cattle grazing), from highly erosive soils, and from two major fires in the drainage this century. Black Canyon Creek is entirely or substantially dewatered during periods of high irrigation water use in the summer and early fall month (Methow Valley Water Pilot Planning Project Planning Committee 1994).

The above information must be considered when a decision is being made regarding protection of the entire Methow watershed. The recommendation of the Planning Commission and the Lower Valley Advisory Group for 5 acre minimum lot size in the valley bottom and 20 acre minimums in the uplands should be offered as an alternative in the EIS, and thus the Lower Methow should be included in the Methow Valley’s Sub Area plan.

## 2. Example of input of the county-wide Neighborhood Groups as an Alternative:

In addition to material on vision statements, goals, and policies submitted by the Lower Valley Advisory Group, additional material from the Neighborhood Groups and the LVAG which was included in the first draft of the Comp Plan, later removed to the Appendix of the Planning Commission Draft, and finally eliminated totally from the Comprehensive Plan, should be summarized as the basis for at least one additional alternative. Documents of the LVAG and Middle Methow Neighborhood Group (MMNG) are attached as an example of materials developed and submitted by Neighborhood Groups.

3. Example of Resource Lands as an Alternative:

Designation and protection of private ranchland and farmland should be considered as an Alternative.

**ADDITIONAL ALTERNATIVES ISSUES:**

1. None of the available documents include a fact sheet or a table of contents.
2. The addenda do not identify the environmental documents they add to or modify as are required. (WAS 197-11-625 (1))
3. The only alternatives discussed are the existing and proposed comprehensive plans and zoning, despite the emphasis that nonproject EIS's place on alternatives.
4. There is almost no discussion of policies nor implementing measures, other than zoning.