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JAN 16 2024

BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of January 8 - 12, 2024

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, January 8, 2024. Present were Commissioners Ozias, Johnson and French, and Administrator Mielke.

Items of discussion per the agenda published January 4 were:

- Calendar/Correspondence (attached)
- Agreement amendment 1 with Department of Social and Health Services for Developmental Disabilities Programs
- Agreement amendment 1 with Administrative Office of the Courts for Blake decision
- Agreement amendment 2 with Department of Veterans Affairs for Veterans Service Officer extension
- Request for qualifications to be received no later than Tuesday, February 13, 2024 for 2024 Architecture/Courthouse Security/Pedestrian Bridge/ Engineering Consulting Services
- Letter of support for the Washington State Coastal Climate Resilience Initiative Proposal
- Letter of collaboration and support for the Noth Olympic Peninsula Climate Resilience Collaborative Proposal
- Easement purchase agreement with Harvey Kailin for Hoko-Ozette Road
- Agreement with Department of Ecology for Shorelands Shoreline Planning
- Review of 2023 noxious weed and milfoil eradication efforts
- Ordinance rescinding Ordinance 963 Employment Contract for the County Administrator
- Discussion and next steps regarding Department of Natural Resources natural resource sector issues Natural Climate Solutions proviso, and specific timber sales
- Review of Policy 120 Board of Commissioners Operating Guidelines Section 3.2 Public Comment

Meeting concluded at 12:38 p.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair French called the meeting to order at 10 a.m., Tuesday, January 9, 2024. Also present were Commissioners Johnson and Ozias and Administrator Mielke.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: CRJm to adopt the agenda as presented, CMOs, mc

PUBLIC COMMENT

- Ed Bowen, Clallam Bay, commented on item public comment and 1a
- John Worthington, Sequim, commented on item 2b

CONSENT AGENDA

1a Approval of minutes for the week of January 1

ACTION TAKEN: CRJm to adopt the consent agenda as presented, CMOs, mc

REPORTS AND PRESENTATIONS

- CRJ commented on Clallam County median income
- CMO commented on Legislative update
- CMF commented on Recompete

CONTRACTS AND AGREEMENTS

2a Request for proposal opening – Hazard Mitigation/Climate Resilience Planning

Contractor

Cascadia Consulting Group

ACTION TAKEN: CMOM to forward the proposals to the Department of Community Development for review and recommendation, CRJs, mc

2b Request for proposal opening – Comprehensive Plan Update Services

No request for proposals were received

ACTION TAKEN: NO action taken

COMMUNITY DEVELOPMENT

3a Resolution authorizing action on Current Use Assessment CUA applications pursuant to Clallam County Code Chapter 27.08, Open Space

ACTION TAKEN: CRJm to adopt, CMOs, mc

PUBLIC COMMENT

- Jim McEntire, Sequim, commented on carbon sequestration, Department of Natural Resources letter
- Denise Lapio, Sequim, commented on Towne Road
- John Worthington, Sequim, commented on SB 5834, comprehensive policy plan
- Josie Gonser, Sequim, commented on Towne Road
- Reed Wendel, Sequim, commented on Power Plant sale, Department of Natural Resources, Natural Climate Solutions Program
- Derrick Eberle, Sequim, commented on Towne Road
- Martin Ozga, Sequim, commented on Towne Road
- David Barker, Sequim, commented on Towne Road
- Ed Chadd, Port Angeles, commented on timber, Department of Natural Resources
- Lynne Secrest, Sequim, commented on Towne Road
- Sara Squyres, Sequim, commented on Towne Road
- Pepai Whipple, Sequim, commented on Towne Road
- Ed Bowen, Clallam Bay, commented on item 2b and Highway 112 repairs, Department of Natural Resources timber sale, levy rates, Junior Taxing Districts
- Jeff Tozzer, Sequim, commented on Towne Road
- Linda Priddle, Sequim, commented on Towne Road
- Robert Patterson, Port Angeles, commented on Towne Road

Meeting concluded at 11:19 a.m. and continued to 9 a.m., Tuesday, January 16, 2024.

The Board of Commissioners attended Coffee with Colleen, KONP Radio Show and KSQM Radio show during the week of January 8.

PASSED AND ADOPTED this 15th day of January 2024.

ATTEST:

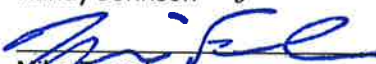

Loni Gores, MMC, Clerk of the Board



BOARD OF CLALLAM COUNTY COMMISSIONERS


Mark Ozias


Randy Johnson


Mike French

KEY TO ABBREVIATIONS:

ATM Administrator Todd Mielke
CMO Commissioner Mark Ozias
CRJ Commissioner Randy Johnson
CMF Commissioner Mike French

m moved
mc motion carried
s seconded

BOCC Mail Correspondences Received from other Jurisdictions

JAN 04 2024

1...2...3...A... Notice to interested parties



Napeequa River, Cascade River, Green River, and Soap Lake

Outstanding Resource Waters Rule Adoption

Announcing adoption of Outstanding Resource Waters designations (WAC 173-201A)

The Washington State Department of Ecology revised chapter 173-201A WAC, Water Quality Standards for Surface Waters of the State of Washington.

We are designating four waterbodies as Tier III(A) or Tier III(B) outstanding resource waters (ORWs). Outstanding resource waters are identified as having exceptional water quality, ecological and recreational values, or unique attributes that distinguish them among state waterbodies and warrant special protection. This is the first time Washington has assigned the highest level of protection to a waterbody under the Tier III Antidegradation section in our water quality standards.

We are designating the following waterbodies as Tier III(A) ORWs:

- Portions of the Napeequa River and tributaries (Chelan County)
- Upper watershed of the Green River and tributaries (Skamania County)
- Upper watershed of the Cascade River and tributaries (Skagit County)

A Tier III(A) designation is the highest level of protection. Proposed activities that would result in new or expanded sources of pollution in an ORW are prohibited, except in limited cases.

We are designating the following waterbody as a Tier III(B) ORW:

- Soap Lake (Grant County)

Any new or expanded source of pollution to a Tier III(B) ORW cannot cause a measurable change in water quality. This level of protection would place extra requirements on new or expanded point source discharges to ensure pollution from wastewater is kept to a minimum. For nonpoint

sources, this designation would require that certain Best Management Practices are used to limit pollution from runoff to below measurable levels where total elimination is not feasible.

We also adopted changes to WAC 173-201A-330 to revise our review process. The rule currently states that Ecology will consult with federally-recognized Tribes in the geographic vicinity of the water (WAC 173-201A-330(3)(a)). We have revised this to state that the public review process will include “consultation with Tribes.” We will not limit Tribal consultation only to those within the geographic vicinity of the proposed waterbody, nor will we limit consultation to only those Tribes that are federally recognized.

Other adopted changes to chapter 173-201A WAC include:

- WAC 173-201A-020 to add a definition for outstanding resource waters
- WAC 173-201A-602 to note where an ORW exists on waterbodies with specified use designations within Table 602

What does chapter 173-201A WAC do?

The state’s water quality standards, [chapter 173-201A WAC](#), set limits on pollution in our lakes, rivers, and marine waters in order to protect beneficial uses, such as swimming and fishing. The water quality standards are implemented through discharge permits and other regulatory mechanisms under the federal Clean Water Act. They are also used to identify polluted waters and set levels for water cleanup.

Rule adoption and effective dates

We adopted this rule on Dec. 18, 2023. The adopted changes to this rule become effective Jan. 18, 2024.

View the final rule documents

The rule language, and other supporting documents, is available on the [rulemaking webpage](#).

Documents include:

- Final Rule Language
- Concise Explanatory Statement
- Rule Implementation Plan
- Final Regulatory Analyses
- Technical Support Document

Response to Public Comments

We held a public comment period from July 18, 2023, to Sept. 27, 2023. We held five public hearings. We held a webinar only hearing on Sept. 7, and four in-person hearings: Sept. 12 in Kalama, WA; Sept. 14 in Mount Vernon, WA; Sept. 19 in Soap Lake, WA; and Sept. 20 in Leavenworth, WA.

What changed from the proposed rule to the adopted rule?

We edited the Notes for Table 332 in WAC 173-201A-332 Table 332—Outstanding resource water designations by water resource inventory area (WRIA). Specifically, we made the following edits in response to a comment noting that based on our requirement to collect samples between April through October, this essentially constitutes a seasonal average, rather than an annual average:

Notes for Soap Lake:

a. Soap Lake measurable change is defined as a decrease in salinity as measured by conductivity of 639 microsiemens per centimeter ($\mu\text{S}/\text{cm}$) or greater.

b. In addition, human actions must not cause lake conductivity to decrease below 19,843 $\mu\text{S}/\text{cm}$ as calculated as a ~~annual average~~ seasonal average more than once in 10 years.

c. ~~Annual~~ Seasonal average conductivity is calculated as the arithmetic average of seven or more samples collected April through October. Sampling should be distributed throughout this period.

How can I get technical help once WAC 173-201A is effective?

For more information on compliance and implementation, please contact Marla Koberstein at marla.koberstein@ecy.wa.gov or 360-628-6376

Can I appeal the adoption of this chapter?

You may appeal this adoption under procedures described in the Administrative Procedure Act (RCW 34.05), including those found in RCW 34.05.330.

Questions?

For rulemaking information please contact Marla Koberstein at swqs@ecy.wa.gov or at 360-628-6376.

More information on the rulemaking:

- For supporting information on this rulemaking, browse the [rulemaking webpage](#)
- [Join our email list](#) to receive news and information about this rulemaking, and other water quality topics

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6600 or email at marla.koberstein@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](#) for more information.

Translations

Ukrainian

Department of Ecology пропонує зміни до розділу 173-201A Адміністративного кодексу штату Washington (Washington Administrative Code, WAC) «Стандарти якості води для поверхневих вод штату Washington» (Water Quality Standards for Surface Waters of the State of Washington). У цьому оновленні ми надали водоймам, зазначеним далі, статус важливих водних ресурсів:

- озеро Soap Lake в окрузі Grant;
- частина річки Cascade River в окрузі Skagit;

- частина річки Green River в окрузі Skamania;
- частина річки Napeequa River в окрузі Chelan.

Цей статус дає додатковий захист найякіснішим водним об'єктам штату Washington, щоб запобігти їх деградації в майбутньому.

Щоб отримати додаткову інформацію, зателефонуйте Marla Koberstein за номером 360-628-6376 і попросіть перекладача.



Water Quality Program
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PORT ANGELES WA 98362-3015

983623000 0001



Scan this QR code to go to Ecology's
Outstanding Resource Waters webpage



<https://ecology.wa.gov/2206-ORW>

ADA accessibility

To request an ADA accommodation,
contact Ecology by phone at 360-407-6600 or email at swqs@ecy.wa.gov, or visit
<https://ecology.wa.gov/accessibility>.

For Relay Service or TTY call 711 or 877-833-6341