



Public Services

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PLANNING COMMISSION PUBLIC HEARING

LRN19-010/SEP22-003 Agritourism

Comment Period February 9-25, 2022

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Gilbert Cellars

Gloria Gilbert <gloria@gilbertcellars.com>

Mon 1/24/2022 12:47 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

EXHIBIT NO.: 1

DATE: 1.24.22

FILE NO.: LRN2019-00010

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hi Olivia,

I've received information from a fellow winery concerning the Yakima County's plans to modify permitting for craft beverage producers. This is particularly concerning, as the ability to bring people to our facility is what has made it possible for us to stay in business. It is concerning to me that there is a proposal to potentially restrict businesses' revenue streams, while we are still in the middle of a global pandemic. Please tell me how I can stay as up to date as possible on how this is evolving. Additionally, should you need any more feedback from a business, I would be happy to provide you with some.

Lastly, if you'd like to use images from Gilbert Cellars, can you please ask permission? We are not interested in having our images included in a proposal that we may not necessarily support.

Thank you,

Gloria Gilbert
General Manager // Partner
(509) 731- 8456

ag tourism

Felip Holbrook <fholbrook@bhhscentral.com>

Tue 1/25/2022 2:42 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

Cc: jennifer@yarmls.com <jennifer@yarmls.com>; ryanknowsyakima@gmail.com <ryanknowsyakima@gmail.com>; paul@wilridgewinery.com <paul@wilridgewinery.com>; Lisa Freund <lisa.freund@co.yakima.wa.us>; Amanda McKinney <amanda.mckinney@co.yakima.wa.us>; LaDon Linde <ladon.linde@co.yakima.wa.us>; Ron Anderson <Ron.Anderson@co.yakima.wa.us>; randy.fenich@mossadams.com <randy.fenich@mossadams.com>

EXHIBIT NO.: 2
DATE: 1.25.22
FILE NO.: LRN2019-00010

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Ms Story,

My name is Felip Holbrook. I am chair of the Government Affairs committee with the Yakima Association of REALTORS®. I was made aware of proposed changes to the regulations surrounding ag tourism in the County. I cannot imagine a more destructive set of changes to what has been the crown jewel of tourism in Yakima. This will immediately destroy scores of family businesses and farms, particularly in the wine industry. These productive citizens have invested decades of work and millions of dollars pursuing their dreams, and are tremendous contributors to the economic and social well-being of our county. The *very heavy* hand of over-regulation is a gift that keeps on giving, whether discussing housing, medical care, farming – really any economic activity.

Ripple effects will also figure significantly in the restaurant, lodging and travel services industries.

The fact that there is staff available to develop this assault on private enterprise suggests the county has more staff than they can productively use. I suggest you dismiss whoever headed this effort and commit those funds to staffing a Board of Health professional in the Planning Department.

I was for several years deeply involved in the county wine industry while employed at Moss Adams. Tasting rooms, events, and other tourist-related efforts are critical to the success of all of these businesses. It is unimaginable to me that all of this will be sacrificed – and for what? What is the driver for this?

My wife, Leah, and I, as Realtors, facilitated the sale of Windy Point Winery to investors who developed Freehand Cellars. They have committed huge sums and much effort improving and launching that business. It is a tremendous facility with a great plan. The Covid restrictions, however, have already nearly destroyed this effort, and these absurdly restrictive proposed rules will almost certainly complete the destruction.

This scenario will be repeated throughout the county. The only winners will be other counties, like Benton and Walla Walla, where they seem to effortlessly understand how important this economic activity is.

I urge you and the Commissioners in the strongest possible terms to abandon this proposal, and come back with something that actually facilitates success and progress for these hard-working and creative people.

Sincerely,

Felip Holbrook, Broker, EA
Berkshire Hathaway HomeServices CWRE
(509) 969-0033
fholbrook@bhhscentral.com

Paul Beveridge <paul@wilridgewinery.com>

Thu 2/3/2022 8:36 AM

To: Lisa Freund <lisa.freund@co.yakima.wa.us>; Olivia Story <olivia.story@co.yakima.wa.us>

Cc: Amanda McKinney <amanda.mckinney@co.yakima.wa.us>; Laurie Kirkland <laurie@wilridgewinery.com>

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Lisa and Olivia,

Please provide the following comments to the Planning Commission members in advance of the February 9 public hearing on LRN2019-00010 -- Agritourism.

I originally provided detailed written comments on July 6, 2021 on a prior draft of the Agritourism proposal. Those comments are included again here for review by the Planning Commissioners and incorporation into the public hearing record. I have never received any formal response from the County regarding my extensive comments. Sadly, it appears that many of my comments were largely ignored as the latest draft of the proposal before the Planning Commission is in many respects worse for agritourism than the prior proposal.

I think many of the shortcomings of the proposal result from the County never clearly defining the "problem" that needs to be "fixed" by the proposal. During the Advisory Group meetings, the only "problem" County staff could identify was that they were getting "lots of complaints" from citizens about agritourism operations in the County. When we probed about these complaints we were not provided with any details but eventually learned that there really had not been "lots of complaints" and that they had come from just a few disgruntled individuals. Further, instead of meeting the supposed goal of reducing complaints, the new limitations and restrictions in the proposal will simply give these disgruntled individuals more to complain about.

Recently, well after the Advisory Group was disbanded by the County, we learned that another supposed "problem" to be "solved" was to update the code to mitigate liability exposure of business owners. However, by further limiting and restricting agritourism, the proposal will expand liability exposure of businesses in the ag zone rather than reduce it. The "update the code to reduce liability" rationale also misses the point and is historically inaccurate. The agritourism provisions of the county code were updated to permit wineries, breweries, distilleries in the agricultural zone less than twenty years ago and have been periodically updated since. Before the update twenty years ago, wineries, breweries and distilleries were not permitted in the agricultural zone in Yakima County. The reason so many wineries are located in Walla Walla and Benton Counties instead of Yakima County is because Yakima County did not allow them until less than twenty years ago. Those tourist dollars and development went east even though the Yakima Valley is where most of the grapes are grown in the state and Yakima County is closer to both the Seattle and Portland markets. Yakima County missed its chance to be the true "Gateway to the Washington Wine Country" by not recognizing the opportunity it had when the modern Washington wine industry got going in the 1980s. When Yakima County finally did allow these agriculturally related businesses, it imposed very strict limitations in the code that have made it hard for them to succeed in Yakima County (think of how many breweries, wineries, distilleries and vineyards have gone out of business, relocated, or are for sale) and exposed these businesses to the very liability the County claims the proposal is supposed to alleviate. If there is any

real problem that needs to be fixed, it's that the existing code is too strict -- leading to complaints and potential liability -- but the proposal as written further tightens the screws.

The County website for the agritourism proposal lists a different new goal: providing "clarity" to the regulations. In this case, clarity is a euphemism for more restrictions. Some County staff may believe that wineries, breweries and distilleries can do too much in the ag zone under the current code, but no one -- save perhaps a few disgruntled individuals who are privileged to live in the ag zone -- has publicly asked for more restrictions or clarity. The fact is that there have been very few actual violations of the code by wineries, breweries and distilleries. The existing code is clear and has worked fine in actual practice. Wineries, breweries and distilleries can operate their businesses and attract customers under the current code with minimal actual impact to the ag zone.

If the proposal really wanted to provide clarity, it would define an "event" as any activity that requires paying to attend, e.g. buying a ticket or paying a fee. That way it would be clear that wineries, breweries and distilleries can provide all the benefits their customers enjoy and have come to expect -- if there is no charge. It would provide a clear line for applicants and County staff to determine when additional permitting is required. Under the existing code, if a winery, brewery or distillery wants to have actual ticketed events, it can obtain a special occasion license to hold up to five events per year. If it wants to hold more ticketed events, under the existing it could obtain an ATO permit if it could meet all the ATO requirements. In actual practice, I am not aware of many wineries, breweries or distilleries in Yakima County that want to become ATO event facilities, although some do want to hold weddings and therefore should get an ATO permit under the existing code. The proposal is a solution in search of a problem.

With such a poor problem definition -- or rather lack of a significant problem except in the minds of a few disgruntled individuals -- the proposal got sidetracked from promoting and encouraging agritourism in Yakima County to limiting and restricting agritourism. As County staff finally admitted in the Staff Report for the proposal -- after the Advisory Group was disbanded -- "Planning's goal is not to promote agritourism..."

The Staff Report also claims that "the proposed text changes will reduce the existing restrictions that are already in place..." As my original comments demonstrated, and the latest draft of the proposal confirms, nothing could be further from the truth. With only a few minor exceptions, the new limitations and restrictions in the proposal will make it more difficult for agritourism businesses to succeed in Yakima County. For instance, the proposal will force many businesses to apply for expensive Agricultural Tourist Operation Permits while at the same time the proposal makes it more difficult to qualify for an ATO permit. The proposal also includes an arbitrary limit of 100 people for broadly defined "events" not found in any other county code in the state. The proposal reduces the number of guest rooms allowed to six and, for the first time, counts "glamping" temporary structures such as tents as guest rooms against the limit. Providing lodging is one of the only ways agricultural tourist operations can diversify their income and few will survive with only six guest rooms. If adopted, many popular destinations in Yakima County will be forced to curtail their operations and close their doors. Future agritourism businesses will decide to locate in other counties such as Walla Walla and Benton that welcome the economic growth and do not impose such arbitrary limits or such restrictive permitting requirements.

In the final analysis, the real question is who should get to enjoy the benefits of Yakima County's wonderful agricultural zone. We have all watched the small family farms the ag zone was intended to protect disappear in Yakima County. Do we want a county ag zone where only giant farms can succeed? If we want to keep small family farms alive, we need to let them attract customers and sell their products. Is the Yakima County Agricultural Zone going to be open for all the public to enjoy, or just a select few wealthy or land-holding citizens lucky enough to live there already? The current

proposal goes in the wrong direction. It should be scrapped and rewritten to actually promote agritourism. Or the existing code language adopted less than twenty years ago should be retained as is. Thank you for considering these comments.

My specific additional comments since the revisions to the proposal are as follows:

19.01(1) All "event facilities" will have to obtain Agricultural Tourist Operation (ATO) permits, which are difficult and expensive to obtain. Many existing operations will go out of business because they cannot obtain an ATO permit. Further, the term "event facility" is not defined, creating uncertainty and providing county staff with unbridled authority to arbitrarily decide who has to get an ATO permit. In fact, some county staff claim that an "event" is anytime two or more people meet for any purpose. Under this broad definition, it's hard to think of a business in the ag zone in Yakima County that could not be compelled to apply for an ATO permit. The Planning Commissioners should keep this broad definition of "event" in mind when they consider the many requirements and restrictions the proposal places on "events."

19.01(1)(2) Under the existing code Destination ATOs may have up to twelve guest rooms and there is no limitation for Resort ATOs. The proposal reduces the number to six guest rooms for Destination ATOs and eliminates Resort ATOs. No explanation for the proposed change from twelve to six rooms at Destination ATOs has been provided by county staff. The only reason staff provided during the Advisory Group process for eliminating resort ATOs was that there are none in the county yet. Have the county staff polled the people of Yakima County to see if they are sure they never want to see a world class agricultural resort in Yakima County? If there is not yet a Resort ATO in Yakima County, what is the problem to be fixed by eliminating them? This is a clear example of the proposal limiting and restricting agritourism rather than promoting agritourism.

19.01(1)(3) The proposal bans Resort ATOs in Yakima County. Future ATO Resort developments will go to other counties. Existing code language allowing activities such as seminars, weddings, other social gatherings, and RV accommodations is deleted, as are gift shops and galleries. This is another clear example of the proposal limiting and restricting agritourism. In a rare example of improving the code, the proposal does allow restaurants at Destination ATOs, but this is little consolation for eliminating the possibility of Yakima County citizens ever enjoying a Resort ATO or reaping the benefits of the associated tourist dollars.

19.01(1) Breweries and Distilleries are only allowed to have "limited food service necessary to meet the requirements" of their liquor licenses.

19.01(1) Overnight lodging facilities are limited to six guest rooms. This is another clear example of the proposal limiting and restricting rather than promoting agritourism. Under the existing code, Destination ATOs can have up to twelve guest rooms and Resort ATOs can have as many as they want. The proposal also limits stays at overnight lodging facilities to thirty days. That means, for instance, that Yakima County will no longer host artists and writers who wish to retreat to a countryside farm for more than thirty days to create their next masterpiece.

19.01(1) The proposal contains a new definition of "events" which is extremely broad. For instance, events include "any planned social occasion." This extremely broad definition should be kept in mind by the Planning Commissioners as they review the proposal. Keep in mind also that only five special events are permitted under the code per year. This is another clear example of the proposal limiting and restricting rather than promoting agritourism.

19.01(1) The latest draft of the proposal, for the first time and without review by the Advisory Group, adds ATOs to the definition of "especially sensitive land uses" under the code. This means that

Agricultural Tourist Operations will be subject to the same restrictions in the ag zone formerly applied only to non-agricultural uses such as schools, churches, and hospitals. Therefore, while requiring more businesses to obtain ATO permits, the proposal also makes it harder and more expensive for those businesses to obtain those ATO permits. This is another clear example of the proposal limiting and restricting rather than promoting agritourism.

19.18.500 The latest draft of the proposal still contains an entire new section singling out wineries, breweries and distilleries for harsh treatment not applied to other ag-related uses such as fruit stands and corn mazes. However, this section is a rare example of a section that has been improved rather than worsened since the first draft that was reviewed by the Advisory Group. Some language has been added purporting to support a strong agricultural economy. However, the new section still imposes new restrictions and new "minimum requirements" and will create more confusion than clarity. Most concerning is the proposal's broad description of "special events" that will require a special event permit. And nowhere are the Planning Commission members reminded that a facility can only obtain five special event permits per year. That means only five "events... such as weddings, receptions, meetings and retreats" per year. Does that mean the Yakima Yoga Collective can no longer practice on our lawn? That Yakima Search and Rescue can no longer use our property for training? That the Cowiche Canyon Conservancy can't start or end a hike on our property? That clubs and charities cannot hold meetings at our farmhouse while enjoying a glass of our wine or brandy?

The latest draft of this section attempts to ameliorate the many negative impacts of the section on agritourism by providing an exception for special events that "are anticipated to have" less than 100 attendees. How this will be determined and enforced in actual practice is not explained. It would be far better to use the bright line test described above: if the event requires a ticket or a fee to attend, it needs a special occasion permit or an ATO. Non-profit "events" should be specifically allowed.

Note that this section also singles out wineries, breweries and distilleries for new occupancy, parking and road maintenance restrictions on special events that are not required of other ag-related businesses in the ag zone.

19.18.060 As noted previously, the proposal eliminates Resort ATOs in Yakima County. Future Resort ATOs and their related tourist dollars will go to other counties.

The proposal limits lodging in the ag zone to six rooms, even for ATOs. Obviously this new limitation will have an adverse impact on agritourism in Yakima County. Lodging is one of the most important sources of income for ATOs and one of the few ways they can diversify their income to survive. With this potential income source arbitrarily limited, future ATOs will go to other counties. The existing code allows up to 12 guest rooms at Destination ATOs and does not limit Resort ATOs -- it should not be changed.

The latest draft of the proposal magnifies the impact on agritourism by restricting and combining "short term rentals" with Overnight Lodging Facilities for the first time. The latest draft therefore conflicts directly with the County's recent approval of "glamping" under the code. Further damaging to the survival of ATOs is the new limitation requiring temporary glamping structures like tents and teepees to be counted against the six rooms that would be allowed at an ATO. This is yet another clear example of the proposal restricting rather than promoting agritourism. None of the new short term rental restrictions were discussed with the Advisory Group and they should be deleted.

Under the proposal, bed and breakfast facilities would have to obtain a Destination ATO and install a commercial kitchen. The owners and operators of the many bed and breakfasts in Yakima County were not consulted during the development of the proposal and are probably unaware that they are about to be put out of business.

In a rare case of promoting agritourism, the proposal lowers the size of parcels that can obtain ATOs from five acres to three acres. However, as pointed out in my prior comments, by deleting the words "at least" the proposal literally states that only three acre farms can have ATOs. Surely that is not what is intended. The proposal should be revised to state "three acre or larger farm."

My original comments follow for inclusion in the Public Hearing record:

----- Forwarded message -----

From: **Paul Beveridge** <paul@wilridgewinery.com>
Date: Tue, Jul 6, 2021 at 7:49 AM
Subject: Fwd: Agritourism Advisory Group meeting 6
To: Olivia Story <olivia.story@co.yakima.wa.us>
Cc: Amanda McKinney <amanda.mckinney@co.yakima.wa.us>, Laurie Kirkland <laurie@wilridgewinery.com>

Dear Olivia,

I thought the advisory group had clearly indicated to County staff that our mutually agreed upon goal was to make it easier for agritourism businesses such as wineries, breweries and distilleries to succeed in the Ag zone in Yakima County. I do not understand how the current proposal furthers this mutually agreed goal. The proposal does not expand what agritourism businesses can do, instead it adds new limitations, requirements and restrictions . Please forward these comments to all members of the group.

I base my conclusions not on what county staff have said verbally during the advisory group meetings, but what county staff have put in writing in the proposal. In the final analysis, it's the actual code language that is binding, not what the county says the language means during meetings. Ninety-nine percent of the actual language proposed by the county will be bad for ag tourism and family farms in Yakima County. The remaining meager one percent that might help small farmers only proves the rule.

My biggest concerns are as follows:

Events are defined as virtually any activity where more than one person is present.

Any business in the ag zone that wants to be open to the public (more than one person) will have to get an ATO permit. This will be impossible for many small family farms.

Special event permits are required for any activity involving more than one person unless the facility can get an ATO permit. The existing code language limiting facilities to five special events per year is not expanded.

The proposal makes it harder, not easier to get an ATO permit.

Rather than make it easier for small businesses to operate in the ag zone, the proposal adds many more restrictions and limitations. Wineries, breweries and distilleries are singled out for particularly harsh treatment. The proposal ignores the express directions from the group and does nothing to expand what wineries, breweries, distilleries and other ag-related businesses can do under their existing permits without needing to qualify for and obtain ATO permits.

Existing businesses are not grandfathered. They will have to get ATO permits if they want to remain open to the public or do anything other than limited manufacturing of ag products.

Resort ATOS are eliminated and lodging in the ag zone is limited to six rooms.

New limitations and requirements are placed on outdoor festivals with no input from Yakima County citizens who actually put on festivals.

In short, the proposal does almost nothing to meet the group's stated goal of promoting agricultural tourism in Yakima County. The proposal will result in more complaints to the county, not fewer. The county will have to increase staff to manage all the new requirements and permits. If the proposal is enacted, many small farms will go out of business. Yakima County will be the worst county in the State of Washington for ag tourism. Rather than be moved forward to a vote, the proposal should be scrapped and rewritten in its entirety. If a vote is forced, Wilridge urges all group members to vote no.

My specific concerns are as follows:

19.01(1) The definition of an Agricultural Tourist Operation (ATO) is changed so that to hold any kind of "event" the ag related business must obtain an ATO permit for their facility. Obtaining an ATO permit is an expensive and time consuming process and the permit may not be issued even after the applicant spends all the time and money to apply. Many businesses will simply decide to close their doors or choose another county instead.

Further, as discussed below in detail, the definition of an event in the proposal is so broad that virtually anything a business might want to do with more than one person will be considered an event and therefore require an ATO permit. Small businesses cannot thrive under such burdens.

19.01(1)(2) The proposal limits Destination ATOS to six guest room accommodations. This is a new limitation as the current code allows 12 guest rooms for Destination ATOS and contains no limit for Resort ATOS. The group never recommended reducing the number of guest rooms an ATO may have.

Under the proposal, event facilities are allowed at ATOS only for "seminars and other social gatherings." Small businesses without ATO permits will not be allowed to hold "events" or "social gatherings" of any kind without special occasion permits. No mention is made of existing county policy that limits facilities to just five special events per year.

Also, under the proposal, weddings are deleted from what a Destination ATO can do.

19.01(1)(3) The proposal eliminates Resort ATOS. Resorts will no longer be allowed in the ag zone. This is a major change from the existing code. The current code allows a Resort ATO to do "anything related to the agricultural operation that enhances the tourist related experience." The proposal deletes this broad language. Under the proposal, resort type ag tourism will go to other counties.

The proposal deletes weddings.

The proposal deletes RV park accommodations.

19.01(1) The proposal limits food service by breweries and distilleries to the limited food service required by the Liquor Control Board. This means that breweries and distilleries are authorized only to serve prepackaged foods such as pretzels.

19.01(1) The proposal changes the definition of "overnight lodging facility" from "six or more guest rooms" to "up to six guest rooms." This limitation was never recommended by the group and will hurt businesses in the ag zone who want to offer more lodging for tourists. It is a major reduction from the current code which allows Resort ATOs to have as many guest rooms as they want and allows Destination ATOs to have up to twelve guest rooms.

The proposal includes a completely new restriction on the number of days a guest may stay at an ATO: no more than 30 days. This limitation was never recommended by the group. It means, for instance, that ag related businesses will no longer be able to host artists or writers for more than 30 days.

19.01(1) The proposal allows wineries to have "event facilities," but breweries and distilleries get no similar express authorizations.

19.01(5) The proposal creates a definition of "event" not found in the current code. An event is defined as "something that happens..." and anything that "brings people together." An event is any "affair, function or occasion." Any "entertainment" is an event -- presumably even playing the radio. The proposal expands the code to private events, not just public events. The definition in the proposal is so broad that any time two people talk to each other they are holding an event. It would make virtually every sales activity businesses currently perform in the ag zone an event. For instance, wine tasting would be an event. The group never recommended such a broad definition of events. Instead the group recommended that all businesses in the ag zone be allowed to hold events, not just those fortunate enough to be able to obtain an ATO permit.

19.14.010 Resort ATOs are no longer allowed in the ag zone.

19.18 The proposal adds a new section to the code limiting and restricting wineries, breweries and distilleries. The group never recommended these new limitations and restrictions. Other ag-related businesses such as fruit stands and corn mazes are not saddled with similar business-specific restrictions.

19.18.500(1) Under the proposal, wineries, breweries and distilleries are subjected to new "minimum requirements" not previously included in the code.

19.18.500(2) Under the proposal, wineries, breweries and distilleries are only allowed to hold three kinds of "events." Everything else falling under the extremely broad proposed definition of an "event" would be illegal.

19.18.500(2)(a) Tasting rooms are defined as "events." The group never suggested that tasting rooms should be considered events.

19.18.500(2)(b) The proposal lists five specific regional marketing programs and defines them as events. Everything else requires an "additional event permit." This goes directly against the express conclusion of the group that these marketing programs are not events. They are promotions, not events. As the group explained very clearly, an individual winery, brewery or distillery could hold an actual event at its own facility during these promotional weekends, but the promotions are not events themselves.

Requiring an "additional event permit" for every activity other than these five industry promotions is the opposite of what the group recommended, especially considering that an "event" is defined so broadly.

Further, it sets a dangerous precedent to call out specific industry promotions by name in the County code. If the proposal were adopted, no other promotional activities other than the five listed in the code would be allowed without an amendment to the code. For instance, breweries could not hold Octoberfest without amending the county code. In fact, even the names of the promotions could not be changed without amending the county code.

Also, four of the five industry promotions listed in the proposal only apply to wineries (and the fifth is held in the City of Yakima, not Yakima County). Breweries and distilleries are excluded and therefore cannot conduct similar promotions as they have no express permission to do so.

19.18.500(2)(c) Directly contrary to the expressed recommendation of the group, the proposal requires wineries, breweries and distilleries to obtain separate special event permits, per event, every time they want to hold any activities "such as weddings, receptions, meeting, retreats, and outdoor festivals." If the proposal is enacted, the County will be flooded with special event permit applications -- or the wineries, breweries and distilleries will be forced to go out of business because they can no longer attract customers. Yakima County will lose ag tourism dollars.

The proposal also gives county staff new authority to further limit special events, including the size of both indoor and outdoor events.

19.18.500(3) The proposal adds a multitude of additional "general requirements" applicable to all wineries, breweries and distilleries in the County. Like the other new restrictions in the proposal, these additional requirements will place the wineries, breweries and distilleries in Yakima County at a competitive disadvantage to similar business in other counties. The group never recommended any of these additional requirements.

Several of the proposed "general requirements" were previously applicable only to ATOs. These expensive and time consuming requirements are one of the reasons many wineries, breweries and distilleries have not been able to obtain ATO permits in the past. If these ATO requirements are applied to wineries, breweries and distilleries, many will have to go out of business or locate in other counties.

19.18.060(1) The proposal eliminates Resort ATOs.

19.18.060(2)(c) Under the proposal, only ATOs can have "events" without special permits for each "event." As discussed previously, the word "event" is defined extremely broadly, so virtually every ag-related business in the County that is open to the public will have to obtain an ATO permit or close their doors. This goes directly against the recommendation of the group that the code should be amended to make it easier, not harder, for ag-related businesses such as wineries, breweries and distilleries to conduct their businesses and sell their products through events.

19.18.060(3)(e) In one of the only rare examples of the proposal actually helping, not hurting, ag-related businesses, the proposal reduces the minimum size of the farm that may obtain an ATO permit from five acres to three acres. However, by deleting the words "at least" from the code, under the proposal only three acre farms can get ATO permits. Presumably limiting ATOs to three acres is not what county staff intended, but that's what the proposal says.

The existing code language of this provision is better for ag-related businesses than either of the alternatives proposed by county staff.

19.18.060(3)(f) The proposal includes new parking restrictions for undefined "larger" events that were not suggested or recommended by the group.

19.18.060(5)(b) The proposal deletes existing code language that allows Destination ATOs to serve food to guests staying overnight. A Destination ATO must install a commercial kitchen if it wants to operate a restaurant. It appears that bed and breakfasts would be illegal in Yakima County unless the bed and breakfast can meet the many requirements for obtaining a Destination ATO permit and meet the requirements for a commercial kitchen and restaurant.

19.18.060(5)(d) The proposal reduces the number of overnight lodging accommodations a Destination ATO can operate from twelve to six. The existing code language allowing a Destination ATO to have a boarding or lodging house is deleted.

19.18.060(6) The existing code language allowing Resort ATOs to operate in the ag zone is deleted in its entirety by the proposal. Large events are no longer allowed without a special permit -- even if the Resort ATO is designed to accommodate large events.

In addition it will now be illegal to operate a "gift store, art gallery or the like" in the ag zone under any circumstance.

Overnight lodging facilities with more than six accommodations are made illegal.

19.18.060(6) The proposal applies "additional requirements" to "stick built units, recreational vehicles, and membrane structures (teepees, yurts or tents)" not previously required by the code. Each such temporary structure will not account against the facilities limit of six lodging accommodations. These changes were never suggested by the group and will make it harder for small farms to host visitors through ag tourism.

For the first time, membrane structures are required to comply with the county code for transient accommodations (e.g. cabins). This will be very difficult or impossible for tents, teepees and yurts to comply with -- so the proposal effectively bans membrane structures. This goes against recent changes in the county code designed to encourage "glamping" in the ag zone.

Cooking in membrane structures is banned. This is another change that was never suggested by the group.

8.10.010 The proposal takes the current code section applicable to major outdoor festivals and applies it to all events. It defines events extremely broadly to include all public assemblies of any kind. It says that all events are as dangerous to the public as big festivals. It creates a whole new administrative process that applies to all events, not just major festivals. None of these changes were suggested by the group. Changing the regulations for festivals is not within the mandate of the group.

8.10.020(3) The proposal expands the existing definition of Outdoor Festival to include indoor festivals. It dramatically expands the definition of a festival as any assembly of persons over 500 people for more than five hours for virtually any purpose, public or private. The group never suggested that the rules for festivals should be changed. The county has not reached out to entities that actually want to hold festivals in order to get their input prior to proposing such sweeping changes.

8.10.030 The proposal removes the allowance for festivals to be up to 16 days under one permit. No one in the group made this suggestion. Presumably this means that if someone wants to hold a sixteen day festival they will have to apply for 16 permits.

8.10.040(1) The proposal requires the applicant to apply 90 days before the festival instead of 45 days. The proposal also appears to change the permit fee. Again, not member of the group suggested these changes.

8.10.040(1)(a) The proposal requires both the owners and the "event" promoter (note that it does not say "festival" promoter) to sign the application. The proposal appears to make it illegal for corporations or LLCs to apply for festival permits.

8.10.040(k) The proposal gives the administrative official broad discretion to require "any other measures" to reduce impacts from the festival.

8.10.040(l) The proposal allows the administrative official to require whatever additional information he or she might want from the applicant while providing no guidance or limitations on the discretion of the administrative official.

8.10.050 The proposal allows the administrative official to deny a permit for a festival without having to state the reasons for the denial. The right to appeal to the Board of County Commissioners is eliminated. The applicant must pay a new fee in order to appeal to the hearing examiner. The right to judicial review is deleted.

8.10.090 The proposal creates new access and parking requirements and limitations. No criteria are provided to guide applicants or county staff.

8.10.095 The proposal creates new requirements and limitations for membrane structures (e.g. tents or teepees). The membrane structures must be installed at least five days before the festival, but the County does not inspect until the day before the event. If the county does not like the membrane structures, the festival will be cancelled at the last minute. The proposal goes directly against the strongly expressed input of the group that approvals be made in advance so that owners and promoters have time to plan and sell tickets without having to worry that their event or festival will be cancelled by the county at the last minute.

8.10.100 The proposal requires applicants to obtain waivers from neighbors before the application is submitted.

8.10.115 The proposal adds new vibration restrictions.

8.10.116 The proposal adds new lighting restrictions.

8.10.140 The proposal places potential new limits on the hours of festivals. County staff are given the authority to shorten the hours of a festival based on vague criteria such as "public health."

Proposed Changes to the Agriculture Tourism

Sal Leone <leone@rozaestates.com>

Tue 2/8/2022 9:24 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

Cc: Winery & Distillery (paul@wilridgewinery.com) <paul@wilridgewinery.com>

EXHIBIT NO.: 4
DATE: 2.8.22
FILE NO.: LRN2019-00010

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Olivia

Please pass on my comments about the proposed changes to the agritourism codes to the planning committee for tomorrow's meeting. As the owner of Silver Lake Winery that had a remote tasting room in unincorporated King County, please proceed with caution and be certain that there is a need for these changes. It took King County over 6 years to study the situation, hold multiple public hearings to finally pass a new ordinance. It was challenged in the courts and now over 8 wineries are facing potential closure. In my case, Silver Lake Winery which had been operating in the general Woodinville area was FORCED to close. I worry you can have the same impact in Yakima.

My comments in the proposed changes are:

Chapter 19.18.500 Wineries, Breweries, and Distilleries

Paragraph 2 (b) Food Service. You propose to limit the food for a winery, brewery or distillery (WBD) to packaged foods only unless it is provided by a licensed food vendor at a special event.

Does this mean that a WBD can not have a food truck unless they have a special event permit? Many WBD currently have food trucks every weekend which helps drive business and reduces the chance of intoxication by eating food with alcohol.

Suggestion: When you limit food at WBD, you increase the chances of overconsumption hence, I would recommend that you allow WMDs to have both a restaurants and licensed food vendors without a special event.

Paragraph 2 (C) Special events: You propose to require a special event fee if there will be over 100 attendees at an event including weddings.

Silver Lake Winery has hosted weddings for many years. I can tell you most of them are around 150 guests and we have never had an issue!

What is the cost of special event fee? Time for application? Will this add a burden to the young bride and groom who will now have to go thru the process.

Are Wine Club pickup parties exempt from this event permit? Will they also be limited to 100 guests.

Is the 100 guest limit the number of people on the premise at one time or during the whole day?

Allowing a reviewing official to set limits is not a good idea unless there are clear objective standards being applied.

Suggestion: Raise the limit for the need for a special event permit to 150. Make sure it is clear that wine club pickup parties are exempt.

Chapter 19.18.060 Agricultural Tourist Operation

Paragraph 2 (a) Food Service: If I read this correctly, prepared food is permitted only if it is incidental or accessory to a permitted use or value-added food items produced from agricultural products grown on-site or pre-packaged food. This wording is confusing! Does this include a winery that wants to sell pizza made on site? Is this supposed to include restaurants? Or does this actually limit food preparation and consumption to food only grown on site?

Paragraph 4 (b) ATO-Retail Food Service: I have the same comments as above.

Suggestion: Allow Restaurants at WBD or at least at the ATO- Retail level

Paragraph 5 b). ATO-Destination Food Service This is the first time I see the word restaurants mentioned. If you are proposing that a WBD needs to have an ATO-Destination permit to be able to sell pizza (or any other prepared food) on-site, then this threshold is too high and will discourage many to do so.

Suggestion: Allow restaurants at WBDs or at the very least ATO-Retail.

Paragraph 5 (d) ATO-Destination Overnight lodging: Short term rental are limited to six (6) units. This limit is too small as there may not be enough revenue to pay all expenses for running this lodging including the costs for a manger, maid, clerks, janitors and gardener, utilities. All business require a profit point to survive and six is too little. When was the last time any commissioner slept in a lodging with only 6 rooms?

Many of use hosts 1-2 RVs from Harvest Hosts, an online company that refers customers to visit WBDs and farms in exchange for a free place to park their RV. Does this now meant that a participant would need a ATO-Destination to participate in Harvest Hosts?

Paragraph 6 (a) ii – Same Comments as above

Suggestion: Change the limit of 6 units to 12 and be sure Harvest Host participants are exempt.

I am sure there are other concerns that others have expressed. Mine are meant to complement those.

Can you please submit my comments to the commissioners and answer my questions before the meeting so that I may participate in the Zoom meeting as an informed participant.

Sal Leone
Managing Member
Roza Estate Wine & Spirits
www.rozaestates.com
Silver Lake | Brown Box | Roza Hills | Vitis Spirits

FW: Hello!

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Wed 2/9/2022 3:36 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

EXHIBIT NO.: 5
DATE: 1.25.22
FILE NO.: LRN2019-00010

From: Little Hopper - Wendy M King <wendy@ridelittlehopper.com>

Sent: Tuesday, January 25, 2022 9:50 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Hello!

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello, Olivia!

I am just learning about this group and have missed a lot of meetings/discussions – but look forward to being a part of future discussions! I will follow your page, but if you have any additional information you can provide, please do!

THANKS so much,

WENDY M KING

Little Hopper – Yakima’s Beer Bus

509-985-7470

ridelittlehopper.com

PO BOX 8307

Yakima, WA 98908



agritourism

Jane Gutting <janegutting@gmail.com>

Wed 2/9/2022 10:51 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

EXHIBIT NO.: 6
DATE:2.9.22
FILE NO.: LRN2019-00010

Please allow our county to benefit from agritourism!! Do not impose excessive permits for gathering at local wineries and breweries. Grouts of 50-100 are small gatherings when held in agricultural spaces under our open skies. Please, let us progress for tourism, economy, and community events.

Jane Gutting

Sent from my iPhone

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Thu 2/10/2022 2:32 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Eduardo Oliveira <eduardo@freehandcellars.com>

Sent: Wednesday, February 9, 2022 3:55 PM

To: Lisa Freund <lisa.freund@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Amanda McKinney <amanda.mckinney@co.yakima.wa.us>; Ron Anderson <Ron.Anderson@co.yakima.wa.us>; LaDon Linde <ladon.linde@co.yakima.wa.us>

Cc: Tyra Bleek <tyra@freehandcellars.com>; James DeSarno <james@freehandcellars.com>

Subject: Feedback on RN2019-00010 -- Agritourism [Freehand Cellars]

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

As a winery owner who loves the Valley and wants to see it flourish economically and in recognition as a beautiful destination, I would appreciate your serious consideration to my feedback of the current proposed modifications to the code.

It should be a stated goal for the Yakima County Planning Commission to encourage and support agritourism. The Yakima Valley, based on its location, weather, scenery, and existing agricultural production is very well suited to define its image as an agritourism destination within the state. Leavenworth attracts tourists as the Bavarian town, Chelan as the Lake destination. Yakima Valley is the natural Wine/Beer/Orchard county. People crave to reconnect with nature, in orchard or agricultural settings. This type of tourism can bring exciting businesses to the Valley and create enjoyment, pride, and economic development.

The blanket reduction of allowed overnight units from 12 to 6. It does not seem necessary to establish this reduction and yet it impacts the ability to develop small tourism destinations in the valley. Out of all changes, this is the most concerning.

Locations should be able to obtain long-term permits for events with more than 100 guests, without the need to reapply every time since the evaluation of the venue is the most important part, and that does not need to be done each time. This provides greater certainty to businesses when signing contracts for the events, and alleviates administrative burden for both the business and the County.

Changes should take effect only in 2023. The implementation of these changes, which I presume will involve a permitting process and additional administrative work for the existing wineries, should not be done during a time that everyone is still trying to recover from the COVID hardship and frequent changes to health regulations.

Thank you for your consideration.

Eduardo Oliveira
Freehand Cellars, Owner

FW: Erin Walsh, mailing address is 1112 S. 28th Ave, Yakima, WA 98902

EXHIBIT NO.: 8

DATE: 2.9.22

FILE NO.: LRN2019-00010

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Fri 2/11/2022 8:45 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

-----Original Message-----

From: Erin Malland <erinmalland@icloud.com>

Sent: Wednesday, February 9, 2022 6:59 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Erin Walsh, mailing address is 1112 S. 28th Ave, Yakima, WA 98902

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

I'm sorry my call dropped as I was trying to access my microphone. Erin Walsh, mailing address is 1112 S. 28th Ave, Yakima, WA 98902; Will Yakima County code enforcement or special permit processing agents require agritourism businesses hosting live music to provide proof of required music licenses such as ASCAP, BMI, SEASAC, etc.? This licensing ensures that songwriters are properly credited for their music performed during open mics, concerts, etc. This is particularly important when venues host "tribute bands." Also, while I am a huge live music fan and former venue owner, the venues that project sound within a mile of residential properties can be very disruptive to homeowners, residents, animals, etc. Finally, what will the dust abatement requirements be, especially on days where traffic is higher than usual? Thank you.

Erin Walsh

Sent from my iPhone

2-11-2022

Ron & Amanda

EXHIBIT NO.: 9

DATE: 2.11.22

FILE NO.: LRN2019-00010

Re: Festival Permitting

Citizen: Janal Kent Isaac

4605 Antanum Rd

Yakima, WA. 98903

509-823-0300

A. The Fairgrounds has
horrible footing for equine
events

B. The stables are in poor
condition

C. No one on the advisory
committee represents
Team penning, Revers,
4-H kids, Barrel Racers
Nonprofit organization

D. There is no distinction
about an event w/out
alcohol

E. Too loose definition of festival

F. Should exclude Toppenish
Fair Grounds if you

exclude Yakima Fairgo

g. You need input from
✓ Darrel Winters
✓ Sue Hart
Back Country Horsemen
- their Poker Run
falls into your definition

h. need exclusion if
event is during day light
hours in rural or
similar zoning, before 10pm,

i - administration of
'festival' permitting
can be very hostile

j - force events onto
reservation to avoid
burdensome over
regulation

k - ~~HAA~~ having fun w/ horses
is not an illegal activity

1. If you have issue w/ Mexican Rodeo - go to them -

m. Define a rodeo to include:

Bareback riding

Saddle Bronc riding

Bull riding

steer wrestling

team roping

calf roping

Barrel racing

and charge a admission fee

n: exclude single event activities

o. Need different rules for non alcohol events (no gate or alcohol)

p. Just another example of over regulation

Thank you!

FW: Winery Rules

EXHIBIT NO.: 10
DATE: 2.15.22
FILE NO.: LRN2019-00010

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Wed 2/16/2022 1:55 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Julie Bosma <mrs_boz@msn.com>
Sent: Tuesday, February 15, 2022 2:45 PM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Winery Rules

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Good Afternoon,

I am writing to comment on the rule re-write that the county is undertaking as related to wineries. Currently it appears there is a good amount of grey-area around the type of food service that a winery can provide without obtaining an Agri-Tourism permit. I think it is good to add clarification here.

I strongly urge that wineries be permitted to serve food at whatever level the Yakima County Health Department will permit the kitchen facilities without requiring an Agri-Tourism permit. It does not make sense to serve alcoholic beverages without food. It can lead to intoxication and unsafe driving conditions. This is a basic safety issue. If more wineries could serve heavy meals (full food service), there would be increased safety on the roads.

Additionally, I urge the County to allow some limited number of events at wineries without the need for an Agri-Tourism permit. I would suggest 6-10 events per year be allowed so wineries can have special events such as weddings for friends and family, events (food and music) to show appreciation to their wine club members, crafting classes, "girl's night out" events, etc. I understand that multiple events every month could be a problem, but given the strict definition of an "event", I think it makes sense to allow a few, limited events.

An alternate suggestion would be to redefine "event" to be a larger gathering than it is currently defined as. For example, perhaps an event could be defined as lasting 6 or more hours and including 30 or more people. This would allow for limited music and special food service during a short period of time for something such as a wine club appreciation afternoon or a girl's night out.

Thank you for considering my comments.

Julie Bosma
Bosma Estate Winery
Outlook, WA

Noelle Madera <Noelle.Madera@co.yakima.wa.us>

Thu 2/17/2022 8:32 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

Here is this comment letter if you want to include it with the exhibits and add him to the parties of record list.

Noelle Madera

From: Noelle Madera

Sent: Wednesday, February 16, 2022 12:35 PM

To: rab@bentonrea.com

Subject: RE: Rules Governing Wineries and Breweries

Richard Boushey,

Thank you for your comment. We will be forwarding all comments to the Planning Commission as this project moves forward.

Noelle Madera

From: rab@bentonrea.com [mailto:rab@bentonrea.com]

Sent: Tuesday, February 15, 2022 8:43 AM

To: Noelle Madera <Noelle.Madera@co.yakima.wa.us>

Subject: Rules Governing Wineries and Breweries

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Noelle Madera,

My name is Richard Boushey and I farm grapes in Yakima County and Benton County. I have done this for over 40 years. I have also grown Apples and Cherries for 35 years. Currently I am on the WA State Wine Commission and other industry boards and committees.

Approximately 16 years ago I was chair of the Yakima Valley Winery Association working with Barbara Glover. When I got on the board I thought I would spend time bringing the industry together in the Valley and planning promotional events, such as, bringing wine writers and visitors to the Yakima Valley or organizing promotional tasting outside of the Valley. What I found myself doing was dealing with the county on permits. These revolved working with the health department and your planning department and getting clear guide lines about what was needed to build and operate a winery and tasting room. This association also worked with Benton County.

It was always very striking the differences between the two counties. I sell to 50 wineries in the state and a fair amount to wineries in Benton and Walla Walla counties. What I noticed was the different approaches each county took concerning wineries. In Benton and Walla Walla they would work closely with the wineries and were actually advocates for the industry. Most the time they had many of the same regulations but would work with the wineries to make it work. These counties wanted the industry to grow and thrive there was more of a partnership. Consequently, that's where the growth has gone. The wine industry generates more jobs per acre than any other commodity and the industry creates more taxes per acre than any other commodity, mostly through the wine tax. In a few years it will exceed apples in economic impact to the state. Yakima AVA has more wine grapes than any other in the state. Currently its around 13,000 acres, it is a great place to grow grapes. It is the birth place of the modern industry. There are 55,000 acres in the state. But, Yakima is probably the least recognized growing area. Most of the grapes leave the county because they have never formed a strong winery base and it is so restrictive and sometimes unfriendly place to be. I have not been on the winery board for 10 years.

The other part of this discussion seems to revolve around living in rural Yakima County and preserving this so called bucolic place. I live in the country outside of Grandview 5 miles out of town. If you spend much time in rural Yakima county you will probably hear trucks going around the clock hauling milk, silage, feed, fruit, manure, compost, fuel, equipment etc. You will hear wind machines all night in the spring and fall. You will hear propane cannons to scare birds in cherries and grapes. You can experience speed sprayers at any time of the day. Workers and worker buses driving to work from day light to dawn. There is a very large farm worker housing community below my vineyard that is well lighter and very active with 100 people living there 10 months out of the year. There is a nice big manure lagoon, 3 million gallons, below a vineyard I own. The smell from

this lagoon is a little overwhelming. The craziest time is harvest. We will have hops, grapes, apples, corn chopping and other crops going for 2 ½ months straight, it can be a dangerous noisy place.

To me, this environment is normal and I love it. It goes with the territory all the noise smells and people is what it takes.

Everyone is trying to make a living.

To complain about a few more cars or some one singing or playing music or groups enjoying wine seems a little trivial. If I you wanted peace and quiet I would move into town.

I don't mean this letter to offend you, you have lots of people to answer to. I am just sharing my perspective.

Thank you for your time,

Richard Boushey

Janet Beck <dammitjanet3@gmail.com>

Mon 2/21/2022 5:14 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Olivia,

I am writing to you in regard to the current Planning Commission consideration of potential rules changes for agritourism. If you are not the person who is fielding comments for the Commission, please forward this e-mail to the correct designee.

I am a local Yakima resident--a PROUD citizen of Yakima County. I have visited many of the local agritourism venues with family and friends over the past few years. It is wonderful to see the changes to our valley, with many options to enjoy the beautiful views, lovely weather and great offerings of beverages and food at our local wineries and breweries. Much of the charm of our Yakima businesses is that they are nestled within our community--I don't have to drive far to access them when I am looking for a relaxing day of fun and conversation. Many of our businesses also offer events with music and other entertainment such as paint parties, yoga and exercise opportunities--and a good healthy hike to at least one of my favorite places.

I understand the Planning Commission is looking to potentially change its rules for agritourism businesses. I am strongly encouraging you to keep the current access and amenities available to our community and our visitors.

Please maintain the current rule that "events" are defined as 200 + attendees. I know from my own visits that, especially as the weather warms, some of my favorite businesses may have 100+ visitors on a given day--and they offer plenty of space inside and outside to accommodate us. Some businesses are located near bike and hiking trails that allow us to access them without a vehicle, which cuts down on traffic and noise for nearby residents.

I consider these businesses as options for dining as well. The availability of food--not packaged snacks, but REAL, prepared food is an attraction for visitors. Many offer food truck provisions, which is an important support to these local workers as well. I also enjoy the food offerings for a great lunch or dinner to pair with wine or brews --it enhances the experience, as well as provides a safer visit --we are able to have a meal with our beverages. It is my understanding that the Yakima Health Dept currently regulates the food service provided at agritourism businesses--and it should continue to do so.

Another consideration for your commission is a potential of reducing RV/Camping spaces, which is currently limited to 12 spaces. I believe it is important for our community to offer plenty of opportunities for out-of-town guests to stay at our venues to promote our local

economic growth and provide accessibility to visit our local businesses. The current limit of 12 spaces allows that accessibility without negatively impacting the surrounding areas.

As I stated at the beginning of my comment, I am so proud to live in this community with the wonderful wineries and breweries that have grown up here. We need to do all we can to support our local businesses and promote our lovely Yakima Valley. The current protections in place for surrounding residents are working well and should be maintained.

Please contact me directly if you would like to have a conversation.

Thank you for your time and consideration,

Janet Beck
1607 South 70th Avenue
Yakima, WA 98908
509-945-0415

Cody Beebe <cody@chinookfest.com>

Tue 2/22/2022 8:31 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>; Dawn Gardner <dawn@chinookfest.com>

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello Olivia,

Thank you for your response. My notes are below:

Thank you for taking our comments into consideration. I believe that Chinook Fest is one of only two events in Yakima County that, up until this point, has been required to submit the festival application. A few years ago, we worked with the county commissioners to adjust some of the verbiage in the code, following feedback that was sent by a few neighboring properties. The county was extremely fair and took our position into account, to which we are thankful. With 10 years of experience under our belt, we feel we have a good idea of what it takes to do an event in the county safely and in accordance with the codes set forth. However, there are a few areas in the verbiage that I believe might be overly limiting to the success of future events.

8.10.095 - Temporary Structures

"All temporary facilities or structures shall be completed no more than five days before the event."

For our event and any others that are nearing the 500 person limit that requires this permit to be in place, this rule should suffice. However, this would be extremely limiting to any larger scale events that may want to come to the county. We understand that leaving infrastructure set up for long periods of time can be unnecessary, but events that draw more than a few thousand people that plan to stay for multiple days may need longer than a working week to setup. In the case of a renaissance fair or even larger music festivals, typical those events take 2-3 weeks to setup, if not more. This time ensures that infrastructure is built correctly and safely and is not "rushed" into place. I believe that large scale events that are done safely are a huge asset to the community, businesses in the area, and the tourism as a whole in the county.... bringing much needed positive attention and revenue to the area. I would hope that our code would allow these events to proceed and make it possible to do so. **My recommendation would be to increase this time period to two weeks.**

8.10.120 - Age of Patrons

"No person under the age of eighteen years shall be admitted to any outdoor festival without the escort of his or her parents or legal guardian and proof of age shall be provided upon request."

This is a tricky one. Chinook Fest is 21+ and we set it up that way intentionally. However, we have an example of another event that would be negatively impacted. We have been in talks with another promoter that wants our help to bring a Christian festival to the county in order to provide at-risk youth with an event that is safe and will help keep them on a positive path in life. They specifically feel that middle-school aged kids are most in need of something like this. If this code applies, how would youth leaders or churches bring their student populations to the festival without parents accompanying each of them? What if a 16 year old that has their own car and driver's license wants to attend? The rest of the festival code has so many areas that ensure the health and safety of the public that I feel are sufficient to protect young people who attend events, if done correctly. **I would suggest that there be some sort of variance that would allow chaperones that have written permission of the parents to accompany the minors.** I'm also inclined to say the minimum unaccompanied age would be 16. Lastly, I think it would be a positive step to **allow certain festivals to apply for "all ages" status that would perhaps require the producers to put a few more safety measures in place to be able to have minors**

without parents on site. Again, I know this is a tricky one, but the current verbiage really makes it hard to have all-ages events... so most of the events around the valley tend to only be for adults. We need more events that culturally enrich our youth because there is an extreme lack of things to do for them in the valley... which can lead to trouble. We need to do our best to give them fun opportunities to learn and experience, while keeping them safe. Tall order, I know!

Thanks for your time and consideration!

On Tue, Feb 22, 2022 at 7:45 AM Olivia Story <olivia.story@co.yakima.wa.us> wrote:

Hi Cody,

You can email them directly to me and I will ensure the Planning Commission receives it.

Olivia Story
Project Planner
Long Range Planning Division
Yakima County Public Services
(509) 574-2300 ext: 2391 Phone
(509) 574-2301 Fax
olivia.story@co.yakima.wa.us

This email and replies to it are subject to public disclosure under Washington state statute (RCW 42.56 – Public Records Act).

From: Cody Beebe <cody@chinookfest.com>
Sent: Friday, February 18, 2022 3:27 PM
To: Olivia Story
Subject: Festival Permit Changes - Written Comment

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hey Olivia,
I'm hoping you can point me in the right direction where I can submit written comment regarding the proposed changes to the festival permit.
Thank you,
Cody

--

Cody Beebe // (509) 969-5930

<<http://www.chinookfest.com/>>
CHINOOK ENTERTAINMENT <<http://www.chinookfest.com>>
Co-Founder / President

FW: Yakima Agitourism

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 10:06 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

EXHIBIT NO.: 14

DATE: 2.21.22

FILE NO.: LRN2019-00010

-----Original Message-----

From: Carolina Martinez <martinez.ca826@gmail.com>

Sent: Monday, February 21, 2022 7:52 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Yakima Agitourism

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Hello,

I'm writing to express my support and concern over the new Agitourism proposal. First, I want to support the idea of allowing wineries and breweries to serve food. This will reduce overconsumption and support these businesses with more revenue, as customers usually leave because they are hungry. However, I also want to express my objection in limiting lodging when these venues can provide a safe place for guests and encourage tourism to the Yakima Valley.

Thank you,

Carolina Martinez

Selah, WA

FW: Wilridge winery

EXHIBIT NO.: 15

DATE: 2.19.22

FILE NO.: LRN2019-00010

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: No <jaxonjett007@gmail.com>

Sent: Saturday, February 19, 2022 9:32 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Wilridge winery

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

My name is Jaxon Jett, I am the nephew of Maria Jett, I've stayed at her house adjacent to the winery every summer for most of my 18 years of life. Every summer around dusk the music next door has rumbled my Aunts entire house shakes along with the beat of the music, if you walk outside during the concerts the winery is throwing it feels like you're in the middle of the concert when you just want to rest. The owner of the winery has been harassing and manipulating my family for years to get his own way since he moved in. He knows the law and what Yakima will do and knows he can operate however he wants.

Long Range Planning

Wed 2/23/2022 4:15 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Emily Fergestrom <emily@fortuitycellars.com>**Sent:** Wednesday, February 23, 2022 2:44 PM**To:** Long Range Planning <longrangeplanning@co.yakima.wa.us>**Cc:** Amanda McKinney <amanda.mckinney@co.yakima.wa.us>; Ron Anderson <Ron.Anderson@co.yakima.wa.us>; LaDon Linde <ladon.linde@co.yakima.wa.us>; Lee Fergestrom <lee@fortuitycellars.com>**Subject:** Fortuity Comment on the Agritourism Draft Staff Report/Code**CAUTION :** This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Planning Commission and Yakima County staff,

Thank you for the opportunity to comment on the draft staff Agritourism code changes. I had the opportunity to attend a few of the Agritourism Advisory Group meetings last year.

My husband Lee Fergestrom and I own Fortuity Cellars, located at 160 Lombard Loop Road, Wapato, WA 98951. Our home is on-site and we are residents of Yakima County.

We purchased the property in September 2017 and started construction on our new winery production building in June 2019 and completed it in December 2019. Our building was fully licensed as a working winery and tasting room in March 2020. We were set to open April 2020, but the current pandemic pushed that opening back to August 2020.

We currently have a Destination Agricultural Tourist Operation, which was approved by the Yakima County Hearing Examiner in February 2018. The previous owners of our property also received a Destination Agricultural Tourist Operation in May 2015.

We currently process grapes (crush/destem/ferment), age, blend and bottle wine on-site. We also conduct tastings with the public at our winery.

While we have only been in operation at this location during the pandemic, about 70 percent of our revenue comes directly from consumers visiting our winery. The other 30 percent is off-site permitted events, online sales and wholesale sales. This breakdown is very consistent with industry standards for small wineries (under 5,000 cases). The Silicon Valley Bank recently reported that 57 percent of winery revenue comes from tasting room, club and other sales associated with on-premise sales. SOURCE:

<https://www.svb.com/globalassets/trendsandinsights/reports/wine/svb-state-of-the-wine-industry-report-2022.pdf>. The smaller the winery, the more important direct to consumer (DTC) sales are – making tasting room, winery and wine club activities that much more important. As noted on the Washington Wine Commission's website, 90 percent of Washington state wineries produce less than 5,000 cases annually. My guess is in Yakima County that number would be even higher. Fortuity currently produces 1,500 cases and we plan to grow up to 2,500 cases.

Wine club membership is critical to the success of small wineries. Attracting and retaining these loyal customers is how we sustain our business and increase profitability. The ability to host events on-site several times a year for our club members (and potential club members) is absolutely critical to our success. 2021 was the first full year of operations for us at our Wapato location. And while we were still under a pandemic, our wine club membership grew 50 percent. Given this growth, we do have more than 100 people on-site at these wine club events, new wine

release parties and other celebrations. Any changes to the code that would restrict a winery's ability to host these types of events would greatly impact their profitability and could force them to look at relocating to a different county.

Yakima County needs and should want more wineries like ours choosing to build and grow their businesses within our county lines. We generate B&O and sales tax and we create jobs. We also support other local small businesses (insurance, packaging, storage, freight, hospitality, professional services and much more). Any changes should be to grow our craft beverage and tourism industries in Yakima County.

We need to be able to compete with other wine-tasting/tourism/wine-producing regions like Chelan, Walla Walla, King County, Willamette Valley, Columbia Gorge, etc. Having tourism infrastructure like food and lodging is critical to our success of being a world-renowned wine-tasting and producing region.

I understand there are three main areas of this discussion: lodging, food and event size. For the purposes of our winery, which is focused on producing the wine on-site and marketing/selling direct to consumer, I will focus the remaining of my comments on the event size and ATO grandfathering. While it is not our plan to have a restaurant or lodging, we do currently hold a Destination ATO and we believe we should be able to retain this investment.

From the beginning of this process, and as part of the Advisory Group, I have encouraged county staff to clearly define the problem they are trying to solve so that any future code changes or legislation could address these specific concerns. I commend the county staff for their communications and regular meetings.

Unfortunately, I do not believe the problem statement was fully defined. It appears that one of the biggest problems is neighbor noise complaints. If this is the driving force for limiting the size of an event, I would encourage the Board of Yakima County Commissioners to look at the Compliance/Enforcement budget. YCC 6.28.030 already addresses noise complaints. Additionally, ATOs, like ours, address it in the Hearing Examiners decision. Our ATO specifically says that music must conclude by 10 p.m. and all events must end by 11 p.m.. Writing code for a few people who violate the existing code is not the appropriate or fair approach.

As I noted above, the success of our small, family winery depends on people coming out to our winery to taste and buy wine. Additionally, a successful small winery will continue to grow its wine club – cultivating the most loyal customers. At Fortuity, we hold pickup and release parties for members featuring local chefs or restaurants, not just pre-packaged veggies and cheese. Because our club is well above 100 members, our winery events certainly have more than 100 guests. Limiting winery events to 100 guests would require us to turn people away. As costs of food, freight, labor, etc. continue to rise and drive up event budgets, we need to be able to attract more people to our winery to cover these costs and have some profitable. If we have to put a maximum number of people who can attend an event at an establishment that only has a general WBD permit, I recommend that they can hold events up to 250 guests. Otherwise, the code will certainly stifle growth of existing wineries, as well as, discourage businesses from selecting Yakima County as their headquarters.

I also wanted to address the staff presentation on the permit cost. It appears that there would be a \$485 WBD, \$1925 WBD or \$1925 ATO permit cost. I am hoping that what we have already paid to date to obtain our ATO would apply to any new permit costs. Additionally, it was unclear from the presentation if this was an annual or one-time permit. An annual cost of \$485 or \$1925 would be a significant expense to a small winery.

The staff also presented a change in parcel size. I suggest removing that or greatly reducing it. Our winery production operations clearly fit under the definition of agricultural uses and we can do that on less than half the size of our current property. I understand that growing grapes would require a lot more acreage, but agricultural processing does not. Please consider removing the parcel size requirement for an ATO or reduce to no more than two acres.

Finally, if new code is passed, I recommend that wineries/breweries/distilleries who have existing ATOs be grandfathered in. We bought our property because it had the ATO. We saw the value of this ATO from the very beginning and it was factored into the purchase/market price. Our business plan was developed based on our ability to host large gatherings as a winery. We purchased our property with those revenue targets in mind. We also spent

a significant amount of money changing the Destination ATO into our name, since we were changing the core agricultural business to a winery. Requiring us to pay an additional permit or go through an additional regulatory process would place a financial and resource burden on our business, particularly coming out of a pandemic.

In summary, the following are the items I ask the Planning Commission to address:

- All WBD businesses (general WBD permit and any ATO) should be able to have up to 250 people at an event that is part of their WBD operations and marketing.
- For those applying for a new WBD permit or ATO, make the fee structure more reasonable and one-time to encourage new wineries to select Yakima County as their headquarters.
- Remove parcel limitations for an ATO; not all agricultural uses require a lot of acreage
- Transition all existing ATO-holders to new ATO-designations - current Type I and II to new ATO-Retail and current Type III and IV to new ATO-Destination – without any additional fees.
- Evaluate whether current code enforcement officers need additional tools or budget to address noise complaints and determine if a business is violating the current County noise ordinance (YCC 6.28.030).

Yakima County has a real opportunity to do the right thing with this Agritourism policy. We have an opportunity to send a message to the rest of the state (and beyond) that we are open for craft beverage businesses and we are open for tourism. Let's work to build out our infrastructure in a careful, yet open manner.

I'm happy to discuss this further with any of you. Thank you for taking the time to deliberate this important issue.

Sincerely,
Emily Fergestrom
Owner, Fortuity Cellars
Board Member, Washington Wine Institute

CC: Lee Fergestrom, Commissioners Amanda McKinney, LaDon Linde and Ron Anderson

EMILY FERGESTROM
OWNER & CHIEF BRAND OFFICER
425-247-6332

[REDACTED]
YAKIMA VALLEY AVA • WA
VISIT • BUY • JOIN CLUB
509-779-6000

[REDACTED]

FW: Agritourism Recommendations

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Thu 2/24/2022 9:09 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

EXHIBIT NO.: 17

DATE: 2.23.22

FILE NO.: LRN2019-00010

-----Original Message-----

From: Allyn Perkins <lochnal@icloud.com>

Sent: Wednesday, February 23, 2022 5:05 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Agritourism Recommendations

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

To the members of the Planning Commission:

I attended the public meeting on February 9th and was impressed by the professionalism, respect, and consideration exhibited by everyone in attendance. I listened to the comments, and have since then read the staff report document. I read each area of attention and the recommendations suggested by the staff and by the Advisory group. I agree with all areas except that of Food Service.

I disagree with the staff recommendation regarding food service at the ATO-Retail level. It is far too restrictive. WBD should be able to offer food that is prepared on site as long as the facility has met the requirements of Yakima department of Health and Building, Fire, Life and Safety.

The wine and brewery experience has changed significantly during the last two years. Customers are no longer moving from winery to winery just tasting the wine. They want to sit, sip, and take in the winery/brewery setting. Many people enjoy having food, not snacks, with their wine or beer. They stay longer, and may only visit 3-4 wineries. The typical foods prepared on site tend to be pizza or sandwiches and are served on disposable plates with disposable cutlery. This is far from a full service restaurant. Food service tends to be busiest around the lunch hour, and then concludes at closing times(5-6pm). Only those wineries with commercial kitchens are serving limited menus like this, and most aren't interested in offering a full service, real cutlery dining experience. If a winery wants to offer that experience, they can apply for the ATO-Destination permit.

There are several reasons why I support the Advisory Group ATO- Retail food Service recommendation. Financially, the WBD can make more money because customers will stay longer, eat a light meal, and buy more product. Customers may also slow down their consumption of alcohol because they are savoring the experience, which means safer roads. Many wineries are a significant distance from restaurants in Zillah, Sunnyside, or Union Gap so customers have to cease or put their wine country tour on hold in order to get lunch, therefore the wineries are potentially losing customers. (Pre-prepared cheese and meat plates don't count as lunch.) And lastly, if numbers of customers are a concern, this is already addressed in the areas of events and capacity, and if food safety and handling are an issue, this is a Yakima County Health District license.

I hope that you reconsider your recommendation and adopt the Advisory Group recommendation for Food Service.

Respectfully,

Allyn Perkins
2157 Cheyne Road
Zillah , Wa 98953

Sent from my iPhone

FW: Cowiche Creek Brewing comment on the Agritourism Draft Staff Report/Code

Long Range Planning <longrangeplanning@co.yakima.wa.us>

EXHIBIT NO.: 18

Thu 2/24/2022 4:20 PM

DATE: 2.24.22

To: Olivia Story <olivia.story@co.yakima.wa.us>

FILE NO.: LRN2019-00010

From: Derrick Nordberg <Derrick@cowichecreekbrewing.com>

Sent: Thursday, February 24, 2022 12:28 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Cc: Emily Fergestrom <emily@fortuitycellars.com>; Maria Nordberg <maria@cowichecreekbrewing.com>

Subject: Cowiche Creek Brewing comment on the Agritourism Draft Staff Report/Code

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Dear Planning Commission and Yakima County Planning Department Staff,

My wife and I decided to build a brewery back in 2014 because I fell in love with hops and got good at using hops to make beer. We started our journey with an Early Assistance Meeting(EAC) with Yakima County Public Services. The purpose of this meeting is to sit in an office with representatives from all divisions of Yakima County Public Services to discuss the proposed project. We can't even apply for our first permit until this meeting has been completed.

Seated at the table should be a person representing all facets of the jurisdiction from building and life safety, fire, SEPA, Environment, etc.

We had the unfortunate experience of having two key departments not show up. One was Fire Safety and the other was the Yakima Health District(YHD). Later we found out that YHD is not included in these crucially important meetings. We also found out that Fire Safety not only did not show up to the EAC but they never thoroughly reviewed our Conditional Use Permit for a Type 1 Microbrewery.

In the EAC, it was determined that our current driveway was a public safety hazard due to the angle of approach off of the county road and that a new ingress/egress was required.

Once we got our approved permit, there was no new driveway allowed. The reasoning, after I pressured our project coordinator Julia White why we couldn't have a new driveway like we discussed in the EAC? County code only allows for one ingress/egress per a parcel.

The Fire Marshall missed a key part of our application and that was that our driveway was not wide enough for a fire apparatus(truck) to drive in at the same time traffic was exiting let alone make the turn onto the driveway from the county road. The new Fire Marshall, Chris Pedersen, caught this error when she came out to inspect some propane piping we were burying in the ground. She informed me that she can overrule the county code from the Roads division to get us a second ingress/egress. This happened 3 weeks before our planned grand opening. This delayed our opening by 6 months and required us to apply for another permit, wait for approval, then start construction in the middle of winter with 2 feet of snow on the rocks we had to jackhammer to get line of sight distance cleared. This was something that should have been done two years earlier in summer when I pressured Yakima County on the need for a new driveway and was told no.

This is the point in our project where we learned a key lesson. When we make mistakes, we pay for it. When Yakima County Public Services makes mistakes, we also pay for it.

Fast forward to our grand opening that next April. We open our first day of business with all permits signed off. We bring in a mobile food vendor and have a friend's band play inside the building for a couple hours.

That next Monday I get an email from Chris informing me of all of the codes I broke. Food Vendors without a Special Occasion permit. Live music not permitted. Building Occupancy exceeded.

It was at that point I learned two more key lessons. If we do not explicitly ask for permission to do something, we cannot do it. It most likely will require another permit. Secondly, we are guilty until proven innocent.

I had to provide images to prove we were never over our occupancy during our busiest time.

I was completely unaware that live music was not allowed as a Microbrewery. I made a crucial mistake and assumed that breweries and live music go together. Not once in the EAC was live music not being allowed discussed. No one ever said, "hey, just so you know, you can't have an art gallery, weddings, or live music." All three are clearly stated in Title 19. No one ever said "also, if you want a food vendor, they need to spend \$216 to get a special occasion permit from the fire marshal and do an inspection before they can serve at your brewery."

Learning from my first key lesson, I knew there was only one way to react. I have to pay. So we started buying Special Occasion permits for live music and Special Occasion permits for our food vendors.

Eventually the cost of these permits made it prohibitive to have music or food vendors out.

We then learned key lesson number four – without food service, alcohol consumption skyrockets and the effects of that consumption results in drunk people leaving our brewery behind the wheel. We can stop them once they reach the point of being over .08, but we can't stop them from driving.

Here comes key lesson number five. If you have customers leaving your business impaired you don't sleep at night. These are our friends, family, acquaintances, valued members of society, policemen, firefighters, doctors, the list goes on.

We then made the decision to obtain our Type 4 Ag Tourist Operation(ATO) permit so that we could start serving food full time and fill the stomachs of our customers with fatty acids that would slow down the absorption of alcohol as well as fill them up.

\$22,000 and seven months later Yakima County Commissioners voted to approve our ATO. We had 2 years to meet all conditions of the permit and we did all of the construction in less than a year.

Now we get to lesson six. Once you serve food full time at the brewery it changes two very important behaviors. One is that people consume less. The other is that they leave and go home early. We used to have logs in our overservice log book at least once a week. Now, we have two entries since July of 2020 when we started full time food service. We used to have to force people out of here just to close the doors and now by closing time at 9:00 everyone is pretty much gone.

Now it is March of 2021 and I get invited to be a part of an advisory committee on ATO Rules.

It was brought up in one of the first meetings that we needed to clearly identify the problem. I don't believe it was clearly defined.

In my opinion, the problem is that WBD owners were never educated on what is and what is not allowed in EAC meetings and throughout the permitting process. WBD owners also started adding services and events without obtaining the appropriate permits. There are WBD locations that were approved to operate but don't meet current code such as 20' right of way for fire apparatus. There are special occasion permits that are used as a band aide to fix the problem of events at locations without an approved ATO. Yakima County is not consistently enforcing the existing code amongst all WBD locations. On top of that you have a few people in rural Yakima County that like to complain about anything and everything they can.

The solution is that we need to get everyone in compliance. It needs to be enforced consistently across all WBD locations, not just the new brewery in Cowiche or the Winery in Wiley City. We both spent the time and money to go through the ATO process to increase public safety.

Those narrow driveways need to be widened. The WBD owners that are serving food need to go through an ATO Review that address things like parking, ingress/egress, SEPA, upgrade their wells to Group A water systems, upgrade their septic systems and get a Hazard Type 3 permit from YHD. If they are holding concerts, WBD owners need to go through a review that ensures that parking and ingress/egress do not pose a public safety hazard.

The current ATO code needed to be cleaned up. It needed to be streamlined so that it was easier to navigate and obtain. It was cost prohibitive. I believe public services has done that with the draft. Collapsing the tiers, eliminating the requirement of BOC Approval, and reducing fees were all steps in the right direction. I feel that while it is in the right direction, more could be done to simplify the permitting process.

However, modifying the existing WBD code to limit events to 100 people is a very poor attempt at fixing the real issues at hand which are narrow driveways, unpermitted food and concert facilities, and annoyed neighbors. Limiting the events to 5 a year still equates to 5 complaints from that whining neighbor. That narrow driveway is still getting used 5 times a year and if someone codes out on the lawn as the concert is ending and the EMTs can't reach the patient in time because of exiting traffic, someone just lost their life because we didn't correctly identify and solve the problem.

Event capacity should be based on quantifiable items such as parking spots, handicap spaces, bathroom capacity, building/grounds occupancy. Cookie cutter rules like no events over 100 or 5 maximum events do not fix the issues at hand. We can seat more than 100 people in our brewery and the patio alone.

I am not sure how Yakima County can go back to these WBD locations and say, "hey, we made a mistake, your driveway is too narrow and we need you to spend \$10,000 to widen it" but that is what needs to happen. The Health District needs to tell the unpermitted food facilities they have to stop serving food until they get their hazard type 2 or 3 permit. And if you want to hold a concert, everyone needs to go through a parking and ingress/egress review to ensure unimpeded access for fire and life safety vehicles. Once those necessary reviews and permits are fulfilled the WBD location should be considered in compliance. They should be allowed to have a concert more than 5 times a year and if they have 200 approved parking spots then 500 people should be able to attend. That complaining neighbor won't have a valid excuse to complain if there is no threat to public safety.

Now that we have completed our construction for our Type 4 ATO Resort my main concern with the new code is that all of the time and money spent on our existing permit and what is allowed would change. I was assured by Olivia Story that we are grandfathered in and that these rule changes would not affect our Type 4 ATO Resort permit allowances. I want to also make sure that our Type 4 permit does not get converted into a new Type 3 Destination.

I also commented on a change that was made to the definition of an outdoor festival(such as Chinookfest). The word "and" was replaced with "or" when defining that the event had to be at least 5 hours AND over 500 people to be considered an outdoor festival. I believe that verbiage has been switched back to use the word AND. Switching that word to OR is a mistake because a simple event like a class reunion that lasts 6 hours would now qualify as an outdoor festival. The word AND needs to be used in that definition.

I appreciate the opportunity I have had to be included in these discussions as we move forward. That was also a great big step in the right direction. If there is anything else I can provide to help I would love to do so.

Thank you in advance for your time.

Sincerely,

Derrick Nordberg
Cowiche Creek Brewing Company
m. 509.388.1747
514 Thompson Rd. BLDG #2
Cowiche, WA 98923

RE: public comments regarding the Agritourism
Ronald D Pelson <ronald@traditionaldesignsinc.com>

Fri 2/25/2022 11:20 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

1 attachments (1,020 KB)

MX-3071_20220225_121733.pdf;

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Olivia,

Noted changes on the pdf. Overall, not that bad. HTC I think should allow the item mark as then it keep AG land form being developed and the road a better and less traffic out on the AG roads. Still ha on kitchen allow a winery in one plan not sure if this was just missed.

-----Original Message-----

From: Olivia Story <olivia.story@co.yakima.wa.us>
Sent: Tuesday, February 22, 2022 2:35 PM
To: Ronald D Pelson <ronald@traditionaldesignsinc.com>
Subject: public comments regarding the Agritourism

Hi Ron,

As mentioned earlier, Yakima County is accepting public comments regarding the Agritourism project until February 25th at 5:00 P.M. You can email them to me or mail them in. More information on the project can be found on the Agritourism website: <https://www.yakimacounty.us/2500/Agritourism>

If you have any questions, please let me know.

Olivia Story
Project Planner
Long Range Planning Division
Yakima County Public Services
(509) 574-2300 ext: 2391 Phone
(509) 574-2301 Fax
olivia.story@co.yakima.wa.us

This email and replies to it are subject to public disclosure under Washington state statute (RCW 42.56 - Public Records Act).

EXHIBIT NO.: 19
DATE:2.25.22
FILE NO.: LRN2019-00010

Staff DRAFT

A higher level of review may be required for a use located within one or more overlay districts, designated in Chapter [19.17](#), or where circumstances merit a higher level of review as described in Section [19.30.030](#). Where a use is not listed, it is specifically prohibited or subject to a similar use interpretation in Chapter [19.31](#).

Table 19.14-1 Allowable Land Uses

	AG	FW	MIN	R/ELDP	R-10/5	RT	RS	HTC	SR	R-1	R-2	R-3	B-1	B-2	SCC	LCC	GC	M-1	M-2
AGRICULTURE & FORESTY (COMMERCIAL)																			
...																			
Agricultural tourist operation*† (ATO):																			
(1) Retail ATO*	2				2	2	<u>3</u>			<u>2</u>									
(2) Destination ATO*	3				3	3	<u>3</u>			<u>2</u>									
(3) Resort ATO*	4	4			4	4													
...																			
Brewery, domestic*															2	1	1		
Brewery, micro*	1				3	2		2	2						1	1	1		
...																			
Distillery*	1				3			2	2										
Distillery*, craft*	1				3	2		2	2						2	1	1		
...																			
Winery*	1				3	2		2	<u>2</u>						2	1	1		
...																			
MANUFACTURING																			

Staff DRAFT

Staff DRAFT

Table 19.14-1 Allowable Land Uses

	AG	FW	MIN	R/ELDP	R-10/5	RT	RS	HTC	SR	R-1	R-2	R-3	B-1	B-2	SCC	LCC	GC	M-1	M-2
...																			
Beverage industry*, not including wineries							2										2	1	1
...																			

Notes:

* References to a definition in Section [19.01.070](#)

†Refers to a special use and standard in Section 19.18

(1) The type of review of towers and associated structures varies depending on height, diameter and other factors listed in Section [19.18.490](#).

(2) Allowed as an accessory uses to an existing detached, single-family residence.

(3) Seasonal-duration temporary worker housing, located on a rural worksite, is limited to review only for height, setback and access requirements under RCW [70.114A.050](#).

(4) In the Agricultural district, boarding/lodging houses and overnight lodging facilities are allowed only where accessory to an agricultural tourist operation.

(Ord. 6-2018 §§ 2(F)(ii), (G)(i)(1), (2) (Exhs. 5, 6(1), (2)(c)), 2018; Ord. 6-2017 § 2(C) (Exh. 1) (part), 2017; Ord. 4-2016 § 2 (Exh. 1), 2016; Res. 80-2016 (Exh. A) (part), 2016; Ord. 8-2015 § 2 (Exh. 4) (part), 2015; Ord. 7-2013 § 1 (Exh. A) (part), 2015).

Staff Draft

Yakima County Code
Chapter 19.18 SPECIAL USES AND STANDARDS

(a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no larger than 1,500 square feet. Events are an expected component of an ATO and shall be permissible under these regulations without applying for additional Special Occasion Permits. Events where the predicted total number of persons on the site is five hundred persons or more at any point in time, an Outdoor Festival Permit shall be obtained under YCC Title 8.10.

(b) Food Service. The sale of food that is incidental or accessory to a permitted use or value-added food items produced from agricultural products grown on the applicant's farm may be provided. Food service may include sales of ancillary prepackaged foods or beverages that are not prepared on the premises for on-site consumption. Food service in the Retail ATO is subject to Yakima Health District licensing requirements and **no permanent commercial kitchen is permitted**. Food service shall only be served by licensed food vendors and shall be restricted to the events.

(c) Commercial Uses. Accessory commercial retail uses may sell products or services produced on-site and/or limited items promoting the ATO.

(5) Agricultural Tourist Operation – Destination. A Destination ATO is one that consists of an assortment of uses over and above any uses associated with Retail ATO, but may include:

(a) Events (Ancillary Entertainment/Special Events). Indoor event facilities shall be no larger than 7,500 square feet. Events are an expected component of an ATO and shall be permissible under these regulations without applying for additional Special Occasion Permits. For events where the predicted total number of persons on the site is five hundred persons or more at any point in time, an Outdoor Festival Permit shall be obtained under YCC Title 8.10.

(b) Food Service. A restaurant developed as an accessory use to the Destination ATO may serve meals to the general public, subject to Yakima Health District licensing requirements, including a commercial kitchen meeting the Building and Fire, Life and Safety requirements of YCC Title 13.

(c) Commercial Uses. Other commercial uses directly related to the ATO may be allowed, such as gift stores, art galleries or the like.

(d) Overnight Lodging Facilities and Short-term Rentals. Overnight lodging facilities and Short-term Rentals shall be limited to 6 (six) overnight accommodations, as provided in subsection (6) below.

(6) Accessory Overnight Lodging Facilities and Short-term Rentals. Overnight lodging facilities, to include stick built units, recreational vehicles, and membrane structures (teepees, yurts, or tents) are subject to additional requirements when proposed within an Agricultural Tourist Operation:

In support of agri-tourism growth - Union Gap Tourism

Eric Patrick <epatrick@gjhco.com>

Fri 2/25/2022 6:48 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

EXHIBIT NO.: 20
DATE: 2.25.22
FILE NO.: LRN2019-00010

Good morning Olivia,

I'm Eric Patrick, the tourism director for Union Gap, WA.

I've just started diving into the potential growth of agri-tourism for communities and have been listening to several podcasts on this topic. I have also just started looking at some of the Yakima Valley Agri-Tourism conversation and have seen the concerns as voiced by Paul at Wilridge Winery.

I'd love to see the agri-tourism industry grow in the valley - I feel we have so many untapped resources and could truly rival many of the top agri-tourism destination with our hops, apples, pears, cherries, mint, stone fruits, peppers and so much more.

I just wanted to pass along my two cents and I'll continue to read up so I truly understand the direction we are taking and will see how I can help Union Gap fit in.

Cheers,

Eric Patrick
Union Gap Tourism
visituniongap.com
509-985-7768

Text amendments to Agricultural Tourist Operations (ATOs) and wineries, breweries & distilleries (WB&D)

EXHIBIT NO.: 21

DATE: 2.25.22

FILE NO.: LRN2019-00010

John Cooper <john@visityakima.com>

Fri 2/25/2022 9:14 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Cc: Olivia Story <olivia.story@co.yakima.wa.us>

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Case Number: LRN2019-00010

Text amendments to Agricultural Tourist Operations (ATOs) and wineries, breweries & distilleries (WB&D)

Yakima County Planning Commission,

Yakima County's agricultural bounty is the backbone of not only our overall economy, but also the tourism industry. Our wineries, breweries, distilleries and agri-tourism operations are renowned and attract visitors from around the world. In addition, wine grape and hop growers plus produce and tree fruit farmers rely on the success of these businesses for their operations. The most recent data (pandemic year 2020) shows the total economic impact of visitor spending in Yakima County exceeds **\$440 million** each year, **supports 4,200 jobs** and generates **\$34 million** in state and local taxes. Yakima Valley Tourism works hard to nurture and promote this vital industry and we implore you to do all you can to help them to prosper.

We recognize there is need to update county regulations based on the state's Growth Management Act while ensuring continued protection for agricultural zones and support for rural communities and tourist industries. But we also do not want it to be burdensome to the businesses. We commend the industry advisory group and planning staff for their work to date.

Based on the comments at the hearing February 9th we have two recommendations for consideration:

Currently Proposed Changes: 19.18.060 (5) (d) Overnight Lodging and Short-term rentals: Short term rentals are limited to six (6) overnight accommodations, down from 12. There was strong support from the industry to keep the number at 12 because of the economy of scale to be functional for a business. We support keeping it at 12 units.

Currently Proposed: 19.18.500 (2) (c) Special Events: "Events not related to the operational and marketing aspects... such as weddings, receptions, meetings, and retreats, and are anticipated to have over 100 attendees, will require a one-time special occasion permit (per event) as set forth in 30 YCC Title 8.10." One winery at that meeting stated 150 attendees would capture most needs, but we suggest it be rounded up to 200 to help sustain these smaller events.

We hope these changes can be made to help sustain our small agri-tourism businesses. Thank you.

John Cooper
President & CEO
Yakima Valley Tourism
10 North 8th Street
Yakima, WA 98901
509-575-3010
john@visityakima.com
www.visityakima.com

Yakima County Public Services Agritourism Operations Review/ Case Number: LRN2019-00010.

Sarah Fewel <culturawine@gmail.com>

Fri 2/25/2022 2:57 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Cc: Olivia Story <olivia.story@co.yakima.wa.us>

EXHIBIT NO.: 22

DATE: 2.25.22

FILE NO.: LRN2019-00010

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Planning Commission and Board of County Commissioner's,

I, and a small group of wineries, breweries, distillery's and Agritourism Operations served on the advisory group for this Yakima County Public Services agritourism operations review/ Case Number: LRN2019-00010.

I attended the meetings since last year and voiced my concerns and ideas about the proposed changes to the Development Code (Yakima County Code Title 19) for permitting of wineries, breweries, Distilleries (WB&D's) and Agritourism Operations (ATO's) located in the unincorporated Yakima County.

Our winery has been in business in Zillah, WA. since 2005 and operational as winery and tasting room in an agricultural zone for the last 15 years. As a winery, we have public events such as association events (Spring Barrel, Catch the Crush, etc.) and our own wine club events held onsite. We have not once in the last 15 years had a noise complaint, parking violations, health district or fire violations. I and many other meeting attendees have raised the question multiple times to the staff who hosted the advisory group meeting since April of 2021 to provide some sort of data of "said" complaints from the public and have not had a solid response. And was given **one** example from a winery located in Naches Heights. One example is not a reason the change the current codes that have worked for 25+ years for WB&D's and ATO's in the Yakima County.

I understand that there is expansion of new business coming in to the valley and welcome it - particularly in ag zones, due to WB&D's and ATO's. Out of area tourism/customers from all over the world come here to the Yakima Valley to experience what we have offer just for this reason. Locals as well. Visitors love to see the process of how the wine or beer is made from the vineyard and hop yard to their glass. We grow it, produce it and promote the Yakima Valley.

My husband and I both have families that operate farms/orchards with a combination of over 140 years in this valley farming and are still in business today. For the last 20 years, my mother-in-law has been operating a very successful B&B on their farm as well. We understand agritourism in our valley - we work and experience it every day.

The proposed code changes make it harder to operate a prosperous WB&D & ATO business in an ag zone by:

1. Permitting large events when there was not an existing permit before: Why fix something that is not broken? After business's being shut down due to Covid and revenue lost - business's were still expected to pay our annual fees to the various Yakima County departments to stay current to be operational. I feel that this new permit is an attempt to get more money for the Yakima County pockets at the expense of small business's who are trying to recoup after the last two years of not be operational or fully operational. And as stated above, the County cannot give any examples of what the event complaints are. Also, the number of people at any given event should be more then 100 people - to put a limit on the amount of people is going to hurt tax revenue and the business's bottom dollar. Leave the person amount to be what is on the business's current permit's allowance.

2. Cost of permits for large events: I have raised the point many times of what the cost will be and see that is undecided in the last draft. I had also asked the question - would existing WBD's and ATO's have to purchase a permit going forward, as we have already paid fees when we applied to operate our business (aka grandfathered in) and was told that this going forward was only to be applied to new business's applying for business permits in the Yakima County's ag zone. That looks like it's not the case...I suggest that the Planning Commission and Commissioner's listen to the recordings from the advisory group meetings to get a full scope of what was talked about and not make a final decision on only reading the provided drafts.

3. Special Events: I have also raised concerns about this proposal. How can Yakima County say what type of events and marketing aspects you can and can not have at your place of operational business? As long as the business is in the rights of the permits that they currently hold and have paid for - why should a business have to apply for another "one time" (which it's not - it's per event) special event permit per 100 attendees? According to this permit, my wine club event with over 100 people - could be classified as a "meeting" or a "retreat" in the eyes of the "Administrative Official". This is not needed and has not been needed. I should NOT have to get a permit for having these types of events.

4. Limiting ATO's overnight for accommodations down to 6 from 12: There is support from the ATO's to keep the number at 12 (as it has been) due to the economy of scale to function as a prosperous business - i.e. employee retention, food service, etc.

5. Outdoor Festival Regulations: What defines an outdoor festival from an already existing festival such as Spring Barrel, Catch the Crush, etc.? I have brought this question to the advisory meetings. Is there really difference? The \$10,000 annual bond/and or deposit per business is absolutely outrageous - is this to employ the "Administrative Official"? Who then can say what wasn't done correctly and not refund the amount back? And the "Official" can cancel an event a day before the event and the business will be out of the monies that was put into that event? Once again, overreach on a government level - we do not need this to be approved. Period.

6. Permit applications for outdoor festivals that might be denied due to parking/fire/health department violations: Business's have annual in person inspections from the Health & Fire Department's. That business is notified immediately if there are any infractions. Why do we have these two departments and now are creating another - the "Administrative Official"? It seems to be a waste of tax payers monies to create another department and in the end will hurt the business's bottom dollar. And business's possibly not doing events anymore - why would you?

I sincerely hope that the Planning Commission and Commissioner's will review all of the the advisory group's work that has been done to date and review the public's comments and make a final decision that reflects the concerns of the WB&D's and ATO's.

If the new county codes are approved - this will affect Yakima County wineries, breweries, distillery's, ATO's and tourism in our beautiful valley for many years to come:

*Loss of tax revenue from not doing events

*Profit loss for the small business's

*The burden of new government regulations and permit fees put upon the business's

*Tourism and tourism dollars lost due to lack of events and/or no events

*Small business's not looking to start a new business in the Yakima County ag zone due to the new codes

*Business's shuttering due to the new codes

*Loss of jobs

*New and old business's looking to open their business in another county and or state that do not have these proposed codes enacted

Let's keep business alive & prospering and tourism dollars in our Valley!

Thank you to the Planning Commission and the County Commissioner's for your consideration.

Cheers,
Sarah Fewel
Partner & Winemaker
Cultura Wine
CulturaWine.com

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Mon 2/28/2022 8:46 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

1 attachments (30 KB)

letter agritourism JohnG.pdf;

From: John G. <jonglo@hotmail.com>
Sent: Friday, February 25, 2022 3:10 PM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Cc: jdonofrio@yakimaherald.com
Subject: Agritourism public comment

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

This “review” of the current code is anything but, it is a coordinated effort to mirror the coding of Napa Valley and/or Sonoma, California. This board knows this, the documents they are generating appear to be carbon copies of Napa/Sonoma with letterhead and all. Napa nor Sonoma are not like us here in Yakima. They are big industry, thousands visit a winery there in 1 day. That is 1 year of traffic for many wineries in Yakima Co. This appears to be an attempt to gain a beach head into more permits; an extraction of wealth without using taxation. This ladies and gentlemen is taxation without representation, and why our forefathers took the long boat over here so many years ago!

I have watched your meetings and read the articles. The Planning Commision reviewing this code has ignored the Citizen Advisory Group and is out of touch with the citizens and businesses that the code will affect. It is going to have a cooling effect on the vibrancy of my neighborhood if this anti-Agritourism code is written into law without a vote.

And what permits will they be chasing after this? Perhaps a permit to grow your lettuce or tomato on your front lawn because a neighbor complained that it is ugly? Or a permit to have a wedding in the country grass field? (the latter is actually part of this new code)

This anti-Agritourism code will have damaging effects throughout the whole of Yakima Valley and it's small businesses.

Sincerely,
John Glover
Wapato, WA

FW: Project Planner Long Range Planning Division Yakima County Public Services

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Mon 2/28/2022 8:50 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

EXHIBIT NO.: 24

DATE: 2.25.22

FILE NO.: LRN2019-00010

From: Pepper Fewel <cherrywoodbbandb@gmail.com>

Sent: Friday, February 25, 2022 3:15 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Project Planner Long Range Planning Division Yakima County Public Services

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

To whom this may concern,

I am not sure where to start or basically how to respond. I was part of the advisory group for the Yakima County Agritourism changes. I feel we wasted our time and efforts with this.

My first point - I want to make is that the meetings were an effort in futility. We asked about how many complaints, how often and what would be the new fees the small businesses had to pay. These two questions were redirected and never answered - EVER. I was assured that fees were not the reasons for these changes. After reading the new draft, that was clearly not the case.

- All of the group's comments and ideas were clearly dismissed.
- A \$10,000.00 bond for each business is absolutely alarming.

This county has lost it's perspective about the small business's that fund their tax base. You don't realize small business is what the Valley needs. Being a farmer and a small business person myself, I know you are wrong with the new rules and regulations. We need less rules and permit fees - not more.

I feel the advisory group was to appease the small businesses, so you could march forward on your own agenda. Our government is bloated with rules and regulations.

Taking away 12 units and going down to 6 is also insane. I have 6 units for our B&B and it does not generate enough business to sustain a living for anyone. We are seasonal in this region, so we must have the 12 units to provide enough revenue to sustain.

Please - I ask the Commission, if you have not run a small business to have consideration for the people that pay your wages and taxes to this county. If you have run a small business then you must know that this is wrong and help your fellow small business owners so there will be future growth.

Pepper Fewel
Cherrywoodbbandb

--

Pepper
cherrywoodbbandb.com

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Mon 2/28/2022 8:53 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Patrick Rawn <patrick@twomountainwinery.com>

Sent: Friday, February 25, 2022 4:52 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Comments on Agritourism Draft Staff Report

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Planning Staff,

I am writing this to submit as formal comments to draft Agritourism code revision. I, along with my brother, own and operate Two Mountain Winery in greater Zillah area. Our operation consists of 300+ acres of winegrapes, a production facility and tasting room located in our facility.

First, I much appreciate the effort by your staff and industry task force in working to update code to better reflect the realities of the agritourism industry in Yakima County. It is really important and the work is much appreciated.

Our current operation falls out of the scope of needing to obtain an ATO permit (excuse me if this terminology is inaccurate) as we only do tastings, wine club events and one or two small general public events per year. Additionally, we do not have plans to begin a larger event operation or marketing ourselves as an event venue.

However, I do believe some clarity on the proposed language in 19.18.550 (2) (c) is needed. The draft language gives some concrete examples of what "...non related to the operational and marketing aspects of a WB&D" are, but more clarity on what constitutes, in the affirmative, "operational and marketing aspects" would be very helpful. Optimally updated language is able to achieve this but at a minimum explicitly listing examples that meet the intent of this code language on the record is needed.

Our wine club is the focal point of our direct to consumer business. Many other wineries in Yakima County operate similarly given the positive economics of that business model. Ensuring that wine club facing events, regardless of size, are considered "operational and marketing aspects" is very important to the future financial viability of wineries in Yakima County.

Thank you for taking the time to consider my comments. Please do not hesitate to reach out at the contact information below if you have any questions.

Patrick Rawn

Two Mountain Winery

509.829.3900 (O)

509.969.0515 (M)

www.twomountainwinery.com

FW: Neighbors policing neighbors

EXHIBIT NO.: 26
DATE: 2.18.22 to 2.25.22
FILE NO.: LRN2019-00010

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 10:00 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:43 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Neighbors policing neighbors

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>
Date: Thu, Feb 10, 2022, 8:03 AM
Subject: Fwd: Neighbors policing neighbors
To: <phil.hoge@co.yakima.wa.us>

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>
Date: Wed, Feb 9, 2022, 9:01 PM
Subject: Neighbors policing neighbors
To: <noelle.madera@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>

Hi Noelle

Thank you for eloquently facilitating this evenings agrotourism meeting.

I just want to point out that your current policy of having residents police business owners puts everyone at risk. You know what's a great way to get shot or start a neighborhood war? Head to your neighbors private property and start taking photos they know are going to be used in a complaint. It deeply concerns me that this is what your plan is for compliance--pitting neighbor against neighbor. That can't be good for public health and safety. Moreover, why should residents be trapped at home on the weekends because you have overreached your capacity? I run an airbib and also bring in taxes. I host people here, too. Just for the record.

Warmly,
Maria Jett

FW: Neighbors policing neighbors

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:44 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Neighbors policing neighbors

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>
Date: Thu, Feb 10, 2022, 8:03 AM
Subject: Fwd: Neighbors policing neighbors
To: <phil.hoge@co.yakima.wa.us>

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>
Date: Wed, Feb 9, 2022, 9:16 PM
Subject: Re: Neighbors policing neighbors
To: <noelle.madera@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, Shawn Magee <shawn.magee@co.yakima.wa.us>

After I had spent months taking photos of the events next door, as instructed by wa state health department, I was told by Shawn magee at county health department that that is not how they do business, and he decided not to enforce what had been in the works for months and what was shortly thereafter enforced by state health dept. I know from painful firsthand experience that not only can't county do the job, they also will ask me to do it and then cheerfully throw me under the bus after I do. You need to get your stories straight, communicate among agencies, streamline policy, and then transmit information. Please! Asking people to do your enforcement and compliance work is unsafe for the public. And you guys just told us that that's what we should expect.

Maria Jett

On Wed, Feb 9, 2022, 9:01 PM Maria Jett <marialaurene@gmail.com> wrote:

Hi Noelle

Thank you for eloquently facilitating this evenings agrotourism meeting.

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Warmly,
Maria Jett

FW: Why is Paul Beveridge on Your Planning Committee

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:44 AM
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Subject: Fwd: Why is Paul Beveridge on Your Planning Committee

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 5:06 PM

Subject: Re: Why is Paul Beveridge on Your Planning Committee

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>

Because frankly, I continue to stick my neck out legally to be heard and to bring this issue to the public, where it belongs. I continue to take risks to speak out against a lawyer to constantly intimidates me. I understand you're trying not to get sued. So am I. But I am absolutely done with the abuse. So we need to talk.

On Fri, Feb 11, 2022 at 4:49 PM Maria Jett <marialaurene@gmail.com> wrote:

I'd also like to hear who it is you recommend that people sue when things go awry like this? We should know, since you are recommending that we do your work for you, what the process looks like. Should we sue the wineries that deceive you using your own process? Or should we sue you for a process that allows us to be financially extorted for doing your work for you?

Thanks,

Maria Jett

On Fri, Feb 11, 2022 at 4:46 PM Maria Jett <marialaurene@gmail.com> wrote:

After hearing you all talk about responsibility and integrity, I find it to be wildly problematic that you have Paul Beveridge loudly leading your planning committee. I've illustrated to you repeatedly that uses your policies to bully this entire community into getting what he wants. And you know as well as I do that he bullies your agencies. He doesn't follow regulation, he overthrows it and then whines when someone notices.

Can one of you please call me and explain to me why someone who never follows county code and actively deceives your agencies has such a strong hand in the outcome of this process?

My number is 509.379.3412

Thanks,

Maria Jett

FW: Why is Paul Beveridge on Your Planning Committee

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:45 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Why is Paul Beveridge on Your Planning Committee

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 5:12 PM

Subject: Re: Why is Paul Beveridge on Your Planning Committee

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>

You can't actually be naive enough to think that when you let people have bigger events with clearer rules, they'll all follow those rules. That's not going to happen and you know it. So what are you wanting people to do when your policies cause civil wars as has already happened? Why should we have to absorb the ramifications and costs while you pocket an increased income stream? Terrible, terrible public policy.

On Fri, Feb 11, 2022 at 5:06 PM Maria Jett <marialaurene@gmail.com> wrote:

Because frankly, I continue to stick my neck out legally to be heard and to bring this issue to the public, where it belongs. I continue to take risks to speak out against a lawyer to constantly intimidates me. I understand you're trying not to get sued. So am I. But I am absolutely done with the abuse. So we need to talk.

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My number is 509.379.3412

Thanks,

FW: Ecology, ag land and wilridge

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:45 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Ecology, ag land and wilridge

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 9:43 AM

Subject: Ecology, ag land and wilridge

To: <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

I also heard mention of protecting agricultural land as part of your mission. That being the case, I would like to specifically recommend and request that you do not leave state Depart of Ecology out of your circle of conversion. They issue the winery general permit and they too are having issues with overseeing wineries, specifically wilridge winery and distillery. I know because I sent them the pictures of illegal dumping in the past. They're part of the file.

Thank you, Maria Jett

FW: Residents Shouldn't Be Asked to do Your Job

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

1 attachments (3 MB)

Water Charges.jpg;

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:46 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Residents Shouldn't Be Asked to do Your Job

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Thu, Feb 10, 2022, 8:36 AM

Subject: Residents Shouldn't Be Asked to do Your Job

To: <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Cervantes, Andres (DOH)

<andres.cervantes@doh.wa.gov>, Fresco, Andre (DOHi) <Andre.fresco@co.yakima.wa.us>, Ted Silvestri

<ted.silvestri@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>

Please note how paul is able to say--because of your policies-- than I am personally responsible for the upgrade required by the health dept. If you think that makes people popular in their neighborhoods, you're wrong.

March 7, 2020

Maria Jett
210 Ehler Road
Yakima, WA 98908

Re: Bonney Gappa Water System Costs

Hi Maria,

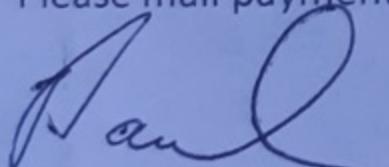
Your share of the well electric bill is \$616

Your share of well administration costs is \$1,560.

Your share of well testing costs is \$60.

In addition, because of your activities, the County is requiring upgrades in 2020 that are estimated to cost in the range of \$50-75,000. The first step is an engineering study that will cost \$17,500. Your share of the study is \$10,500.

Please mail payment of \$12,736 to me at the office address below. Thanks.



Paul Beveridge, Member
Bonny Gappa LLC
1103 Grand Avenue
Seattle, WA 98122

FW: Harvest Volunteer Opportunities available now!

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:46 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Harvest Volunteer Opportunities available now!

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----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 1:26 PM

Subject: Fwd: Harvest Volunteer Opportunities available now!

To: <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>

Every other ag business in this community pays their labor force. They have to. Wilridge is not a nonprofit. They are not Cowiche Canyon Conservancy.

MJett

Sent from my iPhone

FW: I lost access to water because I did your job

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:47 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: I lost access to water because I did your job

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----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 7:04 AM

Subject: I lost access to water because I did your job

To: Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Cervantes, Andres (DOH) <andres.cervantes@doh.wa.gov>, Fresco, Andre (DOHi) <Andre.fresco@co.yakima.wa.us>

I hope I have made myself clear. I lost access to drinking water and had to dig a new well BECAUSE I was doing your job for you, as Mr. Cervantes as state DOH told me to do, and like you just told everyone publicly that we will have to do even more going forward.

Your current policy of having people do your work is harming residents. My elderly mother did not deserve to me exhorted so that you can pocket more cash. Why are you putting me at risk?

Maria jett

FW: I lost access to water because I did your job

Long Range Planning <longrangeplanning@co.yakima.wa.us>

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 7:13 AM

Subject: Re: I lost access to water because I did your job

To: Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Cervantes, Andres (DOH) <andres.cervantes@doh.wa.gov>, Fresco, Andre (DOHi) <Andre.fresco@co.yakima.wa.us>

Do you know what my mother was doing with the last months of her cancer ridden life? She was going to the lawyers office, trying to figure out how to stop the abuse.

Do you know what I was doing while I was helping her die? I was trucking up and down the hill, taking pictures of Paul's events, like you jerks told me to do, them you did nothing with the photos but demonize me.

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And as a final note, I want to remind you all that it's not just my family that's been manipulated. Inez munguia is involved in the well situation strong arming too. Through no fault of his own, but because o complained. He is Mike Roche's foreman, a native Spanish speaker, and a naches heights resident of at least 30 years. He, too, is near 70 years old and he deserves respect and dignity too. He deserves a good quality of living just like you and I do.

On Fri, Feb 11, 2022, 7:13 AM Maria Jett <marialaurene@gmail.com> wrote:

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Maria jett

FW: Government Informants are at High Risk. What will you do to protect the residents you've recruited to do your compliance work?

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:59 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:48 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Government Informants are at High Risk. What will you do to protect the residents you've recruited to do your compliance work?

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Thu, Feb 10, 2022, 6:59 AM

Subject: Government Informants are at High Risk. What will you do to protect the residents you've recruited to do your compliance work?

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Yakima Herald <news@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

<https://www.prisonlegalnews.org/news/2010/jun/15/secret-justice-criminal-informants-and-americas-underground-legal-system/>

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Thu, Feb 10, 2022, 7:30 AM

Subject: Re: Government Informants are at High Risk. What will you do to protect the residents you've recruited to do your compliance work?

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Yakima Herald <news@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

Paul Beveridge once sent my elderly mother a letter telling her he'd charge her 200\$ an hour for me complaining to the county. I've sent it to all of you I'm pretty sure. Let me know if you need a new copy.

Maria Jett

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Thu, Feb 10, 2022, 7:52 AM

Subject: Re: Government Informants are at High Risk. What will you do to protect the residents you've recruited to do your compliance work?

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Yakima Herald <news@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

Just so we're all clear about how your system of using Informants is working out. Please review the attached. My mom was 75 at that time. She's dead now of cancer now and the property's been mine for 6 months.

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Long Range Planning <longrangeplanning@co.yakima.wa.us>

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To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

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Maria Jett

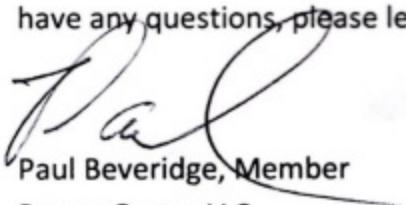
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<https://www.prisonlegalnews.org/news/2010/jun/15/secret-justice-criminal-informants-and-americas-underground-legal-system/>

Hi Janet,

Your share of the electric bill for 2017 and 2018 is \$1,141. Please drop off payment at the tasting room or mail it to me. Thanks.

I have been spending a lot of time dealing with complaints from your daughter, Maria. I am no longer willing to work without compensation. Going forward I will be billing \$200 an hour for my work. If you have any questions, please let me know.



Paul Beveridge, Member
Bonny Gappa LLC

Received by Mail
2-17-19

March 17, 2019

Dear Paul,

Here is my payment for well electricity for 2017 and 2018. Thank you for finally getting this information to us and to our neighbor, Mr. Munguia. Of course I am not sending your ridiculous \$200.00 add-on that you somehow claim for having “done work” for Maria. You have many employees, but keep a degree of reality in mind. You don’t work for Maria. You don’t work for me. We don’t work for you. As I previously mentioned when you last complained to me about your problems, when you comply with the law, including laws about the well, water, land use and zoning, you will have no problems with us.

Most sincerely,

Janet Jett
Janet Jett

FW: Code enforcement and events

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:49 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Code enforcement and events

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----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 7:18 PM

Subject: Code enforcement and events

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>

Honestly, if county staff could use the internet and poke around just a little, I would never have needed to be out there taking photos. Wilridge advertised and plastered photos all over the internet. They have an annual concert series. I can't understand why I was having to send in that info. Ted Sylvestri said when I asked of it were a class a or a class b well: "if it were up to me it would be a class a." Who, if not the man who was assigned from the health department, would it possibly be up to? The answer is pretty clear.

Several months later state health dept intervened and it was an a.

Paul had met privatley with Shawn magee and convinced him that I was both at fault for something and out of line. So all those photos i took because Ted couldn't enforce meant nothing but trouble for me. I took the risk of doing your job and got royally financially screwed for it. I'm still waiting for an answer about why absolutely nobody in this county can enforce any regs at wilridge. Is this how all the wineries do business?? And why can none of the agencies intercommunicate? Is it how you plan to continue doing business with the public in the future? By flaming civil wars and raking in the cash and not using it to pay for adequate staff?

M jett

FW: Responsibility and Integrity in Agrotourism

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:49 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Responsibility and Integrity in Agrotourism

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 7:27 PM

Subject: Responsibility and Integrity in Agrotourism

To: <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, <tayer@yakimaherald.com>

I believe that the words responsibility and integrity were the most important words spoken at the agrotourism meeting the other night. If you can nail that down, I'm sure growth will be great for most people. At the moment though there's a real issue. There's nothing actually wrong with your plan. The problem is that some business owners have no respect for neighbors, neighborhood or anyone in enforcement of any kind. That's the real crux of the issue, as noted. You can't ask for people to trust your system when it works for you but it doesn't work for us. When we're being financially punished and others are silencing us, cashing in, and calling it innovation.

Maria Jett

FW: Falsified well inventory

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:49 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Falsified well inventory

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 11, 2022, 8:16 PM

Subject: Falsified well inventory

To: <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>

If you'll note, Paul resubmitted his well inventory to DOH multiple times, in the example here, simply crossing out the numbers that represented the neighbors being served by the well and replacing them with fabricated numbers. That's at least three households and 10 people who he wrote out of reality. DOH records showed that the hookups were in place but not active. They were absolutely active. My parents and neighbors were paying him for water, as you've seen.

Again, doh had to drag him kicking and screaming to a group a well. Which, as you saw, he was able to in fact accurately say was due to my actions--not his, not doh's. Because I had to do the county doh's job because they were unable to. In spite of the fact that everyone knows he has been holding huge events out there on the regular.

Just more behind the scenes compliance and integrity issues I thought you should be aware of as you collaborate with Mr Beveridge to build plans for our community.

WATER FACILITY INVENTORY (WFI) FORM - Continued

1. SYSTEM ID NO.	2. SYSTEM NAME	3. COUNTY	4. GROUP	5. TYPE
AC107 F	BONNY GAPPA WATER SYSTEM	YAKIMA	A	TNC

	ACTIVE SERVICE CONNECTIONS	DOH USE ONLY! CALCULATED ACTIVE CONNECTIONS	DOH USE ONLY! APPROVED
25. SINGLE FAMILY RESIDENCES (How many of the following do you have?)	0	6	7

A. Full Time Single Family Residences (Occupied 180 days or more per year)	61
B. Part Time Single Family Residences (Occupied less than 180 days per year)	0

26. MULTI-FAMILY RESIDENTIAL BUILDINGS (How many of the following do you have?)	
A. Apartment Buildings, condos, duplexes, barracks, dorms	0
B. Full Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied <i>more than</i> 180 days/year	0
C. Part Time Residential Units in the Apartments, Condos, Duplexes, Dorms that are occupied <i>less than</i> 180 days/year	0

27. NON-RESIDENTIAL CONNECTIONS (How many of the following do you have?)

A. Recreational Services and/or Transient Accommodations (Campsites, RV sites, motels/motels/overnight units)	0	0	0
B. Institutional, Commercial/Business, School, Day Care, Industrial Services, etc.	21	2	2

28. TOTAL SERVICE CONNECTIONS 8 9

29. FULL-TIME RESIDENTIAL POPULATION

A. How many residents are served by this system 180 or *more* days per year? 21

FW: Janet Jett Can No Longer Speak For Herself, But You Have Her Letter as Testimony

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:50 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Janet Jett Can No Longer Speak For Herself, But You Have Her Letter as Testimony

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Sat, Feb 12, 2022, 10:04 AM

Subject: Janet Jett Can No Longer Speak For Herself, But You Have Her Letter as Testimony

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Fresco, Andre (DOHi) <Andre.fresco@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

So the least you can do now in terms of hearing her testimony is to read her obituary and see what kind of people are being bullied because they're left to do your work. She endured years of intimidation because you can't enforce the policies you make.

https://www.yakimaherald.com/obituaries/janet-ann-colgan-jett/article_6b05be16-3efe-11ea-a747-274fb05187b9.html

Please note that it was several weeks after she went in the ground in 2020 that I received a letter from Paul, telling me there were suddenly new charges because *I* had caused DOH to take action, increasing costs for the neighborhood, oh and pay up now or find your own water. About 8 weeks before she died, however, Shawn Magee had decided not to enforce the action that had been in the works by county DOH for years. For which we had provided the photos and verbal evidence. DOH told us to do this, and themselves participated in the sharing and reporting process, going along with it cheerfully until one day Shawn showed up out of nowhere and told me Ted had nothing to do with the decision, he himself was going to do whatever he wanted, and basically the state DOH and my mother and I and our neighbor could all go to hell.

State DOH overrode that decision several months thereafter, based on the updated inventory (previously falsified, as illustrated) and the huge number and size of the events he holds at his space. Needless to say, it actually had nothing to do with me and how I live, other than the fact that I was somehow the fool who got myself caught between your state and county agencies and paid a heavy, heavy price. So did my mother. So I hope you can hear her voice from the grave and understand that pitting neighbor against neighbor and expanding with no enforcement plan is terribly harmful to very real, very, very good people.

Maria Jett

FW: Discharge 6 23

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:50 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Discharge 6 23

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Jun 23, 2021, 9:42 AM

Subject: Discharge 6 23

To: Maria Jett <marialaurene@gmail.com>







FW: Discharge 6 23

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:51 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Discharge 6 23

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: Huntington, John (ATG) <john.huntington@atg.wa.gov>
Date: Wed, Jun 23, 2021, 9:53 AM
Subject: RE: Discharge 6 23
To: Maria Jett <marialaurene@gmail.com>

Thank you Maria,
I will contact Ecology right now with these.

John

From: Maria Jett <marialaurene@gmail.com>
Sent: Wednesday, June 23, 2021 9:46 AM
To: Huntington, John (ATG) <john.huntington@atg.wa.gov>
Subject: Fwd: Discharge 6 23

[EXTERNAL]

Wilridge Winery and Or Distillery is operating today, 6.23.21, at 2830 Naches Heights Road. As you can see, they are again discharging something out of their warehouse onto the public roadway. Photos taken at 9:30AM.

Maria Jett

----- Forwarded message -----
From: Maria Jett <marialaurene@gmail.com>
Date: Wed, Jun 23, 2021 at 9:42 AM
Subject: Discharge 6 23
To: Maria Jett <marialaurene@gmail.com>

FW: Beveridge Meetings with Councilperson McKinney

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:52 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Beveridge Meetings with Councilperson McKinney

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 7:27 AM

Subject: Beveridge Meetings with Councilperson McKinney

To: <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, <noelle.madera@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>

Knowing what I know about how things work around there (Paul waltzes in and makes demands, and people cower and kowtow and give him what he wants, regardless of the consequences for anyone else. It's been illustrated several times.) what I assume is this: Amanda has already made her decisions on behalf of Paul and whatever process we're going through now is just a farce to say that a process was done. Cynical, I know. But I've lived here a long time. Paul doesn't follow code or regulation and isn't going to. He is just going to continue demanding that there isn't any regulation and showing that none of your agencies have any power over him. #provemewrong

I'll have a look at that McKinney-Beveridge county file again and see if there's anything I'm overlooking. I'm sure there is.

M Jett

FW: Freedom Rights and the Pursuit of Happiness

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:52 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Freedom Rights and the Pursuit of Happiness

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Mon, Feb 14, 2022, 7:32 AM

Subject: Freedom Rights and the Pursuit of Happiness

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joanna Markell <jmarkell@yakimaherald.com>, Joel Donofrio <jdonofrio@yakimaherald.com>, <tayer@yakimaherald.com>, <ladon.linde@co.yakima.wa.us>

The freedom from is every bit as legitimate a right as the freedom to. The right to pursue happiness means many things to many people. It doesn't just refer to the right to make money at the expense of people and planet. Sometimes we forget that. Especially in a plantation based economy like our own.

M jett

FW: Freedom Rights and the Pursuit of Happiness

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:53 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Freedom Rights and the Pursuit of Happiness

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Mon, Feb 14, 2022, 7:52 AM

Subject: Re: Freedom Rights and the Pursuit of Happiness

To: thomas.carroll@co.yakima.wa.us <thomas.carroll@co.yakima.wa.us>, noelle.madera@co.yakima.wa.us <noelle.madera@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, phil.hoge@co.yakima.wa.us <phil.hoge@co.yakima.wa.us>, Joanna Markell <jmarkell@yakimaherald.com>, Joel Donofrio <jdonofrio@yakimaherald.com>, tayer@yakimaherald.com <tayer@yakimaherald.com>, ladon.linde@co.yakima.wa.us <ladon.linde@co.yakima.wa.us>

There are people in my neighborhood with whom I would like to be friends. But they work at wilride and you have made me their compliance officer. And so I can't be. The repercussions of your policies are emotional as well as economic. People are few and far between up here and covid has kept us all isolated. This matters. More than you are acknowledging.

On Monday, February 14, 2022, Maria Jett <marialaurene@gmail.com> wrote:

The freedom from is every bit as legitimate a right as the freedom to. The right to pursue happiness means many things to many people. It doesn't just refer to the right to make money at the expense of people and planet. Sometimes we forget that. Especially in a plantation based economy like our own.

M jett

FW: Freedom Rights and the Pursuit of Happiness

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:53 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Freedom Rights and the Pursuit of Happiness

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 7:36 AM

Subject: Re: Freedom Rights and the Pursuit of Happiness

To: thomas.carroll@co.yakima.wa.us <thomas.carroll@co.yakima.wa.us>, noelle.madera@co.yakima.wa.us <noelle.madera@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, phil.hoge@co.yakima.wa.us <phil.hoge@co.yakima.wa.us>, Joanna Markell <jmarkell@yakimaherald.com>, Joel Donofrio <jdonofrio@yakimaherald.com>, tayer@yakimaherald.com <tayer@yakimaherald.com>, ladon.linde@co.yakima.wa.us <ladon.linde@co.yakima.wa.us>

Of course you can see from my testimonial submissions that if you had enforced your own code when you said to my mom's lawyer that you would, Paul would not have been able to pass the new charges to me personally, hoping I wouldn't be able to pay them, and that he'd get to absorb my property, thereby expanding his empire. He wouldn't have been able to sit on those costs and use them as a weapon like he did, a few weeks after my last parent died. He would have been forced to deal with my mom, with whom he had a very weak legal contract at least. Your system of self reporting and favoring the businessman/lawyer is facilitating abuse and cruelty. And you seem to think that's fine and normal. SCARY SCARY STUFF.

M Jett

On Mon, Feb 14, 2022 at 7:52 AM Maria Jett <marialaurene@gmail.com> wrote:

There are people in my neighborhood with whom I would like to be friends. But they work at Wilrider and you have made me their compliance officer. And so I can't be. The repercussions of your policies are emotional as well as economic. People are few and far between up here and covid has kept us all isolated. This matters. More than you are acknowledging.

On Monday, February 14, 2022, Maria Jett <marialaurene@gmail.com> wrote:

The freedom from is every bit as legitimate a right as the freedom to. The right to pursue happiness means many things to many people. It doesn't just refer to the right to make money at the expense of people and planet. Sometimes we forget that. Especially in a plantation based economy like our own.

M Jett

FW: Conflict of Interest

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:53 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Conflict of Interest

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 8:14 AM

Subject: Conflict of Interest

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

Im sure you all are aware that there's a conflict of interest at the heart of your "hearing" process. You've put a deceptive individual (see well inventory) on your decision making team and given him the loudest voice of all. Your own paperwork indicates you know this is the case. People and planet are being shafted because of it. It will have long term consequences for all of us. https://en.m.wikipedia.org/wiki/Conflict_of_interest

M jett

FW: Enforcement Steps

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:55 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Enforcement Steps

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 10:54 AM

Subject: Fwd: Enforcement Steps

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>

All of these changes could have been made YEARS ago based on your own county code requirements. While both of the people on the contact were still alive. County DOH had been trying to enforce this change for years. Based on events. If anyone at all were able to pay attention or enforce, they could and should have. The legitimacy is all my mother and neighbors I were asking for. Ms tibbets indicates additional work to the system may not even have been necessary.

The system is in compliance because state doh finally just forced it. After county doh didn't do what they told the lawyer they would do.

M jett

----- Forwarded message -----

From: **Tibbetts, Dorothy (DOH)** <Dorothy.Tibbetts@doh.wa.gov>

Date: Fri, Jan 29, 2021, 5:57 PM

Subject: RE: Enforcement Steps

To: Maria Jett <marialaurene@gmail.com>, Sanford, Emily L (DOH) <emily.sanford@doh.wa.gov>, Cervantes, Andres (DOH) <Andres.Cervantes@doh.wa.gov>, Ted Silvestri <ted.silvestri@co.yakima.wa.us>, Shawn Magee <shawn.magee@co.yakima.wa.us>, Pell, Derek (DOH) <Derek.Pell@doh.wa.gov>, Joe Stump <joe.stump@co.yakima.wa.us>

Cc: Consumer Tips (CMG-Seattle) <consumer@kiro7.com>, Carl Segerstrom <carls@hcn.org>, Yakima Herald-Republic (DOHi) <news@yakimaherald.com>

Dear Maria,

I apologize for the delay in responding to your email. Your email requests enforcement action on

- Sanitary Control Area WAC 246-291-125 (5) SCA or a restrictive covenant to the title of the property, and
- Water Facilities Inventory, revenue requirements, necessary title recordation, parcel numbers served, waivers, or additional indications.

We are currently working with Paul Beveridge to review and approve the Bonny Gappa system as a Group A Public Water System. It is likely, based on our review of the required submittal elements, that the current water system as it

is now built will be approved as a Group A system. However, we will require, going forward, metered water use data to be collected under normal business conditions (for example, no COVID restrictions), and the water use data must be submitted to us in a project report after a period of time has passed during which the business is operating normally. Upon receipt of the project report with the water use data, we will determine if the water system as currently built has sufficient capacity to meet demand, and if it does not, further improvement projects may be required.

Also, Mr. Beveridge has hired a Satellite Management Agency (SMA) to operate the water system. The SMA recently did an on-site visit and did not observe any Sanitary Control Area, setback, or covenant issues. We will review any covenant issues during our current review of the Group A submittal.

The Water Facilities Inventory is up-to-date. The Group A approval process will provide the opportunity to review water system business data including, and if applicable: revenue requirements, necessary title recordation, parcel numbers served, waivers or additional indications. We will keep your concerns in mind as we proceed with the Group A review and approval process.

We have concluded that the Bonny Gappa water system is currently in compliance with existing WAC requirements. Therefore, no enforcement action will be taken at this time.

Again, I apologize for the delay in my response to you. And thank you for your email's opening greeting. Happy New Year to you and I wish you good health.

Sincerely,
Dorothy Tibbetts

Dorothy Tibbetts, MS, MPH
Regional Manager, Eastern Region
Office of Drinking Water
Washington State Department of Health
Dorothy.Tibbetts@doh.wa.gov
509-329-2105 | www.doh.wa.gov

-
-
From: Maria Jett <marialaurene@gmail.com>
Sent: Thursday, January 7, 2021 5:40 AM
To: Sanford, Emily L (DOH) <emily.sanford@doh.wa.gov>; Cervantes, Andres (DOH) <Andres.Cervantes@DOH.WA.GOV>; Ted Silvestri <ted.silvestri@co.yakima.wa.us>; Shawn Magee <shawn.magee@co.yakima.wa.us>; Pell, Derek (DOH) <Derek.Pell@DOH.WA.GOV>; Tibbetts, Dorothy (DOH) <Dorothy.Tibbetts@DOH.WA.GOV>; Joe Stump <joe.stump@co.yakima.wa.us>
Cc: Consumer Tips (CMG-Seattle) <consumer@kiro7.com>; Carl Segerstrom <carls@hcn.org>; Yakima Herald-Republic (DOH) <news@yakimaherald.com>
Subject: Enforcement Steps

Good morning and Happy New Year. I hope you are all safe and secure today, in spite of what just happened.

I am writing again to ensure that State and County DOH are working on behalf of area residents to resolve the following purveyor issues we are having with the Bonney Gappa Water system on Ehler Road. As you all know by now, the purveyor has not fulfilled many of the obligations required in the Washington Administrative Code, has lied/obfuscated the truth on official paperwork, and has been essentially unaccountable for his actions as a business owner and as a purveyor. It also looks clear based on available paperwork that the system was not installed as designed (WAC 246-291-120 Design report approval. (6) All design changes, except for minor field revisions, must be submitted in writing to, and approved by, the department or health officer.), nor was it inspected by your department. I would gladly accept evidence to the contrary.

It is entirely within your department's oversight authority as well as your duty to insist that the purveyor comply with existing WAC requirements. As the purveyor has been malfeasant in his administration of the Group B System, the

department should use its Enforcement Authority to ensure the administrative record is complete and accurate prior to termination of the system.

My neighbors and I expect that you will fulfill your roles as written in Washington State Law and hold the purveyor accountable through enforcement action. While it is obvious that many WACs were not adhered to during this process, I will for efficiency's sake only enumerate here the violations that pertain to users of the system:

Based on the unwillingness of the Purveyor to comply with even the most basic requirements of the WAC I would like the following resolved through Direct Enforcement Action (WAC 246-291-50 Enforcement) to ensure the rights of the users of the system are maintained PRIOR to the prospective termination date of the system, regardless of whether the system is terminated.

1. There is no record provided which establishes the Sanitary Control Area WAC 246-291-125 (5) SCA or a restrictive covenant to the title of the property nor does there appear to be a sufficient setback radius.

WAC 246-291-125 Groundwater source approval. (5) SCA. (a) A purveyor shall establish the SCA around each groundwater source to protect it from contamination. (b) The SCA must have a minimum radius of one hundred feet, unless technical justification submitted by a licensed hydrogeologist or engineer to the department or health officer supports a smaller area. The justification must address geological and hydrogeological data, well construction details, and other relevant factors necessary to provide adequate sanitary control. (c) The department or health officer may require a larger SCA if geological and hydrological data support such a decision. (d) A purveyor shall own the SCA, or the purveyor shall have the right to exercise complete sanitary control of the land through other legal provisions.

2. The purveyor has not submitted an accurate Water Facilities Inventory, revenue requirements, necessary title recordation, parcel numbers served, waivers, or additional indications.

246-291-140 Water system planning and disclosure requirements. (1) (c) The maximum number of service connections the system can safely and reliably supply; (e) The amount of revenue needed to operate and maintain the system, and a plan to meet revenue needs; required under WAC 246-291-360. (2) A purveyor shall record the following information on each customer's property title before providing water from the Group B system to any service connection: (a) System name and a department issued public water system identification number; (b) System owner name and contact information; (c) The following statement: "This property is served by a Group B public water system that has a design approval under chapter 246-291 Washington Administrative Code"; (d) Parcel numbers to be served by the system; (e) Indicate if the system is designed and constructed to provide fire suppression; (f) A copy of any waiver granted under WAC 246-291-060 to the

purveyor and any required monitoring and reporting; (g) Indicate: (i) If service connections are metered or not; (ii) If the purveyor intends to monitor the system for contaminants; (iii) How often monitoring will occur; and (iv) How the consumers of the system will be notified of monitoring results; (h) Contact information for the approving authority (department or local health jurisdiction); (i) The type of source treatment provided for any contaminants that exceed secondary MCLs; (j) Instructions about how to obtain a copy of the agreements for consumers, if one exists; and (k) Other information, as directed by the department or health officer.

Finally, it is my understanding that if Mr. Beveridge terminates the Bonny Gappa Well System, he will no longer be able to operate his own businesses that are currently served by the system. It seems clear to me that he has no intention of terminating the system. Should the system remain active, the county/state should mediate negotiation between parties to

assign a Satellite Management Agency as future purveyor to avoid future conflict between parties.

Thank you. I look forward to hearing your update.

Maria Jett

Executrix, Estate of Janet A. Jett

509.379.3412

FW: Integrity responsibility and this process

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:56 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Integrity responsibility and this process

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 11:03 AM

Subject: Integrity responsibility and this process

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>

Yakima County's own words indicate a pattern of willful evasion coming from Paul Beveridge in his businesses practices. So how can you get away with talking about integrity and responsibility? How can you even say the words? I have those comments from county in my files. I'll find that language and send it back to you all since I know there's a communication gap between you.

M jett

FW: Techniques of Neutralization

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:56 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Techniques of Neutralization

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 11:11 AM

Subject: Techniques of Neutralization

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, <ladon.linde@co.yakima.wa.us>

This is how entitlement is justified. Please read. Because the notion that who is in charge of code enforcement doesn't matter is delusional and manipulative.

https://en.m.wikipedia.org/wiki/Techniques_of_neutralization

FW: "HARVEST VOLUNTEERS"

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:57 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: "HARVEST VOLUNTEERS"

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 6:51 AM

Subject: Re: "HARVEST VOLUNTEERS"

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

What would happen if Evans or Roche started advertising for "harvest volunteers"?? Can you even imagine the scandal that would rightly cause? Being slightly smaller and growing wine grapes doesn't get you out of labor law. It doesn't get you out of the responsibility that every other business owner has.

M jett

On Fri, Feb 18, 2022, 6:42 AM Maria Jett <marialaurene@gmail.com> wrote:

When does Mr Beveridge plan on complying with labor law? When he manages to get slavery reinstated in Yakima County?

M jett

FW: Nonprofit Practices, For Profit Business

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:58 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Nonprofit Practices, For Profit Business

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 7:33 AM

Subject: Fwd: Nonprofit Practices, For Profit Business

To: Carl Segerstrom <carls@hcn.org>

In the Jett family, we know the difference between a nonprofit and a for profit business. It is specifically FOR THIS reason that we sold property to both Cowiche Canyon Conservancy and Paul Beveridge. It is the job of CCC to showcase that canyon for our visitors. It's not up to Paul. FOR A REASON.

M jett

FW: Foot Traffic from Canyon Never a Problem

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:58 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Foot Traffic from Canyon Never a Problem

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 7:38 AM

Subject: Foot Traffic from Canyon Never a Problem

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

For the record, re Laurie's comments, no one has EVER complained about the foot traffic they get from the canyon. That is a diversion from the issue: the annual concert series they have hosted for years. Along with weekly musical guests. A few times a week. All advertised.

M jett

FW: Foot Traffic from Canyon Never a Problem

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:57 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:58 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Foot Traffic from Canyon Never a Problem

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 7:43 AM

Subject: Re: Foot Traffic from Canyon Never a Problem

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

Is there anything actually stopping Paul from applying for ATO status, or just he just not want the additional oversight?

M jett

On Fri, Feb 18, 2022, 7:38 AM Maria Jett <marialaurene@gmail.com> wrote:

For the record, re Laurie's comments, no one has EVER complained about the foot traffic they get from the canyon. That is a diversion from the issue: the annual concert series they have hosted for years. Along with weekly musical guests. A few times a week. All advertised.

M jett

FW: Celebrate Spring with Wilridge Wines

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:58 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Celebrate Spring with Wilridge Wines

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 9:39 AM

Subject: Fwd: Celebrate Spring with Wilridge Wines

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>

This is what last year looked like. For everyone's record. This is without wine down Wednesdays and sips and whatever sundays. Every week.

His announcement for his summer concert series. In spite of your enforcement efforts. Bands were booked and ticket prices posted way in advance.

So.. I guess he was allowed to do whatever he wanted in previous years because we're going through this process right now??? Does that make sense to anyone??

Mjett

----- Forwarded message -----

From: **Wilridge Vineyard, Winery & Distillery** <carla@wilridgewinery.com>

Date: Fri, May 7, 2021 at 10:44 AM

Subject: Celebrate Spring with Wilridge Wines

To: <retrofitart@gmail.com>

[View this email in your browser](#)

**Join us with a reservation in Yakima, Madrona –
Seattle or Pie Wine Bar Woodinville**

FW: Violation History Has No Consequences

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:57 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Violation History Has No Consequences

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

County has this to say about compliance at Wilridge.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Wed, Feb 16, 2022, 11:48 AM

Subject: Violation History Has No Consequences

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joanna Markell <jmarkell@yakimaherald.com>, <tayer@yakimaherald.com>

Please read: Code Enforcement Violation History especially.

This individual does what he wants, when he wants. Are you saying this process is going to change that?

M jett



DEPARTMENT OF PUBLIC SERVICES

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901
(509) 574-2260 · In-State 1-800-572-7354 · FAX (509) 574-2231 · www.co.yakima.wa.us
LISA FREUND, DIRECTOR

December 9, 2019

Paul Beveridge
Bonnie Gappa LLC
1103 Grand Ave.
Seattle, WA 98122

Re: COD2019-0260/EAC2019-074 – Bonnie Gappa LLC/Wilridge Winery

Location of Violation: 250 Ehler Road, Yakima, WA 98908
Tax Parcel Number: 181307-34403
Case File Number: COD2019-00260/EAC2019-074
Zoning District Designation: Agriculture (AG)
Legal Description of Property: Lot 3, Short Plat recorded in Volume "H" of Short Plats, page 27, lying southerly of the county road R/W, Except that part of Lot 3, said short plat lying in the SW ¼ of the SE ¼ of Section 7 T13N R18EWM, Also that part of Lot 2 of short plat recorded in volume "H" of short plats, page 27, described as follows; commencing at the NW corner of Lot 1 said short plat; thence S 00°25'00" E along the west line said Lot 1, 189.91' to a point on the westerly margin of the county road R/W and the point of beginning; thence continuing S 00°25'00" E, 44.67'; thence N 37°21'00" E, 32.67' to the SW'ly margin of the county road R/W; thence N 47°25'00" W along the county road R/W, 20.27'; thence on a curve to the right with a chord of N 46°24'54" W and 7.22' to the point of beginning.

Dear Mr. Beveridge,

This letter represents Yakima County's response to your request for relief from both the time requirements for correction and the doubling of fees outlined in the November 13, 2019, Pre-Application Meeting Summary for Bonnie Gappa LLC/Wilridge Winery. In your verbal (via phone) response to the County's November 13 letter you indicated to County staff that you would not be able to meet the time requirements for correction nor would you be able to pay the double fees. The reason given by you to staff was

that the fees are too high and you were questioning the validity of some of the code violations. Staff indicated to you that they would discuss your concerns with management to see if there was a possibility of relief.

1) Yakima County Meeting Overview

Staff presented your concerns to Public Service management and Corporate Counsel on Thursday, December 5, 2019. The overview staff provided to management consisted of three main topics as follows:

(a) Existing Code Violations on Site

- i) The current uses of the winery exceed that which was allowed under your Basic Winery land use approval of CUP2008-00106. The decision for CUP2008-00106 was issued under the previous zoning ordinance, Yakima County Code (YCC) Title 15. Under Title 15, a Basic Winery was defined as follows:

15.08.657 Winery – Basic.

“Winery Basic” means a facility where less than 250,000 liters of wine is processed and manufactured per year. Basic wineries can include vineyards, tasting and sales rooms. (Definition based on RCW66.24.170(1)) {Rev. Ord. 15-2007, 12/31/07; Ord. 13-2010, 12/14/10}

This definition does not include events, music concerts, food service or overnight lodging. Based on the description of the uses of the winery, it appears to be a Destination or Resort Agricultural Tourist Operation (ATO). In addition, the Basic Winery definition also requires wine to be processed or manufactured on site. It appears that the wine is processed and bottled at a different location, thus violating the current conditional use permit. Specific remedies to these violations were outlined in the attached Pre-Application Meeting Summary.

- ii) It has been determined that the current use of the property also includes a craft distillery, which is not allowed under your existing Basic Winery conditional use permit (CUP2019-00106). Specific remedies to this violation were outlined in the attached Pre-Application Meeting Summary.
- iii) The current use of the apartment for transient accommodations (Airbnb) without building and land use approval is a violation of both the Yakima County zoning code and building code. The site plan submitted as part of your 2008 land use and building approvals showed a two-bedroom apartment upstairs in the farmhouse; however, your website indicates 3-bedrooms available for rent upstairs through Airbnb. Specific remedies to these violations were outlined in the attached Pre-Application Meeting Summary.

(b) Code Enforcement Violation History

- i) A code violation case was opened the summer of 2018. Yakima County notified the property owner in July 2018 (COD2018-0205) that a code case had been created due to a complaint submitted from a neighbor regarding the numerous unpermitted land uses occurring at the winery. Yakima County

staff spoke with the property owner at that time and was told that they would either stop holding events at the winery or they would obtain the necessary County approvals to do so. Neither option was followed through by the property owner.

- ii) In 2019, Yakima County received another complaint regarding the unpermitted land uses occurring at the site, so a new code case (COD2019-0260) was created and based on the lack of correction from the first code case, a decision was made to move forward with the code enforcement process. Please refer to attached August 30, 2019 Request for Voluntary Compliance letter.

(c) Relief Sought by Property Owner

- i) You are requesting relief from the time requirements for correction. You indicated that you would not be able to get all the correction measures done within the timeframe listed in the Pre-Application Summary.
- ii) You are requesting relief from the doubling of fees for the applications necessary for your property to come into compliance. You indicated to staff that the double fees are too high and would make it impossible for you to apply for the applications.
- iii) You are questioning the legitimacy of several the identified code violations.

2) Correction Strategy Proposed By Yakima County

The consensus from management was that the County's initiation of the code enforcement process was the appropriate course of action and was a direct result of a failure to adhere to your current land use and building approvals, including what appears to be a persistent disregard to follow both the County zoning and building codes. In addition, based on the current uses on site and those shown on your website, it appears that it is your intention to continue or possibly even expand your unpermitted operations at the winery. Therefore, Yakima County Public Services is proposing the following remedies:

(a) Time Requirements for Correction

Yakima County will extend the time requirements for correction if you apply for the necessary approvals by the end of this calendar year.

(b) Doubling of Application Fees

Yakima County will waive the doubling of application fees if you apply for the required permits by the end of this calendar year. Yakima County will not be able to waive the investigative fees associated with the Code Enforcement process up to this point.

(c) Dialog with Planning and Building Officials Regarding Violations

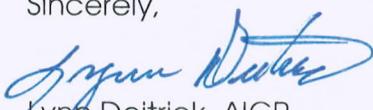
You are welcome to meet with both the Planning and Building Officials to discuss your views related to specific violations or required permits. Keep in mind neither official have the authority to waive any state permit obligation (i.e. SEPA, Building Code, Fire Code).

(d) Failure to Accept or Adhere to the County's Proposed Correction Strategy

If you decide not to accept the County's proposed correction strategy, which is your right to do so, the County will proceed with the code enforcement process, which may include: civil infractions, revocation of both land use and building permits for the winery, and/or forwarding this matter to Corporate Counsel for legal resolution.

It is the County's goal to work with you to process the necessary land use and building applications as quickly as possible to bring your winery into full compliance. Therefore, please contact us by Friday, December 13 with your written response to this letter. Due to the short turn-around you may provide response via email. You are welcome to meet with us here at the Courthouse to discuss the timeline and correction strategy. You can reach the Planning Official, Lynn Deitrick lynn.deitrick@co.yakima.wa.us and the Building Official, Harold Maclean Harold.maclean@co.yakima.wa.us at the Public Service main number (509) 574-2300 to schedule a meeting.

Sincerely,



Lynn Deitrick, AICP
Planning Division Manager/Zoning Official



Harold Maclean
Building Official

cc: File
Lisa Freund
John Walkenhauer
Paul McIlrath
Jason Earles
Chris Pederson

Attachments: November 13, 2019 Pre-Application Meeting Summary
August 30, 2019 Request for Voluntary Compliance

\\nt2\Planning\Development Services\Projects\2019\COD\COD2019-00260 Wilridge\Wilridge_Response_Final_tc.doc

Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, nation origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.



Public Services

128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901
(509) 574-2300 · 1-800-572-7354 · FAX (509) 574-2301 · www.co.yakima.wa.us

November 13, 2019

Bonnie Gappa LLC
250 Ehler Road
Yakima, Washington 98908

RE: Pre-Application Meeting Summary for Bonnie Gappa LLC/Wilridge Winery
Meeting Date: October 22, 2019
File Number: EAC2019-00074
Tax Parcel No.(s): 181307-34403

Dear Sirs:

Thank you for discussing your proposal with our project development staff. The purpose of your meeting was to determine what application processes that may be required as well as identification of any potential issues. In accordance with Yakima County Code (YCC) 19.30.040, any information or opinions expressed by staff shall not be binding on the Reviewing Official or constitute approval on the project. Additionally, as outlined in YCC 16B.04.010 a pre-application meeting does not vest a proposed project permit application. A summary of the information from the meeting is listed below. The requirements and/or review standards may be subject to change if the scope of your project should change.

As described at your October 22nd meeting your proposal includes a modification to the existing tasting room to include outdoor entertainment facilities, wedding venue, campground, glamping within yurts, tents and cabins as Phase 1 of the request. Additionally, Phase 2 would involve the construction of a new production storage, tasting room, gift shop, art gallery, office, restaurant with commercial kitchen and meeting rooms.

The Wilridge Facility has code case violations that reference particular uses and activities that are occurring in violation of the approved land use and associated building and fire code permits. Along with the code case violations, research on the facilities new uses have been reviewed and have revealed several changes and/or additions to the structures and permitted uses of the facility. The first step in rectifying these code issues was the Early Assistance Meeting that you attended on October 22, 2019. The second step is to identify the issues that do not have approvals for such uses and activities and compile them in a summary. The third step is to discuss steps to rectify these issues giving you a path for compliance. In order for the facility to continue activities outlined below, formal applications for land use and building/fire permits are required within 30 days of the date of this summary letter. Each division has specific requirements listed in order to gain compliance and/or provide application for requested new uses.

Yakima County Code Enforcement comments provided by: John Walkenhauer

The following is a list of Code Compliance cases and status of such cases:

COD2007-00454 – Complaint on an illegal winery and wine tasting facility, conversion of the home into a wine tasting facility with manufacturing of wine on site received on October 17, 2007.

The status of the case is closed with notes indicating a conditional use permit CUP2008-00106 issued on October 30, 2008 and a building permit BLD2008-00986 finalized on March 18, 2010 were completed.

COD2018-00205 – Complaint on exceeding what land use permit CUP2008-00106 authorized received on July 17, 2018. Status of this case is closed based upon notes from Byron Gumz, Environmental Project Planner indication of a conversation with owner, Paul Beverage. The note indicated that the facility would be returning operation to those permitted under CUP2008-00106 and event permits would be obtained for any event outside the scope of the land use approval. (Email is attached as Attachment A)

COD2019-00260 – Complaint received concerning water usage, the number of vehicles and event music noise concerns received on August 20, 2019. A Voluntary Request for Compliance was issued on August 30, 2019 describing in detail the violations and corrections required. (Document is attached as Attachment B) Status of this case is currently open as the request for contact within 10 days was met, an Early Assistance meeting held and a request for application submittal contained within this summary is pending.

Estimated Fees for Submittal

The following are estimated fees based on the Early Assistance narrative that was provided for activities and uses desired to have at your facility. The proposed uses will be required to go through a Type 4 land use process which includes the following fees. Please note that fees for Building and Fire Code permits will only be addressed at time of submittal for such permits and will include a code enforcement fee.

Please note that the fees listed below for land use permit applications will be doubled because of the existing code enforcement case.

Type 1 Application for Conditional Use (future distillery on site)	\$485.00 x 2
Type 4 Application for Resort Agricultural Tourist Operation	\$5,195.00 x 2
Type 3 Application in lieu of the Type 4 for lodging only	\$1925.00 x 2
SEPA Review	\$295.00 x 2
Noticing Fees (estimated range)	\$300.00 to 350.00
Hearing Examiner Fees (estimated range of potential charges)	\$1,000 to 10,000
Hearing Examiner Fees are charged based on time spent on the case and may include site visits, research, hearings etc.	
Transportation Review Fee (for each application)	\$95.00

Planning Division comments presented by: Julia Loudon

Planning Land Use Permit History:

In 2007, a Type I Conditional Use Permit (CUP) was submitted under file CUP2007-00109, for an Agriculturally-Related Industry involving a winery and tasting room. The proposal involved turning an 80' x 20' building and a 20' x 20' building into the winery and tasting room. According to our permit tracking system, the application expired September 24, 2008.

In 2008, a Type I CUP was submitted under file CUP2008-00106 to use three existing buildings for a Basic Winery. The proposal involved converting the main floor of the farmhouse to a tasting room, using the second floor of the farmhouse as an apartment, converting a 400 sf outbuilding for miscellaneous basic winery uses, and converting an 800 sf building for miscellaneous basic winery uses. The decision of approval stated that a Basic Winery is a facility where fruit, usually grapes, is processed into wine. Basic wineries included vineyards, tasting and sales rooms. Condition #3 of the decision (attached) is as follows:

3. This Conditional Approval is in no way intending to approve future activities on the parcel. All potential future proposals on the property must be permitted through the Yakima County Planning Division prior to their construction.

In 2010, a Type II CUP was submitted under file CUP2010-00009 to add boarding/lodging in the form of five guest yurts to the existing winery. Correspondence within the file stated that there were no plans for a restaurant or event facility at that time. The decision (attached) indicated that the boarding/lodging yurts were properly proposed as an accessory use to a Retail Agricultural Tourist Operation. Two conditions of note are Condition #1 and Condition #10, as follows:

1. The project shall be completed in substantial conformance with the application and site plan received Dec. 2, 2010, with exception to changes required in the final site plan. Any modifications to the use, arrangement or construction must be submitted to and approved by the Planning Division. YCC 15.12.020(10)

10. Time Limit: All necessary building permits must be obtained from the Yakima County Public Services Department – Building and Fire Safety Division (Building and Grading permits, International Fire Code review) no later than two (2) years from the date of this decision. YCC 15.12.040(3)

Based on provided information, the guest yurts proposed in the application were never installed and no modifications to the proposal were submitted. The decision was issued on January 7, 2011. As the conditions were not met, the permit expired January 7, 2013, 2 years after the date it was issued.

Land Use Information:

Under the current definition, a winery is considered to be a facility where wine is processed and manufactured ((YCC) 19.01.070(23)). Specifically, a winery includes two or more of the following: vineyards, crushing, fermentation, and barrel aging of wine (see "Attachment C" for full definition).

During the meeting, the use of the second story apartment as lodging was discussed. If the applicants wish to have lodging associated with their operation, they must go through the Destination Agricultural Tourist Operation process under the current code, Title 19, as the 2010 CUP expired. YCC 19.01.070(1) defines a destination agricultural tourist operation (ATO) as follows (see attached "Attachment C" for full definition):

"... (2) Destination Agricultural Tourist Operation: is one that consists of an assortment of uses over and above any uses associated with retail level operation but may include overnight lodging facilities up to 12 guest rooms, with event facilities for seminars, weddings and other social gatherings..."

The subject parcel, 181307-34403, is currently located within the Agriculture (AG) zoning district. According to the Allowable Land Uses table of YCC Table 19.14-1, a destination ATO is considered a Type 3 use in the AG zoning district. The Type 3 review process requires an application to be submitted to the Planning Division. The Planning Division then writes a recommendation to the Hearing Examiner, after the appropriate comment periods. A hearing is held, and the Hearing Examiner then makes the final decision. With all decisions, the applicant has a certain number of years to meet the conditions of the decision once it has been issued. Failure to comply with the conditions results in the revocation of the permit.

According to the submitted narrative, the applicants have requested information regarding a Resort Agricultural Tourist Operation. Phase One of the proposal would involve the following:

- Outdoor area for ancillary entertainment/special events (such as educational lectures, weddings and performances);
- Glamping, yurts, tents, and cabins for overnight guest lodging;
- Small RV park;
- Small Campground.

Phase 2 of the proposal would then involve the following:

- .. New building or buildings for production, storage, tasting, gift shop, art gallery, office, restaurant w/ commercial kitchen, auditorium and conference rooms.

YCC 19.01.070(1) defines a resort agricultural tourist operation (ATO) as follows (see attached for full definition):

“... (3) Resort Agricultural Tourist Operation: is one that consists of an assortment of uses over and above any uses associated with retail or destination level operation. These accessory uses can be anything related to the agricultural operation that enhances the tourist related experience, with a dedicated area for seminars, weddings and other social gatherings, and RV park accommodations.”

According to the Allowable Land Uses table of YCC Table 19.14-1, a resort ATO is considered a Type 4 use in the AG zoning district. Type 4 uses go through a process that is similar to the Type 3 in that an application is submitted to the Planning Division and the Planning Division writes a recommendation to the Hearing Examiner. With the Type 4 process, the Hearing Examiner then writes a recommendation to the Board of County Commissioners (BOCC) after he holds a hearing. The BOCC then holds a closed record hearing and makes the decision. The Type 3 and 4 process can take about 3-4 months.

YCC 19.18.060 contains the special uses and standards for ATOs (see attached). Additional accessory uses allowed with an ATO can include food service, educational services, ancillary entertainment/special events, and commercial uses. The commercial uses must be those that support, promote, or sustain agricultural operations and production as a secondary, subordinate, and/or supplemental element of the operation of an ongoing agricultural activity.

When applying for the ATO, the applicant must provide a detailed description of the proposed accessory uses and how they meet the special standards of YCC 19.18.060. Once specific standard is under YCC 19.18.060(3)(g), which states that an ATO shall “Not locate nonagricultural accessory uses and activities, including new buildings, parking or supportive uses, outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one acre of agricultural land to nonagricultural uses;”. The one acre area must be shown on the site plan that is submitted with the application.

When considering RV park and campground accommodations, YCC 19.18.130 contains certain rules and regulations that can be applied (attached). RV parks and campgrounds require a Binding Site Plan to be submitted with the application. YCC 19.34.081 (attached) contains the specific requirements for campground and RV park binding site plans.

During the meeting, a question was brought up regarding the use of the site for wine production. The original approval under CUP2008-00106 stated that a Basic Winery is a facility where fruit is processed into wine and that vineyards, tasting and sales rooms can be included. To be in line with the original approval, the site must include processing fruit into wine. If there is no wine processing, the only use on-site is a standalone tasting room, which is not allowed in the AG zoning district.

Another question was brought up regarding a distillery. YCC 19.01.070(4) contains two definitions for distilleries:

“Distillery” means a facility where more than 60,000 gallons of spirits are processed and manufactured per year. A distillery can include fields, tasting and sales rooms. (Based on RCW 66.24.140(1)).

“Distillery, craft” means a facility where 60,000 gallons or less of spirits are processed and manufactured per year. A craft distillery can include fields, tasting and sales rooms. (Based on RCW 66.24.140(1)).

Both uses are considered Type 1 uses in the AG zoning district. If there is a distillery located on the property, a Type 1 Conditional Use Permit must be submitted to the Planning Division, with the appropriate fees, and approved. A Type 1 review generally takes 4-6 weeks to process. Once again, if there is only a tasting room for the distillery on the property, standalone tasting rooms are not allowed in the AG zoning district. The approval for the 2008 CUP did not include a tasting room for a distillery.

When applying for new uses (ATO, distillery, etc.), evidence of a legal water right must accompany the application. According to YCC 12.08.050, evidence of the legal availability of water must be in the form of:

1. A water right permit from the Department of Ecology, or
2. A letter from an approved water purveyor stating the ability to provide water; or
3. A Yakima County Water Resource System domestic well permit, or
4. Other adequate evidence of interest in a suitable water right held for mitigation purposes by an existing water bank, or
5. A Yakama Nation Water Code permit for properties located within the exterior boundaries of the Yakama Nation, or
6. Documentation that the well site is located outside of the Yakima River watershed.

Contact Joel Freudenthal with the Water Resources Division for questions regarding water rights. For questions regarding the requirements of the Yakima County Water Resource System well permit, contact Joe Stump with the Yakima County Utilities Division.

The following are general development standards for the AG zoning district:

Maximum Lot Coverage: Not Specified

Maximum Building Height: Not Specified

Local Access Road in a 60' or less Right-Of-Way (ROW): 50 feet from centerline

Private Road in a 60' or less access easement: 50 feet from centerline

Private Shared Driveway in a 60' or less access easement: 10 feet from edge of ROW or easement

Interior Side Setback (primary structure): 10 feet from property line

Rear Setback: 10 feet from property line

A Washington State Environmental Policy Act (SEPA) review is required if the proposal creates over 40 parking spaces or if more than 12,000 square feet of structures are proposed.

Transportation Division comments presented by: Jamie West

Due to the Private shared driveway standards of 19.23.060 (1) (a) (ii) Accommodating a development that generates more than 40 daily vehicle trips based on current plan designation and zoning; Any further development of this property will require that the driveway is converted into a private road which meets the standards of YCC Title 19.23.050. (Attached as Attachment D)

Building & Fire Life Safety Division comments presented by: Marivel Garcia and Chris Pedersen

A new permit will be required for the Change of Use of (2) existing storage buildings converted to wine storage/winery/tasting and retail sales (farmhouse garage and agricultural storage). Original application referenced under BLD2007-01063 Change of Use has expired and requires submittal of a new application and permit issuance. Be sure to include any new uses in your application that you would like covered.

The application packet for your proposal must provide detailed information for the facility including a professionally prepared enlarged site plan of the future proposed construction area (Chapter 51-50 WAC, 2015 International Building Code with Washington State and Yakima County Amendments, Sections 107.1, 107.2.1 and 107.2.5).

The site plan is to be drawn to scale and clearly include the following:

- The locations of all existing and proposed structures and their phasing.
- Clearly show all existing structures with their dimensional sizes, number of stories, construction type and their actual current and future uses.
- Show the locations and provide the dimensional sizes of all outdoor seating and event areas.
- Provide the locations and sizes of all future yurts, cabins and tents.
- Show the locations of all existing and future membrane structures with their dimensional sizes and their current and future uses.
- Show the locations of all future buildings including their intended sizes, construction types and uses inside each building.
- Show the intended locations of all recreational vehicle parking and camp ground areas.

Please provide professionally prepared (drafting service familiar with commercial building code requirements or architect) drawn to scale as-built floor plans of each building on site directly related to the winery use. With detailed floor plans, a preliminary building plan review for code compliance can be performed. The floor plans are to include the following information:

- If a multi-story building, a detailed floor plan of each story.
- The dimensional sizes of each building.
- The actual use of each space inside the buildings.
- The sizes and locations of all doors and windows.

Without this information, building and fire is unable to answer building codes related questions other than the following:

Building permits are required for all structures to be constructed (15IBC, Section 105.1).

The entire site is required to be fully accessible to individuals with disabilities (15IBC, Section 1103.1).

As referenced in the International Building Code under Section 105 Permits required; Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Any alterations made to and or changes of usage and or change of occupancy not specifically permitted and approved under the permits indicated above without the issuance of a valid permit is a violation of Yakima County Code Title 13.

Specifically;

13.01.030 Authority

13.25 Violations & Penalties

Permits are required by adoption of the International Building Codes under Section 105.

As noted in Yakima County Code (YCC) Title 19.01.020 (1) (b) No development shall occur nor shall any building or other structure be constructed, erected, repaired, improved, altered, enlarged, moved, removed, converted, or demolished; nor shall any use or occupancy or premises within the County be commenced or changed; nor shall any condition of or upon real property be caused or maintained, after the effective date of this Title, except as authorized by this Title and in conformity and full compliance with conditions established. It is unlawful for any person, firm or corporation to erect, construct, establish, move into, alter, enlarge, use or cause to be used, any building, structure, improvements, or use of

premises contrary to this Title. Where this Title imposes greater restrictions than those imposed or required by other rules, regulations or ordinances, this Title shall control.

19.01.020 (3) No building or other structure shall be erected, moved, added to or structurally altered without a permit therefore issued by the Building Official under RCW19.27 and YCC Title 13. No building permit shall be issued except in conformity with this Title.

Fire Code Permits are required for special occasions held at the facility. Special occasion permits shall be submitted to the Yakima County Fire Marshal 14 days prior to the event. The Yakima County Fire Marshal will conduct annual fire and life safety inspections for the facilities. Prior fire and life safety inspections of the 2nd floor apartment from the Fire Marshal's office is noted in Attachment E attached to this summary document. The previous inspection report details during 2017 that the 2nd floor was used as a single apartment as outlined in the approval for CUP2008-00106. In addition, the Fire Apparatus Access Road to the facilities must meet all requirements noted in the International Fire Code in Appendix D and Yakima County Code 13.10.085. It has since been advertised as an Air B and B(transient accommodations) without a change of use application submitted and approved. In order to continue the use of the 2nd floor as an Air B and B (transient accommodations) a change of use application must be submitted and approved from the Building and Fire Division.

Water Resources Division comments presented by: Dianna Woods

There are no stormwater requirements if the current operation continues. If the application is for larger facilities and number of uses, a stormwater plan will be required if more than one acre of ground is disturbed.

The greater than one acre threshold applies to new buildings, parking areas, access roads or other ground disturbances. This is a different calculation than determining the area removed from agricultural production. The following standard conditions apply to all developed land.

On-going conditions.

- * Stormwater must be retained on site.
- * Any natural drainageways must not be altered or impeded. Upland drainage, if any, must be conveyed through the property in accordance with criteria found at YCC 12.10.250.

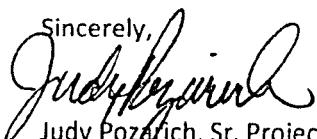
Yakima County Health District comments presented by: Shawn Magee

If this facility is upgraded to an event center, destination, or resort then it will be required that the water system be converted to a Group A Water System through Washington Department of Health.

Also, if there are rooms for rent for guests, Yakima Health District will need to evaluate the current septic system(s) serving this facility and determine if it is suitable to handle the new demands for this facility. If it cannot, an alteration of the system will be required.

We thank you again for bringing your proposal for discussion. We hope that the information that was presented was both informative and helpful in determining your next course of action for your project. Our staff is here to assist you with questions and information you may have. Additional assistance meetings are available by contacting me at (509) 574-2300.

Sincerely,



Judy Pozarich, Sr. Project Coordinator
Yakima County Public Services

Attachments:

Attachment A - November 8, 2018 Email
Attachment B - Voluntary Compliance Letter dated August 30, 2019
Attachment C - Definitions
Attachment D – Private Road Standards 19.23.060
Attachment E – Code Enforcement, Building and Fire History including authority on requiring permits
Conditional Use Permit Application Packet
SEPA Packet

cc: File

Lisa Freund – Public Services Director
Lynn Deitrick – Planning Division Sr. Manager
Jason Earles – Current Planning Division Manager
John Walkenhauer – Code Enforcement Manager
Harold MacLean – Building Official
Chris Pedersen – Fire Marshal

Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.

If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.

Attachment A



Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • www.co.yakima.wa.us

LISA H. FREUND – Director

August 30, 2019

Bonny Gappa LLC
Paul Beveridge
1103 Grand Avenue
Seattle, WA 98122

and/or

Current Occupant(s)
250 Ehler Road
Yakima, WA 98908

RE: Request for Voluntary Compliance

Location of Violation:

250 Ehler Road, Yakima, WA 98903

Tax Parcel Number:

181307-34403

Case File Number:

COD2019-00260

Zoning District Designation:

Agriculture (AG)

Legal Description of Property:

Lot 3, Short Plat recorded in Volume "H" of Short Plats, page 27, lying southerly of the county road R/W, Except that part of Lot 3, said short plat lying in the SW ¼ of the SE ¼ of Section 7 T13N R18EWM, Also that part of Lot 2 of short plat recorded in volume "H" of short plats, page 27, described as follows; commencing at the NW corner of Lot 1 said short plat; thence S 00°25'00" E along the west line said Lot 1, 189.91' to a point on the westerly margin of the county road R/W and the point of beginning; thence continuing S 00°25'00" E, 44.67'; thence N 37°21'00" E, 32.67' to the SW'ly margin of the county road R/W; thence N 47°25'00" W along the county road R/W, 20.27'; thence on a curve to the right with a chord of N 46°24'54" W and 7.22' to the point of beginning.

Dear Mr. Beveridge,

Yakima County Code Enforcement Division has received another complaint concerning a zoning violation on the property located at 250 Ehler Road. The following use of the property has been observed by Yakima County Code Enforcement and constitutes a violation of the Yakima County Code.

1. Noncompliance with the Approved Land Use Permit. According to the complaint, the site brings in several hundred winery guests, Airbnb guests, noise pollution, and overnight guest camping, along with constant streams of traffic, obstructions, and congestion on the road. This is in relation to events and live music concerts occurring at the Wilridge Winery.

It has been determined that the current uses of the winery exceed that which was allowed under your Basic Winery land use approval of CUP2008-00106.

The decision for CUP2008-00106 was issued under the previous zoning ordinance, Yakima County Code (YCC) Title 15. Under Title 15, a Basic Winery was defined as follows:

15.08.657 Winery – Basic.

“Winery Basic” means a facility where less than 250,000 liters of wine is processed and manufactured per year. Basic wineries can include vineyards, tasting and sales rooms. (Definition based on RCW66.24.170(1)) {Rev. Ord. 15-2007, 12/31/07; Ord. 13-2010, 12/14/10}

This definition does not include events, music concerts, or overnight lodging. Based on the description of the uses of the winery, it appears to be an Agricultural Tourist Operation (ATO).

According to the current code, Yakima County Code (YCC) Title 19 Unified Land Development Code, Chapter 19.01.070 (Definitions), Agricultural Tourist Operations are defined as follows:

Agricultural tourist operation,

“Agricultural tourist operation” refers to a working farm, including an approved winery, distillery or brewery (domestic or micro) or any agricultural, horticultural, or agribusiness operation that is open to the public for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. These activities must be related to the agricultural products grown or produced on site and incidental to the primary operation on the site. This term includes farm tours, hayrides, corn mazes, pumpkin patches, classes related to agricultural products or skills, picnic and party facilities offered in conjunction with the above and similar uses. The retail sales of agricultural related products is considered accessory and subordinate to the agricultural operation when the products sold are grown or produced on site.

- (1) **Retail Agricultural Tourist Operation:** is one that may include eating and food preparation facilities with event facilities for seminars or other social gatherings.
- (2) **Destination Agricultural Tourist Operation:** is one that consists of an assortment of uses over and above any uses associated with retail level operation but may include overnight lodging facilities up to 12 guest rooms, with event facilities for seminars, weddings and other social gatherings.
- (3) **Resort Agricultural Tourist Operation:** is one that consists of an assortment of uses over and above any uses associated with retail or destination level operation. These accessory uses can be anything related to the agricultural operation that enhances the tourist related experience, with a dedicated area for seminars, weddings and other social gatherings, and RV park accommodations.

The parcel located at 250 Ehler Road is within the Agriculture (AG) zoning district. According to YCC Chapter 19.14 (Allowable Land Use Table), Agricultural Tourist Operations are allowed in the AG zoning district. The level of review depends on the type of ATO that is applied for. The following table is an excerpt from YCC Table 19.14 that shows what level of review is required for ATOs in the various zoning districts of the County.

	AG	FW	MIN	R/ELDP	R-10/5	RT	RS	HTC	SR	R-1	R-2	R-3	B-1	B-2	SCC	LCC	GC	M-1	M-2
Agricultural tourist operation*† (ATO):																			
(1) Retail ATO*	2				2	2													
(2) Destination ATO*	3				3	3													
(3) Resort ATO*	4	4			4	4													

2. Operation of a Distillery. When researching this facility, it was discovered that there also appears to be a distillery located on the subject parcel.

Yakima County Code 19.01.070(4) defines a craft distillery as “a facility where 60,000 gallons or less of spirits are processed and manufactured per year. A craft distillery can include fields, tasting and sales rooms. (Based on RCW 66.24.140(1))”. According to YCC Table 19.14-1 Allowable Land Uses, craft distilleries are considered a Type 1 permitted use in the AG zoning district and are allowed subject to review by the Administrative Official for compliance.

	AG	FW	MIN	R/ELDP	R-10/5	RT	RS	HTC	SR	R-1	R-2	R-3	B-1	B-2	SCC	LCC	GC	M-1	M-2
Distillery*, craft*	1				3	2		2	2								2	1	1

Corrections Required:

1. Scale back the use of the winery to that which was approved under the original permit, CUP2008-00106, for a basic winery. According to previous discussions between you and the Planning Division, you indicated that you would obtain the necessary event permits prior to conducting any future events. Wilridge Winery could have 5 events per year, as long as a fire code event permit was obtained prior to each event. Failure to obtain the fire code event permits or comply with the original permit may result in the revocation of the winery permit.
2. To use the winery as an event facility or for social gatherings, etc., beyond the standard tasting and sales room use, an Agricultural Tourist Operation conditional use permit (CUP) must be applied for and obtained. It is strongly recommended that you apply for an Early Assistance Meeting prior to applying for an ATO. If the use is a Destination or a Resort ATO, an early assistance meeting is required.

Early Assistance (EAC) Meetings are free meetings that take place on Tuesday afternoons at either 2pm or 3pm. The date and time are scheduled when you submit the meeting request form. The meeting allows the various divisions of the Public Services Department (such as Planning, Transportation, Building & Fire Life Safety, Water Resources, etc.) to look at your proposal and let you know what the requirements will likely be or if there are any obvious obstacles.

3. If the use of the property also includes a craft distillery, a conditional use permit (CUP) must be applied for and approved by the Yakima County Planning Division. This will require a Type 1 CUP application to be submitted, along with the following fees:

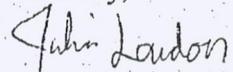
Type 1 - \$485.00

Transportation Review - \$95.00

As the property owner/responsible party, you are required to contact the Yakima County Code Enforcement Division for a follow-up site inspection once the above corrections have been made within 10 days of the date of this notice.

Failure to take the required actions to correct the noted violations will result in the issuance of a Notice of Non-Compliance in accordance with Yakima County Code Title 13. If such an order is issued a Certificate of Non-compliance of Yakima County Code Title 13.11 will be filed with the Yakima County Auditor (YCC13.11.020, IPMC Section 107.6), which will result in additional fees. If Yakima County has to enforce compliance of this correction notice there will be additional fees and penalties and failure to comply with the order may result in all of the following: a criminal citation, a civil action, abatement or the revocation of your land use permit. If you have any questions concerning this letter, please contact the Yakima County Public Services Department: Planning Division at (509) 574-2300.

Sincerely,



Julia Loudon, Project Planner
Yakima County Public Services: Planning Division

Cc: Case File (COD2019-00260)
Lynn Deitrick, Planning Official
Jason Earles, Planning Section Manager, Zoning/Subdivision
John Walkenhauer, Code Enforcement Manager

File No.: COD2019-00260
Request for Voluntary Compliance

FILE NO.: COD2019-00260/EAC2019-00074
Yakima County Response to Relief Request

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
: ss.
COUNTY OF YAKIMA)

I, Jerry Brady, being first duly sworn, and as an employee of the Yakima County Public Services, Planning Division, dispatched through the United States Mails, a Yakima County Response to Relief Request, a true and correct copy of which is enclosed here-with; that Yakima County Response to Relief Request was addressed to the property owner, and that said response was mailed by me on the 9th day of December 2019.

That I mailed said response in the manner herein set forth and that all of the statements are made herein are just and true. Dated this 9th day of December 2019.



Jerry L. Brady
Office Specialist

FW: Celebrate Spring with Wilridge Wines

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 11:59 AM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Celebrate Spring with Wilridge Wines

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 9:43 AM

Subject: Re: Celebrate Spring with Wilridge Wines

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, noelle.madera@co.yakima.wa.us <noelle.madera@co.yakima.wa.us>, thomas.carroll@co.yakima.wa.us <thomas.carroll@co.yakima.wa.us>

Ticket sales were limited to 200 last year "because of covid". (See fine print) So in previous years it was not. Nor was it limited in any way by you.

On Friday, February 18, 2022, Maria Jett <marialaurene@gmail.com> wrote:

This is what last year looked like. For everyone's record. This is without wine down Wednesdays and sips and whatever sundays. Every week.

His announcement for his summer concert series. In spite of your enforcement efforts. Bands were booked and ticket prices posted way in advance.

So.. I guess he was allowed to do whatever he wanted in previous years because we're going through this process right now??? Does that make sense to anyone??

Mjett

----- Forwarded message -----

From: **Wilridge Vineyard, Winery & Distillery** <carla@wilridgewinery.com>

Date: Fri, May 7, 2021 at 10:44 AM

Subject: Celebrate Spring with Wilridge Wines

To: <retrofitart@gmail.com>

[View this email in your browser](#)

**Join us with a reservation in Yakima, Madrona –
Seattle or Pie Wine Bar Woodinville**

FW: Water Termination

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 11:59 AM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Water Termination

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Fri, Feb 18, 2022, 10:18 AM

Subject: Water Termination

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, <ladon.linde@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>

In response to me not IMMEDIATELY paying all the additional charges that were thrown my way without documentation (the bill was with the probate lawyer, where it belonged) and suggesting that the upgrade was not my doing, my water was cut off. And he told me and the neighbor that it was my own fault for being your snitch. I got this letter 8 weeks after burying my mother. He would not have been able to pull this move on me and my mother's estate if you had enforced your own code at any time during the previous decade so that the lawyers could act. As you promised us and our lawyers you would do, again and again. My neighbor chose to pay the "upgrade charges" rather than lose water. That's Mike Roches foreman, in case you've forgotten. I chose to dig us a new well. But ALL of it should have been dealt with while the persons on the contract were still alive. It should not have fallen to me to deal with while I was grieving, when Paul was able to the upgrade YOU required as a weapon against me. It's YOUR job and you promised us you were going to do it. Again and again and again. Ted promised. M jett

March 31, 2020

Maria Jett
210 Ehler Road
Yakima, WA 98908

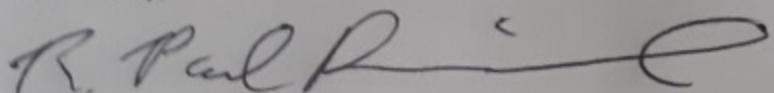
Re: Bonney Gappa Water System Notice of Termination

Dear Ms. Jett,

This letter is written notice that the Bonney Gappa Water System will end operation in one year and service to your properties will terminate.

Please let me know if you have any questions.

Sincerely,



Paul Beveridge, Manager
Bonny Gappa, LLC

cc: Washington State Department of Health
Yakima Health District

FW: Legal Report from 19

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 12:00 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Legal Report from 19

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----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Sun, Feb 13, 2022, 9:50 AM

Subject: Re: Legal Report from 19

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

Again, for clarity, shawn magee chose not to enforce, as doh indicated to Bryan Myre that they would do. Shortly after a private meeting with Paul Beveridge during which it was decided to overturn the previous decision.

Can you see why I'm upset that you are putting private citizens in charge of doing your jobs? If I hadn't had the money to dig a new well for myself and my neighbor, we'd be completely screwed because of this. I would have had to sell and move. I'm sure that was the desired outcome.

My family has been on this land for over 100 years. It's mine now, I have a nursery and a b and b. I deserve the opportunity to thrive out here too, even though I don't grow make or drink wine.

Thank you, Maria Jett

On Sat, Feb 12, 2022, 11:48 AM Maria Jett <marialaurene@gmail.com> wrote:

| A few weeks before my mother died:

FW: Legal Report from 19

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

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Sent: Friday, February 18, 2022 12:00 PM

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Date: Sat, Feb 12, 2022, 11:48 AM

Subject: Legal Report from 19

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

A few weeks before my mother died:

MARCUS J. FRY
J. ERIC GUSTAFSON (OF COUNSEL)
CHARLES R. LYON (D. 1997)
DAVID E. MACK
BRYAN P. MYRE
JON L. SEITZ
J. PATRICK SHIREY
JEANIE R. TOLCACHER (OF COUNSEL)
WM. L. WEIGAND, JR. (RETIRED)

LYON LAW OFFICES - 222 NORTH THIRD STREET
MAILING ADDRESS: PO BOX 1689
YAKIMA, WASHINGTON 98907-1689

TELEPHONE
(509) 248-7220

FACSIMILE
(509) 575-1883

August 30, 2019

bmyre@lyon-law.com

Ms. Janet Jett
210 Ehler Road
Yakima, WA 98908

Re: Well Agreement and Bonny Gappa

Dear Janet:

In follow up to our meeting, I requested copies of the various transfer documents and surveys recorded related to your property and that property sold to Bonny Gappa to determine the status of the well. I have reviewed those deeds and surveys to determine if any domestic well agreement was ever executed and recorded which would provide for the rights and obligations of the various parties that utilized that well. Upon my review, it does not appear that there is any indication that such well agreement was ever executed and recorded. One survey does indicate that there are easements for the purposes of delivery of domestic water located at the currently existing pipelines, but nothing further is stated regarding rights or obligations related to a well. The only signed agreement that appears to be in place is that agreement provided by you, which merely provides for allocation of costs. It does not go so far as provide for allocation of the water or deal with access issues.

In further follow up, I contacted the Yakima County Department of Health. The Department was able to provide me with their file related to this well. I have included copies of that file for your review. It would appear you and your husband initially worked with the County for the establishment of that well in 2008. Subsequently, Mr. Beveridge requested confirmation of the status of the well on July 22, 2008. It is of note that on October 23, 2018, the Yakima Health District informed Mr. Beveridge that the well no longer qualified as a group B well, but rather must be upgraded to group A by October 31, 2019. This was due to his use of the well to service his winery. Due to the events he hosts, the well no longer qualifies as a Class B, but must be upgraded to a Class A well. The letter from the DOH confirms that his business will be unable to renew its food and beverage license should the business fail to upgrade the well.

After you have had an opportunity to review these documents, I suggest we discuss how you wish to proceed and options available to you. I look forward to hearing from you.

Very truly yours,

Bryan P. Myre

14961-01\ja\jett jan\bonny gappa\client\01

FW: Legal Report from 19

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:56 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 12:00 PM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: Legal Report from 19

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>
Date: Sun, Feb 13, 2022, 9:51 AM
Subject: Re: Legal Report from 19
To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

And all of it happened because I was reporting events that you couldn't monitor.

On Sun, Feb 13, 2022, 9:50 AM Maria Jett <marialaurene@gmail.com> wrote:

Again, for clarity, shawn magee chose not to enforce, as doh indicated to Bryan Myre that they would do. Shortly after a private meeting with Paul Beveridge during which it was decided to overturn the previous decision.

Can you see why I'm upset that you are putting private citizens in charge of doing your jobs? If I hadn't had the money to dig a new well for myself and my neighbor, we'd be completely screwed because of this. I would have had to sell and move. I'm sure that was the desired outcome.

My family has been on this land for over 100 years. It's mine now, I have a nursery and a b and b. I deserve the opportunity to thrive out here too, even though I don't grow make or drink wine.

Thank you, Maria Jett

On Sat, Feb 12, 2022, 11:48 AM Maria Jett <marialaurene@gmail.com> wrote:

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FW: Legal Report from 19

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Subject: Fwd: Legal Report from 19

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Sun, Feb 13, 2022, 9:53 AM

Subject: Re: Legal Report from 19

To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

Reporting that you know was legit. It brought us to where we are today and that's great. But you've got paul at the helm of your ship. From where I sit that's extremely scary for our community.

On Sun, Feb 13, 2022, 9:51 AM Maria Jett <marialaurene@gmail.com> wrote:

And all of it happened because I was reporting events that you couldn't monitor.

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Date: Sun, Feb 13, 2022, 10:51 AM
Subject: Re: Legal Report from 19
To: <noelle.madera@co.yakima.wa.us>, <thomas.carroll@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

The more you give Paul Bevr ridge his way, the more loudly you are saying to everyone in Yakima Valley, especially craft beveridge folks, that blowing off regulatory agencies and screwing people over for personal gain is the best and fact the only way to succeed.

So yeah. Responsibility and integrity, indeed.

On Sun, Feb 13, 2022, 10:39 AM Maria Jett <marialaurene@gmail.com> wrote:

Especially because I can see from the public record that Paul has been meeting with Amanda McKinney at his property.

On Sunday, February 13, 2022, Maria Jett <marialaurene@gmail.com> wrote:

Reporting that you know was legit. It brought us to where we are today and that's great. But you've got paul at the helm of your ship. From where I sit that's extremely scary for our community.

On Sun, Feb 13, 2022, 9:51 AM Maria Jett <marialaurene@gmail.com> wrote:

And all of it happened because I was reporting events that you couldn't monitor.

On Sun, Feb 13, 2022, 9:50 AM Maria Jett <marialaurene@gmail.com> wrote:

Again, for clarity, shawn magee chose not to enforce, as doh indicated to Bryan Myre that they would do. Shortly after a private meeting with Paul Beveridge during which it was decided to overturn the previous decision.

Can you see why I'm upset that you are putting private citizens in charge of doing your jobs? If I hadn't had the money to dig a new well for myself and my neighbor, we'd be completely screwed because of this. I would have had to sell and move. I'm sure that was the desired outcome.

My family has been on this land for over 100 years. It's mine now, I have a nursery and a b and b. I deserve the opportunity to thrive out here too, even though I don't grow make or drink wine.

Thank you, Maria Jett

FW: FW: Distillery & Winery Waste

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:55 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>
Sent: Friday, February 18, 2022 12:02 PM
To: Long Range Planning <longrangeplanning@co.yakima.wa.us>
Subject: Fwd: FW: Distillery & Winery Waste

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From: **Maria Jett** <marialaurene@gmail.com>
Date: Thu, Nov 12, 2020, 8:41 AM
Subject: Fwd: FW: Distillery & Winery Waste
To: Giesin, Stephanie (ECY) <sgie461@ecy.wa.gov>

----- Forwarded message -----

From: **Ted Silvestri** <ted.silvestri@co.yakima.wa.us>
Date: Wed, May 6, 2020 at 10:34 AM
Subject: FW: Distillery & Winery Waste
To: gcle461@ecy.wa.gov <gcle461@ecy.wa.gov>
Cc: Maria Jett <marialaurene@gmail.com>, Shawn Magee <shawn.magee@co.yakima.wa.us>

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Because this is commercial waste water, it is under Ecology's authority to regulate. I am forwarding this complaint to your department for follow-up.

Ted

Ted Silvestri, R.S.
Environmental Health Specialist
Yakima Health District
1210 Ahtanum Ridge Drive
Union Gap, WA 98903
ted.silvestri@co.yakima.wa.us
(509) 249-6562







FW: FW: Distillery & Winery Waste

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From: **Maria Jett** <marialaurene@gmail.com>

Date: Sun, Feb 13, 2022, 1:04 PM

Subject: Re: FW: Distillery & Winery Waste

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>

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Many thanks,

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Subject: Re: FW: Distillery & Winery Waste

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>

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Subject: FW: Distillery & Winery Waste

To: gcle461@ecy.wa.gov <gcle461@ecy.wa.gov>

Cc: Maria Jett <marialaurene@gmail.com>, Shawn Magee <shawn.magee@co.yakima.wa.us>

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Date: Sun, Feb 13, 2022, 2:23 PM

Subject: Re: FW: Distillery & Winery Waste

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>, Maria Keddis <Maria.Keddis@co.yakima.wa.us>

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Rich wine drinkers are every bit as likely to evade oversight and regulation as anyone else on the planet. Self reporting brought us to this point. It's obviously a disastrous policy without cameras.

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Sent: Friday, February 18, 2022 12:03 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Fwd: Cameras Benefit Everone

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

----- Forwarded message -----

From: **Maria Jett** <marialaurene@gmail.com>

Date: Mon, Feb 14, 2022, 7:14 AM

Subject: Cameras Benefit Everone

To: <thomas.carroll@co.yakima.wa.us>, <noelle.madera@co.yakima.wa.us>, <phil.hoge@co.yakima.wa.us>, Joel Donofrio <jdonofrio@yakimaherald.com>, Joanna Markell <jmarkell@yakimaherald.com>

I know for a fact because I have seen the records, that Wilridge has had product go missing from their winery. Isn't that exactly why pot farms have cameras? So that when things go awry in an adult setting, there is a record of what happened so that your time and mine is not wasted. That's simply how business is done these days. You DO have a way to put the he said she said to an end. You're just not employing it because the business owners don't like it.

Maria Jett

FW: Ted, Promises and Expectations

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:55 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 12:17 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Subject: Ted, Promises and Expectations

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

For YEARS Ted Silvestri told me that the change from group b to group a would address the metering and billing and other questions I had regarding that well system. He SWORE he was going to enforce DOHs regs based on events. He KNEW it was a group a all along. Said to be ready with a lawyer. We WERE. Never once did anyone look at or suggest I look at a well inventory, where the original falsehood was in writing. Not in almost a decade. Until the damage was done. M jett

FW: Ted, Promises and Expectations

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:55 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 18, 2022 12:26 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>

Cc: Joanna Markell <jmarkell@yakimaherald.com>; Joel Donofrio <jdonofrio@yakimaherald.com>; Maria Keddis <Maria.Keddis@co.yakima.wa.us>; tayer@yakimaherald.com; Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Noelle Madera <Noelle.Madera@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>

Subject: Re: Ted, Promises and Expectations

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

And to be clear. That well system was approved as an A to begin with. Thats what my father paid for. Then paul applied for it to be regrouped shorty thereafter and it was. Based on the falsified inventory he submitted. Over a decade ago. Then he blew up his business size and intimidated the neighbors into not reporting his activities. He's been actively using your lack of oversight as a weapon. And he's encouraging everyone else to do business exactly like he does. To NOT listen to any regulatory agency in any way, ever. Because freedumb.

M jett

On Fri, Feb 18, 2022, 12:17 PM Maria Jett <marialaurene@gmail.com> wrote:

For YEARS Ted Silvestri told me that the change from group b to group a would address the metering and billing and other questions I had regarding that well system. He SWORE he was going to enforce DOHs regs based on events. He KNEW it was a group a all along. Said to be ready with a lawyer. We WERE. Never once did anyone look at or suggest I look at a well inventory, where the original falsehood was in writing. Not in almost a decade. Until the damage was done. M jett

FW: Whitefish City Council Votes Against Mountain Gateway Development

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Saturday, February 19, 2022 9:17 AM

To: Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Noelle Madera <Noelle.Madera@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>; LaDon Linde <ladon.linde@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joanna Markell <jmarkell@yakimaherald.com>; Joel Donofrio <jdonofrio@yakimaherald.com>; tayer@yakimaherald.com; Yakima Herald <news@yakimaherald.com>

Subject: Whitefish City Council Votes Against Mountain Gateway Development

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

“The types of people that would live here aren’t the kind that can hire lawyers to come and speak,” Barnett said. “It’s always the poor and working class that suffer in these debates.”

“I’m not here to talk about the Big Mountain Development even though I think it should pass. I’m here because of the amount of people that have shared with me their disgust with the comments made by our own resident billionaire Mark Jones,” Hennen said. He continued, saying that with his son due to be born any day, he plans on using Jones’ statements as a cautionary tale.

“A lesson to be learned,” Hennen said. “If you don’t get your way that’s okay. You live and learn. You don’t take your ball and go home, you don’t attempt to hold this small community hostage financially.”

<https://flatheadbeacon.com/2022/02/08/whitefish-city-council-votes-against-mountain-gateway-development/>

M Jett

FW: ATO Status: Wilridge Winery, Distillery, Concert Venue

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Saturday, February 19, 2022 11:31 AM

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>

Subject: ATO Status: Wilridge Winery, Distillery, Concert Venue

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Your own words indicate you know Paul has been operating as an ATO for years. Far outside the range of what he's permitted for. But he's still not an ATO. That's so curious to me. Because he is one regardless of what comes of this process. So how are you planning on dealing with that? I believe this process is being used by Paul as another distraction and way of avoiding regs, as usual. I can certainly see that it is needed for normal law abiding business owners as well, for the sake of clarification. But your planning does not currently address people who refuse to follow county and state regs AT ALL. So what is your plan for enforcement moving forward? What kind of enforcement is there at the ATO level?

https://docs.google.com/document/d/1qf800n8fgCNw1n5R6N2xw-jRA6rlB-vkGjPXEvv0xSA/edit?fbclid=IwAR052azENKKxecZa_yMc6E8DL2f1vQzra0ly-LlwzVKXWMLjyHVxRxIDAask

M Jett

FW: He said she said? No. YOU SAID. Then didn't do. You never do.

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Saturday, February 19, 2022 1:39 PM

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>

Subject: He said she said? No. YOU SAID. Then didn't do. You never do.

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

My situation with Wilridge ceased to be he said she said ages ago. YOU say and have been saying for ages. And yet no enforcement happens. Paul just does whatever he wants. So that means that's what everyone else will be taught to do as well. No one is in really charge in Yakima County except Paul. He's making fools out of all of you by refusing to recognize your authority. It's really a shame you then also hand him such a prominent position of leadership. You are minimizing and misrepresenting my situation and simultaneously deeply undermining your own commitment to responsibility and integrity.

M jett

FW: He said she said? No. YOU SAID. Then didn't do. You never do.

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Saturday, February 19, 2022 1:46 PM

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>

Subject: Re: He said she said? No. YOU SAID. Then didn't do. You never do.

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

You are allowing craft beverage business owners to extract our county's resources for personal gain while walking all over neighbors and regulatory officials. You are literally giving them carte blanche and you have no control over any of it. Not shocking to me at this point. But it's still a shame for this community.

M jett

On Sat, Feb 19, 2022, 1:38 PM Maria Jett <marialaurene@gmail.com> wrote:

My situation with Wilridge ceased to be he said she said ages ago. YOU say and have been saying for ages. And yet no enforcement happens. Paul just does whatever he wants. So that means that's what everyone else will be taught to do as well. No one is in really charge in Yakima County except Paul. He's making fools out of all of you by refusing to recognize your authority. It's really a shame you then also hand him such a prominent position of leadership. You are minimizing and misrepresenting my situation and simultaneously deeply undermining your own commitment to responsibility and integrity.

M jett

FW: Woodland marijuana business appeals city code violations | The Reflector

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Monday, February 21, 2022 12:47 PM

To: LaDon Linde <ladon.linde@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>; Maria Keddis <Maria.Keddis@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>

Cc: Greg Halling <ghalling@yakimaherald.com>

Subject: Woodland marijuana business appeals city code violations | The Reflector

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

When a marijuana business violates code and appeals it is for some reason news. When a wine business does it for literally years on end there's no mention of that but the business owner gets a special place in the media spotlight during the resulting reexamination of the rules, which is itself a privilege. So is that classist, racist or both?

M jett <https://www.thereflector.com/stories/woodland-marijuana-business-appeals-city-code-violations,282338>

FW: Your Article from 6 yrs ago: Why concert venues should have cameras to offer their own evidence

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Monday, February 21, 2022 1:15 PM

To: LaDon Linde <ladon.linde@co.yakima.wa.us>; pferolito@yakimaherald.com; Yakima Herald <news@yakimaherald.com>; Maria Keddis <Maria.Keddis@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joanna Markell <jmarkell@yakimaherald.com>; tayer@yakimaherald.com

Subject: Your Article from 6 yrs ago: Why concert venues should have cameras to offer their own evidence

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

We can talk about this sometimes. Why can't we talk about what impact ato level concerts will have when theres NO ONE to help residents, even now, and no hope for improvement. Please ask business owners to take responsibility. Real people are suffering and if we need to vote differently to get the support we need, we should know!

https://www.yakimaherald.com/news/local/code-enforcement-in-yakima-county-it-takes-time/article_6feff552-ce2f-11e5-97ad-83f04e50b145.html

FW: Exploiting the County's Weaknesses

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Tue 2/22/2022 9:54 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Tuesday, February 22, 2022 6:36 AM

To: Maria Keddis <Maria.Keddis@co.yakima.wa.us>; Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>; tayer@yakimaherald.com; Phil Hoge <phil.hoge@co.yakima.wa.us>

Subject: Exploiting the County's Weaknesses

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Paul knows you can't enforce any of your own rules. That's why here's here, acting like he acts. And you're letting/helping him get away with it. It's a terrible precedent to set. If you need support in order to enforce your own code, please ask for support from the public instead of hiding behind your weaknesses and telling us to go after one another instead of you because it's not your fault you can't do your jobs. Who's fault is it then? It's time to address this issue. If you can't do your jobs, reign it in, STOP EXPANDING your field of commitment, and stop letting the rulebreakers steer your ship. It's not rocket science.

M Jett

FW: "Grandfathering" Existing Wineries as ATOs

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Fri 2/25/2022 3:03 PM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 25, 2022 3:00 PM

To: Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>

Subject: "Grandfathering" Existing Wineries as ATOs

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Why on EARTH would you even consider rewarding those who have absolutely and consistently refused to comply with any regulations with a carte blanche to do what they want? Talk about the privilege of the elite. Must be nice to be the ones who make the laws and are also above them.

M Jett

FW: "Grandfathering" Existing Wineries as ATOs

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Mon 2/28/2022 8:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 25, 2022 3:16 PM

To: Thomas Carroll <thomas.carroll@co.yakima.wa.us>; Long Range Planning <longrangeplanning@co.yakima.wa.us>; Phil Hoge <phil.hoge@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>; Noelle Madera <[Noelle.Madera@co.yakima.wa.us](mailto>Noelle.Madera@co.yakima.wa.us)>; LaDon Linde <ladon.linde@co.yakima.wa.us>; Maria Keddis <Maria.Keddis@co.yakima.wa.us>

Subject: Re: "Grandfathering" Existing Wineries as ATOs

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

I love how Paul knows to get ahead of the game and meet with Ms McKinney to preempt your recommendation. Makes sense. They do seem to share values. (Yikes.)

God bless that Fire Marshall. ;) God bless her, I say. She seems to be one of the few people on the planet who has no problem telling Paul what's what.

The man is a disgrace to your industry. Some people call what he does innovation. From where I stand it just looks like one more loud mouthed privileged and manipulative bully, doing whatever he wants at everyone else's expense. Just what we need more of in this world. 😞

'M Jett

On Fri, Feb 25, 2022 at 2:59 PM Maria Jett <marialaurene@gmail.com> wrote:

Why on EARTH would you even consider rewarding those who have absolutely and consistently refused to comply with any regulations with a carte blanche to do what they want? Talk about the privilege of the elite. Must be nice to be the ones who make the laws and are also above them.

M Jett

FW: Code Enforcement Labor Hours Go Disproportionately Where?

Long Range Planning <longrangeplanning@co.yakima.wa.us>

Mon 2/28/2022 8:58 AM

To: Olivia Story <olivia.story@co.yakima.wa.us>

From: Maria Jett <marialaurene@gmail.com>

Sent: Friday, February 25, 2022 3:45 PM

To: Long Range Planning <longrangeplanning@co.yakima.wa.us>; Joel Donofrio <jdonofrio@yakimaherald.com>; Joanna Markell <jmarkell@yakimaherald.com>; Maria Keddis <Maria.Keddis@co.yakima.wa.us>

Subject: Code Enforcement Labor Hours Go Disproportionately Where?

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

I know yakima county is tired of hearing me complain about Paul Beveridge's activities. Believe you me, I'm just as tired of it, if not more. But guess what, I'm not the one causing the issues, in spite of what Paul says in his attempts at extortion and in his private meetings with everyone under the sun. Whatever Paul encounters is a consequence of his own actions. If he doesn't want to foot the cost of doing business in Yakima County, he shouldn't be doing business here. I'm tired of this community absorbing his costs. Aren't you?? It's disgraceful.

Yakima county has, what, two (?) code enforcement staff. Doesn't it seem kind of odd that ONE business continually occupies so much of their time? Effectively, you're running a code enforcement department solely to unsuccessfully monitor Paul Beveridge and all the business that he's "not" doing out here. That is a HUGE waste of taxpayer money. Again, disgraceful. All to line one man's pocket. The elitism contained in your plan is disheartening and best and bordering on criminal.

M Jett

**Chat Log C:\Users\philh\Documents\ChatLog Yakima County Planning
Commission 2022_02_09 20_48.rtf**

Barbara Sherman @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

6:07 PM: Can anyone hear anything? I cannot.

Public Services (to Everyone): 6:10 PM: Hi Barbara. Are you having audio problems?

Barbara Sherman @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

6:11 PM: Yes, both Paul Vandenberg and I are. No sound.

Public Services (to Everyone): 6:11 PM: If you go up to the top right corner of the gotomeeting page with the setting icon, it looks like a ferris wheel, you can select an audio option that's provided with the computer are on.

Barbara Sherman @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

6:12 PM: We are on phones. And there was sound right at the beginning before it began. Then none.

Public Services (to Everyone): 6:12 PM: Try calling back in.

Barbara Sherman @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

6:12 PM: OK.

Public Services (to Everyone): 6:14 PM: Ok.

Public Services (to Everyone): 6:16 PM: you shouldn't have to purchase it.

Barbara Sherman @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

6:17 PM: I am looking at the website right now. Zoom would have been the better option.

Kyle Curtis (to Everyone): 6:17 PM: +1 (571) 317-3122 Access Code: 730-684-309

Public Services (to Everyone): 6:21 PM: I'm glad it worked out.

Maria Jett (to Everyone): 6:44 PM: I will be giving my comments via chat. No mic.

Noelle Madera (to Everyone): 6:45 PM: You can also email your comments

Noelle Madera (to Everyone): 6:45 PM: I'll provide the email address.

Maria Jett (to Everyone): 6:46 PM: I'd like the paper to hear them too, so I'll give them here.

Noelle Madera (to Everyone): 6:46 PM: Okay

Gloria Sheller (to Everyone): 6:48 PM: Gilbert Cellars would like to receive updates to either:

Gloria Sheller (to Everyone): 6:48 PM: po box 8331 yakima wa 98908 or
gloria@gilbertcellars.com

Noelle Madera (to Everyone): 6:48 PM: longrangeplanning@co.yakima.wa.us All
comments received prior to the end of the hearing will be provided to the PC

Phil H, Staff (to Everyone): 6:49 PM: Give your comments here, Maria Jett.

Greg Smith (to Everyone): 6:52 PM: I have no comments. thank you

Adele & Ken Kilseimer (to Everyone): 6:54 PM: Adele & Ken Kilseimer

Adele & Ken Kilseimer (to Everyone): 6:55 PM: Adele & Ken KilseimerSelah Ridge

Lavender Farm

Erin Walsh (to Everyone): 6:56 PM: I'm sorry my call dropped as I was trying to access my microphone. Erin Walsh, mailing address is 1112 S. 28th Ave, Yakima, WA 98902; Will Yakima County code enforcement or special permit processing agents require agritourism businesses hosting live music to provide proof of required music licenses such as ASCAP, BMI, SEASAC, etc.? This licensing ensures that songwriters are properly credited for their music performed during open mics, concerts, etc. This is particularly important when venues host "tribute bands." Also, while I am a huge live music fan and former venue owner, the venues that project sound within a mile of residential properties can be very disruptive to homeowners, residents, animals, etc. Finally, what will the dust abatement requirements be, especially on days where traffic is higher than usual? Thank you.

John Cooper (to Everyone): 6:59 PM: Sorry, no comment at this time

Phil H, Staff (to Everyone): 6:59 PM: Thank you, John Cooper.

Cindy O'Halloran (to Everyone): 7:06 PM: Well said Jeff. Go ATO in Yakima County~

Gloria Sheller (to Everyone): 7:13 PM: What happen

Gloria Sheller (to Everyone): 7:14 PM: happens if you are having a wine release, and advertise it as such, and it turns in to something that might be considered an evet?

Maria Jett (to Everyone): 7:14 PM: Maria Jett 210 Ehler Rd Yakima WA 98908 I have questions and concerns about two areas. 1) noise. There currently is no limit to the noise level a concert venue can produce before 10 PM. Do you have any plans to change that so that neighbors aren't emprisioned by encroaching sound at all times. 2) compliance. Events most often occur on weekends and evenings. So when it comes to documenting what is actually happening, it comes down to a conflict between neighbors, in which people are told to gather their own proof because county can't tell what's going on because they're at home. What is your plan to keep me from having to go out and collect evidence and send it to you so that you have an accurate understanding of what's happening. This has been a problem for me for years. I can't tell you how much time I've spent calling county to tell you what's going on. It's extremely invasive. Compliance has always been a problem. How are you going to address this when you already can't keep up with what's going on?

Maria Jett (to Everyone): 7:15 PM: are you not going to address my questions?

Maria Jett (to Everyone): 7:15 PM: please read my comments out loutd

Maria Jett (to Everyone): 7:16 PM: I agree that responsibility and integrity are key here. We have had extensive problems with he said she said when it comes to the many advertised events happening MANY

Maria Jett (to Everyone): 7:17 PM: And if it's already permitted? An old business?

Maria Jett (to Everyone): 7:18 PM: Yes, the lack of communication has been part of the problem

Anne Harrison (to Everyone): 7:19 PM: Please put us on record to get

notifications...Anne/Terry Harrison Knight Hill Winery 5330 Lombard Loop Rd. Zillah, WA 98953

Public Services (to Everyone): 7:19 PM: Hi Anne,

Maria Jett (to Everyone): 7:19 PM: I have to address each agency separately

Maria Jett (to Everyone): 7:19 PM: it's excruciating

Public Services (to Everyone): 7:19 PM: Anne, we will. Do you want me to call on you again for comments?

Kent VanArnam (to Everyone): 7:20 PM: Maria, what is your address?

Maria Jett (to Everyone): 7:20 PM: As mentioned, 210 Ehler Rd Yakima WA 98908

Maria Jett (to Everyone): 7:21 PM: I believe the county has or recently have had an open suit against my neighboring winery. It's really a problem.

Anne Harrison (to Everyone): 7:23 PM: We do not need make a comment other than we think planning dept. has done a great job of clearing this permitting process up. Look forward to hashing out the fine points and getting going again.

Maria Jett (to Everyone): 7:23 PM: And crazy making when the paper gives that winery owner the only voice on this issue.

Public Services (to Everyone): 7:23 PM: Thank you Anne.

Maria Jett (to Everyone): 7:24 PM: And that leaves residents powerless

Maria Jett (to Everyone): 7:24 PM: utterly powerless

Maria Jett (to Everyone): 7:24 PM: what you just said, Noelle

Maria Jett (to Everyone): 7:24 PM: I'm finished.

Erin Walsh (to Everyone): 7:27 PM: I am no longer available to participate tonight. Please address my concerns and keep me informed.

Erin Walsh (to Everyone): 7:28 PM: Thank you! :)

Public Services (to Everyone): 7:28 PM: Hi Erin, did you provide your email or address.

Public Services (to Everyone): 7:28 PM: ?

Public Services (to Everyone): 7:29 PM: Got it! Had to scroll up. We'll keep you updated.

Adele & Ken Kilseimer (to Everyone): 7:31 PM: Adele & Ken Kilseimer 330 Rankin Road Selah, WA 98942 please keep us informed, Thank you.

Public Services (to Everyone): 7:31 PM: Thank you! We will.

John Cooper (to Everyone): 7:38 PM: I think you have it, but just in case my contact is john@visityakim.com

Laurie Kirkland (to Everyone): 7:41 PM: To us an event, is something u

Laurie Kirkland (to Everyone): 7:41 PM: you charge for.

Public Services (to Everyone): 7:42 PM: Thanks John C. We'll keep you updated.

Cathy Wilkinson (to Everyone): 7:53 PM: Just curious: Has there been complaints with 12lodging?

Laurie Kirkland (to Everyone): 7:56 PM: Tell us about the 24 acre surf park located east of St Hilaire accessed from east notman road. 5.5 acre pool, 21 RV camp spaces, 25 unit

lodge and more

Laurie Kirkland (to Everyone): 7:57 PM: east norman rd

Laurie Kirkland (to Everyone): 7:58 PM: This disagrees with Tommy said about no hotels

Cathy Wilkinson (to Everyone): 7:59 PM: Great conversation and I do appreciate the work the planning dept. and advisory board has put on this. My vote: Please kick it at least up to 12 if not more....

Laurie Kirkland (to Everyone): 7:59 PM: Agree!

Paul Vandenberg @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

8:01 PM: Had technical issues. would like to comment after Sal Leone.

Public Services (to Everyone): 8:03 PM: Ok. You'll be next.

Phil Phone (Private): 8:16 PM: test

Paul Beveridge (to Everyone): 8:39 PM: A couple of things I forgot to mention: With the elimination of resort ATOs, gift shops, galleries etc will no longer be allowed at ATOs.

Paul Vandenberg @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

8:40 PM: I also agree with Paul B.

Paul Beveridge (to Everyone): 8:41 PM: And a recent change to the proposal defines ATOs as "especially sensitive land uses" subject to many new restrictions. The proposal makes it harder, not easier, to get an ATO permit.

Laurie Kirkland (to Everyone): 8:43 PM: Two more weeks s great

Cathy Wilkinson (to Everyone): 8:44 PM: Cate Wilkinsonemail: catew@mac.com

Public Services (to Everyone): 8:44 PM: Thank you Cathy.

Cindy O'Halloran (to Everyone): 8:44 PM: cindyoh@live.com

Public Services (to Everyone): 8:45 PM: Thanks Cindy.

Gilbert Kalombo (to Everyone): 8:45 PM: gmkalombo@gmail.com

Public Services (to Everyone): 8:45 PM: Thanks Gilbert.

Sally and Warren Rose (to Everyone): 8:46 PM: sallywarrenrose@gmail.com

Public Services (to Everyone): 8:46 PM: Thanks Sally.

Paul Vandenberg @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

8:46 PM: Would strongly prefer to not meet in person!!

Paul Vandenberg @ Paradisos del Sol Winery and Organic Vineyard (to Everyone):

8:48 PM: Check with local churches to see how they do it!

John Cooper (to Everyone): 8:48 PM: Thank you everyone