

OKANOGAN COUNTY, STATE OF WASHINGTON

ORDINANCE NO. 2000-2

AN ORDINANCE FOR THE PURPOSE OF COORDINATING COUNTY, FEDERAL AND STATE GOVERNMENT ACTIONS AFFECTING LAND AND NATURAL RESOURCE USE IN OKANOGAN COUNTY.

WHEREAS, Okanogan County has an interest in securing and promoting the public peace, general welfare, health and safety of the citizens of Okanogan County through preservation of their custom, culture, and economic stability, protection and use of their environment, and endorsement of their private property rights; and,

WHEREAS, preservation of the custom, culture, and economic stability of the citizens and the protection and use of their environment are inseparably tied to their ability to be involved in determining any regulation of their rights to use and enjoy their unique lands and natural resources; and,

WHEREAS, the Okanogan County Commissioners have determined that the provisions of the Washington State Growth Management Act, regulations promulgated thereunder, the GMA Planning Policies under consideration for Okanogan County, and the existing land use planning process followed by Okanogan County, collectively, have not sufficiently addressed the effects that actions by federal and state agencies may have on land, natural resources use, and the economy of Okanogan County, and which Okanogan County may address as finances dictate; and,

WHEREAS, actions taken by federal and state agencies without consultation and coordination with Okanogan County and which conflict with the Comprehensive Plan and other County laws, could fail to preserve the custom, culture, economic stability and environmental quality of the citizens, and could otherwise work to the detriment of the livelihood and well-being of the citizens of Okanogan County; and,

WHEREAS, regulations that have had, and continue to have, a serious effect on the traditional economic stability in Okanogan County have been promulgated under the National Environmental Policy Act, the Endangered Species Act, the Washington State Environmental Policy Act, and many other federal and state policies and acts. These statutes call for an environmental analysis that takes into consideration the impact of actions of federal and state agencies upon the overall environment, including economic impacts. However, federal and state agency practices in the past have been largely to ignore the customs, culture and economic stability of Okanogan County.

NOW, THEREFORE, BE IT RESOLVED by the Okanogan County Board of Commissioners, that the following sections, as developed by the citizens of this county, set forth the County's Customs, Culture, Economic Stability and Environmental Harmony of Okanogan County:

1. That the adoption of this Ordinance is required to secure and promote the public peace, general welfare, health and safety of the citizens of Okanogan County through

preservation of their custom, culture, and economic stability, protection and use of their environment, and endorsement of their constitutionally protected private property rights; and,

2. That a new title 18 be added to the Okanogan County Code, entitled "Title-Coordinating Government Regulation" and that the initial chapter of such title be entitled "Chapter 18.04, Coordinating Government Regulation of Land and Natural Resources Use"; and,

3. That such new title shall contain the following:

TITLE 18

Chapters:

18.04 Coordinating Government Regulation of Land and Natural Resource Use

Chapter 18.04

COORDINATING GOVERNMENT REGULATION OF LAND AND NATURAL RESOURCE USE

Sections:

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ARTICLE I PRELIMINARY PROVISIONS

18.04.010 Purpose. The purpose of this Ordinance is to establish as County law the basis and process for determining how federal and state agencies are to coordinate and consult with Okanogan County in actions affecting land and natural resource use, in order that the citizens of Okanogan County may preserve their customs, culture, and economic stability, and protect and use their environment. This Ordinance addresses federal and state agency regulation of land and natural resource use directly and is intended to be used as a positive guide for federal and state agencies in their development and implementation of regulations affecting land and natural resources use in Okanogan County.

18.04.020 Coordination With Growth Management Act, The National Environmental Policy Act, the State Environmental Policy Act, the Endangered Species Act, the Comprehensive Plan and Existing County Law.

A. The provisions of this Ordinance shall be in addition to and, to the extent permitted by law, coordinated with the final Okanogan County Comprehensive Plan adopted pursuant to the Washington State Growth Management Act. The effectiveness of this Ordinance, however shall not depend upon adoption of the Comprehensive Plan or the authority of the County to adopt such a plan.

B. This ordinance shall be coordinated with existing and future Okanogan County ordinances, resolutions, policies and plans. It is intended as a set of provisions that shall provide a general framework as well as specific guidance and shall work in conjunction with other Okanogan County ordinances, resolutions, policies and plans. In the event this Ordinance conflicts with such other ordinances, resolutions, policies and plans, the provisions of this Ordinance shall be given effect to the fullest extent.

18.04.030 Effectiveness: Validity Under Constitutional, Federal and State Law.

A. This Ordinance shall be effective upon adoption by the Board of Okanogan County Commissioners.

B. The validity of this Ordinance is based upon the rights of citizens granted by the Constitutions of the United States and the State of Washington, the authority of Okanogan county to protect and uphold such rights, and existing federal and state laws mandating that federal and state agencies consult and coordinate with local governments in actions affecting use of land and natural resources. If any provision of this Ordinance shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall not be affected thereby, but shall remain in full force and effect, and to that extent the provisions of this Ordinance shall be severable.

18.04.040 Definitions.

A. For the purpose of this Ordinance, and any regulations promulgated hereunder, the following words shall be defined as follows:

"Action", when used with respect to any federal or state agency, shall have the broadest possible meaning in the context of any exercise of authority, and shall include, without limitation, any proposal, policy, regulation, rule, consideration, finding, study, or gathering or review of data, that may lead to any substantive rule, regulation, or administrative action or determination.

"Federal agency", "state agency" or any combination thereof, shall mean each department, agency, commission or other instrumentality receiving its authority from the executive, legislative or judicial branch of the United States or the State of Washington, respectively, including without limitation independent regulatory agencies and public corporations, together with each officer, agent or employee thereof in the performance of official duties.

"Private property" shall mean all property protected by provisions of the United States Constitution, the Washington State Constitution, Okanogan County statutes, and amendments thereto.

"Culture" means the body of customary beliefs, social forms, and material traits constituting a distinct complex of tradition of a racial, religious or social group - that complex whole that includes knowledge, belief, morals, law, customs, opinions, religion, superstition and art.

"Custom" means a usage or practice of the people, which by common adoption and acquiescence and by long and unvarying habit, had become compulsory and has acquired the force of law with respect to the place or subject-matter to which it relates...An habitual or customary practice, more or less widespread, which prevails within a geographic or sociological area.

"Economic stability" means those economic factors that are necessary for the stability of the community in economic, social, cultural and public health and safety terms.

"Environmental Harmony" means the desired balance necessary for the mutual maintenance and preservation of the natural environment, custom and culture, and the economic stability of Okanogan County.

"Okanogan County" and "County" in this text refers to the physical description and citizens of Okanogan County, represented by the Board of Okanogan County Commissioners.

ARTICLE II. GENERAL GUIDANCE:

18.04.050 General Guidance. To the fullest extent required or permitted by law, including this Ordinance, all federal and state agencies, in all actions considered, proposed or taken that affect or have the potential of affecting the use of land or natural resources within Okanogan County:

A. Shall consider the effects such actions have on (i) community stability, (ii) maintenance of custom, culture and economic stability, and (iii) conservation and use of the environment and natural resources as part of the action taken;

B. Shall coordinate procedures to the fullest extent possible with Okanogan County on an equal basis and not with Okanogan County as subordinate, prior to and during the taking of any federal or state action;

C. Shall meet with Okanogan County to establish, through a memorandum or otherwise, the process for such coordination, including joint planning, joint environmental research and data collection, joint hearings, and joint environmental assessments;

D. Shall submit a list and description of alternatives in light of possible conflicts with Okanogan County's laws, policies and plans, including the Comprehensive Plan; consider reconciling the proposed action with the County's laws, policies, and plans, including the Comprehensive Plan, and after such consideration, take all practical measures to resolve such conflict and display the results of such consideration in appropriate documentation;

E. Shall not, in any environmental impact statement or otherwise, assume that any proposed actions would be consistent with Okanogan County conditions or would have a non-significant impact, without coordination and consultation with the County and review of data specific to Okanogan County;

F. Shall, in absence of a direct constitutional conflict, (United States and Washington State Constitutions) coordinate with Okanogan County so as to comply with federal and state statutes and regulations, and County laws, policies and plans, including the Comprehensive Plan;

G. Shall take appropriate mitigation measures adopted with the concurrence of Okanogan County to mitigate adequately adverse impacts on culture, custom, economic stability or protection and use of the environment; and,

H. Shall not violate through regulatory means or otherwise any private property rights of citizens of Okanogan County without just compensation.

ARTICLE III. SPECIFIC GUIDANCE

18.04.060 Agriculture and Livestock.

The custom and culture associated with agricultural and livestock production in Okanogan County is significant to the economic environment. The purpose of this section is to provide clear guidance to federal and state agencies when actions taken by such entities affect or have the potential of affecting agricultural and livestock production in Okanogan County.

A. In general, since the regulation of any aspect of agricultural and livestock production may impact the ability of County citizens to use land and use and conserve natural resources for agricultural and livestock purposes, all federal and state agencies shall (i) notify the County of proposed actions, (ii) Provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. To the extent permitted by law, federal and state agencies shall avoid taking actions that are inconsistent with the Washington State Right to Farm Initiative or any successive resolutions or ordinances or like provision in the Comprehensive Plan, without the concurrence of Okanogan County.

C. To the extent permitted by law, federal and state agencies shall avoid taking actions that have the effect of obstructing, or making financially inefficient, agricultural and livestock production within Okanogan County.

D. To the extent permitted by law, federal and state agencies shall give adequate consideration to the designation and use of lands as agricultural lands in the Comprehensive Plan and as otherwise consistent with the custom, culture, and economy of Okanogan County.

18.04.070 Timber and Wood Products.

The custom and culture associated with timber and wood production in Okanogan County is significant to the economic stability, livelihood and well-being of its citizens and protection and use of their environment. The purpose of this section is to provide clear guidance to federal and state agencies when actions taken by such entities may affect timber and wood products production in Okanogan County.

A. All federal and state agencies shall prior to initiating, studying or taking any action affecting timber or wood products production in Okanogan County (i) notify the County of proposed actions, (ii) provide a detailed statement assessing the specific effects on custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. To the extent permitted by law, federal and state agencies shall avoid taking actions that reduce opportunities for a timber and wood products industry to be continued at levels consistent with the custom, culture, and economy of Okanogan County.

C. The production of timber from sources in Washington and other Northwest States has been and continues to be an important part in the preservation of custom, culture and economic stability and protection and use of the environment of Okanogan County. The

provisions of this section shall therefore apply fully to actions taken by federal and state agencies with respect to sources of timber in such states.

18.04.080 Cultural, Resources, Recreation, Wildlife and Wilderness

The custom and culture associated with cultural resources, recreation, wildlife and wilderness in Okanogan County are significant to the livelihood, economy, and well-being of its citizens and protection and use of their environment. It is the continuing policy of Okanogan County to (i) assure for all citizens safe, healthful, productive and aesthetically and culturally pleasing surroundings, (ii) preserve important historic, cultural and natural aspects of our County heritage, and (iii) maintain whenever possible an environment which supports diversity and variety of individual choice and economic stability. The purpose of this section is to provide clear guidance to federal and state agencies when actions by such agencies may affect cultural resources, recreation, wildlife and wilderness in Okanogan County.

A. Before any action is considered, proposed, or taken, affecting the economy, cultural resources, recreational, wildlife or wilderness uses in Okanogan County, federal and state agencies shall (i) notify the County of any proposed action, (ii) provide a detailed statement assessing the specific effects on custom, culture, economy and environment of Okanogan County, including, without limitation, public health and safety, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. Federal and state agencies shall avoid taking actions affecting recreational, cultural, wilderness, and wildlife opportunities within Okanogan County that are incompatible with local custom, culture and economic stability or preservation and use of the environment, or that otherwise fail to protect private property rights and local determination.

C. In connection with any action related to sensitive, threatened or endangered plant or animal species, a federal or state agency shall:

- (i) At the earliest possible time, give actual notice to Okanogan County its intent to consider or propose a species for listing, or to change or propose critical habitat;
- (ii) Base the listing of a species on the best scientific and commercial data relating specifically to Okanogan County and not generalized over a wider geographic area;
- (iii) List a species as threatened or endangered only after taking into account the efforts of Okanogan County to conserve the species;
- (iv) Only implement a recovery plan if it will provide for conservation of a species;
- (v) In designating critical habitat, base the designation on the best scientific data available and, after taking into consideration economic impacts, exclude as critical habitat all impacted areas unless, based upon the best scientific and commercial data available, failure to designate would result in extinction of species;

- (vi) Complete and forward to Okanogan County in a timely manner all documentation required by law when designating critical habitat;
- (vii) Consider and directly respond to comments submitted by Okanogan County;
- (viii) Not develop protective regulations or recovery plans if an Okanogan County plan is in place to protect effectively the species within Okanogan County;
- (ix) Protect the species through alternatives with the least impact on the custom, culture and economic stability and preservation and use of the environment of Okanogan County; and
- (x) To the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of the County to mitigate adequately any impact on custom, culture, economic stability, and protection and use of the environment, including any impact on custom, culture, economic stability, and protection and use of the environment, including any impact on public use and access and private property rights.
- (xi) In the event a species is listed under the Endangered Species Act, prior to regulatory actions, the responsible state or federal agency shall develop, through cooperation with Okanogan County, a plan of recovery that has a reasonable chance of success and is supported by peer review. Progress shall be monitored to insure that the recovery plan is actually working. The responsible agency shall fund monitoring.

18.04.090 Land Acquisition and Disposition.

Land is significant to the preservation of custom, culture, economic stability, and preservation and use of the environment and natural resources in Okanogan County. In addition, land provides much of the tax base for vital public functions, such as funding of public schools and administration of county government. When land (including any interest in land) is acquired or held in trust by federal and state agencies and some private entities, it may be removed from this tax base. The renewable resources that the land produces is a significant part of the basis for the economy of Okanogan County. When land goes out of production the citizens of Okanogan County will suffer as a result. For these reasons, it is the policy of Okanogan County that the design and development of all federal and state land acquisitions, including by forfeiture, donation, purchase, eminent domain or trust, and disposals, including adjustments and exchanges, be carried out to the benefit of the citizens of Okanogan County.

A. To the extent permitted by law, federal and state agencies or any non-taxpaying entities shall, prior to acquiring any lands or interest in lands within Okanogan County (i) notify the County of proposed acquisitions, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures, such as payments in lieu of taxes, adopted with the concurrence of the Okanogan County.

B. Before any federal or state agency pursues any disposition, adjustment or exchange of land within Okanogan County, the County shall be notified of, consulted about, and otherwise involved in all federal and state land dispositions, adjustments, and, exchanges.

18.04.100 Water Resources

Okanogan County recognizes that the conservation and development of water resources are essential to preservation of the custom, culture and economic stability of its citizens and protection and use of their environment. To the extent permitted by law, federal and state agencies shall not take actions affecting water rights (which are private property rights) and water resources that are incompatible with local custom, culture and economic stability or preservation and use of the environment, or that otherwise fail to protect private property rights and local determination.

A. Any federal or state action that has or could have the effect of changing existing water rights or uses within the County shall be critically considered in relationship to the historic and current use of water in Okanogan County by humans, vegetation, livestock and wildlife. It is the intent of Okanogan County to assist federal and state agencies in the planning and management of Okanogan County's natural, cultural economic and environmental resources related to water use. Since the regulation of any aspect of water rights or water use may impact the ability of Okanogan County citizens to use land and natural resources, all federal and state agencies shall, when taking any action related to restricting or limiting water use or water rights, (i) notify Okanogan County of proposed actions, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. Any proposed definition of wetlands, any action affecting the management of river and stream flows, wells, or any source of uses of irrigation, and any other federal or state action that has any effect on water rights or water uses within the County (i) shall be coordinated with the County, (ii) to the extent permitted by law, shall comply with all County water use plans and (iii) shall not violate any water rights.

C. To the extent permitted by law, Okanogan County shall have the authority to define and designate wetlands, and to the extent such authority is exercised, and otherwise in accordance with law, federal and state agencies shall act in compliance with acceptance and enforcement of such definitions and designations. In addition, the County may continue to develop, in coordination with private land owners and governmental agencies, water management plans that encompass water resources on both governmentally owned and privately owned lands.

D. To the extent permitted by law, Okanogan County shall have the authority to establish development regulations for point source and non-point source water pollution. To the extent such authority is exercised, and otherwise in accordance with law, federal and state agencies shall be subject to, and shall comply with all administrative requirements, controls, processes, and sanctions of such development regulations.

E. The use of water that originates from sources outside Okanogan County has been and continues to be an important part in the preservation of custom, culture and economic stability and the protection and use of the environment of Okanogan County. The provisions of this section shall therefore apply fully to actions taken by federal and state agencies in any jurisdiction that affect water rights and water uses within Okanogan County.

F. Before any federal or state agency acquires or agrees to acquire any interest in water rights in Okanogan County, directly, indirectly or in trust, for any purpose (including for transfer to or use in any other jurisdiction), by donation, purchase, condemnation or otherwise, such agency shall fully comply with all provisions of this Ordinance. In addition, federal and state agencies shall not acquire for any public purpose any interest in water rights within Okanogan County without (i) first coordinating and consulting with the County, and (ii) ensuring that private water rights are protected.

18.04.110 Clean Air.

Okanogan County recognizes that the conservation and use of clean air resources are significant to preservation of the custom, culture and economic stability of its citizens and protection and use of their environment.

A. All federal and state agencies shall prior to taking any action affecting air usage within Okanogan County (i) notify the County of the proposed action, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such action, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of the County.

B. Any federal or state action that has or could have the effect of changing existing use of air resources within the County shall be critically considered in relationship to the historic and current use of air resources in the County by humans, vegetation, livestock and wildlife. Any proposed designation of federal or state pollution non-attainment areas and any other federal or state action that has any effect on air resources within Okanogan County shall be coordinated with the County and shall comply with all County air quality standards and use plans.

C. It is the intent of the County to assist federal and state agencies in the planning and management of the County's natural, cultural, economic and environmental resources related to air quality. Okanogan County shall have the authority to establish development regulations regarding air pollution and develop air quality protection plans of its own design. To the extent such authority is exercised, federal and state agencies shall act in compliance with acceptance and enforcement of such regulations, to the extent permitted by law. In addition, the County shall have the authority to continue to develop in coordination with private land holders and governmental agencies, air quality management plans that encompass clean air resources throughout Okanogan County. To the extent such authority is exercised and otherwise as permitted by law, federal and state agencies shall be subject to, and shall comply with, all Okanogan County administrative requirements, controls, processes, and sanctions of such regulations and plans.

18.04.120 Mining and Minerals.

Okanogan County recognizes that the conservation and use of mining and mineral resources are significant to preservation of the custom, culture and economic stability of its citizens and protection and use of their environment. The purpose of this section is to provide clear guidance to federal and state agencies when actions taken by such entities may affect mining production in Okanogan County.

A. Any federal or state action that has or could have the effect of changing mining or mineral resources within the County shall be critically considered in relationship to the historic, current and future uses of mineral deposits in Okanogan County. It is the intent of Okanogan County to assist federal and state agencies in the planning and management of the County's natural, cultural, economic and environmental resources related to mining and mineral deposits. Since the regulations of any aspect of mining may impact the ability of County citizens to use land and natural resources, all federal and state agencies shall, when taking any action related to restricting or limiting mining, (i) notify Okanogan County of proposed actions, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County; (iii) consider all alternatives to taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with concurrence of the County.

B. To the extent permitted by law, federal and state agencies shall not take actions that reduce opportunities for a mining industry to develop and function at a level that is compatible with local custom, culture and economic and environmental resources related to mining and minerals.

18.04.130 Private Property Rights.

Okanogan County recognizes that the protection of private property rights is imperative and essential to the preservation of the custom, culture and economic stability of its citizens and protection and use of their environment. Federal, state, and Okanogan County agencies shall fully comply with all caselaw, statutes, regulations, rules and guidelines concerning protection of private property rights in Okanogan County, including, without limitation, (i) United States Executive Order 12630, **Governmental Actions and Interferences with Constitutionally Protected Property Rights** dated March 16, 1988, and (ii) Section 18 of the Washington Growth Management Act, **Protection of Private Property (R.C.W. § 36.70.A.370)**, and guidelines of the Attorney General of the State of Washington promulgated with respect thereto.

A. All private property and private property rights of Okanogan County citizens shall be fully protected by the U. S. Constitution, the Washington State Constitution and the U. S. Civil Rights Act, as amended, and this Ordinance.

B. The violation of the private property rights of any Okanogan County citizen by a federal, state, or Okanogan County agency, or their employees, shall be deemed to be a violation of this Ordinance, and liability for such violation shall be on the federal, state, or county agency as well as on the federal, state, or county official or employee responsible for making any decision or implementing any action which results in such violation.

ARTICLE IV. MONITORING AND ENVIROMENT

18.04.140 General Authorization.

Okanogan County shall have the authority to develop and maintain monitoring and compliance standards to evaluate and enforce compliance by federal, state, and Okanogan County agencies with the provisions of this Ordinance, the Comprehensive Plan, and other ordinances, resolutions, policies and plans of Okanogan County. Any actions that may be taken or authority that may be exercised by Okanogan County pursuant to this Ordinance or otherwise in accordance with law, may be taken or exercised by the Okanogan County Board of Commissioners. Taking into consideration the custom, culture, economic stability and environmental harmony of Okanogan County, as defined by this Ordinance, the Board of Okanogan County Commissioners may, by resolution, exempt any action or area of action by a federal, state, or Okanogan County agency from compliance with this Ordinance.

18.04.150 Coordinating Committee and Subcommittee.

A basic premise of this Ordinance is that involvement by citizens is crucial to the preservation of their custom, culture, economic stability and protection and use of their environment. This is particularly true with respect to coordinating government regulation of land and natural resources use and private property rights.

A. In order to involve citizens in the monitoring and enforcement of compliance with the provisions of this Ordinance, there shall hereby be established the Okanogan County Coordinating Committee for Federal and State Actions Affecting Land and Natural Resources Use (the "Coordinating Committee"), and the subcommittees thereof named below. The basic function of the Coordinating Committee and the subcommittees shall be to monitor federal and state actions and advise the County Commissioners regarding compliance by such agencies with this Ordinance. Any amendments or changes to this Ordinance shall be reviewed and approved by both the appropriate subcommittee and the Coordinating Committee before submitting to the Okanogan County Commissioners.

B. The members of the Coordinating Committee shall be the chair or an alternate of the following subcommittees, each of which shall have the chair, members, and specific duties designated by the Board of Okanogan County Commissioners from time to time in furtherance of this Ordinance. (i) Agriculture and Livestock, (ii) Timber and Wood Products, (iii) Cultural Resources, (iv) Land Acquisition and Disposition, (v) Mining and Minerals, (vi) Clean Air, (vii) Water Resources, (viii) Research and Data Collection. In furtherance of this Ordinance, the Board of County Commissioners may by resolution (i) expand or contract the number of members of the Coordinating Committee and any subcommittee, or (ii) change the subcommittees or establish other subcommittees.

C. The Board of County Commissioners shall appoint on the first Monday of each year, or as soon thereafter as practical, the chair, vice-chair and other members of each subcommittee. Members of the Coordinating Committee and each subcommittee must be citizens of Okanogan County, over the age of 18 years, with terms of appointment as follows: Initially, members shall be appointed for one, two or three year terms; thereafter, terms shall be for a period of three years, staggered so that the terms of one-third of the members expire each

year. Any person may be re-appointed at the pleasure of the County Commissioners. The County Commissioners may remove any person from a chair, vice-chair or membership position for cause and may fill vacancies as needed from time to time.

D. At its initial meeting the Coordinating Committee shall adopt operation procedures for itself and the subcommittees, which, along with any later amendments thereto, shall be subject to the approval of the County Commissioners. To the extent required by law, the Coordinating Committee and Subcommittees shall be subject to the open Public Meetings Act (R.C.W. Chp. 42.30) and the Public Disclosure Act (R.C.W. Chp. 42.17).

E. When determining which citizens shall be appointed, the County Commissioners shall consider the purpose of this Ordinance and the functions each subcommittee and the Coordinating Committee shall perform. While no specific criteria must be met, appointments should collectively reflect an expertise and involvement in the primary subject matter, and the broad diversity of the many aspects of the culture, custom, economy and environment of Okanogan County.

18.04.160 Research and Data Collection.

In furtherance of the purposes of this Ordinance, Okanogan County has established a data base of information regarding the custom, culture, economic stability and environmental harmony of Okanogan County, and it is the intent of Okanogan County to maintain a research data base.

A. Amendments or changes to this Ordinance shall be made using the following procedure: (i) All proposed amendments and changes shall be submitted to the appropriate subcommittee for review and approval by a majority of the members of the subcommittee, (ii) approval of the proposed amendment or change is required by a majority of the members of the Coordinating Committee, and (iii) final approval must be made by the Board of Okanogan County Commissioners.

18.04.170 Enforcement.

A. The County Commissioners shall have the authority to request the Prosecuting Attorney to bring an action to enforce this Ordinance in any court of administrative tribunal of competent jurisdiction and to seek cumulative remedies, including any criminal or civil penalties allowed by law, equitable relief, and monetary compensation when the custom, culture, economic stability, the tax base, or the general welfare, health and safety of the citizens of Okanogan County is at issue.

B. Nothing in this Ordinance shall be construed to limit any remedy that any person may have under the laws of the State of Washington or of the United States. Every person, who under color of any law, statute, ordinance, regulation, custom or usage, of the United States or of the State of Washington, subjects, or causes to be subjected, any person within Okanogan County to the deprivation of any property rights secured by this Ordinance shall be liable to the person injured in an action at law, suit in equity or other proper proceeding for redress.

C. Any person, including public employees, alleging a violation of the private property rights protected by this ordinance may, after exhausting all non-judicial remedies,

submit to the Okanogan County Commissioners a written complaint which shall be processed in the following sequence: (i) appropriate subcommittee, (ii) Coordinating Committee and, along with comments, (iii) returned to the Okanogan County Commissioners who may submit it to the Prosecuting Attorney.

D. Every person, who under color of law, statute, ordinance, regulation, or custom, willfully subjects any person within Okanogan County to the deprivation of any property rights secured or protected by this ordinance shall be in violation of this Ordinance.

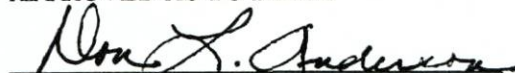
DATED at Okanogan, Washington this 2nd day of MAY 2000.


**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**

ATTEST:



Brenda J. Crowell, Clerk of the Board

APPROVED AS TO FORM


Don Anderson, Chief Civil Deputy


Dave Schulz, Chairman


Edwin E. Thiele, Member


Robert C. Hirst, Member

DRAFT

OKANOGAN COUNTY, STATE OF WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE FOR THE PURPOSE OF COORDINATING COUNTY, FEDERAL AND STATE GOVERNMENT ACTIONS AFFECTING LAND AND NATURAL RESOURCES USE IN OKANOGAN COUNTY.

WHEREAS, Okanogan County has an interest in securing and promoting the public peace, general welfare, health and safety of the citizens of Okanogan County through preservation of their custom, culture, and economic stability, protection and use of their environment, and endorsement of their private property rights; and

WHEREAS, preservation of the custom, culture, and economic stability of the citizens and the protection and use of their environment are inseparably tied to their ability to be involved in determining any regulation of their rights to use and enjoy their unique lands and natural resources; and

WHEREAS, the Okanogan County Commissioners have determined that the provisions of the Washington State Growth Management Act, regulations promulgated thereunder, the GMA Planning Policies under consideration for Okanogan County, and the existing land use planning process followed by Okanogan County, collectively, have not sufficiently addressed the effects that actions by federal and state agencies may have on land, natural resources use, and the economy of Okanogan County, and which Okanogan County may address as finances dictate; and

WHEREAS, actions taken by federal and state agencies without consultation and coordination with Okanogan County and which conflict with the Comprehensive Plan and other County laws, could fail to preserve the custom, culture, economic stability and environmental quality of the citizens, and could otherwise work to the detriment of the livelihood and well-being of the citizens of Okanogan County; and

WHEREAS, regulations that have had, and continue to have, a serious effect on the traditional economic stability in Okanogan County have been promulgated under the National Environmental Policy Act, the Endangered Species Act, the Washington State Environmental Policy Act, and many other federal and state policies and acts. These statutes call for an environmental analysis that takes into consideration the impact of actions of federal and state agencies upon the overall environment, including economic impacts. However, federal and state agency practices in the past have been largely to ignore the customs, culture and economic stability of Okanogan County; and

NOW, THEREFORE, BE IT RESOLVED by the Okanogan County Board of Commissioners, that the following sections, as developed by the citizens of this county, set forth the County's Customs, Culture, Economic Stability and Environmental Harmony of Okanogan County:

1. That the adoption of this Ordinance is required to secure and promote the public peace, general welfare, health and safety of the citizens of Okanogan County through preservation of their custom, culture, and economic stability, protection and use of their environment, and endorsement of their constitutionally protected private property rights; and

2. That a new title be added to the Okanogan County Code, entitled "Title _____ - Coordinating Government Regulation" and that the initial chapter of such title be entitled "Chapter _____ - Coordinating Government Regulation of Land and Natural Resources Use"; and

3. That such new title shall contain the following:

TITLE _____

Chapters:

Coordinating Government Regulation of Land
and Natural Resource Use

Chapter _____

COORDINATING GOVERNMENT REGULATION OF LAND
AND NATURAL RESOURCES USE

Sections:

ARTICLE I. PRELIMINARY PROVISIONS

_____ Purpose
_____ Coordination, Growth Management Act and Comprehensive Plan
_____ Validity Under Constitutional, Federal and State Law
_____ Definitions

ARTICLE II. GENERAL GUIDNCE

_____ ARTICLE III. SPECIFIC GUIDANCE

_____ Agriculture and Livestock
_____ Timber and Wood Products
_____ Cultural Resources, Recreation, Wildlife and Wilderness
_____ Land Acquisition and Disposition
_____ Water Resources
_____ Clean Air
_____ Mining and Minerals
_____ Private Property Rights

ARTICLE IV. MONITORING AND ENFORCEMENT

_____ General Authorization
_____ Coordinating Committee and Subcommittees
_____ Research and Data Collection
_____ Enforcement

ARTICLE I PRELIMINARY PROVISIONS

Purpose. The purpose of this Ordinance is to establish as County law the basis and process for determining how federal and state agencies are to coordinate and consult with Okanogan County in actions affecting land and natural resource use, in order that the citizens of Okanogan County may preserve their customs, culture, and economic stability, and protect and use their environment. This Ordinance addresses federal and state agency regulation of land and natural resources use directly and is intended to be used as a positive guide for federal and state agencies in their development and implementation of regulations affecting land and natural resources use in Okanogan County.

Coordination With Growth Management Act, The National Environmental Policy Act, the State Environmental Policy Act, the Endangered Species Act, the Comprehensive Plan and Existing County Law.

A. The provisions of this Ordinance shall be in addition to and, to the extent permitted by law, coordinated with the final Okanogan County Comprehensive Plan adopted pursuant to the Washington State Growth Management Act. The effectiveness of this Ordinance, however, shall not depend upon adoption of the Comprehensive Plan or the authority of the County to adopt such a plan.

B. This ordinance shall be coordinated with existing and future Okanogan County ordinances, resolutions, policies and plans. It is intended as a set of provisions that shall provide a general framework as well as specific guidance and shall work in conjunction with other Okanogan County ordinances, resolutions, policies and plans. In the event this Ordinance conflicts with such other ordinances, resolutions, policies and plans, the provisions of this Ordinance shall be given effect to the fullest extent.

Effectiveness: Validity Under Constitutional, Federal and State Law.

A. This Ordinance shall be effective upon adoption by the Board of Okanogan County Commissioners.

B. The validity of this Ordinance is based upon the rights of citizens granted by the Constitutions of the United States and the State of Washington, the authority of Okanogan County to protect and uphold such rights, and existing federal and state laws mandating that federal and state agencies consult and coordinate with local governments in actions affecting use of land and natural resources. If any provision of this Ordinance shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall not be affected thereby, but shall remain in full force and effect, and to that extent the provisions of this Ordinance shall be severable.

Definitions.

A. For the purpose of this Ordinance, and any regulations promulgated hereunder, the following words shall be defined as follows:

"Action", when used with respect to any federal or state agency, shall have the broadest possible meaning in the context of any exercise of authority, and shall include, without limitation, any proposal, policy, regulation, rule, consideration, finding, study, or gathering or review of data, that may lead to any substantive rule, regulation, or administrative action or determination.

"Federal agency", "state agency" or any combination thereof, shall mean each department, agency, commission or other instrumentality receiving its authority from the executive, legislative or judicial branch of the United States or the State of Washington, respectively, including without limitation independent regulatory agencies and public corporations, together with each officer, agent or employee thereof in the performance of official duties.

"Private property" shall mean all property protected by provisions of the United States Constitution, the Washington State Constitution, Okanogan County statutes, and amendments thereto.

"Culture" means the body of customary beliefs, social forms, and material traits constituting a distinct complex of tradition of a racial, religious or social group - that complex whole that includes knowledge, belief, morals, law, customs, opinions, religion, superstition and art.

"Custom" means a usage or practice of the people, which by common adoption and acquiescence and by long and unvarying habit, had become compulsory and has acquired the force of law with respect to the place or subject-matter to which it relates...An habitual or customary practice, more or less widespread, which prevails within a geographic or sociological area.

"Economic stability" means those economic factors that are necessary for the stability of the community in economic, social, cultural and public health and safety terms.

"Environmental Harmony" means the desired balance necessary for the mutual maintenance and preservation of the natural environment, custom and culture, and the economic stability of Okanogan County.

"Okanogan County" and "County" in this text refers to the physical description and citizens of Okanogan County, represented by the Board of Okanogan County Commissioners.

ARTICLE II. GENERAL GUIDANCE

General Guidance. To the fullest extent required or permitted by law, including this Ordinance, all federal and state agencies, in all actions considered, proposed or taken that affect or have the potential of affecting the use of land or natural resources within Okanogan County:

- A. shall consider the effects such actions have on (i) community stability, (ii) maintenance of custom, culture and economic stability, and (iii) conservation and use of the environment and natural resources as part of the action taken;
- B. shall coordinate procedures to the fullest extent possible with Okanogan County on an equal basis and not with Okanogan County as subordinate, prior to and during the taking of any federal or state action;
- C. shall meet with Okanogan County to establish, through a memorandum or otherwise, the process for such coordination, including joint planning, joint environmental research and data collection, joint hearings, and joint environmental assessments;
- D. shall submit a list and description of alternatives in light of possible conflicts with Okanogan County's laws, policies and plans, including the Comprehensive Plan; consider reconciling the proposed action with the County's laws, policies, and plans, including the Comprehensive Plan, and after such consideration, take all practical measures to resolve such conflict and display the results of such consideration in appropriate documentation;
- E. shall not, in any environmental impact statement or otherwise, assume that any proposed actions would be consistent with Okanogan County conditions or would have a non-significant impact, without coordination and consultation with the County and review of data specific to Okanogan County;
- F. shall, in absence of a direct constitutional conflict, (United States and Washington State Constitutions) coordinate with Okanogan County so as to comply with federal and state statutes and regulations, and County laws, policies and plans, including the Comprehensive Plan;
- G. shall take appropriate mitigation measures adopted with the concurrence of Okanogan County to mitigate adequately adverse impacts on culture, custom, economic stability or protection and use of the environment; and
- H. shall not violate through regulatory means or otherwise any private property rights of citizens of Okanogan County without just compensation.

Agriculture and Livestock.

The custom and culture associated with agricultural and livestock production in Okanogan County is significant to the economic environment. The purpose of this section is to provide clear guidance to federal and state agencies when actions taken by such entities affect or have the potential of affecting agricultural and livestock production in Okanogan County.

A. In general, since the regulation of any aspect of agricultural and livestock production may impact the ability of County citizens to use land and use and conserve natural resources for agricultural and livestock purposes, all federal and state agencies shall (i) notify the County of proposed actions, (ii) Provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. To the extent permitted by law, federal and state agencies shall avoid taking actions that are inconsistent with the Washington State Right to Farm Initiative or any successive resolutions or ordinances or like provision in the Comprehensive Plan, without the concurrence of Okanogan County.

C. To the extent permitted by law, federal and state agencies shall avoid taking actions that have the effect of obstructing, or making financially inefficient, agricultural and livestock production within Okanogan County.

D. To the extent permitted by law, federal and state agencies shall give adequate consideration to the designation and use of lands as agricultural lands in the Comprehensive Plan and as otherwise consistent with the custom, culture, and economy of Okanogan County.

Timber and Wood Products.

The custom and culture associated with timber and wood production in Okanogan County is significant to the economic stability, livelihood and well-being of its citizens and protection and use of their environment. The purpose of this section is to provide clear guidance to federal and state agencies when actions taken by such entities may affect timber and wood products production in Okanogan County.

A. All federal and state agencies shall prior to initiating, studying or taking any action affecting timber or wood products production in Okanogan County (i) notify the County of proposed actions, (ii) provide a detailed statement assessing the specific effects on custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. To the extent permitted by law, federal and state agencies shall avoid taking actions that reduce opportunities for a timber and wood products industry to be continued at levels consistent with the custom, culture, and economy of Okanogan County.

C. The production of timber from sources in Washington and other Northwest States has been and continues to be an important part in the preservation of custom, culture and economic stability and protection and use of the environment of Okanogan County. The provisions of this section shall therefore apply fully to actions taken by federal and state agencies with respect to sources of timber in such states.

Cultural Resources, Recreation, Wildlife and Wilderness.

The custom and culture associated with cultural resources, recreation, wildlife and wilderness in Okanogan County are significant to the livelihood, economy, and well-being of its citizens and protection and use of their environment. It is the continuing policy of Okanogan County to (i) assure for all citizens safe, healthful, productive and aesthetically and culturally pleasing surroundings, (ii) preserve important historic, cultural and natural aspects of our County heritage, and (iii) maintain whenever possible an environment which supports diversity and variety of individual choice and economic stability. The purpose of this section is to provide clear guidance to federal and state agencies when actions by such agencies may affect cultural resources, recreation, wildlife and wilderness in Okanogan County.

A. Before any action is considered, proposed, or taken, affecting the economy, cultural resources, recreational, wildlife or wilderness uses in Okanogan County, federal and state agencies shall (i) notify the County of any proposed action, (ii) provide a detailed statement assessing the specific effects on custom, culture, economy and environment of Okanogan County, including, without limitation, public health and safety, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. Federal and state agencies shall avoid taking actions affecting recreational, cultural, wilderness, and wildlife opportunities within Okanogan County that are incompatible with local custom, culture and economic stability or preservation and use of the environment, or that otherwise fail to protect private property rights and local determination.

C. In connection with any action related to sensitive, threatened or endangered plant or animal species, a federal or state agency shall:

- (i) At the earliest possible time, give actual notice to Okanogan County its intent to consider or propose a species for listing, or to change or propose critical habitat;
- (ii) Base the listing of a species on the best scientific and commercial data relating specifically to Okanogan County and not generalized over a wider geographic area;
- (iii) List a species as threatened or endangered only after taking into account the efforts of Okanogan County to conserve the species;
- (iv) Only implement a recovery plan if it will provide for conservation of a species;
- (v) In designating critical habitat, base the designation on the best scientific data available and, after taking into consideration economic impacts, exclude as critical habitat all impacted areas unless, based upon the best scientific and commercial data available, failure to designate would result in extinction of species;
- (vi) Complete and forward to Okanogan County in a timely manner all documentation required by law when designating critical habitat;
- (vii) Consider and directly respond to comments submitted by Okanogan County;
- (viii) Not develop protective regulations or recovery plans if an Okanogan County plan is in place to protect effectively the species within Okanogan County;
- (ix) Protect the species through alternatives with the least impact on the custom, culture and economic stability and preservation and use of the environment of Okanogan County; and

(C. In connection with any action related to sensitive, threatened or endangered plant or animal species, a federal or state agency shall:)

- (x) To the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of the County to mitigate adequately any impact on custom, culture, economic stability, and protection and use of the environment, including any impact on custom, culture, economic stability, and protection and use of the environment, including any impact on public use and access and private property rights.
- (xi) In the event a species is listed under the Endangered Species Act, prior to regulatory actions, the responsible state or federal agency shall develop, through cooperation with Okanogan County, a plan of recovery that has a reasonable chance of success and is supported by peer review. Progress shall be monitored to insure that the recovery plan is actually working. The responsible agency shall fund monitoring.

Land Acquisition and Disposition.

Land is significant to the preservation of custom, culture, economic stability, and preservation and use of the environment and natural resources in Okanogan County. In addition, land provides much of the tax base for vital public functions, such as funding of public schools and administration of county government. When land (including any interest in land) is acquired or held in trust by federal and state agencies and some private entities, it may be removed from this tax base. The renewable resources that the land produces is a significant part of the basis for the economy of Okanogan County. When land goes out of production the citizens of Okanogan County will suffer as a result. For these reasons, it is the policy of Okanogan County that the design and development of all federal and state land acquisitions, including by forfeiture, donation, purchase, eminent domain or trust, and disposals, including adjustments and exchanges, be carried out to the benefit of the citizens of Okanogan County.

A. To the extent permitted by law, federal and state agencies or any non-taxpaying entities shall, prior to acquiring any lands or interest in lands within Okanogan County (i) notify the County of proposed acquisitions, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures, such as payments in lieu of taxes, adopted with the concurrence of the Okanogan County.

B. Before any federal or state agency pursues any disposition, adjustment or exchange of land within Okanogan County, the County shall be notified of, consulted about, and otherwise involved in all federal and state land dispositions, adjustments, and exchanges.

Water Resources.

Okanogan County recognizes that the conservation and development of water resources are essential to preservation of the custom, culture and economic stability of its citizens and protection and use of their environment. To the extent permitted by law, federal and state agencies shall not take actions affecting water rights (which are private property rights) and water resources that are incompatible with local custom, culture and economic stability or preservation and use of the environment, or that otherwise fail to protect private property rights and local determination.

A. Any federal or state action that has or could have the effect of changing existing water rights or uses within the County shall be critically considered in relationship to the historic and current use of water in Okanogan County by humans, vegetation, livestock and wildlife. It is the intent of Okanogan County to assist federal and state agencies in the planning and management of Okanogan County's natural, cultural economic and environmental resources related to water use. Since the regulation of any aspect of water rights or water use may impact the ability of Okanogan County citizens to use land and natural resources, all federal and state agencies shall, when taking any action related to restricting or limiting water use or water rights, (i) notify Okanogan County of proposed actions, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of Okanogan County.

B. Any proposed definition of wetlands, any action affecting the management of river and stream flows, wells, or any source of uses of irrigation, and any other federal or state action that has any effect on water rights or water uses within the County (i) shall be coordinated with the County, (ii) to the extent permitted by law, shall comply with all County water use plans and (iii) shall not violate any water rights.

C. To the extent permitted by law, Okanogan County shall have the authority to define and designate wetlands, and to the extent such authority is exercised, and otherwise in accordance with law, federal and state agencies shall act in compliance with acceptance and enforcement of such definitions and designations. In addition, the County may continue to develop, in coordination with private land owners and governmental agencies, water management plans that encompass water resources on both governmentally owned and privately owned lands.

D. To the extent permitted by law, Okanogan County shall have the authority to establish development regulations for point source and non-point source water pollution. To the extent such authority is exercised, and otherwise in accordance with law, federal and state agencies shall be subject to, and shall comply with all administrative requirements, controls, processes, and sanctions of such development regulations.

E. The use of water that originates from sources outside Okanogan County has been and continues to be an important part in the preservation of custom, culture and economic stability and the protection and use of the environment of Okanogan County. The provisions of this section shall therefore apply fully to actions taken by federal and state agencies in any jurisdiction that affect water rights and water uses within Okanogan County.

F. Before any federal or state agency acquires or agrees to acquire any interest in water rights in Okanogan County, directly, indirectly or in trust, for any purpose (including for transfer to or use in any other jurisdiction), by donation, purchase, condemnation or otherwise, such agency shall fully comply with all provisions of this Ordinance. In addition, federal and state agencies shall not acquire for any public purpose any interest in water rights within Okanogan County without (i) first coordinating and consulting with the County, and (ii) ensuring that private water rights are protected.

Clean Air.

Okanogan County recognizes that the conservation and use of clean air resources are significant to preservation of the custom, culture and economic stability of its citizens and protection and use of their environment.

A. All federal and state agencies shall prior to taking any action affecting air usage within Okanogan County (i) notify the County of the proposed action, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County, (iii) consider all alternatives to the taking of such action, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with the concurrence of the County.

B. Any federal or state action that has or could have the effect of changing existing use of air resources within the County shall be critically considered in relationship to the historic and current use of air resources in the County by humans, vegetation, livestock and wildlife. Any proposed designation of federal or state pollution non-attainment areas and any other federal or state action that has any effect on air resources within Okanogan County shall be coordinated with the County and shall comply with all County air quality standards and use plans.

C. It is the intent of the County to assist federal and state agencies in the planning and management of the County's natural, cultural, economic and environmental resources related to air quality. Okanogan County shall have the authority to establish development regulations regarding air pollution and develop air quality protection plans of its own design. To the extent such authority is exercised, federal and state agencies shall act in compliance with acceptance and enforcement of such regulations, to the extent permitted by law. In addition, the County shall have the authority to continue to develop in coordination with private land holders and governmental agencies, air quality management plans that encompass clean air resources throughout Okanogan County. To the extent such authority is exercised and otherwise as permitted by law, federal and state agencies shall be subject to, and shall comply with, all Okanogan County administrative requirements, controls, processes, and sanctions of such regulations and plans.

Mining and Minerals.

Okanogan County recognizes that the conservation and use of mining and mineral resources are significant to preservation of the custom, culture and economic stability of its citizens and protection and use of their environment. The purpose of this section is to provide clear guidance to federal and state agencies when actions taken by such entities may affect mining production in Okanogan County.

A. Any federal or state action that has or could have the effect of changing mining or mineral resources within the County shall be critically considered in relationship to the historic, current and future uses of mineral deposits in Okanogan County. It is the intent of Okanogan County to assist federal and state agencies in the planning and management of the County's natural, cultural, economic and environmental resources related to mining and mineral deposits. Since the regulations of any aspect of mining may impact the ability of County citizens to use land and natural resources, all federal and state agencies shall, when taking any action related to restricting or limiting mining, (i) notify Okanogan County of proposed actions, (ii) provide a detailed statement assessing the specific effects on the custom, culture, economy and environment of Okanogan County; (iii) consider all alternatives to taking of such actions, and (iv) to the extent permitted by law, take appropriate mitigation measures adopted with concurrence of the County.

B. To the extent permitted by law, federal and state agencies shall not take actions that reduce opportunities for a mining industry to develop and function at a level that is compatible with local custom, culture and economic and environmental resources related to mining and minerals.

Private Property Rights.

Okanogan County recognizes that the protection of private property rights is imperative and essential to the preservation of the custom, culture and economic stability of its citizens and protection and use of their environment. Federal, state, and Okanogan County agencies shall fully comply with all caselaw, statutes, regulations, rules and guidelines concerning protection of private property rights in Okanogan County, including, without limitation, (i) United States Executive Order 12630, **Governmental Actions and Interferences with Constitutionally Protected Property Rights** dated March 16, 1988, and (ii) Section 18 of the Washington Growth Management Act, **Protection of Private Property (R.C.W. § 36.70.A.370)**, and guidelines of the Attorney General of the State of Washington promulgated with respect thereto.

A. All private property and private property rights of Okanogan County citizens shall be fully protected by the U. S. Constitution, the Washington State Constitution and the U. S. Civil Rights Act, as amended, and this Ordinance.

B. The violation of the private property rights of any Okanogan County citizen by a federal, state, or Okanogan County agency, or their employees, shall be deemed to be a violation of this Ordinance, and liability for such violation shall be on the federal, state, or county agency as well as on the federal, state, or county official or employee responsible for making any decision or implementing any action which results in such violation.

ARTICLE V. MONITORING AND ENVIRONMENT

General Authorization.

Okanogan County shall have the authority to develop and maintain monitoring and compliance standards to evaluate and enforce compliance by federal, state, and Okanogan County agencies with the provisions of this Ordinance, the Comprehensive Plan, and other ordinances, resolutions, policies and plans of Okanogan County. Any actions that may be taken or authority that may be exercised by Okanogan County pursuant to this Ordinance or otherwise in accordance with law, may be taken or exercised by the Okanogan County Board of Commissioners. Taking into consideration the custom, culture, economic stability and environmental harmony of Okanogan County, as defined by this Ordinance, the Board of Okanogan County Commissioners may, by resolution, exempt any action or area of action by a federal, state, or Okanogn County agency from compliance with this Ordinance.

Coordinating Committee and Subcommittees.

A basic premise of this Ordinance is that involvement by citizens is crucial to the preservation of their custom, culture, economic stability and protection and use of their environment. This is particularly true with respect to coordinating government regulation of land and natural resources use and private property rights.

A. In order to involve citizens in the monitoring and enforcement of compliance with the provisions of this Ordinance, there shall hereby be established the Okanogan County Coordinating Committee for Federal and State Actions Affecting Land and Natural Resources Use (the "Coordinating Committee"), and the subcommittees thereof named below. The basic function of the Coordinating Committee and the subcommittees shall be to monitor federal and state actions and advise the County Commissioners regarding compliance by such agencies with this Ordinance. Any amendments or changes to this Ordinance shall be reviewed and approved by both the appropriate subcommittee and the Coordinating Committee before submitting to the Okanogan County Commissioners.

B. The members of the Coordinating Committee shall be the chair or an alternate of the following subcommittees, each of which shall have the chair, members, and specific duties designated by the Board of Okanogan County Commissioners from time to time in furtherance of this Ordinance. (i) Agriculture and Livestock, (ii) Timber and Wood Products, (iii) Cultural Resources, (iv) Land Acquisition and Disposition, (v) Mining and Minerals, (vi) Clean Air, (vii) Water Resources, (viii) Research and Data Collection. In furtherance of this Ordinance, the Board of County Commissioners may by resolution (i) expand or contract the number of members of the Coordinating Committee and any subcommittee, or (ii) change the subcommittees or establish other subcommittees.

C. The Board of County Commissioners shall appoint on the first Monday of each year, or as soon thereafter as practical, the chair, vice-chair and other members of each subcommittee. Members of the Coordinating Committee and each subcommittee must be citizens of Okanogan County, over the age of 18 years, with terms of appointment as follows: Initially, members shall be appointed for one, two or three year terms; thereafter, terms shall be for a period of three years, staggered so that the terms of one-third of the members expire each year. Any person may be re-appointed at the pleasure of the County Commissioners. The County Commissioners may remove any person from a chair, vice-chair or membership position for cause and may fill vacancies as needed from time to time.

D. At its initial meeting the Coordinating Committee shall adopt operation procedures for itself and the subcommittees, which, along with any later amendments thereto, shall be subject to the approval of the County Commissioners. To the extent required by law, the Coordinating Committee and Subcommittees shall be subject to the Open Public Meetings Act (R.C.W. Chp. 42.30) and the Public Disclosure Act (R.C.W. Chp. 42.17).

E. When determining which citizens shall be appointed, the County Commissioners shall consider the purpose of this Ordinance and the functions each subcommittee and the Coordinating Committee shall perform. While no specific criteria must be met, appointments should collectively reflect an expertise and involvement in the primary subject matter, and the broad diversity of the many aspects of the culture, custom, economy and environment of Okanogan County.

Research and Data Collection.

In furtherance of the purposes of this Ordinance, Okanogan County has established a data base of information regarding the custom, culture, economic stability and environmental harmony of Okanogan County, and it is the intent of Okanogan County to maintain a research data base.

A. Amendments or changes to this Ordinance shall be made using the following procedure: (i) All proposed amendments and changes shall be submitted to the appropriate subcommittee for review and approval by a majority of the members of the subcommittee, (ii) approval of the proposed amendment or change is required by a majority of the members of the Coordinating Committee, and (iii) final approval must be made by the Board of Okanogan County Commissioners.

Enforcement.

A. The County Commissioners shall have the authority to request the Prosecuting Attorney to bring an action to enforce this Ordinance in any court of administrative tribunal of competent jurisdiction and to seek cumulative remedies, including any criminal or civil penalties allowed by law, equitable relief, and monetary compensation when the custom, culture, economic stability, the tax base, or the general welfare, health and safety of the citizens of Okanogan County is at issue.

B. Nothing in this Ordinance shall be construed to limit any remedy that any person may have under the laws of the State of Washington or of the United States. Every person, who under color of any law, statute, ordinance, regulation, custom or usage, of the United States or of the State of Washington, subjects, or causes to be subjected, any person within Okanogan County to the deprivation of any property rights secured by this Ordinance shall be liable to the person injured in an action at law, suit in equity or other proper proceeding for redress.

C. Any person, including public employees, alleging a violation of the private property rights protected by this Ordinance may, after exhausting all non-judicial remedies, submit to the Okanogan County Commissioners a written complaint which shall be processed in the following sequence: (i) appropriate subcommittee, (ii) Coordinating Committee and, along with comments, (iii) returned to the Okanogan County Commissioners who may submit it to the Prosecuting Attorney.

D. Every person, who under color of law, statute, ordinance, regulation, or custom, willfully subjects any person within Okanogan County to the deprivation of any property rights secured or protected by this Ordinance shall be in violation of this Ordinance.

DATED this _____ day of _____, 2000.

BOARD OF COUNTY COMMISSIONERS
OKANOGAN COUNTY, WASHINGTON

ATTEST:

Brenda J. Crowell
Clerk of the Board

Dave Schultz, Chairman

Edwin E. Thiele, Member

Robert C. Hirst, Member

**BOARD OF COUNTY COMMISSIONERS
OKANOGAN COUNTY, WASHINGTON**

**IN THE MATTER OF INTERPRETING)
AND ENFORCING OKANOGAN)
COUNTY ORDINANCE NO.)
TO BE CONSISTENT WITH THE)
CONSTITUTIONS OF THE UNITED)
STATES AND THE STATE OF)
WASHINGTON AND EXISTING)
FEDERAL AND STATE STATUTES)**

RESOLUTION NO.

WHEREAS, Okanogan County Ordinance No. _____ provides a basis and process for determining how federal and state agencies are to coordinate and consult with Okanogan County in actions affecting land and natural resources, in order that the citizens of Okanogan County may preserve their customs, culture, and economic stability, and protect and use their land and natural resources; and

WHEREAS, the validity of the Ordinance is based upon the rights of citizens granted by the Constitutions of the United States and the State of Washington, the authority of the County to protect and uphold such rights, and existing federal and state laws mandating that federal and state agencies consult and coordinate with local governments in actions affecting the use of land and natural resources; and

WHEREAS, it is the desire and intent of the Board of Okanogan County Commissioners to interpret and enforce the Ordinance in such a manner that is consistent with the Constitutions of the United States and the State of Washington, and existing federal and state statutes; and

WHEREAS, Section _____ of the Ordinance provides that any action that may be taken or authority that may be exercised by Okanogan County pursuant to the Ordinance or otherwise in accordance with law may be taken or exercised by the action of the Board of Okanogan County Commissioners; now therefore

BE IT HEREBY RESOLVED, by this Board of Okanogan County Commissioners that:

1. Okanogan County Ordinance No. _____ is hereby interpreted as providing no greater authority than the authority provided by the Constitutions of the United States and the State of Washington, existing federal and state statutes affecting use of land and natural resources, and laws of the State of Washington authorizing the actions of county governments.

2. Compliance with any provisions of the Ordinance by any federal or state agency shall be required only after specific notice by the Board of Okanogan County Commissioners to such agency that its actions are not in compliance with the Ordinance.

3. Enforcement of the Ordinance against any federal or state agency or its employees in any particular instance shall be taken by resolution of the Board of Okanogan County Commissioners only if such enforcement is based upon both the Ordinance and an existing federal or state statute applying to the actions of such agency.

4. If any provision of this Resolution shall be found invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall not be affected thereby, but shall remain in full force and effect, and to that extent the provisions of this Resolution shall be severable.

Dated this _____ day of _____ 2000

**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**

ATTEST:

Dave Schulz, Chairman

Brenda J. Crowell, Clerk of the Board

Edwin E. Thiele, Member

Robert C. Hirst, Member



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Colville Indian Agency
Post Office Box 111
Nespelem, Washington 99155-0111
May 2, 2000

Okanogan County Commissioners
Post Office Box 598
Okanogan, WA 98840

Cmr. 1 *YT*
Cmr. 2 *OS*
Cmr. 3 *R X*

RECEIVED

MAY 03 2000

OKANOGAN COUNTY COMMISSIONERS

Dear Sirs:

The Bureau of Indian Affairs, Colville Indian Agency, hereby objects to the draft Okanogan County, State of Washington Ordinance, as the proposed ordinance for the purpose of coordinating county, federal and state government actions affecting land and natural resources use in Okanogan County fails to recognize the Colville Indian Reservation and trust lands outside the boundaries of the Colville Reservation, all situated within Okanogan County.

The Ordinance states that Okanogan County has an interest in securing and promoting the public peace, general welfare, health and safety of the citizens of Okanogan County through preservation of their custom, culture, and economic stability, protection and use of their environment, and endorsement of their private property rights. The Confederated Tribes of the Colville Indian Reservation inhabit a large area of Okanogan County and they were never consulted in the drafting of the proposed ordinance nor are their custom, cultures, and economic stability being taken into consideration in the ordinance.

The Colville Indian Reservation was established by Executive Order on July 2, 1872, and comprised 2,886,000 acres, located in Okanogan and Ferry County. By Act of Congress July 1, 1892 (27 Stat.62), the north half of the reservation, containing 1,500,921 acres, was restored to the public domain. The balance of the area or 1,449,268 acres was opened to settlement on October 10, 1900, under the laws applicable to the disposition of public lands in the State of Washington. Later legislation created the Colville National Forest which was comprised of about 760,000 acres made up of the undisposed lands in the north half.

The Act of March 22, 1906 (34 Stat. 80), provided for the allotment and for the sale of the surplus or unallotted lands of the diminished Colville Reservation. Under this authority, the allotment of 333,275 acres within the south half of the reservation to 2,505 Indian was completed during the year 1914 and the allotment rolls were closed. By Presidential Proclamation of May 3, 1916 (36 stat. P58 of Proclamations), the unallotted unreserved lands within the diminished reservation classified as irrigable lands, grazing lands or arid lands were opened to settlement in accordance with the Act of March 22, 1906. The net acreage opened for entry was 417,841.

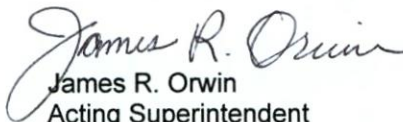
This history explains congressional authorities creating and ceding certain areas of the original reservation of the Confederated Tribes of the Colville Reservation and the loss of approximately 1.8 million acres from the original reservation.

Currently, the Colville Confederated Tribes expend 3 to 5 million dollars per year purchasing allotments and fee lands within the original reservation boundaries established in 1872 and has an existing policy adopted by tribal resolution that all fee lands acquired by the Tribe be converted into trust, title being held by the United States of America in trust for the Confederated Tribes of the Colville Indian Reservation.

Under current regulations, 25 CFR 151, mandates that all governmental entities be notified of proposed acquisitions in trust status and this is currently happening. School Districts in Okanogan County benefit from students residing on Indian trust property in excess of 2.0 million dollars from Public Law 874 funds, which is to replace loss of tax dollars from federal lands not being on the county tax rolls. School districts do not suffer, in fact they benefit, from lands being held by the United States of America in trust for the Confederated Tribes of the Colville Indian Reservation and their membership. At the Okanogan County Commissioners meeting held April 19, 2000, at the Cedars Inn, the Colville Tribe attempted to open dialogue to this effect. They were not informed of the proposed Ordinance at that time.

Please accept this as a firm objection to the proposed Ordinance as there has been no consultation with the Colville Confederated Tribes.

Sincerely,


James R. Orwin
Acting Superintendent



CONFEDERATED TRIBES OF THE COLVILLE RESERVATION

Office of the Chairperson

Post Office Box.150, Nespelem, Washington 99155

Direct: (509) 634-2200 – Fax: (509) 634-4116

Via Facsimile, followed
by First Class Delivery

RECEIVED

MAY 03 2000

OKANOGAN COUNTY COMMISSIONERS

May 1, 2000

Dave Schulz, Chairman
Okanogan County Commissioners
P.O. Box 791
Okanogan, WA 98840

Cmr. 1 JS
Cmr. 2 JS
Cmr. 3 JS

Re: Colville Tribes' comments on proposed County Ordinance to Coordinate County, Federal, and State Government Actions

Dear Chairman Schulz:

I am submitting these comments for the record regarding the proposed County ordinance that would attempt to regulate County, Federal, and State governmental actions affecting lands and natural resources in Okanogan County. The Colville Business Council has reviewed the Ordinance with staff, and has authorized and directed me to express our serious concerns.

At the outset I want to confirm that the Colville Tribes shares many of the County's concerns about federal and state decision-making which affects our interests but is based on an inadequate understanding of our rights and needs. We are a local government, similar in many respects to the County, and we also hold unique rights that Federal and State agencies seldom account for when they take actions that affect us. But we think that your proposed ordinance is likely to be ineffective and even counter-productive, in part because it attempts, albeit in rather vague fashion, to make it unlawful for federal and state officials to do things that they may well be obliged or entitled to do under the law. We think that the proposed ordinance is largely an expression of your political frustration, which is understandable. And ultimately, what you chose to do in the County outside the Colville Reservation is up to your judgment. But when the County purports to pass laws that (even potentially) affect the Reservation, or other vital interests of the Tribes, it becomes a concern of ours. That is why we have objected to certain aspects of the proposed Water Conservancy Board, for instance, and that is why we now express concerns about the proposed Ordinance.

First, it contains a section which sets out the County's "policy" regarding fee to trust land acquisitions. Fee to trust transfers were discussed at the April 19 meeting between the Commissioners and the Business Council. We explained that federal law provides for payments in lieu of taxes for trust lands within a school district that are generally higher than comparable payments from the State of Washington were such lands held in fee and subject to property taxation. We explained the importance of our tribal land acquisition program, and sought to engage the Commissioners in a discussion that might lead to support and understanding. At no

Dave Schulz, Chairman
Okanogan County Commissioners
May 1, 2000
Re: Proposed County Ordinance
Page 2

time did the Commissioners inform us that they were developing their policy regarding fee to trust transfers in the context of the proposed Ordinance. It is impossible to have trust for, or even meaningful dialogue with, our counterparts in County government if you fail to tell us what you are planning to do that affects us. If you are determined to enact the Ordinance today, we urge you to delete the land acquisition section until we can have a true discussion about it. After that, if you still desire to enact something you can always amend the Ordinance.

Second, this Ordinance could be interpreted to apply to tribal (as well as federal or even state) officials and employees acting under tribal law within the Reservation. We realize that the stated intent is to deal primarily with federal and state agencies, but it is entirely plausible that it could be applied to, for instance, a tribal water resources permit-writer attempting to investigate an unauthorized diversion of water on a fee parcel within the Reservation. We urge you to clarify that this is not the intent of the Ordinance. If that is in fact your intent, we would appreciate being so informed in straightforward fashion. We would ask you to put the shoe on the other foot and consider what you would think of a tribal ordinance that made it an offense for a County official to come onto the Reservation without a tribal permit, in order to carry out their responsibilities under County law. We suspect you would consider it an affront, particularly if we enacted it without informing you in advance. We do not believe that our relationship has deteriorated to the point where such action would be necessary on our part. At the same time, we believe that both the Commissioners and the Council need to re-double our efforts at communication and mutual understanding. It is in the best interests of both the county and the Tribes that we do so.

Third, the water resources section could readily be interpreted to apply to your own Water Conservancy Board, if it is ever approved. It would be, after all, an entity created under authority of state law. The water resources section could be read as requiring the WCB to have Commissioners' approval for all of its decision, which heightens our concerns that a WCB is intended primarily as a tool to procure politically influenced water permit decisions that do not necessarily comport with state water law.

Fourth, we are perplexed by the constant, but vague, references to the "culture, custom, and tradition" of the County. In effect, the Ordinance is stating that only Commissioners may define what that culture, custom, and tradition consists of, and it implies that maximum resource extraction, regardless of other impacts, is the touchstone of that tradition. This totally ignores that the Colville Tribes, more than any other single entity, embodies a significant component of the culture, custom and traditions of this region. We know you to be persons of good will, with a concern for basic fairness and equality, and we cannot imagine you would disagree that our

Dave Schulz, Chairman
Okanogan County Commissioners
May 1, 2000
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culture is important to the County. Most of our important government actions are taken in furtherance of our cultural traditions, our governmental authority, and our federal reserved rights in natural resources of the Colville Reservation and North Half. Sometimes those actions conflict, at least initially, with the County's notion of culture, custom and tradition. (A good example would be our differing views on the Crown Jewel Mine.) We would hope, however, that honest, good faith disagreements over policy would not lead to a situation where the County attempts to assert jurisdiction on the Reservation where it has none, or to totally disregard the importance of Colville culture and traditions.

In conclusion, I hope we can renew the dialogue that we thought had started so well on April 19. It is in our best interests to do so. In the mean time, please do not hesitate to contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Colleen F. Cawston". The signature is fluid and cursive, with the first name "Colleen" and last name "Cawston" clearly legible.

Colleen F. Cawston, Chair
Colville Business Council

cc: Colville Business Council
Reservation Attorney
Superintendent, BIA Colville Agency



STATE OF WASHINGTON
DEPARTMENT OF FISH AND WILDLIFE

1550 Alder Street NW • Ephrata, Washington 98823 • (509) 754-4624 FAX (509) 754-5257

July 25, 2000

Board of Okanogan County Commissioners
Okanogan County
P.O. Box 791
Okanogan, WA. 98840

RECEIVED

JUL 26 2000

OKANOGAN COUNTY COMMISSIONERS

Dear Board of Okanogan County Commissioners:

Subject: Response - Notification To Participate In State Land Use Planning Efforts

In response to your letter of June 27, 2000, the Washington Department of Fish and Wildlife (WDFW) is delighted Okanogan County Commissioners are interested in becoming more active in our agency's state land use planning efforts, we look forward to your input and participation.

Your request brings to our attention the need to schedule the annual Tri-Agency Meeting where subjects of this nature for the County, Okanogan National Forest, Department of Natural Resources, Colville Confederated Tribes and our agency can be discussed in person. To help get us back on schedule, we would be delighted to host the next Tri-Agency Meeting in late August or early September. Please let us know what dates would work with your schedule and what specific agenda items you would like addressed.

I apologize for the delay on responding to your request. However, your request to be advised of **ALL** activities that will or may, directly or indirectly affect the citizens or the tax base of Okanogan County during the next year poses quite a challenge on a regional and statewide level. Like Okanogan County, many of the activities and land use actions WDFW participates in are generated outside of our agency and are **not** "planned actions". These types of activities generally include, but are not limited to providing agency technical assistance and response to the following types of activities:

- Local, statewide and national projects reviewed under the State and Federal Environmental Policy - Acts (SEPA and NEPA),
- Habitat Conservation Plans (HCP),
- Issuance of agency authorized permits to private, state and federal entities under the Hydraulic Code, fish planting permits,

Okanogan County Commissioners

July 25, 2000

Page Two

- Citations of fish and wildlife violations,
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- State/Federal legislation,
- Federal listings
- State /Federal agency requests,
- Public requests,
- Catastrophic events to fish and wildlife, such as, fire and severe winter conditions,
- Acquisitions in which public disclosures would prevent "willing seller" participation.

As you can see, we cannot anticipate all of the future activities we might participate in during the next year nor whether any of our activities would directly or indirectly impact the Okanogan citizens of tax base. To improve communications on agency activities in general, Cynthia Pratt, our SEPA Coordinator has been advised to add you to the mailing list for all activities we will be doing under SEPA, and you may consider having your staff visit our "Home Page" at www.wa.gov.wdfw to help keep abreast of our activities. However, to most effectively meet your needs, we suggest scheduling monthly conference calls which would allow us to focus on issues you are particularly interested. Please call so we can schedule these calls in the near future.

Although we cannot give you a specific list of future activities, we offer the following summary of activities we are currently involved in for your review. Please call if you would like any additional information.

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- Douglas County HCP
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- Development of a fish recovery and fish barrier compliance strategy for Beaver Creek

Fish Management

- Fish Stocking:

Alpine lakes are coordinated with USFS land management plans to include cutthroat trout, golden trout and sterile alternatives. About six lakes are scheduled for stocking late summer 2000.

Lowland lakes fish is stocked based upon current fish management plans and recreational angler interests to include rainbow trout, brown trout, eastern brook trout, triploid trout, Lahontan cutthroat trout, kokanee, largemouth bass, channel catfish and black crappie. Release size in Okanogan County lakes is predominately fry/fingerling (2" - 5"). Some sub-legals (6 inch) and catchables (8-10 inches) are planted in the destination resort lakes and winterkill lakes, the latter primarily in the Methow Valley. Most lakes are stocked annually at rates that have been standardized for many years.

Methow River (including the Twisp and Chewuch Rivers) receives about 350,000 summer steelhead from Wells Hatchery; 550,000 spring chinook from Methow Hatchery; and 400,000 summer chinook from the Carlton Pond (Twisp).

Similkameen River receives about 500,000 summer chinook and 50,000 summer steelhead from Wells Hatchery.

Okanogan River (including Omak and Salmon Creeks) receives 50,000 summer steelhead and 100,000 Carson spring chinook. Salmon Creek may also receive up to 100 adult spring chinook to determine feasibility of spring chinook re-introduction.

- Lake Rehabilitation and Improvements:

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Blue Lake (Sinlahekin) is scheduled to have a fish barrier built in the lake's overflow channel to prevent continual re-infestation of red-side shiners from Sinlahekin Creek. Shiners have historically been detrimental to providing consistent trout production, necessitating costly lake rehabilitations.

Because of rampant illegal stocking of warmwater species, many lakes in the Methow Valley and the northern part of Okanogan County will require rehabilitation to restore productive trout fishing. There are several lakes that will likely be treated with rotenone in Okanogan during fall 2001 or spring 2002.

- Stream Fisheries:

1) Trout - Recent ESA listings have required the closure of some Okanogan County streams between April and November to protect endangered and/or threatened species. This includes Buttermilk Creek, Cedar Creek, Chewuch River (above Eightmile Creek), Early Winters Creek, Gold Creek, Lake Creek (below Black Lake), Lost River (mouth to Monument Creek), Salmon Creek, Similkameen River (mouth to Enloe Dam), Twisp River and Wolf Creek. All tributaries in the Methow River not specifically listed are open June 1 - October 31 with selective gear rules.

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3) Whitefish - The Methow, Chewuch, and Similkameen rivers are open December 1 - March 31 for whitefish angling. Beginning in winter 2000, bait will be allowed although there are additional rules for gear restrictions.

- Regulation Changes:

This year is an off year in the bi-annual regulation cycle, therefore no changes.

- Stream Surveys:

1) Bull trout - Surveys in the Methow Basin will begin in September 2000 to assess fluvial bull trout populations. These surveys include observed adults and redd (nest) counts.

2) Spring chinook - Redd surveys in the Methow Basin and Salmon Creek will occur beginning August 2000 to assess spawning population. Attempts will be made to collect coded-wire tags from recovered carcasses.

3) Summer chinook - Redd surveys and carcass recoveries will occur in the Methow, Okanogan and Similkameen Rivers beginning late September 2000.

4) Okanogan sockeye - Adult counts will be conducted in the Okanogan River, Canada in October 2000 to determine natural spawning escapement.

5) Summer steelhead - Radio telemetry monitoring will likely occur in the Methow and Okanogan river basins late winter 2000.

Wildlife Management

- Wildlife Areas and Acquisitions:

Wildlife Area planning is an ongoing process. We have plans and will provide copies. Plans are developed and reviewed by citizen advisory groups comprised by members of the community surrounding the Wildlife Area. This level of planning is usually very specific. We have and continue to work closely with the county on our acquisition program. We will forward a summary of our acquisition package that is being presented to IAC early next month.

- Statewide Species Plans (classification)

This process is driven by the status of the species and is coordinated from Olympia. It is a public process regulated by several different WAC's that include a comprehensive public review process. Okanogan County is on the mailing list for review of any species plans or status reports. The current listing of species both state candidate and state listed species is enclosed. Some recent changes that have occurred are:

- State Listed Species:

1. Peregrine Falcon - changed from *FE* to *FSC*
2. North American Lynx - changed from *FPT* to *FT*
3. Common Loon - added as state sensitive species.

State Candidate Species:

1. Mammals

- Added Keen's myotis, white-tailed jackrabbit, black-tailed jackrabbit, and orca whale

2. Birds:

- Removed common loon
- Added *FSC* status to: Cassin's auklet, tufted puffin, yellow-billed cuckoo, streaked horned lark, slender-billed white-breasted nuthatch, and Oregon vesper sparrow.

3. Fish

- Bull trout, *FT*- changed to full species now, rather than just Col. River stock

4. Butterflies

- Added *FSC* status to: makah copper, valley silverspot, and whulge checkerspot

5. Not state candidates

- Removed bull trout (coastal/puget sound)

Federal Endangered (FE), Proposed Endangered (FPE), Threatened (FT), Proposed Threatened (FPT), Candidate (FC), or Species of Concern (FSC).

- Hunting Seasons

We have just completed a 3 year hunting season plan, good through December 2002. We do not anticipate any major changes until then notwithstanding adjustments for

Okanogan County Commissioners
July 25, 2000
Page Seven

environmental factors (winter mortality, habitat loss from fire, etc.). The process for making hunting season adjustments includes multiple opportunities for public review and comment. We also make special presentations to the Board of County Commissioners at their request.

As you can see, we currently are participating in a wide array of activities in North Central Washington that may be of significant interest to you and county residents. We recommend you review this list and call to schedule a meeting and/or set up monthly conference calls to discuss any of these activities in more depth. We are committed to work closely with you to best meet the local needs of the fish and wildlife resources and the citizens of Okanogan County. We look forward to hearing from you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Craig Burley", followed by a stylized flourish or initials.

Craig Burley
Acting Regional Manager

cc: Larry Peck
Dan Wrye
Tracy Lloyd
Mark Quinn
Joe Foster
Gordon LaVoy
Peter Birch
Cynthia Pratt



STATE OF WASHINGTON

DEPARTMENT OF FISH AND WILDLIFE

1550 Alder Street NW • Ephrata, Washington 98823 • (509) 754-4624 FAX (509) 754-5257

Com. 1 RT good
Com. 2 _____
Com. 3 _____

July 25, 2000

Board of Okanogan County Commissioners
Okanogan County
P.O. Box 791
Okanogan, WA. 98840

RECEIVED

JUL 26 2000

OKANOGAN COUNTY COMMISSIONERS

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Okanogan County Commissioners

July 25, 2000

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To enhance trout fishing opportunity under ESA constraints, a resident trout fishery was approved between June 1 and September 30, 2000 in the mainstem Methow River from Gold Creek to the Hwy. 20 Bridge at Goat Creek Rd.; in the Chewuch River from the mouth to Eightmile Creek; and in the Twisp River from the mouth to War Creek. These are the only major upper Columbia River tributaries permitted to remain open. The Wenatchee and Entiat river systems remain closed to fishing, except for whitefish during December through March. A comprehensive creel monitoring is underway to learn more about intensity of use, primary locations of use, and to determine what species are caught. This information will help to assess the potential impact of a trout fishery on ESA listed species. Allowance of a trout fishery on the Methow system in future years will be dependent on what is learned this year, and on possible additional studies to distinguish between listed juvenile steelhead and resident rainbow trout.

2) Other Gamefish - The Okanogan River below the Malott Bridge is open year-round for all gamefish but closed to fishing for trout. The Okanogan River upstream of the Malott Bridge is open June 1 - August 31 for all gamefish other than trout. Statewide gear, size and limits apply to both river sections.

3) Whitefish - The Methow, Chewuch, and Similkameen rivers are open December 1 - March 31 for whitefish angling. Beginning in winter 2000, bait will be allowed although there are additional rules for gear restrictions.

- Regulation Changes:

This year is an off year in the bi-annual regulation cycle, therefore no changes.

- Stream Surveys:

1) Bull trout - Surveys in the Methow Basin will begin in September 2000 to assess fluvial bull trout populations. These surveys include observed adults and redd (nest) counts.

2) Spring chinook - Redd surveys in the Methow Basin and Salmon Creek will occur beginning August 2000 to assess spawning population. Attempts will be made to collect coded-wire tags from recovered carcasses.

3) Summer chinook - Redd surveys and carcass recoveries will occur in the Methow, Okanogan and Similkameen Rivers beginning late September 2000.

4) Okanogan sockeye - Adult counts will be conducted in the Okanogan River, Canada in October 2000 to determine natural spawning escapement.

5) Summer steelhead - Radio telemetry monitoring will likely occur in the Methow and Okanogan river basins late winter 2000.

Wildlife Management

- Wildlife Areas and Acquisitions:

Wildlife Area planning is an ongoing process. We have plans and will provide copies. Plans are developed and reviewed by citizen advisory groups comprised by members of the community surrounding the Wildlife Area. This level of planning is usually very specific. We have and continue to work closely with the county on our acquisition program. We will forward a summary of our acquisition package that is being presented to IAC early next month.

- Statewide Species Plans (classification)

This process is driven by the status of the species and is coordinated from Olympia. It is a public process regulated by several different WAC's that include a comprehensive public review process. Okanogan County is on the mailing list for review of any species plans or status reports. The current listing of species both state candidate and state listed species is enclosed. Some recent changes that have occurred are:

- State Listed Species:

1. Peregrine Falcon - changed from *FE* to *FSC*
2. North American Lynx - changed from *FPT* to *FT*
3. Common Loon - added as state sensitive species.

State Candidate Species:

1. Mammals
 - Added Keen's myotis, white-tailed jackrabbit, black-tailed jackrabbit, and orca whale
2. Birds:
 - Removed common loon
 - Added *FSC* status to: Cassin's auklet, tufted puffin, yellow-billed cuckoo, streaked horned lark, slender-billed white-breasted nuthatch, and Oregon vesper sparrow.
3. Fish
 - Bull trout, *FT*- changed to full species now, rather than just Col. River stock
4. Butterflies
 - Added *FSC* status to: makah copper, valley silverspot, and whulge checkerspot
5. Not state candidates
 - Removed bull trout (coastal/puget sound)

Federal Endangered (FE), Proposed Endangered (FPE), Threatened (FT), Proposed Threatened (FPT), Candidate (FC), or Species of Concern (FSC).

- Hunting Seasons

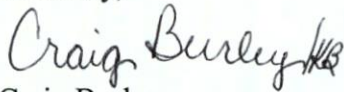
We have just completed a 3 year hunting season plan, good through December 2002. We do not anticipate any major changes until then notwithstanding adjustments for

Okanogan County Commissioners
July 25, 2000
Page Seven

environmental factors (winter mortality, habitat loss from fire, etc.). The process for making hunting season adjustments includes multiple opportunities for public review and comment. We also make special presentations to the Board of County Commissioners at their request.

As you can see, we currently are participating in a wide array of activities in North Central Washington that may be of significant interest to you and county residents. We recommend you review this list and call to schedule a meeting and/or set up monthly conference calls to discuss any of these activities in more depth. We are committed to work closely with you to best meet the local needs of the fish and wildlife resources and the citizens of Okanogan County. We look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Craig Burley". The signature is written in dark ink and includes a stylized flourish at the end.

Craig Burley
Acting Regional Manager

cc: Larry Peck
Dan Wrye
Tracy Lloyd
Mark Quinn
Joe Foster
Gordon LaVoy
Peter Birch
Cynthia Pratt



United States
Department of
Agriculture

Forest
Service

Okanogan and Wenatchee NF's
Okanogan Valley Office

1240 South Second Avenue
Okanogan, WA 98840
Phone (509) 826-3275

File Code: 1950

Date: July 12, 2000

Okanogan County Commissioners
P. O. Box 791
Okanogan, WA 98840

Comr. 1 JS
Comr. 2 JS
Comr. 3 _____

RECEIVED
JUL 18 2000
OKANOGAN COUNTY COMMISSIONERS

Dear Commissioners Schultz, Thiele and Hirst:

Thank you for your June 27th letters to the Forest and Ranger Districts requesting notification of, and the opportunity to participate in, land use and other planning efforts and decision making on National Forest lands within the borders of Okanogan County and surrounding counties. I recently obtained a copy of Okanogan County Ordinance No. 2000-2, which deals with coordinating County, Federal and State Government Actions affecting land and natural resource use in Okanogan County. As you know, I am committed to continued cooperation between the Okanogan-Wenatchee National Forest and Okanogan County. The County has long been a valued participant in National Forest management, and I consider your voice important as we continue to work towards the best decisions relating to the National Forest. As such, I encourage and welcome your input.

I understand your concerns in preserving the County citizen's customs, culture, economic stability, environment and property rights. However, the Forest Service maintains the position that the present Ordinance does not further the legal interests of the County in relation to the Forest Service. With respect to such lands, all laws, statutes, regulations, and activities of the Federal government remain free from State or local control in accordance with the Supremacy Clause of the United States Constitution. While States and local governments possess authority to regulate private activities on Federal land (where such regulation does not conflict with Federal law over such land), they are not empowered to regulate Federal activities on Federal lands. Hence, I must caution you that to the extent the Okanogan County Ordinance seeks to regulate Federal activity on Federal land, it has no legal effect and is not binding on the Forest Service.

Tim Binder, a former attorney at the Office of General Counsel in Portland, Oregon reviewed a similar ordinance considered by Kittitas County. Mr. Binder pointed out that laws enacted by Congress under which the Forest Service manages its Federal lands preempt local regulation of these lands. As such, any attempts by local government to regulate Federal actions on Federal land are unconstitutional. Furthermore, provisions of an ordinance that holds individuals personally responsible for the fulfillment of the duties mandated by their Federal employment could also be found in violation of Federal law.

It is my desire that the Ordinance not hinder the cooperation we have established between ourselves. In keeping with my commitment to a continuing dialogue with the County, I am enclosing a copy of our latest Schedule of Proposed Actions (SOPA) for that part of the Okanogan-Wenatchee National Forests within Okanogan County. The SOPA describes proposed projects for which documents like an Environmental Impact Statement or Environmental Assessment will be required, as well as for activities that are likely to be



documented in a Decision Memo. You have already received a copy of the SOPA that covers that portion of the Okanogan-Wenatchee National Forests in surrounding counties. I have placed you on the mailing list to receive future quarterly mailings of both of these schedules. I have also asked the Methow Valley and Tonasket District Rangers to place the County on their "all projects" mailing list, which is used to request participation in specific projects as the planning process is initiated.

I firmly believe in the importance of continued cooperation and a strong working relationship between the Okanogan-Wenatchee National Forests and Okanogan County. To that end, I would like to explore with the Board of Commissioners ways in which we could improve our coordination with one another. One means might be through a Memorandum of Understanding, or similar document, in which we mutually define and agree to our cooperative relationship. I will continue to encourage a relationship of mutual trust and respect between the County and the Forest Service, and hope that our ties will only be strengthened in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sonny J. O'Neal", is written over the printed name.

SONNY J. O'NEAL
Forest Supervisor

Enclosure

*Forest
Service
News*



Okanogan National Forest

Okanogan Valley Office
1240 South Second Avenue
Okanogan, WA 98840
(509)826-3275

Schedule of Proposed Actions Third Quarter, Calendar Year 2000

The Schedule of Proposed Actions is published on a quarterly basis to keep you informed on projects that are specific to the Okanogan National Forest. This Schedule helps to notify you about proposed and deferred projects, and projects for which planning has been completed within the forest. Any project that is scoped after the publication of this Schedule will appear in the next quarterly publication. Since this is a quarterly report, some projects may be scoped and approved between publications. In this case, the project is listed as a **NEW** project in the Decisions section. The SOPA does not replace public scoping, but in a separate and supplementary way to notify the public of activities on national forests. Should you wish additional information on a project, or wish to comment on any proposal, you may call or write the "contact person" listed for each project. We urge you to contact the appropriate office with respect to any projects in which you may have an interest. Early involvement assures that the Responsible Official knows your concerns so that they can be recognized and addressed in the analysis and documentation. By expressing an interest in a specific action, you will have the opportunity to receive copies of all environmental documents and decision documents produced for that specific action.

Any changes to estimated decision dates (from prior publications), as well as other changes, additions, or deletions are due to a combination of factors: new priorities; a change in circumstances; the normal accomplishment of work.

We encourage your comments during the environmental analysis process for any or all of the projects listed in this Schedule. However, please be aware that individuals and organizations that write to comment on projects listed in the Schedule of Proposed Actions may have their letters released in their entirety, if requested under the Freedom of Information Act.

This publication is available in hard copy, electronic version, or on the forest website, along with other forest information at <http://www.fs.fed.us/r6/oka>.

If you have any questions or comments about the SOPA, contact Jan Flatten, Environmental Coordinator, at (509) 826-3277.

The policy of the United States Department of Agriculture (USDA) Forest Service prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means of communication of program information (Braille, large print, audiotape, etc.) should contact the USDA Office of Communications at 202/720-2791 voice or (800/855-1234 (TDD). To file a complaint, write to: Secretary of Agriculture, U.S. Department of Agriculture, Washington, DC 20250, or call 800/245-6340 (voice) or 800/855-1234 (TDD). USDA is an equal opportunity employer.

General Definitions

Categorical Exclusion (CE) Categories of actions that do not have a significant impact on the environment and do not require preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS).

Decision Notice (DN) A concise written record of the Responsible Official's decision based on an EA or FONSI.

Decision Memo (DM)

A concise written record of the Responsible Officials decision to implement an action that has been categorically excluded from documentation in either an EA or EIS.

Environmental Assessment (EA) A concise public document which serves to briefly provide sufficient evidence and analysis for determining whether to prepare an EIS or a Finding of No Significant Impact (FONSI), and aid with the agency's compliance with NEPA when no EIS is necessary.

Environmental Impact Statement (EIS) A detailed written statement in which a major Federal action that significantly affects the quality of the environment is described, alternatives to the proposed action provided, and effects analyzed.

Legal Notice A notice of an appealable decision published in the Federal Register or in the legal notices section of a newspaper or general circulation as required by 36 CFR 217.2.

Notice of Intent (NOI) A notice printed in the Federal Register announcing that an "Environmental Impact Statement" will be prepared. (40 CFR 1508.22)

Record of Decision (ROD) A written record of the Responsible Official's decision based on an EIS. Decisions documented in a Record Of Decision are subject to administrative appeal.

Scoping A public and internal process used to identify important issues and determine the extent of analysis necessary to make an informed decision on a proposed action. This process involves public meetings, letters, field trips or phone contacts

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Methow Valley Ranger District

DECISIONS & FINAL PRODUCTS

- **Douglas Fir Tussock Moth Suppression Project:** Aerial application of biological insecticides to suppress outbreak of Douglas-fir Tussock Moth. Aerial application to occur early summer of 2000-2005 as needed, in cooperation with the Colville and Wenatchee national forests, as well as various national forests in eastern Oregon. This is a forest-wide project. Project will take place as needed within high population areas of the tussock moth, which are distributed across the forest. Covers all Management Areas. Scoping was initiated June 1999 with publication of Notice of Intent in the Federal Register. FEIS issued 4/00, and Record of Decision signed 5/26/00. Implementation of this Regional EIS will be as outbreak conditions warrant. EIS/ROD. Contact John Townsley, 509/826-3568.
 - **2000 8-Mile Ranch Sno-park:** Expand parking for winter sno-park. Project is located on the Chewuch River, T35N, R21E, Section 23. Forest Plan: 17; NWFP: Matrix. Scoping is completed. Analysis is complete. CE signed 4/19/00. Contact Jim Archambeault; 509/997-9738.
 - **Recreational Special Use Permits:** Issue various one-year special use permits to authorize service-related recreational activity on National Forest System lands. These various special use permits cover outfitter guide services for walking, hiking, environmental education, ropes course, rock and alpine climbing, skiing, mountain bike tours, pickup and delivery of people, supplies, and equipment, and a children's camp. Scoping completed. CE signed 5/17/00.
- **Backroads:** An outfitter guide service for about 100 annual user days. Walking tours authorized for the Cutthroat Trail #483, Cedar Creek Trail #476, Lake Creek Trail #500 to Black Lake, Maple Pass Trail #740, and the Pacific Crest Trail #2000 (from Harts Pass to Windy Pass or Grasshopper Ridge)
 - **North Cascades Institute:** An outfitter guide service for about 750 annual user days. Guide service includes naturalist tours and environmental education.
 - **Mazama Mountain Guides:** An outfitter guide service for about 100-500 annual user days. Service includes a ropes course, rock and alpine climbing, ski instruction, backcountry telemark skiing and guiding, and mountain bike tours. Ropes course near Chickadee Trailhead is an improvement authorized by this permit. Locations for climbing include the Mazama rock site (Fun Rock), the Chewuch rock site (near Falls Creek road), Silver Star Mountain (Visiliky, Kangaroo and Snagtooth Ridges), Liberty Bell Mountain, Early Winters Spires, and Cutthroat and Whistler Mountains. Locations for ski instruction and backcountry telemark skiing and guiding include Buck Mountain, Lightning Creek and the Cooney Lake Trail. T34-36N, R18, 22, 23.
 - **The Mountain Transporter:** A transportation service for delivery and pickup of people, supplies, and equipment (to include private-owned horses and bicycles).

- **Sun Mountain Resorts:** A service to conduct hiking and biking tours for about 100-200 annual user days. Hiking and biking locations include the Thompson Ridge area. Hiking tour locations include the North Cascades Scenic Highway (SR 20), and the Cedar Creek #476, Cutthroat #483, and Maple Pass #740 trails. Incidental biking tour locations include the Rendezvous area (from Cub Creek to Fawn Creek).
- **Methow Field Institute:** An outfitter guide service for about 250-500 annual user days. Service consists of a camp for children (off-forest at Falls Creek) that provides canoeing, rock climbing, and aquatic life interpretation at locations in the Chewuch River drainage. Additional services include eco-hikes at various locations on the Methow Valley Ranger District.
- **Chewuch River Guest Ranch:** For the delivery of snowmobiles to sno-parks as well as guiding tours on groomed snowmobile routes, recognized snow play areas, and areas west of the Okanogan River that are open to snowmobile use on the Okanogan National Forest.

CANCELLED OR DEFERRED: The following projects were listed in the previous publication under Proposed Actions. Due to various reasons, these projects are cancelled or delayed. Should planning begin once again, the projects will reappear on the Schedule at that time.

- **Buttermilk Creek Road Improvement:** Add turnouts; improve site distance on the Buttermilk Creek Road. Project is located south of Twisp River; T33N, R20E, Section 15. Forest Plan: 5; NWFP: LSR, Key Watershed. Scoping is completed. CE/DM. Contact Jennifer Zbyszewski; 509/996-4021. *Deferred due to lack of funding.*

PROPOSED ACTIONS: We encourage your comments during the environmental analysis process for any or all of the projects listed in this schedule. However, please be aware that your names, addresses, and comments become part of the public record for those specific projects, and may be subject to public disclosure.

1. **Area Analysis:** These documents contain analysis providing the tie between forest planning and project level planning. Although these are not NEPA documents, and no decisions are made through them, they identify a pool of projects that may be carried forward into NEPA analysis and form the basis for the existing condition analysis in our NEPA documents.
- **Upper Skagit River Analysis:** Watershed assessment of forest lands tributary to Upper Skagit River. Located west of the Cascade Crest in T.34N., R.40N, Ranges 15-18E. Forest Plan: MA 4, 5, 7, 10, 17; NWFP: LSR, Administrative Withdrawn, Congressionally Reserved. Analysis is underway. Area Analysis/No Decision Document Required. Contact Don Phillips, 509/997-9783.


2. **Fire Recovery and Prescribed Fire**

- **Methow Prescribed Fire:** Spring and fall prescribed burning projects to reduce fuels, reintroduce fire into fire-dependant ecosystems, and improve forest health. Covers approximately 10,000 acres district-wide. Forest Plan: 25, 14, 26, 5; NWFP: Matrix LSR; PACFISH. This item covers a number of burn areas and decision documents. Remaining decisions are expected by 1/01. Implementation expected Fall 2000 and Spring 2001. For specific information, please contact Dee Rodriguez, 509/996-4015. CE/DM.

3. **Range**


- **Mt. Hull/Beaver/Frazer/Finley Allotment Management Plans:** Update allotment management plans for the Mt. Hull, Beaver, Frazer, and Finley allotments. Located in the western portion of Mt. Hull area, T39N, R.28E, and T39N, R27E; Beaver Creek drainage, T35N, R23E and T34N, R23E; Frazer Creek drainage, T33N, R23E; and Finley Canyon drainage, T33N, R23E, T32N, R23E. Forest Plan: 25, 14, 5, 26, 17, 11, 4M, 25; PACFISH. Scoping is completed. EA is expected 8/00. Decision expected 9/00. Implementation Spring 2001. EA/DN. Contact Jennifer Zbyszewski, 509/996-4021; Frank Hanford, 509/996-4008; Don Rees, 509/486-5147.
- **Myers Divide Fence:** Construction of approximately 4 miles of electric fence along ridge between Myers and Little Bridge Creek drainage. This is a dividing fence between Myers and Little Bridge Creek. T33N, R20E, Section 1; T34N, R20E, Sections 36, 25, 24, 23 and 14. Forest Plan: 5, 14, 25; NWFP: Matrix. Scoping is completed. Decision and implementation is expected July 2000. CE/DM. Contact Christina Bauman, 509/997-2131.

4. **Recreation & Wilderness**


-  **Eightmile Ranch Sno-Park:** Renew existing one-year special use permit to provide snowmobile rental facility. Location is at T36N, R21E, Section 23. Forest Plan: MA 5; NWFP: Matrix. Scoping will begin 7/00. Decision expected 9/00. Implementation expected 10/00. CE/No Decision Document Required. Contact Jim Archambeault; 509/997-2131.
- **Blackpine Basin Snowmobile Shelter:** Construct a snowmobile trail shelter at Blackpine Basin/Gate Creek; T37N, R19E, Section 35. Forest Plan: 25; NWFP: LSR. Scoping is completed. Decision expected 7/00. Implementation expected Summer 2000. CE/DM. Contact Jim Archambeault; 509/997-9738.
- **Martin Creek Bridge:** Build a trail bridge on existing trail in the Gold Creek drainage; T31N, R20E, Section 18. Forest Plan: 4M; NWFP: LSR. Scoping began 7/99. Decision expected 7/00. Implementation Summer 2000. CE/DM. Contact Jim Hammer; 509/996-4017.

- **Methow Valley Sports Trail Association (MVSTA):** Renew existing permit to operate and maintain a trail system on national forest land. Permit covers approximately 50 miles of cross country ski trail grooming. Locations cover Thompson Ridge, Rader Creek, Little Wolf Creek, Cub Creek, Rendezvous Pass, Fawn Creek, Methow Bottom, Lucky Jim Road (Little Falls Creek area), and a day lodge at Chickadee Trailhead. Forest Plan: Various; NWFP: LSR, Matrix, Key Watershed, Riparian Reserve; PACFISH. EA is completed. Public review ended 7/3/00. Decision expected 7/00. Implementation expected 8/00. EA/DN. Contact Jim Archambeault; 509/997-9738.

- **Klipchuck Campground Vegetation Management:** Mistletoe brooms would be pruned to reduce safety hazards to campground visitors and to extend the lifespan of high aesthetic value infected trees. Designated trees would be felled to reduce root disease hazards, improve growth and vigor of adjacent trees, and allow space for regeneration of disease resistant tree species. Felled trees of merchantable size would be removed. Slash generated by all activities would be treated. The proposed activities would result in a temporary campground closure. Project is located near Early Winters Creek and the North Cascades Scenic Highway, T36N, R19E, Section 19. Forest Plan: MA 44; NWFP: Administratively Withdrawn, Riparian Reserve, Key Watershed. Scoping underway. Decision expected 9/00. Implementation expected 2001, dependant upon funding. CE/No Decision Document Required. Contact Leahe Swayze; 509/997-9753.

-  **War Creek Turnpike:** Construct about 40 linear feet of turnpike to reduce soil erosion and sedimentation with ditching and installation of a culvert for perennial stream crossing. Located on War Creek Trail #408 at Mile Post 8.25, T33N, R19E. Forest Plan: MA 41; NWFP: Congressionally Reserved. Scoping in progress. Decision expected 7/00. Implementation expected 8/00. Contact Dan Rogers/509/997-9754.

5. ***Reforestation & Stand Tending***

-  **Hungry Hunter Integrated Resource Project:** This project is designed to reduce fire risk in order to protect the public, protect late successional habitat in the Hunter Mountain and Sawtooth LSR, and to demonstrate restorative forestry techniques. The project focuses on fuel reduction using thinning and prescribed fire, noxious weed treatments, road management, wildlife habitat management, and monitoring and research for future application of restoration techniques. It includes 4,000 acres of prescribed fire; 2,500 acres of commercial thinning by timber sale; and 3,500 acres of pre-commercial thinning. No new roads will be constructed; reconstruction includes 4.0 miles. Twelve miles of road are planned to be closed, and four miles of road obliterated. The project is located in the Squaw Creek and McFarland Creek drainages; T30N, R21-21E. Forest Plan: MA 14, 25, 26; NWFP: LSR, Matrix. Hungry Ridge Roadless Area. Scoping began 6/00. EA expected for public review 9/00. Decision expected 10/00. Implementation expected Spring 2001. EA/DN. Contact Arlo Vanderwoude; 509/997-9749.

- **Methow TSI 2000 (formerly Methow TSI 99):** Pre-commercial thinning on approximately 500 acres. Locations are district-wide. Forest Plan: 4, 14, 26; NWFP: Matrix, LSR; PACFISH. Scoping is completed. Analysis on-going. Decision expected 8/00. Implementation expected Summer 2000. CE/DM. Contact Bill Stanforth; 509/997-9784.
- **Timber Stand Improvement Firewood/Post and Pole Areas:** Six "green" firewood cutting areas and two post & pole cutting areas are proposed on 152 acres to improve stand conditions. **Post & Pole:** Upper Falls Creek - 8 acres in T37N, R21E, Section 8 and, 48 acres in T37N, R21E, Section 16. **Green Firewood:** Goat Creek - 7 acres in T36N, R20E, Section 20 and 11 acres in T36N, R20E, Section 29; Twisp River - 10 acres in T33N, R19E, Section 12; East of Twisp River - 30 acres in T36N, R19E, Section 5; Twisp River and Newby Creek 17 acres - T33N, R21E, Section. Eightmile Creek - 13 acres in T36N, R21E, Section 23. Forest Plan: 5, 25, 14; NWFP: LSR, Matrix. Scoping in progress. Decision expected 9/00. Implementation expected 5/01. CE/DM. Contact Brent Tannehill; 509/997-2131.

6. ***Special Uses***

- **Outfitter Guide Special Use Permits:** Re-issue special use permits for eight separate outfitter guide operations. Current permits are issued district-wide, with specific itineraries established in annual operation plans. Includes Pasayten and Lake Chelan/Sawtooth Wildernesses. Locations are various, primarily within area of NWFP: Administrative Withdrawn, LSR, Riparian Reserve, Congressionally Reserved, Matrix, Key Watershed. Liberty Bell, Sawtooth, Pasayten Rim, Long Swamp roadless areas. Covers variety of Forest Plan Management Areas. Scoping is completed. Decision expected 10/00. Implementation expected 2000 operating season. CE/M or EA/DN. Contact Jim Archambeault; 509/997-2131.

- **North Cascades Safaris:** use of horses or mules for tours into areas for hunting or day trips. Permit would be re-issued for a 5-year period.
- **Cascade Wilderness and Outfitters:** use of horses or mules for tours into areas for hunting or day trips. Permit would be re-issued for a 5-year period.
- **North Cascade Outfitters:** use of horses or mules for tours into areas for hunting or day trips. Permit would be re-issued for a 5-year period.
- **Rocking Horse Ranch:** use of horses or mules for tours into areas for hunting or day trips. Permit would be re-issued for a 5-year period.
- **Back Country Burro Treks:** use of burros to pack gear for hiking trips. Permit would be re-issued for a 5-year period.
- **Pasayten Llama Packing:** use of llamas to pack gear for hiking trips. Permit would be re-issued for a 1-year period.
- **Deli Llama Wilderness Adventures:** use of llamas to pack gear for hiking trips. Permit would be re-issued for a 1-year.
- **North Cascade Heli-skiing Inc:** use of a helicopter to take skiers into permitted back-country areas. Permit would be re-issued for a 5-year period.

- **Pacific Crest Outward Bound School:** Backpacking and mountaineering instruction for a 5-year permit reissuance.

7. ***Timber Sales and Integrated Resource Projects***

- ***Fawn Timber Sale:*** Project involves pine restoration on approximately 1,500 acres in Fawn Creek/Grizzly Mountain area. Estimate 3.3 MMBF; no new roads, 2 miles reconstructed roads. Project is in T35N, R20E, Sections 1-3, 10-14; T36N, R20E, Sections 21-22, 26-29, 32-35. Forest Plan: 5, 14, 25; NWFP: LSR, Matrix, Key Watershed. Scoping is completed. Analysis underway. EA expected for public review 8/00. Decision expected 9/00. Implementation expected Fall 2000. EA/DN. Contact Arlo VanderWoude; 509/997-2131.
- ***Horse Salvage:*** Salvage wood product value prior to further deterioration. Project would also reduce risk of insect damage to adjacent healthy trees. Proposed action would be to cut and remove select trees damaged or killed as a result of the Horse burn. Plans would include helicopter salvage logging over about 182 acres. Project located in Newby Creek area in the Twisp River basin; T33N, R21E, portions of Sections 17, 18, 19. Forest Plan: 33, 39, 47; NWFP: Matrix. Scoping completed 9/99. EA completed. Public review ends 7/24. Decision expected 8/00. Implementation expected late summer 2000. EA/DN. Contact Arlo VanderWoude; 509/997-2131.
- ***Lower Methow (formerly Methow 2000):*** Proposed action includes timber sale projects, timber stand improvement projects, and other land stewardship activities located in the Lower Methow River Watershed area. Project is located each of the Methow River in T31N, R21E, T32N, R21E, and T30N, R22E. Forest Plan: 33, 39, 47; NWFP: Matrix. Scoping to begin 8/00. EA expected for public review Spring 2001. Implementation expected Summer 2001. EA/DN. Contact Arlo VanderWoude; 509/997-2131.
- ***TPR Timber Sale:*** Restore/maintain stands dominated by mature ponderosa pine. Manage stands to reduce susceptibility to insects and disease; 2.0 MMBF. Project located in Little Bridge Creek and Coal Creek; T33-34N, R20E. Forest Plan: 5, 14, 25, 26; NWFP: Matrix, LSR. Scoping is completed. EA for public review is completed. Decision expected 7/00. EA/DN. Contact John Rohrer; 509/997-2131.

8. ***Transportation and Engineering***

- ***Boulder Creek Road Realignment:*** Change curve to match existing bridge; change intersection of Roads 37 and 5010 to 90 degree angle. Project is located at Boulder Creek Road at or near the intersection with East Chewuch Road; T36N, R21E, Section 35. Forest Plan: 5; PACFISH. Scoping is completed. Completing analysis. Decision expected 7/00. Implementation Summer 2000. CE/DM. Contact Jennifer Zbyszewski; 509/996-4021.

- **Cub Creek Road Closures:** Close some system and non-system roads in the Cub Creek drainage, six miles northwest of Winthrop, Washington; T36N, R20-21E. Forest Plan: 14, 25; NWFP: Matrix, Key Watershed. Scoping began 8/98. Completing analysis. EA currently in public review; comments due back 8/--/00. Decision expected 8/00. Implementation expected Fall 2000. EA/DN. Contact Jennifer Zbyszewski; 509/996-4021.

NEW Libby Creek Bridge: Repair damaged bridge, and reconstruct approach; construct stream ford and foot log bridge on Libby Creek Trail #415 at Mile Post 2.0, T32N, R20E. Forest Plan: MA41; NWFP: Congressionally Reserved. Scoping began 5/00 and is underway. Decision expected 7/00. Implementation expected 8/00. CE/DM. Contact Dan Rogers; 509/997-9754.

- **Loup Loup Highway Maintenance:** Five sections of highway totaling 4,100 feet have curbs that are too close to the centerline for the snow plow to plow without going across the centerline; this causes a safety concern. The proposed action is to remove the curbs that are too close, widen the shoulder of the highway, replace the curbs, along with installing catch boxes so the runoff will go into the boxes, settle the sediment out and not run off the side of the road. Project is located within portions of Highway 20, from the Forest boundary in Frazier Creek at Mile Post 210.4 to Mile Post 212.5, for a total of 4,100 feet; T34N, R23E, Section 9, 10, 11. Forest Plan: MA 5; PACFISH. Scoping is in progress. CE/No Decision Document Required. Contact Jim Hammer; 509/996-4017.

NEW Roads End Campground Limited Use: Limit access to Roads End Campground to protect threatened, endangered, or sensitive species habitat during a critical season period. Project involves installing a gate on Road 4440 west of the North Creek Trailhead to limit access to the campground from 9/1 through 5/1 of the next year, annually. Closure involves 0.6 miles; T34N, R18E, Section 11. Forest Plan: MA-32; NWFP: LSR, Riparian Reserve, Key Watershed. Scoping to begin 7/00. Decision expected 8/00. Implementation expected 9/00. CE/No Decision Document Required. Contact Jennifer Molesworth; 509/996-4010.

- **Slate Creek Bridge:** Replace Slate Creek Bridge, which is located one mile west of slake Peak where Road 5400700 crosses Slate Creek; T37N, R17E, Section 2. Scoping is completed. Completing analysis. Decision expected 7/00. Implementation Summer 2000. CE/DM. Contact Jennifer Zbyszewski; 509/996-4021.

9. ***Other***

- **New Gold Hill Mine Exploration:** Documentation of mining exploration plan of operation. The mine is located in the East Creek area; T37N, R16E, Section 36. Forest Plan: 10; NWFP: LSR, Riparian Reserve. Scoping is completed. Analysis underway. EA expected for public review 8/00. Decision expected 9/00. Implementation expected Spring 2000. EA/DN. Contact Don Phillips; 509/997-2131.



Methow Administrative Site Land Exchange: Project involves the exchange of the Winthrop administrative Site for privately owned office space, warehouse and land being currently utilized as the Winthrop Work Center. The land exchange will consolidate the Methow Valley Ranger District workforce into one office, eliminate lease payments and increase operational efficiency. The Winthrop Work Center is located off County Road 1213 (West Chewuch). The Winthrop Administrative Site is located in Winthrop, Washington. The properties are located in T34N, R21E, Sections 2 and 3. Forest Plan: MA 17; NWFP: Riparian Reserve. Scoping and analysis have begun. Decision expected Fall 2000. Implementation expected Spring 2001. EA/DN. Contact Keith Rowland, 509/826-3067.



Small Tracts Act Interchange: Project involves the interchange of approximately three acres of federal lands for approximately 3.9 acres of private land to resolve an encroachment onto the National Forest which occurred in the 1970's. Federal land to be acquired is river frontage property. Project is located approximately two miles west of the Buttermilk Junction on Forest Road 44, T33N, R20E, Section 17. Forest Plan: 32; NWFP: Riparian Reserve, LSR. Scoping has begun. Decision expected Summer 2000. CE/No Decision Document Required. Contact Keith Rowland, 509/826-3067.

Tonasket Ranger District

DECISIONS & FINAL PRODUCTS

- **Chewuch-Cathedral Trailhead (#501) Toilet:** Install one vault toilet facility at the trailhead with Recreation Fee Demo project dollars. Located in T39N, R23E, Section 18. Forest Plan: 12, 25; PACFISH. Scoping began 2/00. Decision signed 7/ /00. Implementation 7/00. CE/No Decision Document Required. Contact Wade Spang, 509/486-5111.
- **Highland Stage Permit Renewal:** Re-issuance of existing temporary Special Use Permit for outfitting and guiding on the Tonasket and Republic Ranger Districts. Locations are District-wide. Most activities are proposed to take place in the Bonaparte block, Mt. Hull block, Clackamas Mtn. block, and Tiffany Meadows area on the Tonasket district. On the Republic district, activities are proposed in the West Fork Trout Creek area. Most management areas except Wilderness. INFISH and PACFISH. Scoping began 2/00. Decision signed 7/10/00. Implementation expected 7/00. CE/No Decision Document Required. Contact Michael Alvarado, 509/486-5117.
- **North Fork Salmon Creek -Tiffany Trailhead (#373)Toilet:** Install one vault toilet facility at the trailhead with Recreation Fee Demo dollar. Project is located at the Tiffany Trailhead, T37N, R24E, Section 32. Forest Plan: 12, 25; PACFISH. Scoping began 2/00. Decision signed 7/ /00. Implementation expected 7/00. CE/No Decision Document Required. Contact Wade Spang, 509/486-5111.

- **Wing Cabin:** A privately owned cabin, maintained under a special use permit for Lot #20 at Bonaparte Lake since 1964, was destroyed by fire and vandalism during March 1998. The owner has requested authorization to rebuild the cabin at the same site. The cabin site is accessed by the same road as the other twelve cabins. Previous inspection records document that this permit holder maintains Lot #20 in good condition with minimum impact on the environment. The cabin is located at Bonaparte Summer Residences, T38N, R30E, Sections 8 and 17. Forest Plan: MA 18; PACFISH. Scoping began 2/00. Decision signed 4/19/00. Implementation 6/00. DE/DM. Contact Michael Alvarado, 509/486-5117.

CANCELLED OR DEFERRED: The following projects were listed in the previous publication under Proposed Actions. Due to various reasons, these projects are cancelled or delayed. Should planning begin again, the projects will reappear on the Schedule at that time.

- **Bonaparte Lake Swimming Dock:** Placement of a 16'x16' swimming dock near the picnic area in Bonaparte Lake Campground. This dock will be similar to the dock at Lost Lake Campground. Located in T38N, R30E, Section 17. Forest Plan: MA 17; PACFISH. Scoping began 2/00. Contact Howard Christensen, 509/486-5131. Deferred due to lack of funding.
- **Family Fun Ride Permit Re-Issuance**~~Family Fun Ride Permit Re-Issuance:~~ Issue 3-5 year permit for Family Fun ride on forest. Equestrian rides on trails and past and present road systems. Camping at Salmon Meadows campground or other campgrounds or meadows on forest with rides either leaving and returning daily, or daily rides between nightly campsites that move. Generally within 10 miles of Salmon Meadows; T37N, R24E, Sec. 32, or between Swan Lake and Crawfish Lake; T35N, R29, 30 and 31E. Covers various management areas. Scoping began 2/00. Contact Wade Spang, 509/486-5111. Cancelled; no application for ride on National Forest land submitted.
- **Kodiak LLC Property Easement and Crawfish Lake Sno-Park:** Easement for ingress, egress and utilities over and across an existing gravel surface road for access to an 8-parcel open space recreation/forest proposed development in Section 32. Project is located at junction of Forest Road 30 and existing closed dirt spur road, T35N, R29E, Sections 29 and 32. Private land and Forest Plan: MA 5, 14; PACFISH. Contact Don Rees/509/486-5108. *Cancelled; request denied because of other reasonable access.*
- **Whistler Canyon Road 3525-100 Road Repair:** A culvert would be removed on Forest Road 3525-100 and water bars would be installed, as appropriate, on approximately 1.0 mile of road. This road is currently in level 1 maintenance, which means that vehicle traffic is restricted and resource protection measures are done as needed. This road is being repaired to reduce the potential to deliver sediment to a creek that flows to the Okanogan River. Current road management would

continue. Project is located in the Whistler Canyon/Mt Hull areas, T39N, R27E, Section 2. Forest Plan: MA 11; PACFISH. Scoping began 4/00. Contact Don Rees, 509/486-5108. Cancelled due to low priority; a portion of the problem was taken care of by removing a tree from road.

PROPOSED ACTIONS: We encourage your comments during the environmental analysis process for any or all of the projects listed in this schedule. However, please be aware that your names, addresses, and comments become part of the public record for those specific projects and may be subject to public disclosure.

1. **Area Analysis:** These documents contain analysis providing the tie between forest planning and project level planning. Although these are not NEPA documents, and no decisions are made through them, they provide the basis for carrying projects forward into NEPA analysis and form the basis for the existing condition analysis in our NEPA documents.

- **West Fork Granite Watershed Assessment:** Watershed assessment for the West Granite watershed and associated lands. Project is located in Sweat, Maple, and Garder creek areas; T36N, R31-32E; T37N, R31-32E. Forest Plan: 5, 8, 14, 17, 25, 26. INFISH; Clackamas Mtn. 6003 Roadless Area. Scoping began 1/00. Document expected to be completed 7/00. Area Analysis/No Decision Document Required. Contact Don Rees, 509/486-5108.

2. **Fire Recovery and Prescribed Fire**

- **Tonasket Fuels Outyear (formerly Mt. Hull 2 Prescribed Fire):** Reintroduce fire across Black Diamond (Mt. Hull), Cumberland, and Cayuse areas in fire dependent ecosystems to improve forest health, improve big game forage, and decrease fuel loading, and the fire hazard along urban interface boundaries. Approximately 10,000 acres to be treated. Locations are district-wide. Forest Plan: 11, 14, 25, 26. PACFISH, INFISH. Scoping began 3/00. Decision expected 6/00. Implementation Fall 2000. CE/DM. Contact Sharon Barton-Wood, 509/486-5151.


3. **Range**


- **Mt. Hull/Beaver/Frazer/Finley Allotment Management Plans:** Update all management plans for the Mt. Hull, Beaver, Frazer, and Finley allotments. Locations: Western portion of Mt. Hull area, T39N, R27-28E; Beaver Creek drainage, T34-35N, R23E; Frazer Creek drainage, T33N, R23E; and Finley Canyon drainage, T32-33N, R23E. Forest Plan: 4M, 5, 11, 14, 17, 25, 26. PACFISH. Scoping completed Fall 1998. EA for public review 8/00. Decision expected 9/00. Implementation Spring 2001. EA/DN. Contact Jennifer Zbyszewski, 509/996-4021; Frank Hanford, 509/996-4008; Don Rees, 509/486-5108.

4. **Recreation and Wilderness**

Crawfish Sno-Park: Private land located at the Crawfish Sno-Park is being developed. to

remain useable, the sno-park must be relocated. Proposed location is the junction of Forest Roads 3000 and 3000-100, near the center of the common line between Sections 32 and 33, T35N, R29E, WM. Forest Plan: MA 5; PACFISH. Scoping will begin 7/00. Decision expected 8/00. Implementation expected 9/00. CE/DM. Contact Phil Christy or Howard Christensen, 509/486-2186.

 **Smarty Creek Trail Relocation:** Project is to relocate approximately three miles of trail in three sections of the Smarty Creek and Twentymile Trails between Round Meadows, North Twentymile Meadows and south Twentymile Meadows. Purpose is to minimize recreation use impacts upon soil and water resources by moving trails away from streams. Scoping will begin 7/00. Decision expected 8/00. Implementation expected 9/00. CE/DM. Contact Phil Christy, 509/486-5137.


 **Snowmobile Gates - Crawfish/Aeneas Area:** Install 14 snowmobile access gates (locations below) along existing designated snowmobile routes identified in the Okanogan National Forest Travel Management Plan, and Forest Plan in the Mt. Annie, Corner Butte, Cornell Butte, Coco Mountain and Crawfish Lake areas. Installation of these gates would reduce use of designated routes by motorized wheeled vehicles during the prohibition period, reduce road maintenance and soil erosion caused by such vehicles, and reduce impacts on wintering animals between October and April of the prohibition period. Forest Plan: 5, 14, 25, 26; INFISH. Scoping will begin 7/00. Decision expected 9/00. Implementation 10/00. CE/DM. Contact Howard Christensen, 509/486-2186.

- | |
|---|
| <ul style="list-style-type: none"> a. Forest Service Road (FSR) 31 at Forest Boundary, T37N, R30E, Section 16 b. FSR 31 near Sutton Meadows at the private land/National Forest boundary, T.37N, R30E, Section 14 c. North Cape Labelle Road at Forest boundary, T37N, R30E, Section 24 d. South Cape Labelle Road at Forest boundary, T37N, R30E, Section 24 e. FSR 31 at junction of FSR 31 and 3120, T36N, R31E, Section 15 f. FSR 3125 at junction of FSR 3120 and 3125, T36N, R31E, Section 14 g. FSR 200 at junction of FSR 3120 and 3100-200, T36N, R31E, Section 26 h. FSR 30 at junction of FSR 30 and 3000-400, T35N, R29E, Section 12 i. FSR 400 at junction of FSR 30 and 3000-400, T35N, R29E, Section 12 j. FSR 3010 at junction of FSR 3010 and 3015, T36N, R29E, Section 29 k. FSR 3015 at junction of FSR 3015 and 3000-200, T36N, R29E, Section 31 l. FSR 3000-100 at junction of FSR 3000-100 and County Road 3789, T35N, R29E, Section 35 m. FSR 3000-100 at junction of FSR 3000 and 3000-100, T35N, R29E, Section 32 n. FSR 3000 at junction of FSR 3000 and 3000-100, T35N, R29E, Section 32 |
|---|

5. ***Reforestation & Stand Tending*** - nothing to report this quarter

- **Timber Stand Improvement:** Pre-commercial thinning to improve stand conditions on 250-500 acres. Various locations district-wide. Forest Plan: 5, 14, 25, 26. Scoping is completed as part of forest-wide EA. Decision expected 7/00. Implementation Summer 2000. CE/DM. For specific information, contact Sharon Barton-Wood, 509/486-2186.

6. *Special Uses*

-  **Lightning Telephone Line:** GTE proposes to install approximately 3,200 feet of buried telephone line in the shoulder of Roads 3230 and 3230-100. This is a continuation of a telephone line installation project that began in 1999 along Road 3230. Approximately 1,320 feet of the installation will be across National Forest land; the remainder of the installation will be within the National Forest road right-of-way. Project is located in the west half of Section 31, T38N, R30E, in the vicinity of Lightning Creek nearly Mt. Bonaparte. Forest Plan: 14; PACFISH. Scoping will begin 7/00. Decision expected 8/00. Implementation expected 9/00. CE/DM. Contact Phil Christy, 509/486-5137.

7. *Timber Sales*

- **Conger Integrated Resource Project:** Commercial and pre-commercial thinning to reduce susceptibility to insects and disease, accelerate growth of residual stands, and accelerate development of late and old structure in mixed conifer. Prescribed fire to reduce in-growth of Douglas fir, control stand density, and reduce ladder fuels. Prescribed fire of rangeland will be used to reduce mountain big sagebrush and increase forage production. Road closures to meet Forest Plan standards and guidelines; proposed road closures include 3700-200, 400, 435, 515, 599, 500, 550, 600 and 310. Decrease potential for noxious weed spread, reduce impacts to water quality and increase wildlife security. Integrated noxious weed management, including use of herbicides; 2.0-6.0 MMBF on 2,000-5,000 acres. Project is located in the West and South Forks of Salmon Creek, T36N, R23-24E, and T35N, R23-24E. Forest Plan: 5, 25; PACFISH. Scoping is completed. EA public review completed. Decision expected 7/00. Implementation expected 9/00. EA/DN. Contact Paul Nash, 509/486-5153.
- **Mutton Integrated Resource Project:** Proposed action includes silviculture treatments of approximately 87 acres of hazard tree removal and other treatments in Cottonwood, Salmon Meadows, sugarloaf, Kerr and Oriole Campgrounds; 600 acres of pre-commercial thinning; 648 acres of timber harvest outside of campgrounds; 75 acres of herbicide treatments; and up to 11,000 acres of landscape scale fuels treatments. Road closures to meet Forest Plan standards and guidelines, decrease potential of noxious weed spread, reduce impacts to water quality, and increase wildlife security will be considered. Volume approximately 2.0 MMBF. Project located in North Fork of Salmon Creek, Pelican Creek, Dunn Creek, Buckhorn Creek, Schalow Mtn, Middle Mtn and Funk Mtn. areas, T36N, R24E, Sections 1-5, 7-18, and 20-25; T36N, R25E, Sections 19-21, 27-30, 33, 34; T37N, R24E, Sections 28-34. PACFISH. Scoping began 12/99. EA out for public review 9/00. Decision expected 10/00. Implementation expected 3/01. EA/DN. Contact Phil Christy, 509/486-5137.

- **Summit Integrated Resources Project:** Use prescribed fire and commercial silvicultural treatments to reduce disease and insect infected trees, improve long term deer winter range, improve security for bighorn sheep, maintain or promote development of late/old structure (LOS) habitats, reduce natural fuels and rehabilitate the transportation system within the analysis area. 2-4.0 MMBF. Project is located in Mt. Block from Summit Lake, Haley Mtn south and west to Forest boundary, T39N, R28E, Sections 7, 8, 15-22; T39N, R27E, Sections 12, 13, 24. Forest Plan: 5, 11, 25, 26; PACFISH. Scoping to begin 7/00. EA out for public review 10/00. Decision expected 11/00. Implementation expected 10/01. EA/DN. Contact Michael Alvarado, 509/486-5117.
- **Upper Aeneas/Peony Integrated Resource Project:** Proposed action includes silvicultural treatments of approximately 2,500-3,500 acres with up to 4.9 miles of road construction; introduction of fire into fire-adapted ponderosa pine and larch stands across 6,700 acres. Overall road densities would be reduced through road closures ranging from 14.5-32.5 miles; 12.5 miles of road obliteration. Peony Seed Orchard Buffer project analyzed as part of project. Project located in Sections 1-28, T35N, R29E and Sections 8-33, T36N, R29E, near Peony, Cole, Bench and Aeneas creeks. Forest Plan: 14, 25, 26; INFISH, PACFISH. Scoping began 12/99. EA expected for public review 8/00. Decision expected 9/00. Implementation expected 11/00. EA/DN. Contact Phil Christy, 509/486-5137.

8. ***Transportation & Engineering*** - nothing to report this quarter.

9. ***Other***

- **Cox Meadows Restoration Project:** Project to include natural fuels and restoration of riparian and meadow habitats previously impacted by livestock. Two previous National Environmental Policy Act (NEPA) analyses and Decisions dated 8/11/95 and 4/12/96 documented the objectives and impacts of this project. Previously, riparian and meadow habitats within the National Forest were fenced to allow native plants and other riparian and meadow vegetation to recover and to increase diversity. At that time, Cox Meadows was private property. A recent land exchange has made it possible to restore the meadow itself. As a part of an existing challenge cost share agreement with a partner providing funds to improve wildlife habitats, the site would be fenced to manage livestock use and permit recovery of native vegetation. The area would likely be managed as a riparian pasture. Cox Meadows is near Lyman Lake on the east side of the District in Section 34, T35N, R30E. Forest Plan: 25; INFISH. Scoping began 2/00. Decision expected 8/00. Implementation expected 8/00. CE/DM. Contact Don Rees, 509/486-5117.

- **Maple Mountain Research Natural Area (RNA):** Establish Maple Mountain RNA as identified in the Forest Plan. Project is located about 35 miles each of Tonasket and about 4 miles north of SH 20 near the headwaters of Cougar Creek in T38N, 31E, Section 35 and T37N, R31E, Sections 1, 2, 11, 12. Forest Plan: 8; INFISH. Scoping is completed. Establishment report expected 12/00. EA expected for public review 3/01. Decision Summer 2001. Implementation Summer 2001. Contact Rod Clausnitzer, 509/826-3278.
-

Forest-Wide Projects

Timber Stand Improvement

- **Forest-Wide TSI:** Precommercial thinning and prescribed fire to improve stand conditions. Various sites forest-wide. Forest Plan: 4, 5, 14, 25, 26. NWFP: Matrix, LSR, Key Watershed; PACFISH, INFISH. Scoping is completed. EA being finalized and expected for public review Fall 2000. Decision expected Winter 2000/2001. Implementation Summer 2001. For specific information, contact Jan Flatten, 509/826-3277.

Noxious Weeds

- **Noxious Weed Program:** Treat noxious weed species that are difficult to control with non-chemical methods, manage previously treated sites where non-chemical methods have not been effective to control weed spread or where treatment of noxious weed populations with non-chemical methods are too expensive. Treatment locations are forest-wide. Forest Plan: Various. Scoping to begin 7/00. EA out for public review 9/00. Decision expected 12/00. Implementation Spring/Summer 2001. Contact Mel Bennett, 509/826-3164.
-

Management Area Crosswalk (MA)

Forest Plan	Northwest Forest Plan	New MA
4	LSR	30
4M	LSR	31
5	LSR	32
5	Matrix	33
7	Administratively Withdrawn	34
8	Administratively Withdrawn	35
10	Administratively Withdrawn	36
10	LSR	37
14	LSR	38
14	MATRIX	39
15A	Congressionally Reserved	40
15B	Congressionally Reserved	41
17	LSR	42
17	Matrix	43
17	Administratively Withdrawn	44
24	LSR	45
25	LSR	46
25	Matrix	47
26	LSR	48
26	Matrix	49
5	Administratively Withdrawn	50
14	Administratively Withdrawn	51
26	Administratively Withdrawn	52



United States
Department of
Agriculture

Forest
Service

Wenatchee
National
Forest

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Voice (509) 662-4335

RECEIVED

File Code: 1950

JUL 05 2000

Date: July 3, 2000

OKANOGAN COUNTY COMMISSIONERS

Okanogan County Commissioners Office
P.O. Box 791
Okanogan, WA 98840

Cmr. 1
Cmr. 2
Cmr. 3

Dear Commissioners:

Thank you for your letter of June 27, 2000, notifying us of your desire to participate in federal land use planning efforts undertaken by the U.S. Forest Service within the borders of Okanogan County or surrounding counties. Let me assure you that I am committed to a cooperative relationship between the Forest Service and Okanogan County. The County has long been a valued participant in National Forest management, and I consider your voice important as we continue to work towards the best decisions relating to the National Forest. As such, I encourage and welcome your input.

In keeping with this commitment to a continuing dialogue with the County, I am enclosing a copy of our latest Schedule of Proposed Actions (SOPA) for that part of the Okanogan and Wenatchee National Forests that is within Chelan County, adjacent to Okanogan County. The SOPA describes proposed projects for which documents such as an Environmental Impact Statement or Environmental Assessment will be required, as well as for activities which are likely to be documented in a Decision Memo (categorical exclusions), and the individual contacts for each project. You will also receive future quarterly mailings of this schedule. At this time, the SOPA that covers that portion of the two Forests that is within Okanogan County is published separately. We plan to merge the two schedules sometime in the future, but until that time, you will also receive mailings of the Okanogan SOPA.

I would also like to encourage your continued active participation in the Eastern Washington Cascades Provincial Advisory Committee (PAC) meetings. This is one of the best ways to maintain your distinct local government role in the Forest management planning process.

I plan to encourage a relationship of mutual trust and respect between the County and the Forest Service, and hope that our ties will only be strengthened in the future.

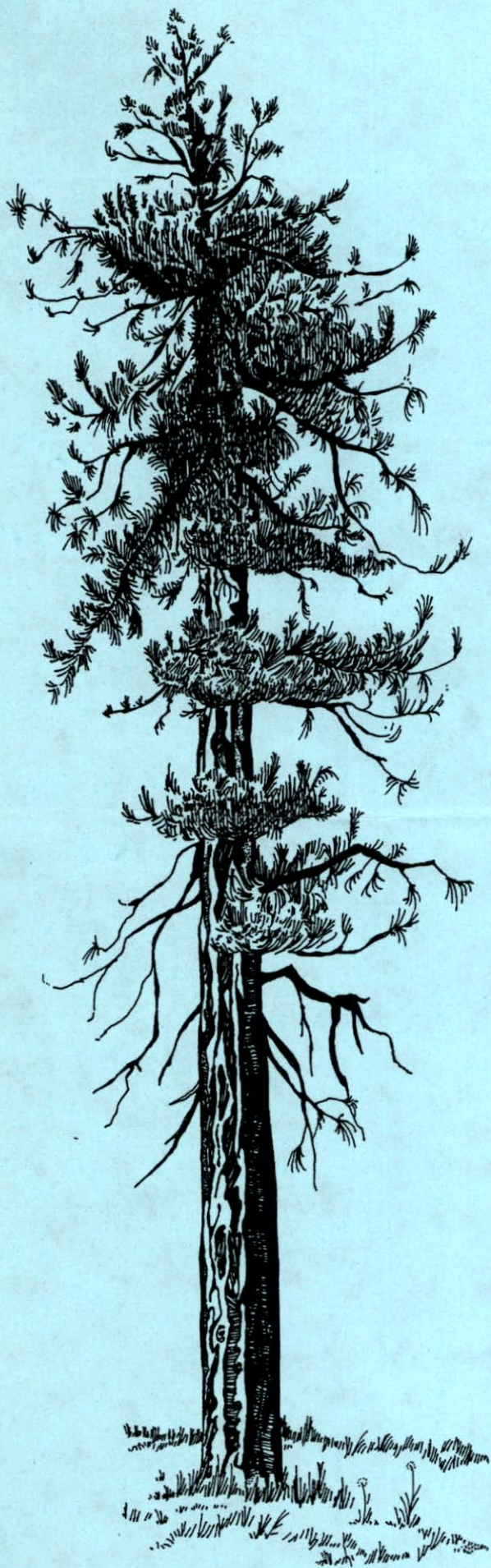
Sincerely,

Sonny J. O'Neal (for)

SONNY J. O'NEAL
Forest Supervisor

Enclosure





SCHEDULE OF PROPOSED ACTIONS

**Wenatchee
National Forest
Lands Within
Chelan County**



**JULY—SEPTEMBER
2000**

SCHEDULE OF PROPOSED ACTIONS

Enclosed is the third edition of our 2000 "Quarterly Schedule of Proposed Actions" (SOPA). This document will keep you posted on the status of management activities proposed for the Wenatchee National Forest. Some unexpected activities may require analysis after publication of this schedule. In these cases, the notice and status of the project will be included in the next quarterly schedule. The purpose of the SOPA is to provide you with informal notice of the proposed projects we plan to analyze in the coming months, and to give you a feel for the kind and amount of activity occurring.

The following schedule covers the period from **July 1 through September 30, 2000.** It includes several items of information to help you decide if you want to contact the appropriate office for more information or make comment on the proposed activity. An explanation of each of these items follows:

RANGER DISTRICT

This identifies the location of the proposed action: The main heading will be one of the six Ranger Districts: Chelan, Entiat, Leavenworth, Lake Wenatchee, Cle Elum, or Naches. Occasionally, a proposed action may involve more than one Ranger District or the Supervisor's Office. In this instance, the Supervisor's Office will be identified as initiating action.

PROJECT NAME AND DESCRIPTION

This identifies the name of the proposed project and describes the type of activity that is planned. Examples of project descriptions include: timber sales, precommercial thinning, trail construction, road construction, fish habitat enhancement, watershed rehabilitation, campground construction, grazing allotment management plan, wildlife habitat improvement, etc.

LEGAL DESCRIPTION

This is the township, range, and section(s) where the proposed action is located so that it can be readily located on a Forest Service map.

CONTACT PERSON

This shows the name of the person leading the team preparing the required NEPA documentation. You can get more information about the project from this individual.

SCOPING BEGINS

This identifies the estimated date that formal scoping (identification) of issues, concerns, and opportunities will begin in the environmental analysis as required by the National Environmental Policy Act (NEPA). You should contact the appropriate Ranger District if you would like to get on the mailing list for information on a proposed activity.

DECISION DATE

This is our best estimate of when the NEPA analysis will be finished and the decision made on whether to proceed with the project. Sometimes the decision date will change due to unforeseen circumstances. Changed dates will be reflected in the next quarterly schedule.

STATUS OF ENVIRONMENTAL ANALYSIS

This item includes dates of any legal notices or decision documents involving the proposed project, and/or how far along the project is within the environmental analysis process.

Wenatchee National Forest

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Entiat District Ranger
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Lake Wenatchee District
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Catherine Stephenson
Cle Elum District Ranger
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Cle Elum, WA 98922
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(509) 674-9770 (Voice/TTY)

Glenn Hoffman
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(509) 548-4067 (Voice/TTY)

Randall Shepard
Naches District Ranger
10061 Highway 12
Naches, WA 98937
(509) 653-2205 (Voice/TTY)



THE NEPA PROCESS

The National Environmental Policy Act (NEPA) established a process to ensure that good quality, environmental information is available to government officials and to the public before decisions are made. The steps involved in the NEPA process for site-specific project planning are defined by regulation (40 CFR Parts 1500-1508) and by policy (Chapter 1950 of the Forest Service Manual, and Forest Service Handbook 1909.15). The purpose of this process is to ensure that environmental information is available to the public during the steps leading up to a decision, as well as to foster better decisions about activities that affect the environment. The main steps involved in this process are:

Scoping

The procedure by which the Forest Service identifies the important issues and determines the extent of the analysis necessary to make an informed decision on a proposed action. This process includes both public and internal involvement, and is accomplished through public meetings, letters, field trips, or by phone. It is ongoing throughout the analysis.

Identifying Issues

Issues identified during scoping are reviewed through an interdisciplinary process for possible significance, in order to determine those deserving of being analyzed in further depth. The Responsible Official approves the list of significant issues. Those issues determined not to be significant or which have been covered by prior environmental review are eliminated from further detailed study.

Developing Alternatives

This is the heart of the environmental analysis. After the significant issues concerning a proposed action have been identified, an interdisciplinary team develops a range of reasonable alternatives to the proposed action which meet the purpose and need for the proposal, and which respond to the significant environmental issues in different ways. This step is an opportunity to see how the issues have been addressed by the different alternatives.

Analyzing Effects

In this step, the interdisciplinary team analyzes the environmental effects of implementing each alternative. These include effects to the resources (physical and biological) as well as to people (social and economic). The alternatives are compared on the basis of the effects. This analysis is used by the responsible official in arriving at a decision.

Making Decisions

Following completion of the analysis, the Responsible Official issues a decision. The decision document will be different for different kinds of environmental documents. The kind of environmental document produced, in turn, is dependent on the nature of the proposed action and the significance of the environmental effects. Following are different kinds of environmental documents and the corresponding decision documents that may be used:

Environmental Impact Statement (EIS):

A detailed written statement that documents the environmental analysis process. This kind of document is used where the proposed action falls into certain classes of actions predetermined to require an EIS, or where it may have significant environmental effects. Decisions made through an EIS are documented in a Record of Decision (ROD).

Environmental Assessment (EA):

A concise public document that describes the purpose and need for an action, the proposed action, the issues, and the alternatives and their environmental effects. Associated with an EA is the Finding of No Significant Impact (FONSI), which briefly presents the reasons why an action will not have a significant environmental effect. An EA may also lead to an EIS if it is determined that the action could result in significant impacts. A decision made through an Environmental Assessment is documented in a Decision Notice (DN).

Categorical Exclusion:

A category of actions that may be excluded from documentation in an EIS or EA. Scoping occurs on all proposed actions and many actions that are categorically excluded have a project file documenting the analysis. Most decisions arrived at through a categorical exclusion are documented in a Decision Memo (DM).

WENATCHEE NATIONAL FOREST

Wenatchee National Forest Manual Noxious Weed Control

This project involves the development of a checklist to meet requirements of the National Environmental Policy Act, when manually controlling weeds Forest-wide. This checklist will allow for rapid response to both new and established weed infestations by providing a means to assess the effects of minor manual control actions.

Forest-wide

Contact: Terry Lillybridge (509) 662-4233

Scoping Began: 9/99

Estimated Decision Date: 9/00

Pacific Northwest Region Douglas-fir Tussock Moth Project

Short-term treatments with a biological insecticide to maintain existing desired stand structure and tree condition.

Colville, Okanogan, Wenatchee, Malheur, Fremont, Ochoco, Umatilla, Wallowa-Whitman, and Winema National Forests.

Contact: Bill Funk, Regional Coordinator, (503) 808-2984

Scoping Began: 3rd quarter 1999.

Status: Final EIS was released 4/00

Record of Decision Signed: 5/26/00 for the Colville, Umatilla, Wallowa-Whitman, Malheur, Ochoco, and Fremont National Forests.

Second ROD to be Signed: After completion of consultation with US Fish and Wildlife Service for Okanogan, Wenatchee, Winema, and a portion of the Umatilla National Forests.

We encourage your comments during the environmental analysis process for any or all of the projects listed in this schedule. However, please be aware that your names, addresses, and comments become part of the public record for those specific projects and may be subject to public disclosure.

Forest Service Roadless Area Conservation

National Roadless Area analysis for proposed new regulations to protect certain roadless areas within the National Forest System. The proposed action would prohibit future road construction and reconstruction in inventoried roadless areas, but would allow the local forest planning process to determine whether and how to protect additional roadless area characteristics. Existing public access to roadless areas would remain unchanged.

Nation-wide

Contact: Paul Hart, Wenatchee NF, (509) 662-4335

Scoping began: October 1999

Status: DEIS released May 2000; public comments due July 17, 2000

Estimated Decision Date: December 2000

The Schedule of Proposed Actions, and other Forest information can now be found on our website at:

www.fs.fed.us/r6/wenatchee

If you are no longer interested in receiving these mailings, call 509-662-4335, or write:

WNF Planning
215 Meody Lane
Wenatchee, WA 98801

CHELAN Ranger District

Exotic Vegetation Management of Common Crupina Environmental Impact Statement

Common Crupina is a noxious weed in the upper Lake Chelan-Sawtooth Wilderness. This analysis is an integrated weed management project to develop alternative strategies for management of Common Crupina, based on experience gained in hand pulling this weed in the Wilderness over a 10-year period.

T31N, R18E, Sec 2-3, 12-13

T31N, R19E, Sec 18-19, 29-30

T32N, R18E, Sec 28, 33-34

Contact: Rick Acosta (509) 682-2576

Scoping Began: 1/93

Estimated Decision Date: Notice of Intent Expected 8/00; Draft Environmental Impact Statement expected 1/01.

First Creek II

This project is located in a portion of the 1994 Tyee Fire and was previously analyzed by the First Creek Basin Restoration Project EIS. The current analysis will reevaluate the area/analysis to determine if opportunities exist for fuel reduction and commercial removal of dead material outside of roadless areas.

T27N, R21E

T27N, R20E

T28N, R20E

Contact: Joe Kastenholz (509) 682-2576

Scoping Began: 7/99

Estimated Decision Date: 8/00

Chelan Ranger District Office Accessibility

This project analyzes the effects of modifying the front entrance way to the Chelan Ranger District office to allow for full accessibility as required by the Americans with Disabilities Act. The office is located in the town of Chelan, WA.

Contact: Rick Acosta (509) 682-2576

Scoping Began: 6/99

Estimated Decision Date: 8/00

Field's Point Float Plane Special Use Permit

Analysis of Chelan Airways proposed use of Field's Point Area for its floatplane operation. Field's Point Landing is located along the South Lakeshore Road 16 miles from the city of Chelan.

T29N, R21E, Sec 33

Contact: Rick Acosta (509) 682-2576

Scoping Began: 12/99

Estimated Decision Date: 9/00

Holden Village Drain Field

Analysis to determine the effects of a proposed drainfield relocation project for Holden Village Organization Camp. The collection of information on location, construction needs and affected environment in Railroad Creek has begun.

T31N, R17E, Sec 7-8

Contact: Margi Peterson (509) 682-2576

Scoping Begins: 5/00

Estimated Decision Date: 7/01

Echo Ridge Road Improvements

An analysis to determine the effects of improving the road to Echo Ridge Nordic Area by widening it to provide for safe winter driving needs.

T28N, R22E, Sec 10-11

Contact: Lisa Therrell (509) 682-2576

Scoping Began: 6/00

Estimated Decision Date: 9/00

Schwecke Road Easement

An analysis to determine whether or not to convert the Schwecke Road Special Use Permit to an easement agreement has just begun. The project is located just north of Moore Point on Lake Chelan.

T32N, R18E, Sec 28

Contact: Joe Kastenholz (509) 682-2576

Scoping Began: 6/00

Estimated Decision Date: 8/00

Chelan (continued)

Safety Harbor Shelter Construction

An analysis to determine the effects of constructing a shelter at Safety Harbor Campground located about 25 nautical miles from Chelan.

T30N, R19E, Sec 31

Contact: Margi Peterson (509) 682-2576

Scoping Began: 6/00

Estimated Decision Date: 9/00

Toilet Replacement at Domke Falls and Big Creek Campgrounds

Analysis of effects of pit toilets replacements with vault toilets at Domke Falls and Big Creek Campgrounds in the upper portion of Lake Chelan.

T29N, R19E, Sec 2; T31N, R18E, Sec 24-25

Contact: Margi Peterson (509) 682-2576

Scoping Began: 6/00

Estimated Decision Date: 9/00

Should you wish additional information, or wish to comment on any proposal, you may call or write the "contact person" listed for each projects. We urge you to contact the appropriate office with respect to any projects that you may have an interest in. Early involvement assures that your concerns are known to the Responsible Official so these can be recognized and addressed in the analysis and documentation. By expressing an interest in a specific action, you will have the opportunity to receive copies of all environmental documents and decision documents produced for that specific action.

We encourage your comments during the environmental analysis process for any or all of the projects listed in this schedule. However, please be aware that your names, addresses, and comments become part of the public record for those specific projects and may be subject

If you are a past recipient of the "SOPA", you may notice some changes in estimated decision dates, as well as other changes and additions or deletions of projects in the current schedule. This is due to a combination of factors, including new priorities, changed circumstances, and the normal

ENTIA Ranger District

Multiple-Trail Bridges – New Construction and Trail Rerouting

Installation of four new trail bridges is planned. Three of the bridges will replace four existing hardened ford crossings of the Mad River. The other bridge location replaces a ford over Tommy Creek. The locations of these bridges are as follows:

- Upper Mad River Trail 1409.1 crossing of Mad River in Section 29, T28N, R18E.
- Upper Mad River Trail 1409.1 crossing of Mad River in Section 31, T28N, R18E at Lost Lake Trail 1421.
- Relocation of .75 miles of trail to the west side of the Mad River between the above two described bridge locations. This will allow the removal of the existing ford in Section 30, T28N, R18E and the obliteration of the existing .75 Miles of Trail 1409.1 on the east side of the Mad River.
- Middle Tommy Trail 1424 crossing of Tommy Creek in Section 14, T28N, R18E.

Contact: Randy McLandress (509) 784-1511

Scoping Began: 4/00

Estimated Decision Date: Completion of analysis is pending the outcome of a wildlife cumulative effects study.

The Schedule of Proposed Actions, and other Forest information can now be found on our website at: www.fs.fed.us/r6/wenatchee

If you are no longer interested in receiving these mailings, call 509-662-4335, or write:

WNF Planning
215 Meody Lane
Wenatchee, WA 98801

Swakane Canyon and Adjacent Columbia River-facing Drainages Ecosystem Restoration Project

Analysis of vegetation and road conditions on forested and non-forested areas within the Swakane Canyon watershed is being expanded to include adjacent drainages that face the Columbia River. Proposed actions in this area could include commercial timber sales, non-commercial thinning of conifer or hardwood vegetation, existing road reconstruction, obliteration or closure, new road construction, and underburning.

T25N, R19E, Sec 22, 26, 27, 34, 35

T24N, R19E, Sec 1-2, 12-13, 24

T24N, R20E, Sec 1-12, 14, 15, 17, 19, 20, 21, 28, 30 T25N, R20E, Sec 26, 31, 34, 35

Contact: Matt Dahlgreen (509) 784-1511

Scoping Began: 1/98

Estimated Decision Date: 12/00

Noxious Weed Control for the eastern Entiat Mountains (Mills Canyon area) and Tenas George Canyon.

Control or eliminate noxious weeds (Dalmatian toadflax and knapweed) from proposed area and prevent further spread to other, non-infested areas using manual, mechanical, and chemical methods. Maintain and enhance biodiversity. In addition to other resources, the use of volunteers is proposed.

T24N, R20E, Sec 11-13

T25N, R20E, Sec 27 and 34

Contact: Roger Amerman (509) 784-1511

Scoping Began: 6/99

Estimated Decision Date: 9/00

ENTIAT (continued)

Noxious Weed Control for Tommy Creek Roaded Area

Control or eliminate noxious weeds (Dalmatian toadflax and knapweed) from proposed areas and prevent further spread to other, non-infested areas through manual, mechanical, and chemical methods. Maintain and enhance biodiversity and habitat integrity in proposed areas. In addition to other resources, the use of volunteers is proposed. This action formerly included the Swakane Canyon Road, which is included in the ongoing Swakane Canyon analysis.

T28N, R18E, Sec 9-10, 14-15 (FS Road 5605)

Contact: Roger Amerman (509) 784-1511

Scoping Began: 4/99

Estimated Decision Date: 9/00

Noxious Weed Control for Mad River Trail Area

Control or eliminate noxious weeds (knapweed) from proposed trail areas and prevent further spread to other, non-infested areas through manual, mechanical, and chemical methods. Maintain and enhance biodiversity. In addition to other resources, the use of volunteers is proposed.

T26N, R19E, Sec 3 and 10

Contact: Roger Amerman (509) 784-1511

Scoping Began: 10/99

Estimated Decision Date: 9/00

Wenatchee Sunrise Rotary Bicycle Ride

The Wenatchee Sunrise Rotary Club is sponsoring a DATE bicycle ride from Wenatchee to Silver Falls. About 5 miles of the route is on Forest Road 5100.

T28N, R19E, Sec 19, 20, 29

T28N, R18E, Sec 1, 2, 12, 13, 24

Contact:

Scoping Began: 1/00

Decision Date: Special use permit was issued under a Categorical Exclusion Decision Memo.

Event occurred 5/29/00.

Should you wish additional information, or wish to comment on any proposal, you may call or write the "contact person" listed for each projects. We urge you to contact the appropriate office with respect to any projects that you may have an interest in. Early involvement assures that your concerns are known to the Responsible Official so these can be recognized and addressed in the analysis and documentation. By expressing an interest in a specific action, you will have the opportunity to receive copies of all environmental documents and decision documents produced for that specific action.

We encourage your comments during the environmental analysis process for any or all of the projects listed in this schedule. However, please be aware that your names, addresses, and comments become part of the public record for those specific projects and may be subject to public disclosure.

LAKE WENATCHEE Ranger District

Hidden Lake Trail #1510 and Trailhead Relocation

The District is proposing to relocate the Hidden Lake Trailhead due to inadequate parking at the existing site within the Glacier View Campground. Project would construct about 1/2 mile of new trail. The existing trail would continue to be managed as a trail route from the campground.

T27N, R16E, Sec 23

Contact: Paul Schaefer (509) 763-3103 ext. 232

Scoping Began: 3/99

Estimated Decision Date: 7/00

Mineral Materials Sale

A local contractor near Lake Wenatchee has submitted an application to purchase and mine surface rock near Sears Creek. The proposed mining area is located along a road system. This rock is a flat building rock used for patios, walkways, and other landscaping purposes.

T28N, R16E, Sec 30

Contact: Brian Helseth (509) 763-3103 ext. 259

Scoping Began: 11/96

Estimated Decision Date: 8/00

Upper Canyon Road #6404-511 and Beaver Pond Restoration

This project will repair erosion occurring along a brushed-in road spur #6404-511. Damage is occurring from current beaver activity upslope, which moves water over the road prism, downslope into beaver ponds. The plan is to remove 3 culverts, rip/decommission 1 mile of road, and plant aspen/cedar/willow in the wetlands. Signs will be placed describing the project, and future proposals for this road system. This project is within the White River drainage, and inside the Little Wenatchee Late Successional Reserve.

T28N, R15E, Sec 13 (SW 1/4), Sec 24 (NE 1/4)

Contact: Daniel Rife/ Heather Murphy (509)

763-3103 ext. 222/ 221

Scoping Began: 2/99

Estimated Decision Date: 9/00

Fish Lake Sno-Park Groomer Building

This project would construct a new 70' x 30' x 14' dark brown metal sided administrative building on a cement slab. The building would be located just south of the intersection of Forest Roads 6200 (Chiwawa River Road) and 6121, at the north end of the Sno-Park. Access to the building would be provided by a new 300' long gated road that would be open for administrative use only. The project would also permanently close a 300' long user built access road across from the new road. The building would provide a secure location to store, inspect and maintain Washington State owned/funded snow groomers utilized for grooming the Lake Wenatchee to Entiat route system. There would be no changes to the route system due to this proposal. The project is located in land use allocations Matrix and Scenic Travel Retention. The project is also in the Maintstem Wenatchee Watershed. The project is not located in Riparian Reserve or Roadless Area, and has dense screening vegetation adjacent to the roads.

T27N, R17E, SE ¼, NE ¼ Section 14

Contact: Paul Sandford or Roger Ross, (509) 763-3103, ext. 200/ 233

Scoping Began: 6/00

Estimated Decision Date: 9/00

LSR Pruning/Thinning/Fuels Reduction

This project is located in the Chiwawa LSR, within the Twin Creek area. The proposal is to prune, thin and pile burn two plantation units. The emphasis is to accelerate tree growth in older LSR plantations, to return late-successional habitat in a shorter time frame. Priority areas are habitats in higher fire risk and in areas identified as disrupted habitat connectivity. Up to 30 acres would be treated.

T28N, R18E, NW ¼ Sec 35

T28N, R18E, SW¼ Sec 26

Contact: Glen Ferrier/ Heather Murphy (509)

763-3103 ext. 256/ 221

Scoping Began: 2/99

Estimated Decision Date: 8/00

LAKE WENATCHEE (continued)

Sears Creek Road #6404

Decommissioning/Floodplain

Restoration/Interpretive Trail Construction.

This project would remove the last 0.75 miles of Road #6404 to restore the floodplain function to natural conditions, which would decrease damage from high flow floods. Includes reestablishing access to 0.5 miles of old oxbow habitat to provide high quality salmon and steelhead habitat. An additional 1.2 miles of Road 6404 would be converted to trail. A wetland interpretive trail would be constructed to, and along, a beaver pond system. The trail would cover an additional 0.8 miles in addition to the road-to-trail conversion. The interpretive trail would include stops in old growth, plantation, and wetland/beaver pond areas. This project is within the White River drainage, and inside the Little Wenatchee LSR.

T28N, R15E, Sec 12, 13, 18

Contact: Daniel Rife/ Heather Murphy (509)

763-3103 ext. 222/ 221

Scoping Began: 10/99

Estimated Decision Date: 10/00

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215 Meody Lane
Wenatchee, WA 98801

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LEAVENWORTH Ranger District

Lower Peshastin Ecosystem Restoration

Fuel reduction and improved forest health and sustainability through tree thinning and prescribed fire.

T23N, R17-18E

T22N, R17-18E

Contact: Bob Stoehr (509) 548-6977, ext. 226

Scoping Began: 3/99

Estimated Decision Date: Unknown; waiting for survey results for Survey and Manage species.

Analysis is complete.

Blag Ecosystem Restoration

Fuel reduction and improved forest health and sustainability through tree thinning and prescribed fire.

T24N, R18-19-20E

T25N, R18-19E

Contact: Bob Stoehr (509) 548-6977, ext 226

Scoping Began: 6/00

Estimated Decision Date: 2/01

Dead-Nat Ecosystem Restoration

Fuel reduction and improved forest health and sustainability through tree thinning and prescribed fire.

T26N, R17E

Contact: Bob Stoehr (509) 548-6977, ext 226

Scoping Begins: 9/00

Estimated Decision Date: 7/01

Mission Ridge Ski Area Master Plan

Comprehensive analysis of resort improvements foreseen in the next 10 to 20 years.

T21N, R19E

Contact: Bob Stoehr (509) 548-6977, ext. 226

Scoping Began: 10/96

Estimated Decision Date: 10/00

Analysis is complete.

Leavenworth/Entiat/Lake Wenatchee Range Allotment Plans

Analysis for updating four range allotment plans: Mosquito Ridge, Eagle-Blag, Switchback, Limekiln.

T24N, R18-19E

T25N, R18-19E

T26N, R18-20E

Contact: Bob Stoehr (509) 548-6977

Scoping Began: 4/98

Decision Signed: 5/30/00

PUD Chumstick Transmission Line

Widen existing transmission corridor and add a new high voltage transmission line from the Chumstick Highway to State Highway 2.

T25-26N, R17E

Contact: Denny McMillin (509) 548-6977, ext. 230

Scoping Began: 6/99

Estimated Decision Date: 6/00

Analysis is complete.

PUD Chumstick Transmission Line

Widen existing transmission corridor and add a new high voltage transmission line from the Chumstick Highway to State Highway 2.

T25-26N, R17E

Contact: Denny McMillin (509) 548-6977, ext. 230

Scoping Began: 6/99

Estimated Decision Date: 3/01

New alternative is being analyzed.

Tronsen Trail Reconstruction

Reconstruct the Tronsen Trail from Tronsen Meadow to Little Camas Area. This would involve 5 miles of reconstruction to place the trail in a more favorable location, and avoid private land.

T21N, R18E

T22N, R18E

Contact: Paul Schaefer (509) 548-6977, ext. 232

Scoping Began: 1/99

Estimated Decision Date: Project on hold indefinitely pending development of a process to analyze cumulative effects of trail use on wildlife.

LEAVENWORTH (continued)

Tumwater Mountain Trail Plan: Phase Two

Construct 1.5 miles of non-motorized loop trail connecting Tumwater Mountain Road to Freund Canyon Loop Trail.

T24N, R17E

Contact: Paul Schaefer (509) 548-6977, ext. 232
Scoping Began: 1/99

Estimated Decision Date: Project on hold indefinitely pending development of a process to analyze cumulative effects of trail use on wildlife.

Ski Hill Little Jump Improvement

Shape outrun of a ski jump.

T25N, R17E, Section 36

Contact: Greg Thayer (509) 548-6977, ext 231
Scoping Began: 3/00

Estimated Decision Date: Project on hold pending completion of formal proposal.

Ski Hill Summer Theater Seating Improvement

Replace wooden seating with concrete structure.

T25N, R17E, Sec 36

Contact: Denny McMillin (509) 548-6977, ext 230

Scoping Began: 5/00

Estimated Decision Date: 10/00

If you are a past recipient of the "SOPA", you may notice some changes in estimated decision dates, as well as other changes and additions or deletions of projects in the current schedule. This is due to a combination of factors, including new priorities, changed circumstances, and the normal accomplishment of work being done.

Ruby Tie Spur Share Cost

Enter into Share Cost Agreement with Longview Fibre on an existing road.

T22N, R18E, Sec 8

Contact: Bill Hartl

Scoping Began: 4/00

Decision Signed: 5/26/00

Jumpoff Spur Share Cost

Enter into Share Cost Agreement with Washington State Department of Natural Resources on an existing road.

T21N, R20E, Sec 24

Contact: Bob Stoehr

Scoping Begins: 7/00

Estimated Decision Date: 5/01

We encourage your comments during the environmental analysis process for any or all of the projects listed in this schedule. However, please be aware that your names, addresses, and comments become part of the public record for those specific projects and may be subject to public disclosure.

RECEIVED

AUG 02 2000



OKANOGAN COUNTY COMMISSIONERS

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

15 West Yakima, Suite 200 • Yakima, Washington 98902-3452 • (509) 575-2490

August 1, 2000

Chf. 1 ST
Chf. 2 PAC
Chf. 3 WQ

Okanogan County Commissioners
P.O. Box 791
Okanogan WA 98840

Dear Commissioners Schulz, Thiele and Hirst:

Tom Fitzsimmons asked me to respond to your June 27, 2000 letter. Your letter requests notification of and the opportunity for participation in land use and other planning efforts and decisions undertaken by the Department of Ecology that would directly or indirectly affect Okanogan County residents.

It is the goal of Department of Ecology to notify local governments of both statewide and local activities. The Administrative Procedures Act requires state agencies to provide specific opportunities for formal comment when rule development or rule revision is undertaken. Comment periods and public hearings accompany draft rules. Workshops, public meetings and discussions with specific interest groups provide informal opportunities for input to allow county government as an entity and citizens to participate in forming and revising state regulatory programs that affect communities and individuals.

There are also localized projects and initiatives that require local and state cooperation in order to be most effective in achieving environmental goals and most sensitive to the needs and concerns of Okanogan County residents. Although specific notification requirements are not as clear, it is my hope that through good working relationships and frequent communication we can understand and meet the needs and requirements for County involvement at the appropriate and most meaningful steps of development and implementation.

In response to your specific request for notification of efforts underway, I am including the following lists of current statewide and project specific or geographically specific initiatives, as well as a few that are predicted in the near future. Please let me know if any of these fall in to the realm of state land use or management planning that require further discussion under Ordinance 2000-2.

Revisions to the following rules are scheduled for adoption by the end of the year:

- SEPA Rules (being revised to update the Environmental Checklist for non project actions);
- Shoreline Management Guidelines;
- Model Toxics Control Act.

Revisions to the following rule is scheduled for adoption in early 2001:

- Minimum Functional Standards for Solid Waste.



Other planning, implementation or project work in Okanogan County includes:

- Methow River Watershed Planning (watershed lead staff located in Twisp);
- Methow River Planning Unit Proposal negotiation;
- Discussions and negotiations with valley irrigation districts regarding water rights;
- Water rights compliance assistance and enforcement in the Methow Valley (new staff position located in Twisp);
- Water quality clean up projects (TMDLs) in the Okanogan and Similkameen Rivers;
- Agricultural non point water quality pollution assistance (coordinated with the Okanogan Conservation District);
- Additional metals concentration monitoring of domestic wells near the Alder and Red Shirt mine sites;
- Response to environmental complaints made by citizens and agencies;
- Emergency response to spills and releases to air, soil or water that pose immediate threat to public health or the environment;
- Routine scheduled and unscheduled inspections and compliance assistance visits for each of the regulatory programs (air quality, water quality, hazardous waste, etc);
- Shoreline and solid waste technical assistance to and regulatory oversight of County programs;
- Permit renewals and new permits for projects that have completed SEPA review;
- Biosolids permitting;
- A variety of grant and loan programs to fund specific projects and/or planning efforts.

Other negotiations that Department of Ecology is involved in, along with local groups:

- Agriculture, Fish and Water Negotiations (AFW) underway to create a framework for agriculture to address ESA statewide.

Upcoming development of programs to implement statewide rules:

- Development of burn permit program and possible determination of burn bans to implement the open burning rule, which addresses land clearing and residential burning. Rule requires consultation with county, cities and fire protection authorities.

Please contact me for more information about any of the items listed above. I look forward to working with you to ensure that our communication regarding Department of Ecology's activities in Okanogan County is as effective and meaningful as both of our agencies wish it to be. Please don't hesitate to call me at 509 457-7120.

Sincerely,

Polly Zehm
Regional Director
Department of Ecology
Central Regional Office



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Spokane District
Wenatchee Field Office
915 Walla Walla Avenue
Wenatchee, Washington 98801

RECEIVED

JUL 13 2000

IN REPLY REFER TO:

1600 (134)

OKANOGAN COUNTY COMMISSIONERS

July 12, 2000

Board of County Commissioners
P. O. Box 791
Okanogan, Washington 98840

Dear Commissioners:

The Bureau of Land Management (BLM) is happy to provide you with the information you requested in your June 27, 2000 letter regarding Okanogan County Code Title 18 and Okanogan County Ordinance 2000-3.

There are two projects within Okanogan County in our FY 2000 work plan that have the potential to affect the tax base of the county. One is the proposed Central Washington Assembled Land Exchange that we briefed you on August 24, 1999. The second is the disposition of lands associated with the cleanup of mine waste at the old Kaaba-Texas mine site. I understand that EPA briefed you on this in mid June. Both of these projects are not anticipated to be complete until FY 2001.

In addition, there are a number of routine BLM management projects that are on going in Okanogan County. I have listed these below by program, with a short explanation.

Grazing - BLM's 10 year grazing leases are analyzed through the NEPA process for consistency with our Resource Management Plan and Healthy Rangeland Standards, as they come up for renewal. New grazing projects such as fences or water developments are generally considered in an allotment management plan which we try to cover with the same document. Occasionally individual projects are analyzed separately.

Timber - BLM has some slash burning to complete on our Mineral Hill and Salmon Creek Forest Health projects. These projects were stopped by the Department of Interior burning moratorium this spring and should be completed next spring.

Wildlife Habitat - BLM is analyzing a bighorn sheep habitat improvement project on Mt. Hull. This potentially could involve burning and/or thinning.

Mining - BLM annually receives and processes several Notices of Intent to mine from small mining companies in Okanogan County, mostly along the Similkameen River. We are also processing the patent applications for lands involved in the Crown Jewel Mine. If this goes to patent, it potentially could have some affect on the county tax base. There is also some ongoing revegetation work associated with the Kaaba-Texas mine and discussions with EPA on who will manage the repository and adjacent lands.

Weeds - BLM has an active weed management program in Okanogan County that includes chemical, mechanical and biological control of noxious weeds. We do an annual statewide EA for new project areas.

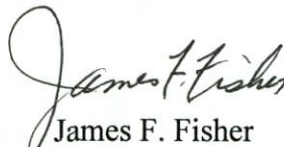
Recreation - We have had initial discussions with Washington State Parks about a fishing and hiking trail between Conconully State Park and the old Ruby townsite. Follow up discussions will likely take place. We have future unfunded plans to upgrade our facilities on Chopaka Lake.

Lands & Realty - Besides the land exchange mentioned above, BLM routinely processes a few rights-of-way or land use permits involving public lands. We have recently began discussing reclamation of the old irrigation canal along the Similkameen River with the OTID. Depending on the alternative selected, BLM may be involved in the proposed Okanogan PUD power line in the Methow.

Other Activities - BLM performs ongoing maintenance of recreation facilities, roads, trails etc. on BLM administered lands. We also routinely do various types of inventories, monitoring, evaluations, and compliance on BLM permits and authorizations within the county. Generally these do not require any NEPA documentation.

I hope the above information fulfills your request. I am available to meet in person to discuss any BLM programs or projects. If there are any questions or concerns, please contact me at the above address, or 509/665-2100.

Sincerely,


James F. Fisher
Field Manager



United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

P.O. Box 3623
Portland, OR 97208-3623
333 First Avenue
Portland, OR 97204

File Code: 6270-1-1
(00-161)

Date: July 24, 2000

Board of County Commissioners
Okanogan, Washington
P.O. Box 791
Okanogan, WA 98840

RECEIVED

JUL 27 2000

OKANOGAN COUNTY COMMISSIONERS

Dear Sirs:

This letter responds to correspondence, dated June 27, 2000, from the Okanogan Board of County Commissioners. The Commission is requesting to be notified of, and granted the opportunity to participate in, all land use or other planning efforts or decision making processes undertaken by the U.S. Forest Service (FS) within the borders of the county, or surrounding counties, that will or may, directly or indirectly, affect the citizens or the tax base of this county. In addition, Okanogan County requests a copy or list of all activities you intend to undertake or plan to participate in, in the coming year.

Forests circulate notice, (formats may vary from Forest to Forest), on a quarterly basis to interested citizens and organizations describing and giving the, status of planned, proposed and ongoing projects within each National Forest (NF). This circulation is called a Schedule of Proposed Activity (SOPA). Along with project information, the name of a person to contact and a telephone number is provided for additional details and questions about a project.

By copy of this letter, I am asking the Okanogan, Wenatchee, and Colville NFs to place the Commission on the mailing list for their SOPA. I also ask that each of those Forests send a copy of the last edition of their SOPA to you.

If your offices have Internet access, we invite you to visit the Okanogan NF website, www.fs.fed.us/r6/oka/. Go to the reading room, and click onto SOPA. This website home page also provides the links you need to access other FS websites.

Sincerely,

SUSAN M. ZIKE
Regional FOIA Coordinator





United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

P.O. Box 3623
Portland, OR 97208-3623
333 First Avenue
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OKANOGAN COUNTY COMMISSIONERS

Cmr. 1 _____
Cmr. 2 _____
Cmr. 3 _____

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Sincerely,

SUSAN M. ZIKE
Regional FOIA Coordinator



Caring for the Land and Serving People

Printed on Recycled Paper



Coordinating Committee

September 5, 2000

Commissioners Hearing Room 10:15 am

Present:

Gary Oestreich, Chairman, Daryl Asmussen, Charles Williams, Richard Dart, Jerry Bowes, Dick Ewing, Jerry Theis and Sheilah Kennedy

Meeting was called to order by Chairman Oestreich at 10:30am.

Dick Ewing explained and clarified the questions the Coordinating Committee had from their August 31st meeting. There was discussion.

It was agreed by all present, unanimously, to support the Claim as submitted by Dick Ewing, Chairman of Water Subcommittee.

Chairman Oestreich, of the Coordinating Committee will present the Complaint to the Okanogan County Commissioners at 11:00 am Tuesday, September 5, 2000.

Respectfully submitted by:


Sheilah Kennedy, Secretary

Approved by:

Gary Oestreich, Chairman

Sub Committee Chairmen:

Daryl Asmussen, Agriculture
Richard Dart, Mining and Minerals
Jerry Bowes, Property Rights
Charles Williams, Land use & Acquisitions
Jerry Theis, Forest
Gary Oestreich, Culture & Resource
Sheilah Kennedy, Clean Air

TO: Okanogan County Commissioners

FROM: Early Winters Ditch Company

DATE: August 28,2000

SUBJECT: ORDINANCE NO.2000-2

As of August 21,2000 NMFS forced us to shut off our ditch to our members to whom we have an obligation to deliver water to as a ditch company. Our members are now suffering hardships related to the lack of water for their crops and livestock, which is their "custom, culture, and economic stability". This action to close the Early Winters Ditch is the result of the ESA listing of Spring Chinook and steelhead as endangered and bull trout as threatened. This action by NMFS violates Article III Section: 18.04.060 & Section: 18.04.080 & Section: 18.04.100 & Section: 18.04.120 & Section: 18.04.130 of the Ordinance No.2000-2 that you as our Commissioners signed on May 2, 2000. As we understand the text of this ordinance you can say they (NMFS, USFS) are in violation of the whole ordinance, We the Early Winter Ditch Co. are seeking your **ACTION** in resolving this denial of our **WATER RIGHTS** and **ENVIRONMENTAL HARMONY**. The most important thing right now is getting our headgate reopened and water back to our members. So the Early Winters Ditch Company and its members are asking the Okanogan County Commissioners to prosecute the parties responsible for our water being held from us. This is not a time for jumping through hoops in an appeals process; this needs immediate attention and resolution!

rt

Board members;
Steve Devin
George Turner
Roger Townsend
Ken Brown

**OKANOGAN COUNTY LANDUSE ORDINANCE
WATER SUBCOMMITTEE MEETING**

August 31, 2000

Held at 6:30PM at the Cedars Restaurant
Omak, WA

Persons in attendance:

Noble Law, Tonasket*	Ralph Longanecker, Tonasket*
Gary Osterich,	Jerry Bowes
Dick Ewing, Methow Valley*	Jerry Barnes, Loomis*
Tom Scott, Oroville*	Tom Sullivan, Okanogan Irrigation Dist*.
* Water subcommittee members	

The meeting was called to order at 7:20 for the purpose of considering the attached complaint submitted by the board of Early Winters Ditch Company on August 28th.

Some background information was exchanged for the benefit of the subcommittee members. It was noted that the EW Ditch board did not accept the 35 cfs target flow, mentioned in the Biological Opinion issued by National Marine Fisheries Service (NMFS) on August 2nd. They did not sign an agreement committing to shutting off their ditch at 35 cfs flow in Early Winters Creek. The base flow for WRIA 48 for Early Winters Creek is 8 cfs for August and 11 cfs for September. It is important to note that 8cfs or 0.8 of a foot was allowed for Wolf Creek before Wolf Creek Reclamation District is required to shut off. We were not able to establish what the 1 in 10 year naturally low flow is.

The complaint filed by the EW Ditch Company cited several sections of Okanogan County Ordinance 2000-2 as a basis for their complaint: Article III, Sections 18.04.060, 18.04.080, 18.04.100, 18.04.120, & 18.04.120. These were discussed by section and relevant points noted.

18.04.060:

Section A: Early Winters and the County were notified by the U.S. Forest Service, but no mitigating measures were provided to water users, nor was a detailed assessment made on the specific affects upon the customs or culture of the persons affected.

Section B: The water committee had a question as to the relevance of this section because they thought the right to Farm Act applied to the issues like dust, noise, odors or the application of chemicals in farming practices. The curtailing of an agricultural activity or abridgment of an individual's ability to farm would not relate to these provisions secured in the Act.

Section C: Turning off water key to agricultural practices would be a form of obstruction or making the activities financially inefficient.

Section D: NMFS and USFS have not shown adequate consideration for customary use of the lands associated with EW Ditch.

18.04.080:

Section A: Same violations as noted in 18.04.060, section A. In addition lack of water increases fire hazard and the rural nature and ascetics associated with the ditch.

Section B: Associated with the ditch is habitat that various forms of wildlife depend upon. This will be made more fallow. Aaron Burkhar's wilderness outfitter business will be economically affected by increased cost, impacting a business that provided wilderness experiences for people visiting the Methow Valley.

Section C: It is not known to what extent the County was notified of various actions to be taken regarding the ESA listing of fish species. However, with regard to ii) there is more information surfacing that makes the listing of the species suspect and that best available science is not being used; iii) NMFS and consequently USFS are not recognizing the Okanogan County Zoning Ordinance, the water already saved, the naturally low flow performance cycle of the Methow in late summer season and fall, the upgrades made on screens and passage barriers which have been rectified; iv & v) the various agencies are not operating from an accepted recovery plan, it is quite obvious as local effort has gained more information and challenged the agencies on stream flows that they do not have accurate scientific information nor have they considered economic impacts; vi through xi) There are scientific observations being made such as snorkeling in E.W. Creek. Very few listed fish have been observed. There are no passage problems nor is fish survivability being threatened by operation of the ditch. The committee is not aware of any plan or documentation that has been exchanged with the County that justifies the turn off or has prospects for successful recovery of the species.

18.04.100:

While the focus is upon the current federal actions, the committee posed a question: "Is not the State of Washington also culpable in the matter for not protecting our water rights?"

Section A: There has been no statement of intent to change or modify water rights, yet the use of target flows has essentially modified the E.W. Ditch water right. No account has been given of this fact or compensation provided for changing the customary use of the E.W. Ditch water right.

Section B: Violation of the 1977 Basin Plan that is in current affect for WRIA 48 and a water right has clearly occurred.

Section F: The current action has clearly sidestepped the County's authority in B, C & D. It seems clear to the committee that the federal agencies have not consulted or coordinated with the County in this matter. The Methow Basin Planning Unit that has the charter for developing a watershed management plan is being preempted by the numerous actions of NMFS that are occurring or in progress prior to development of such a plan and completion of the studies that are foundational to this plan. Consequently, there is no assurance that water rights are being preserved and the free use there of.

18.04.120:

The subcommittee could not determine the application of this article to the complaint.

18.04.130:

It is the subcommittee's understanding that a water right in State law is a property right. The action to shut down the E.W. Ditch would therefore be an abridgement of their right, the customary lifestyle of the people and business affected by this curtailment. In light of the provisions in Section A and the accountability noted in Section B the subcommittee has concluded it is appropriate to protect the water right of E.W. Ditch and hold accountable the agency and/or employee accountable for the decision to shut down their ditch.

SUMMARY OF RECOMMENDATION:

For the reasons cited above, the Water Subcommittee recommends that the Coordinating Committee shall receive this complaint by Early Winters Ditch Company board as a valid complaint for consideration by the Commissioners of Okanogan County.

The meeting was adjourned at 8:55PM.

Commissioners
Edwin E. Thiele
Dave Schulz
Robert C. Hirst

Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

Washington state Dept. of Natural Resources
Jennifer Belcher, Commissioner of Public Lands
P.O. Box 47000
Olympia, WA 98504-7000

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the Washington state Dept. of Natural Resources within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

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Pursuant to the above cited regulations, the opportunity for participation given to local governments is a distinct process and such notice should be given to local governments before the general public is asked to comment on a federal or state land use or management plan.

Thank you for your cooperation.

BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON


Dave Schulz, Chairman


Edwin E. Thiele, Member


Robert C. Hirst, Member

Commissioners
Edwin E. Thiele
Dave Schulz
Robert C. Hirst

Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Fish & Wildlife
John Reynolds, Regional Director
600 Harrison Street, Suite 600
San Francisco, CA 94107-1372

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Robert C. Hirst

Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers

Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Army Corps of Engineers
Ltc. William Bulen Jr, District Engineer
201 N. Third Avenue
Walla Walla, WA 99362-1876

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

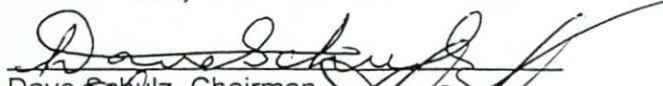
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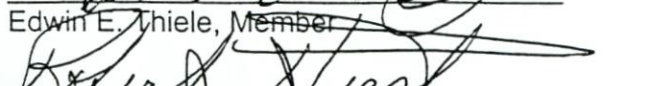
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Dave Schulz
Robert C. Hirst

Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

Bureau of Land Management
915 Walla Walla Ave
Wenatchee, WA 98801

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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

Washington State Dept. of Fish & Wildlife
1550 Alder Street NW
Ephrata, WA 98823-7669

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

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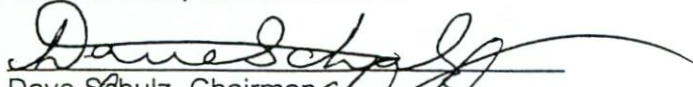
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237 Fourth North – Administration Building

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Clerk of the Board
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June 27, 2000

U.S. Forest Service
215 Melody Lane
Wenatchee, WA 98801

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**Okanogan County
Commissioners' Office**

237 Fourth North - Administration Building

Admin. Coordinator

Dan Powers

Clerk of the Board

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June 27, 2000

Washington State Dept. of Fish & Wildlife
Dr. Jeff Koenings Director
600 Capitol Way North
Olympia, WA 98501

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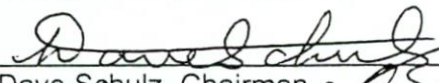
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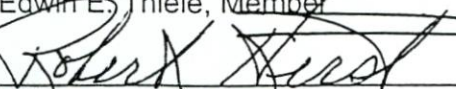
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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
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Clerk of the Board
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June 27, 2000

Department of Natural Resources
P.O. Box 190
Colville, WA 99114

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Admin. Coordinator
Dan Powers

Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Forest Service
502 Glover Street
Twisp, WA 98856

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the U.S. Forest Service within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

In addition, Okanogan County requests a copy or list of all activities your federal agency will undertake or plan to participate in, in the coming year. Okanogan County requests this list so that the county can coordinate and ensure consistency between federal/state land planning and management activities and local land use plans and other projects.

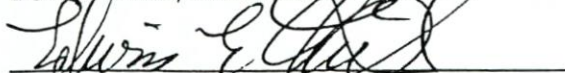
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Thank you for your cooperation.

BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON



Dave Schulz, Chairman



Edwin E. Thiele, Member



Robert C. Hirst, Member

Commissioners

Edwin E. Thiele

Dave Schulz

Robert C. Hirst

**Okanogan County
Commissioners' Office**

237 Fourth North – Administration Building

Admin. Coordinator

Dan Powers

Clerk of the Board

Brenda J. Crowell

June 27, 2000

U.S. Forest Service
1 West Winesap
Tonasket, WA 98855

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

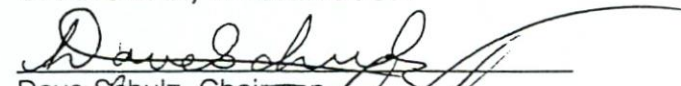

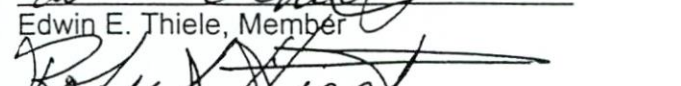
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**BOARD OF COUNTY COMMISSIONERS
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Robert C. Hirst, Member

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**Okanogan County
Commissioners' Office**

237 Fourth North – Administration Building

Admin. Coordinator

Dan Powers

Clerk of the Board

Brenda J. Crowell

June 27, 2000

U.S. Environmental Protection Agency
Dixon McClary, special Agent in Charge
1200 Sixth Ave, Mail Code CID-073
Seattle, WA 98101-9797

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

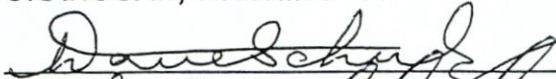
Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the U.S. Environmental Protection Agency within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

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Robert C. Hirst, Member

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Robert C. Hirst

Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Fish & Wildlife
William Walters, Deputy Regional Director
909 First Avenue, Suite 546
Seattle, WA 98104-1060

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

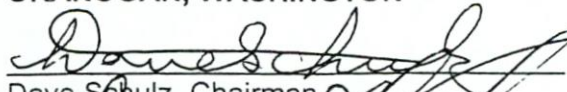
Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the U.S. Fish & Wildlife within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

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Robert C. Hirst, Member

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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers

Clerk of the Board
Brenda J. Crowell

June 27, 2000

National Marine Fisheries Service
Will Stelle Jr., Regional Administrator
7600 Sand Point Way NE, Bldg. 1
Seattle, WA 98115-0070

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

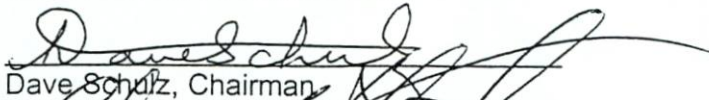
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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers

Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Department of the Interior
J. William McDonald, Regional Director
1150 N. Curtis Road, Suite 100
Boise, ID 83706-1234

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the U.S. Department of the Interior within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Geological Survey
Andrea Alpine, Acting Regional Director
345 Middlefield Road MS 150
Menlo Park, CA 94025-3591

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

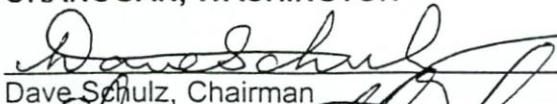
Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the U.S. Geological Survey within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

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Dan Powers

Clerk of the Board
Brenda J. Crowell

June 27, 2000

Washington State Dept. of Ecology
Tom Fitzsimmons, Director
P.O. Box 47600
Olympia, WA 98504-7600

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

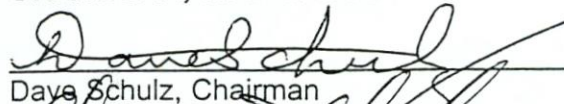
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**Okanogan County
Commissioners' Office**

237 Fourth North – Administration Building

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Dan Powers

Clerk of the Board

Brenda J. Crowell

June 27, 2000

U.S. Forest Service
Nancy Graybeal Acting Regional Forester
P.O. Box 3623
Portland, OR 97208-3623

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

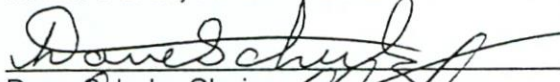
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Okanogan County
Commissioners' Office

237 Fourth North – Administration Building

Admin. Coordinator
Dan Powers
Clerk of the Board
Brenda J. Crowell

June 27, 2000

U.S. Bureau of Land Management
P.O. Box 2965
Portland, OR 97208-2965

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

Pursuant to Okanogan County Code Title 18 and Okanogan County Ordinance 2000-2, the Board of Okanogan County Commissioners formally requests that its County Commissioners be specifically notified of, and be granted the opportunity to participate in, all land use or other planning efforts or decision making process undertaken by the U.S. Bureau of Land Management within the borders of the county or surrounding counties. Okanogan County is interested in participating in federal and state activities that will or may, directly or indirectly affect the citizens or the tax base of this county. Those state and federal activities possibly affecting this county could include the revision or creation of all state, regional and local land and resource/use, and management plans, the creation or revision of state, regional or local wildlife or other renewable and non-renewable resource management plans, and the creation or revision of any planning documents requiring an environmental assessment (EA), a Finding of No Significant Impact (FONSI), or an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA).

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**Okanogan County
Commissioners' Office**

237 Fourth North – Administration Building

Admin. Coordinator

Dan Powers

Clerk of the Board

Brenda J. Crowell

June 27, 2000

U.S. Army corps of Engineers
Col. James Rigsby, District Engineer
4735 E. Marginal Way South
Seattle, WA 98124

RE: Notification of Desire to Participate in Federal Land Use Planning Efforts

Dear Sir/Madam:

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