

**GRANT COUNTY
PLANNING COMMISSION**

Chairman: Bill Bailey
Vice Chairman: Ollie Click
Board Members: Carol Dawson, Terry Dorsing, Ann, Drader, Jim Fleming, Blair Fuglie, Lee Graham and Kevin Richards
Secretary: Doris Long

COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON

MARCH 19, 2014 @ 7:00 P.M.

Members Present: Bill Bailey, Ollie Click, Carol Dawson, Terry Dorsing, Ann Drader, Jim Fleming, Blair Fuglie and Lee Graham
Members Absent: Kevin Richards

Chairman, Bill Bailey, opens the meeting and explains how the meeting will proceed.

Mr. Bailey swears in those wishing to testify at this hearing en masse:
Do you hereby swear or affirm under penalty of perjury under the laws of the State of Washington that the testimony that you give is truthful and accurate to the best of your knowledge and belief?

Open Record Public Hearing, File #14-5882, – to consider the repeal of Chapter 24.12 “Shoreline Master Program” of the Grant County Code, repeal of the existing Shoreline Master Program, amendments to Chapter 13 “Natural Setting” of the Grant County Comprehensive Plan, and adoption of the updated Shoreline Master Program as the new Chapter 24.12 of the Grant County Code. Staff recommends approval.

Staff represented by Damien Hooper, Planning Director, and Ben Floyd of Anchor QEA

Damien Hooper presents the Staff Report to the Planning Commission.
On February 5, 2014 a Notice of Application was issued.
A Determination of Non-Significance was issued on March 6, 2014 following the close of a 30 day comment period.
Six comments were received and addressed in the Staff Report.
A Hearing is set with the Board of County Commissioners for April 9, 2014.
There are 26 suggested Findings of Fact and 5 suggested Conclusions.
The Planning Department recommends approval to the Board of County Commissioners.

Ms. Dawson asks if the public has had an opportunity to review the Department of Fish and Wildlife letter dated March 17, 2014.

Mr. Hooper explains the letter was provided to the Department of Ecology by the Department of Fish and Wildlife, and has not been out for review.
(The Department of Fish and Wildlife letter was provided to the Planning Commission prior to the start of the meeting, and is entered into the record as Exhibit #1.)

Public Testimony Opened

Gary Mann, 305 East Third, Moses Lake, has been sworn in.

Mr. Mann states his concerns as follows:

Page 15 Item 7 – *The creation of new residential lots should not be allowed unless it is demonstrated the lots can be developed without: (A) Constructing shoreline stabilization structures (such as bulkheads).* His comment is that basically all the shorelines are unstable. He would like the verbiage changed to read “without an increase to shoreline erosion due to the subdivision”.

Page 65 Item 5(A) - *...shall contain a restriction on the face of the plat prohibiting individual docks...
...a single-use dock may be authorized....*

He does not want “no individual docks be allowed on the face of the plat” and then later at some point allow them. He explains that if it is stated on the face of the plat it is basically the same as putting it on the deed. This could create a financing problem and a cloud on the title.

Page 119 Item 6 - *...all structures and activities shall be located outside of the riparian habitat buffers.* He did not see any exceptions to this listed in the document. He uses the example of not being able to clean up a bunch of tumbleweeds that has blown into the buffer area.

Item 6(c) - *Additional setbacks for structures or other facilities, as applicable, would be added on to identified buffer width.....* It does not say what those setbacks would be.

He also feels the setbacks, even 50’, are too much.

John Hermann, is sworn in by Mr. Bailey, 3740 Thayer Road NE, Moses Lake.

Mr. Hermann states his concerns:

The 50’ setbacks are an overreach and more than what is necessary.

Regarding new developments that only allow community docks; he feels that every land owner on the lake should be allowed a private dock. His business is docks and boatlifts, and he doesn’t know anybody who thinks shared docks are a good idea.

Exemptions as part of the permitting process; Grant County’s process is different from the City of Moses Lake.

He explains the differences. He would like Grant County’s process to be simplified and become more like the City of Moses Lake’s.

Canopies on boatlifts – Government Agencies consider the canopy to be an overwater structure, and do not like them. A canopy is attached to the boatlift, and is an accessory to the boatlift. One of the complaints is the shade it creates. What is the difference between the canopy shading the water, or the hull of the boat shading the water either when it is on the boatlift or tied to the dock?

Chris Dexter reports he sent in a letter and requests for it to be read into the record.

Mr. Bailey reads the letter into the record at 7:43 pm.

Pat Molitor, 4121 Peninsula, Moses Lake, has been sworn.

Mr. Molitor explains he moved to Grant County in 1950. 25 years later, in 1975, the original Shoreline Master Program was prepared by the Grant County Planning Department and the Citizens’ Advisory Committee. 39 years later there have been many changes in Grant County. Referring to Page 1 of the existing Shoreline Master Program he reads *...artificially created waterways and channels and adjoining wetlands nor to the shorelines included herein affected and/or utilized by the Columbia Basin Project as a part of the irrigation system.* Moses Lake has changed dramatically from 1950 to 1975 and present day. The Citizens’ Advisory Committee was made up of 29 individuals with 17 being Government Agencies and 12 citizens of Grant County. There are a number of waterways exempted including large waterways such as Ephrata Lake and the Potholes Reservoir. While reviewing this list he questions why Moses Lake is not included in the list of exemptions. Moses Lake should be incorporated under the exemptions.

Jim McKiernan, 7019 Lake Vista Drive, has been sworn in, speaking on behalf of Rimrock Cove Owners’ Association of Blue Lake.

Mr. McKiernan reports the concerns.

Page 54 Item (b)(1) – *Private boat launch facilities are not allowed.* Rimrock Cove does have a private boat launch facility, and they do not want to be forced to make it a public launch.

Page 53 Items 10 - *Joint-use moorage with ten (10) or more berths is regulated under this section as a marina....*

Item 12 - *Installation of boat waste disposal facilities such as pump-outs and portable dump stations shall be required at all marinas.....* Rimrock Cove has a private marina with approximately 25 berths. Most boats on Blue Lake do not have heads, so having to provide a pump-out facility seems like a burdening expense.

Clay Crook, 431 West Northshore, Moses Lake, has been sworn in.

Mr. Crook reports that Gary Mann addressed the question he had concerning setbacks. He states that if one of his lots is required to contain a 50' setback it would become an unbuildable lot.

Tom Smith, 986 River Drive SW, Quincy, Sunland board member, has been sworn in.

Mr. Smith states that the last meeting he attended was October 2, 2013. At that time the proposed Shoreline Master Program showed the Sunland day use area as being designated Public Recreation Conservancy. The Sunland Estates Columbia River, Reach 2 is designated as Shoreline Residential and Rural Conservancy. He would like to see Sunland's park changed to Public Recreation Conservancy as well. This was discussed during the October 2, 2013 meeting. He thought Mr. Floyd was going to research this and he is wondering where that stands. Why is the designation for the Sunland park different from the proposed PUD Rattlesnake Cove Park.

Jim Ellis, 21061 Adrian Road, Soap Lake, has been sworn in.

Mr. Ellis explains Crab Creek runs through the middle of his property, and he is part of the Bureau of Reclamation plan for the Crab Creek feeder route. The State is proposing to place a fish block and create a fishery at that location. He is wondering how the proposed Shoreline Master Program would affect this.

Stephanie Utter, Ephrata Field Office Manager for the Bureau of Reclamation, PO Box 815, Ephrata, has been sworn in. Ms. Utter answers Mr. Ellis' question. The WDFW will be applying for all of the appropriate shoreline permits in association with the construction of the fish structure.

Ms. Utter explains her concern is regarding the application of the Rural Conservancy designation relating to irrigation facilities.

Map 13 Reservoirs along Main Canal - This map contains an Un-Named Reservoir that is actually a wide spot in the main canal. She questions the applicability of the Shoreline Management Act being applied to an irrigation facility, and suggests it be removed. This wide spot in the main canal is called Trail Lake, is completely under federal ownership, and there are no plans for development.

Maps 31a, 31b and 31c - Sand Hollow Reach 1a, 1b and 1c - A portion of Sand Hollow Reach along the Columbia River is a natural waterway, but the entire facility is used for the delivery of irrigation water. Sand Hollow is an irrigation facility and the BOR controls the amount of water it carries. She questions the applicability of the Shoreline Master Program to a constructed irrigation facility. It could cause conflict for future water service contracts and require shoreline permitting for establishing new turn outs.

Jeremy Sikes, Shoreline Planner with the Department of Ecology.

Mr. Sikes explains that the Washington Department of Fish and Wildlife was not able to attend the meeting, and on their behalf, he is entering the letter dated March 17, 2014 into the record as their public testimony. (This is the same letter referred to earlier in the meeting and is entered into the record as Exhibit #1)

Dave Bolton, 5103 Viking Road NE, Moses Lake, has been sworn.

Mr. Bolton reports that the homeowners along Crab Creek are very concerned about what their appropriate or inappropriate use of the waterfront is. They are also on a waterway used for irrigation delivery, and fall into a gray area. The homeowners are very concerned about what is going to happen to them. They want their property rights. There have been questions regarding due process, and whether or not homeowner rights have been considered appropriately.

Gary Mann would like a few other clarifications.

He would like to see how an existing lot that is unbuildable would be handled.

Page 22 Item (e) – *Projects in the shoreline jurisdiction that have been approved through local and state reviews prior to the adoption of this Program are considered accepted.....* Shouldn't this read "applied for"?

He verifies that he understands the replacement of an existing structure correctly.

Public Testimony Closed

Grant County Draft Shoreline Master Program

Page 1 (d) *The Inventory and Characterization Report establishes the baseline against which the standard "no net loss of shoreline ecological functions" is measured.....* Mr. Click asks what the definition of "ecological functions" is. Mr. Floyd explains there are a lot of different functions that fit within a variety of different ecological processes. This concept is discussed.

Mr. Bailey reads the WDFW Concerns/Recommendations section from the Department of Fish and Wildlife letter.

Page 5 line 25 – *Accordingly, this SMP gives preference to uses and development consistent with the preferred uses listed in order of preference below, with associated goals:*

Page 6 (a) – *Recognize and protect the statewide interest over local interest;*

Mr. Click states local interest should preempt everything, and voices his concerns. There is discussion regarding this subject.

Ms. Short, Department of Ecology, explains the legislature has declared, in order of preference, that this is what will be in the Program. She wanted to clarify for those in attendance that this is straight out of the RCW, and is required to be in the Program.

Mr. Graham asks to go back and revisit the excluding of Bureau lands, such as Winchester Wasteway, where water bodies were created due to the irrigation project. He remembered Winchester Wasteway as being excluded, but it is still being shown on the maps.

Mr. Floyd explains the Winchester Wasteway channel and Frenchman Hills Wasteway have been excluded from shoreline jurisdiction, but lakes and associated wetlands that are larger than 20 acres meet the definition of shoreline jurisdiction waterbodies and are included.

Ms. Utter reports her concerns are related to the inclusion of the constructed facilities. The two lakes that she is concerned about are wide spots in the irrigation facilities. The BOR has rights-of-way for those facilities from the underlying landowners as an irrigation facility.

Mr. Graham questions that in the draft SMP the Winchester drains have been excluded, but Sand Hollow, which is a drain, has been included.

Mr. Floyd replies Grant County is one of the most unique counties, in terms of waterbodies, in Washington State. There are a lot of waterbodies in Grant County that may never see a shoreline permit application, but they fall under shoreline jurisdiction so there have been provisions made for them.

Ms. Short explains from the Department of Ecology's perspective this is a unique circumstance for the State. The law clearly identifies artificially created waterbodies and waterways as being jurisdictional. They have tried to include those areas that fall most completely within the legal definition, especially areas that provide public access.

Ms. Utter responds that she agrees with what is being said, but the criteria that were used to remove the Winchester Wasteway applies to the Sand Hollow Wasteway and the un-named lake as well.

Mr. Floyd explains that initially Sand Hollow was not included, but a comment was received from WDFW prompting them to look closer at the hydrology, this resulted in it being included.

Ms. Sutter recommends to the Planning Commission that the Sand Hollow Wasteway sections be removed from Shoreline Master Program.

Page 12 Item (i)(4) – *Allow dredging for the primary purposes of flood hazard reduction only as part of a long-term management strategy consistent with an approved flood hazard management plan.* Mr. Bailey states that the section on dredging does not address water storage, which is an issue that is currently being dealt with in Moses Lake by dredging. Moses Lake will require future dredging activity and if this isn't addressed now it could be a problem.

Mr. Floyd responds that he thinks clarifying water storage would be a helpful addition.

To address concerns expressed earlier regarding the requirement of shared docks Mr. Bailey reads from the draft SMP. Page 65 lines 10-25 - *...joint use or community dock facilities shall be required when feasible, rather than allow individual dock for each residence. A joint use dock shall not be required for: (A) Single residential development. (B) Existing single residential units that currently do not have a dock. (C) Replacement of existing single residential docks. (2) In order to evaluate the feasibility of a joint community dock in a new residential development of two or more waterfront dwelling units, the applicant/proponent shall demonstrate the following: (A) Existing facilities in the vicinity, including marinas and shared moorage, are not adequate or feasible for use; and (B) The applicant/ proponent has contacted abutting property owners and none have indicated a willingness to share an existing dock or develop a shared moorage in conjunction with the applicant/proponent. (3) If allowed, only one private dock shall be permitted on a shoreline residential lot.*

Mr. Bailey continues to read the dock dimensional and materials standards starting on Page 66.

Mr. Floyd addresses the concern regarding a restriction being put on the face of the plat prohibiting individual docks. This provision would apply only under certain circumstances.

Page 15 Item (7) - *Design and locate new residences so that shoreline stabilization will not be necessary to protect the structure. The creation of new residential lots should not be allowed unless it is demonstrated the lots can be developed with out: (A) Constructing shoreline stabilization structures (such as bulkheads). (B) Causing significant erosion or slope instability.*

Mr. Mann asks how someone determines if a shoreline is stable or if it needs stabilization. There is discussion.

Mr. Bailey explains the point is to not contribute to any instability; it is not to prevent the instability.

Page 22 Item (e) – *Projects in the shoreline jurisdiction that have been approved through local and state reviews prior to the adoption of this Program are considered accepted.....*

Mr. Mann asks if this shouldn't read "applied for" not approved? There is discussion.

Mr. Floyd agrees that the language will be revisited to see if some clarification needs to be made.

Page 38 New Parking, Primary (table) - Mr. Bailey questions new parking being prohibited in the Public Recreation Conservancy designation. There is discussion.

Mr. Floyd explains it could be possible for the parking to be established outside the shoreline jurisdiction with a path down to the water way.

Mr. Fleming states that is going to restrict a lot of people who have a difficult time walking.

Mr. Floyd replies he understands Mr. Fleming's point. Perhaps it could be allowed in Rural Conservancy and Public Recreation Conservancy with a Conditional Use. There are areas where this could possibly be changed and are worth revisiting.

Ms. Short points out that this pertains only when the situation is just a parking lot. If the parking is accessory to another facility then it would follow the permitting process for that facility.

Page 39 (table) Building Height Maximum in Feet - Mr. Bailey questions the maximum building height of 35' allowed in the High Intensity-Public Facility designation. This may not be adequate in certain instances such as the dams.

Mr. Bailey reads for the audience:

Page 44 Item (c) – *An applicant shall not be required to provide public access where one or more of the following conditions apply, provided such exceptions shall not be used to prevent implementing the access and trail provisions mentioned in the County's and other agencies' management plans.....*

Mr. Bailey points out that there is a list of things that would allow a person not to have to provide public access.

Mr. Floyd adds that this contains provisions related to protecting private property rights and public health and safety.

Mr. Bailey reads from the draft SMP to address Mr. McKiernan's concerns regarding Rimrock Cove.

Page 53 Item 10 – *Joint-use moorage with ten or more berths is regulated under this section as a marina. Joint-use moorage with fewer than ten berths is regulated under this section as a dock or pier.*

Mr. Floyd responds that Mr. McKiernan's concerns were regarding an existing situation, which would not be affected by the draft SMP.

There is discussion regarding requirements for private marinas versus public marinas.

Page 57 Item (a)(2) – *Maintenance dredging of established navigation channels and basins shall be restricted to managing previously dredged and/or existing authorized location, depth and width.*

Mr. Bailey explains this is his concern he brought up earlier in the meeting. Some of the future dredging activity on Moses Lake will not be in previously dredged areas.

Mr. Floyd states in Item (1) "*flood holding capacity*" is addressed and has a storage capacity to it.

Mr. Bailey responds that Item (1) starts out with a negative statement. "*Non-maintenance dredging shall be avoided where possible.*" Maybe this sentence should be eliminated or eliminate "*previously dredged*" from Item (2).

There is on going discussion regarding the dredging of Moses Lake.

Ms. Short explains this subject needs further consideration, but because it is permitted in the Table as a Conditional Use Permit it would be acceptable to the Department of Ecology to add additional language addressing dredging for storage as an allowed consideration.

Mr. Floyd states that they need to make sure that there is adequate flexibility to cover this situation.

Page 67 Item (4)(A)(v) – *Pilings or piling sleeves shall be white in color.*

Mr. Bailey asks if this means the pilings will have to be painted.

Mr. Floyd replies he is not too familiar with this requirement, but he thinks white may be the most fish friendly color. Maybe it should be changed to read "Piling sleeves shall be white in color".

Page 68 Items (C)(i) – *Grating or clear translucent material shall cover the entire surface area of the pier, ramp and/or float. The open area or grating shall be a least 60% and clear translucent materials shall have greater than 90% light transmittance as rated by the manufacturer.*

(ii) *Decking shall be installed so that a minimum ½ inch space is left between deck planks. Grating or other deck materials that provide at least as much light transmission below the deck are allowed.*

Mr. Bailey feels the requirements of these two items are not consistent. Item (ii) refers to decks planks and Item (i) refers to grating or translucent materials. This needs to be clarified.

Page 68 Items (iii) – *Float material contacting the water shall be white in color.*

Mr. Bailey states there are pontoons for docks constructed from black pvc or poly that are filled with foam.

Mr. Floyd responds that those will not be allowed on the Columbia River, Rocky Ford Creek, Lower Crab Creek or Sand Hollow.

Page 83 Line 33 – "*buffer ar ea*"

Mr. Bailey points out ar ea should be corrected to read area.

Page 92 Item (4) – *Restoration/rehabilitation is required when a critical area or its buffers have been altered on a site in violation of city regulations prior to development approval, and as a consequence its functions and values have been degraded. Restoration is also required when the alteration occurs in violation of city regulations.....*

Mr. Mann states city should be corrected to read County.

Page 114 Section 24.12.530 *Fish and Wildlife Habitat Conservation Areas*

Mr. Bailey asks how much of this Section is new information.

Mr. Floyd explains the majority of the information in this section came directly from Grant County's existing Critical Areas regulations. The biggest change made was to the riparian buffer widths, but there was very little information added in. During the discussion Mr. Floyd points out that the Habitat Conservation Areas within the shoreline have additional levels of protection.

Page 119 *Table 24.12.530 (d)(6)(F) Riparian Buffer Widths*

There is discussion regarding the Riparian Buffer Widths Table.

Mr. Sikes suggest that this table is duplicative of other tables within the draft SMP. To simplify the situation it might be better to refer back to a master table.

Mr. Graham questions that if these Habitat Conservation Areas are not associated with water issues, why are those areas included in this Shoreline Master Program.

Ms. Short explains that the law has been amended requiring updated SMPs to contain regulations protecting Habitat Conservation Areas that occur within the shoreline jurisdiction area. As it exists today, the Shoreline Master Program and Critical Areas Ordinance may overlap at times, but the law now requires the two be integrated in the SMP.

Page 146 Item (3) – *If any nonconforming use of land ceases for any reason for a period of one year, any subsequent use of such land shall conform to the regulation specified by this SMP for the use environment in which such land is located.*

Mr. Bailey feels one year is not a reasonable amount of time for all circumstances.

There is discussion regarding this Item.

Mr. Hooper reports that, for an instance not located in the shoreline jurisdiction, the same general provision applies in the Unified Development Code.

Mr. Fuglie asks if there are any provisions for exemptions.

Mr. Hooper answers not in the zoning code as it is currently written.

Page 149 Item (c) – *Planning Commission. The Planning Commission is vested with the responsibility to review the SMP as part of regular SMP updates required by RCW 90.58.080.....*

Mr. Bailey asks if the Planning Commission can revise the document at other times as well.

Ms. Short answers yes, as long as the revisions go through the formal process.

Page 167 Item (E) - *Waters of the State as defined by WAC 222-16;*

Mr. Graham reports waters of the State could include drain ditches within the irrigation district. This creates a possibility for cross over.

Mr. Floyd replies he will have to go back and verify this.

Page 119 Item (C) – *Additional setbacks for structures or other facilities, as applicable, would be added on to identified buffer width;*

Mr. Mann asks if they have anything specific set for this.

Mr. Hooper answers it would be 15'.

Draft Restoration Plan

Page 10 Item 3.5 – *National Park Service. The National Park Service owns the Grand Coulee and the Lake Roosevelt National Recreation Area, and manages these areas with its mission to preserve unimpaired the natural resources and values of the national park system, including shorelines.*

Mr. Click states that these are all owned by the Bureau of Reclamation.

Mr. Floyd replies maybe it should just say “they manage”.

There is discussion regarding ownership and management of these areas.

Mr. Floyd will verify this information.

Draft Cumulative Impacts Analysis Report

No Comments

Mr. Bailey ponders how they should proceed from this point. There will be revisions made to the documents, although they are minor. Are the requested clarifications minor enough to continue, allowing a recommendation be made to the Board of County Commissioners, or should it be tabled until next month.

Mr. Hooper states that the requested revisions are minor enough that they could easily be summarized and provided to the Board of County Commissioners. His preference would be to have a recommendation made tonight, but there is no harm in it being tabled to April 2nd either.

Mr. Floyd reports, after reviewing his notes, he doesn't see anything that substantively changed.

Mr. Bailey asks the Planning Commission members what their preferences would be. He states that he will not be available to attend the April 2, 2014 meeting.

Mr. Dorsing would like to complete the process tonight. He is not sure he will be able to attend the meeting in April either.

Ms. Drader is fine with proceeding.

Mr. Graham has no problem with continuing tonight, although he would like to see the list of corrections that are going to be made.

Ms. Dawson is fine with proceeding.

Mr. Fleming has no problem with continuing tonight.

Mr. Fuglie has no problem with continuing tonight.

Mr. Click has no problem with continuing tonight, but he would like to see a list of the corrections as well.

Mr. Hooper reports that Findings of Fact #24 was included to cover a situation such as this.

Finding #24 reads: Any additions identified by the Planning Commission and subsequently approved by the Board of County Commissioners or any typographical corrections or formatting amendments required through the codification process shall be made by the Planning Department as necessary. No substantive amendments of language are authorized.

Board Action:

Mr. Fleming moves to recommend to the Board of County Commissioners that the Grant County Comprehensive Plan Chapter 13 "Natural Setting" be amended to reflect the new Goals and Policies established in the Shoreline Master Program.

Mr. Click seconds the motion.

Voted on and passes unanimously

ACTION: JIM FLEMING MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE GRANT COUNTY COMPREHENSIVE PLAN CHAPTER 13 "NATURAL SETTING" BE AMENDED TO REFLECT THE NEW GOALS AND POLICIES ESTABLISHED IN THE SHORELINE MASTER PROGRAM.

OLLIE CLICK SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Dorsing moves to recommend to the Board of County Commissioners that Chapter 24.12 "Shoreline Master Program" of the Grant County Code be repealed.

Mr. Fuglie seconds the motion.

Voted on and passes unanimously

ACTION: TERRY DORSING MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT CHAPTER 24.12 "SHORELINE MASTER PROGRAM" OF THE GRANT COUNTY CODE BE REPEALED.

BLAIR FUGLIE SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Fleming motions to recommend to the Board of County Commissioners that the existing Shoreline Master Program be repealed.

Mr. Dorsing seconds the motion.

Voted on and passes unanimously.

ACTION: JIM FLEMING MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE EXISTING SHORELINE MASTER PROGRAM BE REPEALED.

TERRY DORSING SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Fuglie moves to recommend to the Board of County Commissioners that the updated Shoreline Master Program be adopted as the new Chapter 24.12 of the Grant County Code.

Mr. Fleming seconds the motion.

Mr. Bailey verifies with the Planning Commission members that they understand and agree that this motion includes all of the revisions and corrections that have been discussed tonight.

The Commissioners acknowledge that they understand this.

Voted on and passes unanimously.

ACTION: BLAIR FUGLIE MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE UPDATED SHORELINE MASTER PROGRAM BE ADOPTED AS THE NEW CHAPTER 24.12 OF THE GRANT COUNTY CODE INCLUDING THE REVISIONS THAT WERE DISCUSSED TONIGHT.

JIM FLEMING SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Dorsing moves to recommend to the Board of County Commissioners that the companion documents to the Shoreline Master Program be adopted.

Those companion documents are: The Cumulative Impacts Analysis Report, The Restoration Plan, The Inventory and Characterization Report and The Riparian Buffer Guidance Document.

Mr. Click seconds the motion.

Voted on and passes unanimously.

ACTION: TERRY DORSING MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT THE COMPANION DOCUMENTS TO THE SHORELINE MASTER PROGRAM BE ADOPTED. THOSE DOCUMENTS BEING THE CUMULATIVE IMPACTS ANALYSIS REPORT, THE RESTORATION PLAN, THE INVENTORY AND CHARACTERIZATION REPORT AND THE RIPARIAN BUFFER GUIDANCE DOCUMENT.

OLLIE CLICK SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Click motions to recommend to the Board of County Commissioners that Sand Hollow and any other irrigation features be removed from shoreline jurisdiction.

Mr. Fleming seconds the motion.

Mr. Floyd suggests that another option would be for Sand Hollow to be re-evaluated, and if it is determined that there was an error made in the jurisdiction process then the correction could be made.

Mr. Bailey replies that Ms. Utter says Sand Hollow is very definitely a Bureau of Reclamation constructed facility, and regardless of what other Agencies say it should not be included. If this is in fact true, then it should not be included.

There is further discussion regarding Sand Hollow.

Mr. Sikes reports that they (DOE) weren't prepared to talk about this issue. The question is whether Sand Hollow is a creek or a facility. It appears that the same criteria should be applied to Sand Hollow as was applied to Winchester Wasteway and Frenchman Hills Wasteway. This needs further examination. If Sand Hollow shouldn't be a part of the SMP, then they don't want it to be part of the Program, but the decision has to be based on criteria.

Mr. Bailey states the motion could be amended to state that Sand Hollow did not meet the inclusion criteria.

Mr. Click agrees to amend the motion to state that Sand Hollow, and any other irrigation features that do not meet the inclusion criteria, be removed from shoreline jurisdiction.

Mr. Bailey reiterates that Sand Hollow will be re-examined to make sure that it does not meet the inclusion criteria.

Voted on and passes unanimously.

ACTION: OLLIE CLICK MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS THAT SAND HOLLOW AND ANY OTHER IRRIGATION FEATURES THAT DO NOT MEET THE INCLUSION CRITERIA BE REMOVED FROM SHORELINE JURISDICTION.

JIM FLEMING SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

Mr. Bailey explains that the 26 suggested Findings of Fact and the 5 suggested Conclusions apply to all 6 of the recommendations that have been made.

Mr. Hooper suggests that it would be appropriate to add a Finding for the Sand Hollow issue based on the fact that testimony was given tonight.

Findings of Fact #27 will be added stating that the Grant County Planning Commission directs the Planning Department Staff and Anchor QEA to re-evaluate the inclusion of Sand Hollow Wasteway in the Shoreline Master Program.

Mr. Dorsing motions to include the 27 suggested Findings of Fact and the 5 suggested Conclusions.

Mr. Graham seconds the motion.

Voted on and passes unanimously.

ACTION: TERRY DORSING MOTIONS TO RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS TO INCLUDE THE 27 SUGGESTED FINDINGS OF FACT AND THE 5 SUGGESTED CONCLUSIONS

LEE GRAHAM SECONDS THE MOTION.

VOTED ON AND PASSES UNANIMOUSLY

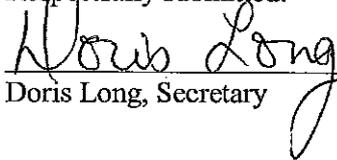
Approval of January 8, 2014 Planning Commission Meeting Minutes.

Mr. Click motions to approve the meeting minutes as presented. Mr. Fleming seconds the motion.

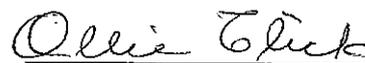
Voted on and passes unanimously.

Meeting adjourned at 10:33 PM.

Respectfully submitted:


Doris Long, Secretary

Approved by:


Ollie Click, Vice-Chairman

