



Liquor Control Board Issues Additional Guidance on Marijuana Licensing

By Joseph W. Calhoun, Planner

MEMBER JURISDICTIONS:

- Grandview
- Granger
- Harrah
- Mabton
- Moxee
- Naches
- Selah
- Sunnyside
- Tieton
- Toppenish
- Union Gap
- Wapato
- Yakima
- Yakima County
- Zillah

YVCOG EXECUTIVE COMMITTEE:

- James A. Restucci, Chair
Mayor, City of Sunnyside
- Mike Leita
Yakima County Commissioner
- Micah Cawley
Mayor, City of Yakima
- Area 1 — Dan Olson
Union Gap City Council
- Area 2 — Loren Belton,
Mayor, City of Toppenish
- Area 3 — Mario Martinez
Mayor, City of Mabton
- Member At Large-
John Hodkinson, Jr., Vice Chair



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A recent Liquor Control Board (LCB) press release provided additional guidance and clarification regarding its issuance of marijuana licenses. The LCB limited the number of individual marijuana producer licenses to one, rather than three. This interim policy was brought about to meet a “manageable plant canopy for marijuana production.” The LCB received 2,858 applications for production licenses prior to the December 31, 2013 cutoff. Of those applications, almost 1,000 were for more than one license.

Additionally, the LCB touched on bans and moratoria as a response to the Attorney General’s January 16, 2014 Formal Opinion that local government has authority in their jurisdiction to regulate marijuana licenses for production, processing, and retail sales. To that effect, the LCB issued the following statement:

“While the law is silent on the issue of local bans, there is also nothing with the law which allows for the Board to deny licenses to qualified applicants. If an applicant meets the state’s criteria for licensure, the Board will issue a state license. Like any other type of business, a licensee must be in compliance with local laws and regulations.”

It would be a good idea for jurisdictions that are currently under a moratorium, or have already banned marijuana, to come up with some prepared responses for people who may come in with a state-issued license and want to operate locally. Remember, applicants in Yakima County will potentially be issued 14 retail sales licenses: five in Yakima; one each in Grandview, Selah, and Sunnyside; and six at large. There are no limits on the amount of producer or processor licenses that will be issued.

To see the full press release, visit <http://www.liq.wa.gov/pressreleases/lcb-clarifies-steps-to-issue-mj-licenses>.

★ High Praise from Three-year Audit Report ★

★ The Washington State Auditor’s Office conducted their three-year ★
★ Audit for 2010-2012 during November, 2013. YVCOG was reviewed ★
★ on our accountability for public resources and compliance with laws ★
★ and regulations. ★

★ On January 10th, representatives from the State Auditor’s Office ★
★ conducted an Exit Conference to conclude the 2010-12 audit. ★
★ YVCOG received a glowing report that included high praise for our ★
★ record-keeping, policies, and processes. The Auditor’s report ★
★ contained no findings, notes, or any corrective actions. They were ★
★ highly impressed with our organization and staff. ★

Time Flies ... So, Let's Survey!

By Brian Curtin, CTR Program Coordinator

"Time flies when you're having fun," or so the saying goes. It's hard to believe, but we are quickly approaching our biennial Employer Survey of Commute Trip Reduction (CTR)-affected



employers. This year's survey will be conducted the week of April 7th through April 11th. This survey will be particularly useful, because it will give insight into the direction the CTR

program is headed. The previous survey cycle held in 2012 showed impressive progress being made by the region in reduction of Drive Alone (DA) rate and Vehicle Miles Traveled (VMT).

The 2006 CTR Efficiency Act established a target of 10% reduction in the DA rate and a 13% reduction in the VMT rate within a CTR-affected jurisdiction and the region as a whole. A significant change in the CTR law narrowed the scope and affected area of the CTR program here in Yakima. Prior to the law change, all large employers (100+ employees) in Yakima County were CTR-affected. With the change, only large employers within the boundaries of the urban growth areas of Yakima, Selah, Moxee and Union Gap are affected. This change took place in early 2008, so all employers who are currently CTR-affected are still required to survey. The results of the 2012 survey indicated that many of our jurisdictions have either met or were making significant progress towards meeting the established goals.

To better prepare employers for the upcoming survey, there will be a mandatory training session for all CTR-affected employers' Employee Transportation Coordinators (ETC) at 1:30 p.m. on March 27, 2014. The training will be held at the Yakima Valley Conference of Governments (YVCOG) office, located at 311 North 4th Street, Suite 202, Yakima, WA 98901. For additional information regarding the CTR Survey process or any questions regarding the CTR Program, please contact Brian Curtin at (509) 574-1550 or curtinb@yvcog.org.



MARCH COMMITTEE MEETINGS

YVCOG General Membership
Wednesday, March 19 at 6:30 p.m. at the Toppenish Eagles

MPO/RTPO Technical Advisory Committee
Thursday, March 13 at 10:00 a.m.

MPO/RTPO Executive Committee & Policy Board & YVCOG Executive Committee
Monday, March 17 at 1:30 p.m.
LOCATION: 311 North 4th Street, Yakima
* The 300 Building * 2nd Floor *

FEBRUARY MEETING HIGHLIGHTS

MPO/RTPO TAC — CANCELLED

MPO/RTPO Executive Committee & Policy Board— CANCELLED

YVCOG Executive Committee — February 19

- Introduction of new YVCOG Executive Committee Member, Micah Cawley, Yakima Mayor
- Election of Executive Committee Chair & Vice Chair
- 2013 Final Budget Report
- Approval of 2014 Indirect Cost Rate & Certification

YVCOG General Membership Meeting



WHERE: Toppenish Eagles
WHEN: March 19, 2014 6:30-9:30 p.m.
DINNER: \$18 at 7 p.m.

Reservations and cancellations for a voting quorum and the caterer are appreciated no later than **Friday, March 14, 2014 at noon**. Please RSVP to Tami at (509) 574-1550 or email to haywardt@yvcog.org.

TITLE VI Notice to the Public: YVCOG fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Complaint Form, see <http://www.yvcog.org/title6.pdf> or call (509) 574-1550.

Busy Time for Grant Opportunities

By Shawn Conrad, Senior Planner
and Joseph Calhoun, Planner



New Calls:

Legends Casino Community Impact Fund

The Yakama Nation Legends Casino is accepting applications for their 2014 Community Impact Fund grant cycle. Each year, a percentage of the Casino's Class III table games revenue is put into the fund, which is distributed by a committee made up of local government representatives. The grant dollars have been used in the past to purchase fire trucks, ambulances, and police vehicles; and also to fund road improvements and other community projects. The application is **due March 31, 2014**, and can be found by clicking on the Community Tab at www.legendscasino.com.

Recreation and Conservation Office (RCO)

RCO is now accepting applications for some of their programs, including the Land and Water



Conservation Fund and the Washington Wildlife and Recreation Program, both of which fund local parks and recreation facilities. These programs require an adopted, RCO-approved parks and recreation plan. Applications are **due May 1, 2014**. For more information: <http://tinyurl.com/RCO-Grant>.

Heritage Capital Projects Fund (HCPF)

The HCPF reimburses up to 33% of the eligible costs of select heritage capital projects. Applicants must show significant public benefit and involve property that will be held a minimum of 13 years beyond completion of the project. Applications are **due May 15, 2014**. Also, a free grant application workshop will be held March 25, 2014, 1:30-4:30, at the Yakima Valley Museum. For more information: <http://tinyurl.com/WAheritage>.

HAPPY ST. PATRICK'S DAY

Community Development Block Grant – General Purpose Grants (CDBG-GP)

The CDBG-GP grant funds acquisition, design, and construction of public infrastructure and community facilities; local assistance programs; microenterprise assistance; and economic development. All projects must benefit low- to moderate-income (LMI) residents. CDBG has new LMI limits available. At the time of this writing, CDBG has not yet released new LMI percentage data for cities/towns based on the 2010 Census. Until those numbers are released, existing LMI percentage numbers will continue to be honored. **Applications are available April 21, 2014 and due June 19, 2014**. For more information: <http://tinyurl.com/GP-Grant>.

And don't forget!

- **CDBG Public Service Grants**. Deadline: **April 7, 2014**. Link: <http://tinyurl.com/cdbg-psgrant>
- **WSDOT Safe Routes to School Program**. **Deadline: May 5, 2014**. Link: <http://tinyurl.com/SRgrant>
- **WSDOT Bicycle and Pedestrian Safety Program**. **Deadline: May 11, 2014**. Link: <http://www.wsdot.wa.gov/bike/funding.htm>
- **Washington State Traffic Safety Commission Mini-Grants for Traffic Safety**. Can be **submitted anytime**. Link: <http://www.wtsc.wa.gov/grants/mini-grants-for-traffic-safety-under-1000/>

Your YVCOG Staff:

J. Page Scott, Executive Director
Brian Curtin, CTR Coordinator
Vacant, Senior Transportation Planner
Shawn Conrad, Senior Planner
Joseph Calhoun, Planner
John R. Rohrbaugh, GIS Analyst/Systems Administrator
Chris Wickenhagen, Administrative Finance Officer
Tamara Hayward, Office Specialist



Proposed SEPA Rulemaking

By Joseph Calhoun, Planner

The Department of Ecology is nearing the end of its 2013-2014 rulemaking process. The myriad of changes has been through a public comment and hearings process, and is scheduled to be effective by April 2014, according to their website. Along with language clarification and allowing electronic notice, are a few key changes that will impact the way local jurisdictions process SEPA applications.

Flexible Thresholds Adoption – Proposed additions to WAC 197-11-800 (Minor new construction - flexible thresholds), adds requirements that would need to be met for jurisdictions to be able to adopt increased flexible thresholds (resulting in more SEPA-exempt projects). These requirements include:

- A minimum 60 days (currently 21 days) notification to affected tribes, agencies with expertise, affected jurisdictions, Ecology, and the public of the proposed flexible thresholds adoption.
- Additional documentation ensuring that environmental analysis of cultural and historic resources for exempt projects has been addressed. At a minimum, the required documentation will include the use of available data (inventories, predictive models from DAHP, etc.), a planning and permitting process that ensures compliance with various RCWs, and local development regulations that include pre-project cultural resources review and standard inadvertent discovery language (SIDL) for all projects.

Rezones – A proposed change to WAC 197-11-800 (6)(c) deals with the rezone of an exempt project. The new language will exempt a proposed rezone if the project is in an urban growth area, is consistent with and does not require an amendment to the comprehensive plan, and the applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS, with the EIS adequately addressing the environmental impacts of the rezone.

Short Subdivision – A proposed change to WAC 197-11-800 (6)(d) adds language regarding the “short plat of a short plat.” The new language will exempt a new short subdivision within an original short subdivision boundary, so long as the cumulative divisions total does not exceed the total number of lots authorized.

To view the final rulemaking proposal, visit <http://tinyurl.com/SEPA-Rules>.

Important Regional Updates

By Shawn Conrad, Senior Planner

FEMA Preliminary Maps Released: Revised preliminary FEMA maps have been released. The maps include Ahtanum (North and South Forks), Spring, Hatton, and Bachelor Creeks. The maps are available at <http://tinyurl.com/Aht-map>. A map that includes aerial photos may be purchased from the Yakima County GIS Department. FEMA is currently targeting April for scheduling a public open house to receive comments on the maps. FEMA anticipates that the FEMA 90-day appeal period will begin this spring.



Also, if you are interested in National Flood Insurance Program training, visit <https://www.facebook.com/nfiptraining>.

Ecology Seeks Input on BAS Updates: The Department of Ecology is seeking input on best available science (BAS) updates related to wetland buffers and wetland rating systems. Ecology is particularly interested in feedback from Eastern Washington city staff on what options would be easiest to implement. Revised guidance coming out of this discussion could ultimately have implications for critical areas and critical areas ordinances, though likely not until after the next round of Growth Management Act updates are due (June 2017 for Yakima County). YVCOG is also participating in the discussion on behalf of the region.



Comments regarding wetland rating systems are due March 31, 2014. For more information, visit: <http://tinyurl.com/wet-rate>.

If you would like to join the discussion regarding wetland buffers, please contact Donna Buntin, CAO Coordinator, at (360) 407-7172 or dbun461@ecy.wa.gov for more information.

Revised SEPA Checklist Available

An updated SEPA checklist template reflecting legislative changes is available here: <http://tinyurl.com/SEPA-Checklist>. This template is likely to change after completion of Ecology's current 2013-2014 rulemaking process.