

OKANOGAN COUNTY

Ordinance 2008-12

AN ORDINANCE AMENDING OKANOGAN COUNTY CODE CHAPTER 14.04 "ENVIRONMENTAL POLICY"; AMENDING APPEAL PROCEDURES TO ALLOW ADDITIONAL TIME FOR RECEIVING APPEALS BY MAIL.

SECTION 1 FINDINGS AND RECITALS

- 1.1. The proposed code amendment modifies Okanogan County code section 14.04, Environmental Policy. The amendment modifies SEPA Appeal procedures.
- 1.2. Okanogan County's "Environmental Policy" ordinance (OCC 14.04) currently sets and appeal deadline that does not include additional time for receiving appeals by mail.
- 1.3. Okanogan County determines SEPA appeals are submitted in a timely manner when they are mailed to the Clerk of the Board of Commissioners by the due date.
- 1.4. On February 6, 2008, information regarding the proposed code amendment was forwarded to appropriate public agencies for their respective review and comment.
- 1.5. On February 6 and 7, 2008, public notice of the proposed code amendment, public hearing, and SEPA environmental determination was published in the Omak Chronicle, Methow Valley News, and Okanogan County's legal periodical of record, the Oroville Gazette Tribune.
- 1.6. Information regarding the proposed code amendment has been forwarded to those persons requesting additional information.
- 1.7. A threshold (preliminary) environmental determination of non-significance was issued by the Okanogan County responsible SEPA official on February 6, 2008, as authorized under WAC 197-11. The comment period ended as of February 27, 2008.
- 1.8. A final environmental determination of non-significance was issued by the Okanogan County responsible SEPA official on February 28, 2008, as authorized under WAC 197-11. The determination appeal period ends March 17, 2008. On that same day, notice of the final determination was published in Okanogan County's legal periodical of record, the Oroville Gazette Tribune. Notice of the final SEPA determination was published in the Omak Chronicle, Methow Valley News, Quad City Herald, and Star Newspaper on February 27, 2008.
- 1.9. The Okanogan County Regional Planning Commission conducted the public hearing for the proposed code amendment. The Planning Commission heard public testimony. The planning Commission motioned to recommend that the Board of Okanogan County Commissioners approve this code amendment.
- 1.10. The Board of Okanogan County Commissioners conducted a public hearing for the proposed code amendment, at which time the Board considered the recommendation offered by the Okanogan County Regional Planning Commission.

SECTION 2 ENVIRONMENTAL POLICY CODE AMENDMENT

The Board of Okanogan County Commissioners do hereby ordain as follows:

Based on the Findings and Recitals cited herein, Okanogan County Code Chapter 14, Section 14.04.220 is hereby amended.

The following language shall be added (underlined) and stricken (strikethrough):

14.04.220 Appeals.

Okanogan County establishes the following administrative appeal provisions pursuant to RCW 43.21C.075 and WAC 197-11-680:

1. An appeal from a final threshold determination by the responsible official must be filed, in writing, with the Clerk of the Board of County Commissioners. The appeal must be received, or postmarked, within fifteen (15) calendar days after the final determination has been filed with the Clerk of the Board.
4. An appeal, in cases where an Environmental Impact Statement has been prepared and the appeal relates to the adequacy of specific elements thereof, must be filed, in writing, with the Clerk of the Board of County Commissioners. The appeal must be received, or postmarked, within fifteen (15) calendar days after the final determination has been filed with the Clerk of the Board.

DATED at Okanogan, Washington this 17th day of November, 2008.



**BOARD OF COUNTY COMMISSIONERS
OKANOGAN, WASHINGTON**

Andrew Lampe
Andrew Lampe, Member

ABSENT

Don (Bud) Hover, Member

ATTEST:

B. Crowell
Brenda Crowell, Clerk of the Board

Mary Lou Peterson
Mary Lou Peterson, Chair