

# League of Women Voters of Pullman Observer Report

Name of Agency: Whitman County Planning Commission

Date: 1/7/2026

Observer Reporting: Chambers-Fox Shelley

Length of Meeting: 1 hour 20 min

Members Present: Brian Davies (Chair), Dave Gibney (vice Chair Pullman), Bill Myers (Colfax), David McKeirnan (Pullman-on Zoom), Dean Kinzer (Pullman), Weston Kane (LaCrosse), Julian Mathews (Pullman-on Zoom), Chris Melhus (Malden). Tammy Southern (Garfield)

Members Absent: none

Others Present (e.g., media, public): Staff: Alan Thomson (Whitman County Planner), Grace DiBiasi (Assistant Planner-on Zoom), Brandon Johnson (Public Works), Mark Storey, Denis Tracy (District Attorney- on Zoom), County Commissioners: Tom Handy- on Zoom, Public: Ken Duft, Carol Black, Beth St Marie, Tom Thompson, Parker McLaughlin, Jack, Jamie Anderson, Julie, Morgan, Jim, Angela Taylor, Theresa Bannister, Also about 5 in the auditorium.

**Business pertaining to League Positions or Topics of Interest:** *Include in this section 1) issues discussed that relate to League priorities or positions. Do you recommend local league action? If so, please refer to the League position that supports your suggestion. 2) links to further information available on an issue, if available.*

Appoint Chair and vice chair: Brian Davies is chosen as chair. Dave Gibney is chosen as vice chair. It has been requested that the meeting be opened with a prayer or if the Commission should open with the Pledge of Allegiance. Commissioners discuss this. Denis Tracy advises that 5 Commissioners may vote to ask him to provide a determination whether they can open with a prayer. The idea is tabled indefinitely.

The previous SEPA determination for the wind ordinance has been withdrawn because legal counsel felt it was necessary to notify the tribes. This has now been done so the SEPA will be issued tomorrow and followed by a 14-day comment period. The reissuance of the SEPA determination does not change the decision sent forward to the BOCC on the wind ordinance.

Scrivenor's errors in the recent findings of Fact to wind code were corrected (setbacks of 7 miles from the 3 parks).

Critical Areas Ordinance update: Growth Management Act requires that counties revisit Critical Areas every 10 years. A grant has enabled the County to hire consultants to assist with this process. The contract should be in place in about 3 weeks such that Commissioners can begin discussions in February. Fish and Wildlife, Army Corps and Ecology have templates that will be used to create the ordinance. It must be done by June because that is when the grant runs out. There will be many changes, particularly in the flood plain section. Dave Gibney prepared a program on Foundations of Planning for Whitman County Planning Commission. Planning work requires that commissioners understand that the legal authority comes from 10th amendment that leaves things not governed by the Federal government to the states and in turn given by the state to the counties. They must follow fair procedures, not make arbitrary decisions, cannot take personal property without compensation, Counties cannot regulate property to make it unusable to its owner. The Planning Commission must work in front of the public. The basis of county regulations is to protect the safety and welfare of the citizens of the county. Whitman County is not required to fully plan as

described in the Growth Management Act because it has less than 50,000 residents. As such the County still has agreed to plan:

- Land use, Natural Resources and Agricultural conservation,
- Transportation,
- Parks and Recreation,
- Economic Development,
- Environmental Protection and Climate Change (including Critical Areas), and
- Facilities and Utilities.

Zoning needs to be consistent with the Comprehensive Plan. The Comprehensive Plan contains some competing goals, for example, agricultural preservation vs economic development. A decision is defensible when the commission shows that it is based on reasoned goals and data. The Critical Areas Ordinance includes wetlands: frequently flooded areas, geologically hazardous areas, critical aquifer recharge areas, fish and wildlife habitat.

Shoreline Management Act should be consistent with the Comprehensive Plan but the Shoreline Management Plan takes precedence if there is conflict.

SEPA: State and Local Environmental review of ordinances to determine if they will impact the environment. A SEPA review is procedural: findings may be determination of non-significance (DNS), mitigated determination of nonsignificant (MDNS) and Environmental Impact Statement

#### Findings of Fact

- Summarize key evidence considered
- Explain how competing goals were balanced
- Show a logical connection between the evidence and the recommendations.
- What counts as technical evidence: peer reviewed studies, consultant reports with transparent methods, modeling, agency guidance (F&W, Ecology)

#### Common Missteps

- Giving equal weight to unsupported opinions
- Over relying on applicant summaries
- Confusing absence of evidence with evidence of absence.
- Letting public pressure override the record
- Poorly documented findings of fact.

#### Avoiding Regulatory Overreach in Zoning

Zoning regulates land use. Not construction or environmental impact.

Commissioners are encouraged to participate in periodic training.

Theresa Bannister asked why the original SEPA was not shared with the tribe. Answer: It was an oversight. This has been corrected.

**Public Meetings of Interest to League:** *Were there any public meetings announced that you think League members may be interested in attending and/or becoming involved with that relate to League positions?*

none

**Process & Protocol:** *(Observations about participants and procedures of the meeting) e.g., Did the members appear to have done their "homework"? Were members courteous to each other and the public? Was access to materials for certain agenda items available to you?*

Members are courteous to each other and the public.

**Your additional comments/opinions:**

**Reminders** ☺

A LWV Observer is impartial, silent, and respectful. It is, however, acceptable to ask questions for clarification following the meeting.

Remember to wear your awesome ID Badge!

Please attach any materials, or links to such, received at the meeting that you feel are important to your report.

Please submit your report to the LWV Observer Chair within one week of the meeting. [rogerc63@outlook.com](mailto:rogerc63@outlook.com)