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August 22, 2022

Bonner County Planning Commission
1500 Highway 2
Sandpoint, ID 83864

RE: Revisions to Bonner County's Goals, Objectives and Policies

Greetings Chairman Songstad and Commissioners Frankenbach, Pilch, Davis, Trinen and Benner -

I am writing on behalf of the Idaho Conservation League (ICL) regarding your revisions to our Bonner County Goals, Objectives and Policies. These comments are not inclusive of the entire document and have an emphasis on reducing negative impacts to our waterways and wetlands.

ICL has been protecting Idaho's environment since 1973. We represent over 35,000 members and supporters who care about Idaho's land, water, air, fish and wildlife. ICL protects these values through public education, outreach, advocacy and policy development.

As a preface, I will reiterate our request that you suspend this process and include it in your upcoming work to update the full Bonner County Comprehensive Plan. We ask that you retain a planning consultant to facilitate the process of educating, engaging and soliciting meaningful input from the public and stakeholders.

In lieu of that, please consider the following comments on your suggested revisions as they appear on your website today.

I'd first like to reinforce that these Goals, Objectives and Policies are the 'teeth' of the Comprehensive Plan. There are several references in the comments section of the current posted document that indicate waterway setbacks are enforced by zoning provisions or regulations. This is not the case, as indicated on p. 51 in the Implementation Policy Statement, "Bonner County needs to develop and maintain an effective zoning enforcement

program so that the County can ensure that its land use laws are met.” Please consider the policies you are writing to be the definitive language that will protect our natural resources as we continue to grow.

A glaring inadequacy in our current planning process is that Building Location Permits, Subdivisions and Conditional Use Permits are approved by the County prior to the applicable sewer district or Panhandle Health District giving their approval of the sewage hook ups, sewage treatment plan or granting a septic permit. This is a disservice to builders and landowners who are allowed to build, only to be told later that their property cannot support a septic system, and to all residents and visitors, as it leaves great potential to exploit and damage our waterways. This process needs to be reversed and in my following specific comments you will see a number of places this change can be included. I encourage you to make Panhandle Health District or sewer district approval a requirement prior to approving any new building or development application.

Another overarching thought is that protective policies are often best signified by the word ‘shall.’ As currently written, many policies in this document use the language ‘may,’ ‘need to’ or ‘should’ instead of ‘shall.’ Since a policy outlines what a government is going to do, they need to be written with definitive language or they mean nothing.

For example: the IMPLEMENTATION POLICY STATEMENT (p. 51) would be more effective if it read:

(bold indicates suggested changes to your current language)

- To keep the comprehensive plan current and to avoid costly, belated revisions to the plan, Bonner County **shall** set aside a meeting once a year to examine the plan and determine whether updates/revisions are needed. This meeting **shall** be scheduled at the beginning of each year and prior to the county’s budgeting sessions so that adequate funding can be **allocated**, if **necessary**.
- Bonner County **shall** develop and maintain an effective zoning enforcement program so that the County can ensure that its land use laws are **upheld**.

Starting now at the beginning of the Goals, Objectives and Policies document, and using the **same bold indicator** for changes, please consider the following suggestions. Please note that only some sections are copied below, and only the sections we are providing comments on are listed.

ECONOMIC DEVELOPMENT:

OBJECTIVES:

- Support local economic development by increasing support for outdoor recreation in Bonner County. Encourage and protect public access to public lands and water, campgrounds, and recreational areas. **Ensure that adequate toilets and wildlife safe garbage disposal facilities are available at all public access locations.**

POLICIES:

- Commercial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area. **If adequate urban services are not available, Panhandle Health District shall have authority to determine if the applicant's sewage disposal plan is adequate prior to a conditional use permit being authorized. If the sewage plan is not adequate, the conditional use permit will not be authorized.**

LAND USE:

OBJECTIVES:

- Bonner County will develop and maintain a future land use map and land use codes that acknowledge ~~the values of its agricultural, and timber and mining lands~~ **mineral resources**, protects the water, **wetlands** and wildlife ~~resources~~, identifies and avoids hazard areas **and special areas**, provides areas for economic growth, encourages affordable housing and centers growth in areas where adequate public and private services can be provided.

POLICIES:

- Applications for land use actions shall be reviewed against the land use map, ~~and~~ land use designations, **County Codes and the** ~~to ensure consistency with the Comprehensive Plan.~~
- **Panhandle Health District shall have authority to review all land use applications and determine if the sewage disposal plan is adequate or if a septic system can support the proposed use, prior to the County authorizing a new permit or land use.**

NATURAL RESOURCES:

GOALS:

- Protect, enhance and maintain the County's natural resources such as air, water, **wetlands**, forest, minerals, **soils**, plants, ~~animals~~ **wildlife and fisheries** for long-term benefits to the public.

OBJECTIVES:

- Bonner County will protect its water resources by requiring adequate sewer treatment systems based on ~~soil, density, and intensity of use to reduce impacts to water resources.~~ **Panhandle Health District's assessment of the site and the sewage treatment plan.**

POLICIES:

- Best management practices for waterway **and wetland** setbacks and **stormwater management shall be required** ~~should be instituted to minimize~~ ~~reduce~~ erosion and sedimentation into waterways **from any** earth-moving activities and road construction.
- ~~Development standards should be designed to encourage~~ Clustered development **shall be encouraged with standards** resulting in ~~and~~ the preservation of open space and wildlife habitat.
- Bonner County will recognize **and map** its critical wildlife habitat and create zoning districts and standards to protect these areas and ~~mitigate~~ **minimize** development impacts to these habitats.

PUBLIC SERVICES, FACILITIES AND UTILITIES:

GOALS:

- Future development approvals shall require adequate services **that do** not adversely impact the services or utilities of the utility provider.

OBJECTIVES:

- ~~New development should be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance and emergency services, water and other public/private services.~~ **(suggest this is a policy, see below)**
- ~~Full u~~Urban services and provisions for continued operation and maintenance of the systems shall be provided for ~~urban and~~ suburban densities. **(suggest this is a policy, see below)**
- Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial or other similar uses. **(suggest this is a policy, see below)**

POLICIES:

- New development ~~should~~ **shall** be adequately served by fire protection, roads, sewer, schools, law enforcement, ambulance and emergency services, water and other public/private services.
- ~~Full u~~Urban services and provisions for continued operation and maintenance of the ~~systems~~ shall be provided for ~~urban and~~ suburban densities.
- Bonner County shall require adequate provisions for future utility services in areas of commercial, industrial or other similar uses.
- Bonner County ~~will~~ shall identify sewer and water service areas, and encourage development within the boundaries of existing sewer and water **service** ~~these~~ areas.
- Bonner County ~~will~~ shall seek comment from existing service providers on their ability to serve **proposed** future developments without adversely impacting the ability of the utility providers to serve current users **and protect water quality**.
- Bonner County shall provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public, **wildlife**, as well as the County's natural resources.

AGRICULTURE:

POLICIES:

- **Livestock waste management plans and/or waterway exclusion fencing shall be required in order to protect waterways and wetlands.**

Lastly, I encourage you to review [Idaho Code, Section 67-6508](#) to ensure you are covering all required topics and considerations.

Thank you for your consideration and for your service to Bonner County.

Sincerely,

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