

Lauren Davidson

From: Perry Huston
Sent: Wednesday, March 30, 2016 9:01 AM
To: Lauren Davidson; Angela Hubbard
Subject: FW: WDFW comment letter - DEIS Proposed Zone Code revisions
Attachments: Revised Zoning Ord_WDFW Comment Letter _03_30_2016.docx

From: Andonaegui, Carmen (DFW) [<mailto:Carmen.Andonaegui@dfw.wa.gov>]
Sent: Wednesday, March 30, 2016 7:58 AM
To: Perry Huston
Cc: Angela Hubbard; Brown, James S (DFW); Iten, Constance (DFW); Folkerts, Keith E (DFW)
Subject: WDFW comment letter - DEIS Proposed Zone Code revisions

Good morning Perry,

Attached is WDFW's letter of comment on the DEIS for the proposed revision to the Okanogan County Zone Code.

Thank you for the opportunity to comment. If you have questions, I can be reached by email or phone.

Carmen

Carmen Andonaegui
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STATE OF WASHINGTON

DEPARTMENT OF FISH AND WILDLIFE

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March 30, 2016

Okanogan County Office of Planning and Development
Attn: Perry Huston, Planning Director
123 5th Ave. N., Suite 130
Okanogan, WA 98840

Subject: Washington Department of Fish and Wildlife (WDFW) comments on the Draft Environmental Impact Statement (DEIS) for proposed revisions to the Okanogan County Zone Code

(Sent by email)

Dear Mr. Huston,

The Washington Department of Fish and Wildlife (WDFW) appreciates the opportunity to comment on the adequacy of the DEIS to assess impacts related to the proposed revisions to the Okanogan County Zoning Code (Zoning Code). WDFW offers the following observations and recommendations:

- WDFW has concerns regarding adopting a zoning code that implements a comprehensive plan that we find to be not protective enough of water quality, water quantities, and Fish and Wildlife Habitat Conservation Areas county-wide. For example, allowing for increased development in areas of the county known to be water limited (see, Expert Testimony of Laura Strauss, Hydrologist, May 6, 2014) but which by necessity will have to be served by exempt wells will result in un-mitigatable impacts. WDFW does not agree that “official controls” (including but not limited to zoning and subdivisions controls, critical areas ordinances, shorelines master program, flood management programs, and hazard mitigation plan; Lines 247-251, DEIS) are in place and adequate to:

“assure that proposed new development will meet state and local requirements for available water supplies and particularly exempt wells, capacity of the area for on-site septic facilities, and the ability of the community to provide adequate levels of public services, conservation and protection of resource lands and critical areas” (Lines 166-174, DEIS).

Prior to allowing activities that will result in an increased demand for water, WDFW recommends that Okanogan County implement actions to measure impacts of exempt wells on in the lower Methow (Aspect 2009 - Water Use Study Plan, WRIA 48). The Aspect 2009 Water Use Study Plan provides one recommended method for quantifying groundwater withdrawals from exempt well in the Methow sub-basin.

- In the Final Draft Okanogan County Shoreline Master Program (SMP, June 30, 2015), application of regulations protective of Fish and Wildlife Habitat Conservation Areas (Conservation Areas) for anadromous and other fish and aquatic resources are restricted to lands designated as "Natural" (SMP section 14.15.110(D)(2)). Conservation Areas exist on the landscape as defined in section 14.15.110(D)(1) of the Final Draft SMP, regardless of whether the shoreline designation. As the proposed revised Zoning Code would implement the 2014 Okanogan Comprehensive Plan (which includes the SMP along with this deficiency), WDFW recommends that the final EIS evaluate the impact of restricting protection for fish and aquatic resources to only recognize Conservation Areas on lands designated as "Natural." Because the revised Zoning Code will implement the 2014 Comprehensive Plan along with its associated regulatory controls, without addressing the inadequacy in the Final Draft SMP regarding protection of Critical Areas, WDFW cannot find the Zoning Code protective enough of Conservation Areas. WDFW recommends that the revised Zoning Code provide for the full protection of Conservation Areas within shoreline jurisdictions to achieve "No Net Loss" of Conservation Areas.

Thank you for your consideration of my comments. If you have any questions, please feel free to contact me at (509) 754-4624 ext. 212, or at carmen.andonaegui@dfw.wa.gov.

Sincerely,



Carmen Andonaegui
WDFW Region 2 Habitat Program Manager

cc: Jim Brown, WDFW Region 2 Regional Director
Connie Iten, WDFW Region 2 Habitat Biologist
Keith Folkerts, WDFW, Priority Habitats and Species Section Manager, Olympia