



# BOARD OF YAKIMA COUNTY COMMISSIONERS

## Agenda Request Form (ARF)

*Deliver completed ARF and finalized agenda item to the Clerk or Deputy Clerk of the Board at the Yakima County Commissioners' Office, Room 232.*

Prepared by: Tommy Carroll

Department: Public Services - Planning Division

Requested Agenda Date: April 9, 2024

Presenting: Tommy Carroll

Board of County Commissioners Record Assigned

#

**003-2024**

### Action Requested – Check Applicable Box:

☐ PASS RESOLUTION

☒ PASS ORDINANCE

☐ ISSUE PROCLAMATION

☐ EXECUTE or AMEND

AGREEMENT, CONTRACT, or GRANT

☐ OTHER \_\_\_\_\_

### Document Title:

IN THE MATTER OF EXPANDING THE YAKIMA COUNTY STOCK RESTRICTED MAP TO INCLUDE ALL UNINCORPORATED AREAS WITHIN THE OPEN AREA OF THE YAKAMA RESERVATION

### Background Information:

A request was made by a property owner in July 2023 for the Board of Yakima County Commissioners to consider expanding the County's Stock Restricted Areas to include all areas within the open area of the Yakama Indian Reservation. After taking public testimony at an open record public hearing on November 7, 2023 the Board passed a motion to move forward an ordinance for their consideration.

### Describe Fiscal Impact:

N/A

### Summary & Recommendation:

The attached Ordinance needs to be signed and adopted by the Board expand the County's stock restricted area to include the open areas of the Yakama Reservation.

Department Head/Elected Official Signature

\_\_\_\_\_  
Corporate Counsel Initial (for Agreements Only)

*Handwritten initials 'RC' in the bottom right corner.*

# BOARD OF YAKIMA COUNTY COMMISSIONERS

## ORDINANCE 003-2024

### IN THE MATTER OF EXPANDING THE YAKIMA COUNTY STOCK RESTRICTED MAP TO INCLUDE ALL UNINCORPORATED AREAS WITHIN THE OPEN AREA OF THE YAKAMA RESERVATION

**WHEREAS**, RCW 16.24 states that the legislative authority of any county shall have the power to designate certain territory as stock restricted area within such county in which it shall be unlawful to permit any kind of livestock to run at large, and to change the boundary of such area from time to time; **and**,

**WHEREAS**, Yakima County established a stock restricted area by ordinance codified at YCC 6.32 many decades ago; **and**,

**WHEREAS**, Yakima County received a request in July 2023 to expand the boundaries of Yakima County's stock restricted area for reasons of property protection and public safety; **and**,

**WHEREAS**, the Board of Yakima County Commissioners solicited input on the proposal from the Bureau of Indian Affairs and the Yakama Nation and received a letter dated October 3, 2023, from the BIA Superintendent of the Yakama Agency expressing agreement with Yakima County on eliminating any "open range" within the Yakama Reservation Boundaries; **and**,

**WHEREAS**, the Board of Yakima County Commissioners, in accordance with RCW 16.24, held a public hearing on November 7, 2023, to receive public testimony on the proposal to expand the stock restricted boundary to include all areas within the open area of the Yakama Reservation; **and**,

**WHEREAS**, after hearing testimony from all persons wanting to speak, the Board approved a motion to move the issue forward to resolution at a future agenda meeting; **now, therefore**,

**BE IT HEREBY ORDAINED** by the Board of Yakima County Commissioners:

#### **Section 1. Reasons for Action.**

The Board of Yakima County Commissioners considered enlarging the county's stock restricted area based on:

- A. The request to expand the existing stock restricted area on the Yakama Reservation in order to prevent further damage to property from roaming cattle.
- B. Agreement of the BIA Superintendent of the Yakama Agency with eliminating any "open range" within the Yakama Reservation Boundaries.

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C. Testimony at their public hearing in favor of expanding the stock restricted area.

### **Section 2. Yakima County Code Amendment.**

The Board of Yakima County Commissioners hereby amends the Yakima County Code to expand the county's stock restricted area on the Yakama Reservation as indicated by Attachment 1 and Attachment 2.

### **Section 3. Road Signage.**

The Board of Yakima County Commissioners hereby directs the County Engineer to erect and revise the road signs as required by RCW 16.24.060 for the expanded stock restricted area.

### **Section 4. Severability.**

The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to any other persons or circumstances.

### **Section 5. Effective Date.**

This ordinance will be effective on April 10, 2024.

DONE

APR 09 2024



Attest:

Julie Lawrence, Clerk of the Board *or*  
Erin Franklin, Deputy Clerk of the Board

*Amanda McKinney*

Amanda McKinney, Chair

Kyle Curtis, Commissioner

*LaDon Linde*

LaDon Linde, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*

# Attachment 1

## Chapter 6.32

### STOCK RESTRICTED AREAS

#### Sections:

- 6.32.010 Restricted Areas Designated.
- 6.32.020 Stock Restricted Area Map – Adopted.
- 6.32.030 Stock Restricted Area Map – Custodian.
- 6.32.040 Notice.

#### **6.32.010 Restricted Areas Designated.**

The following described lands are hereby designated stock restricted areas pursuant to the provisions of Chapter 16.24 RCW effective January 1, 1987, and as subsequently amended by Yakima County ordinance:

- (1) Irrigation Districts.
  - (a) All land situated within the following irrigation districts: Naches-Selah; Roza; Selah-Moxee; Terrace Heights; Union Gap; Yakima-Tieton; Sunnyside Valley; Buena; Grandview; Outlook; Granger; Home; Snipes Mountain; Zillah, plus
  - (b) The Ahtanum irrigation district; except that portion of the district lying west of Lynch Road.
- (2) Areas Outside of Irrigation Districts. The following described additional areas:
  - (a) The Naches River Valley between the SR 12 Twin Bridges and the west line of the east half of the east half of Section 36, Township 15 North, Range 16 E.W.M.,
  - (b) The unincorporated portions of the Yakima and Union Gap Urban Growth Areas, and as amended in the future,
  - (c) The Yakima River Valley from the mouth of the Yakima River Canyon to the Union Gap,
  - (d) That portion of land surrounded by the Yakima-Tieton irrigation district and easterly of Pioneer Way and Old Cowiche Road,
  - (e) That portion of land between the Roza and Selah Moxee irrigation districts,
  - (f) That portion of land between the Terrace Heights and Selah-Moxee irrigation districts,
  - (g) The south half of the south half of Section 28; all of Section 34 and that portion of Section 33 all in Township 13 North, Range 20 E.W.M. not in the Roza irrigation district,
  - (h) That portion of land between the Yakima and Union Gap Urban Growth Areas and the Yakima-Tieton and Ahtanum irrigation districts,
  - (i) That portion of Section 12, Township 14 North, Range 16 E.W.M., lying outside of the Yakima-Tieton irrigation district,
  - (j) That portion of land lying south of the north half of the north half of Sections 20 and 21, Township 12 North, Range 19 E.W.M. and surrounded by the Yakama Reservation, the Union Gap, and the Sunnyside Valley irrigation districts,

(k) That portion of land surrounded by the Roza, Union Gap and Sunnyside Valley irrigation districts,

(l) That portion of land surrounded by the Granger, Snipes Mountain and Sunnyside Valley irrigation districts,

(m) That portion of land surrounded by the Home, Granger and Yakama Reservation irrigation districts.

(3) Areas within the Yakama Reservation: All areas within the Yakama Reservation that lie outside of the Yakama Nation Closed Area and outside of incorporated areas.

(Res. 382-1987, 1987; Res. 457-1986, 1986).

**6.32.020 Stock Restricted Area Map – Adopted.**

Yakima County's Geographic Information Services Division shall create and maintain the GIS information necessary to depict the above-described areas, which are hereby adopted as the official stock restricted area map for Yakima County, Washington.

(Res. 457-1986, 1986).

**6.32.030 Stock Restricted Area Map – Administrator.**

The county planning official is designated as the administrator for interpreting and considering amendments to the stock restricted area map.

(Res. 457-1986, 1986).

**6.32.040 Notice.**

The clerk of the board shall cause notice of the above-described stock restricted areas to be published as provided by law.

(Res. 457-1986, 1986).

## **Attachment 2**

Map:

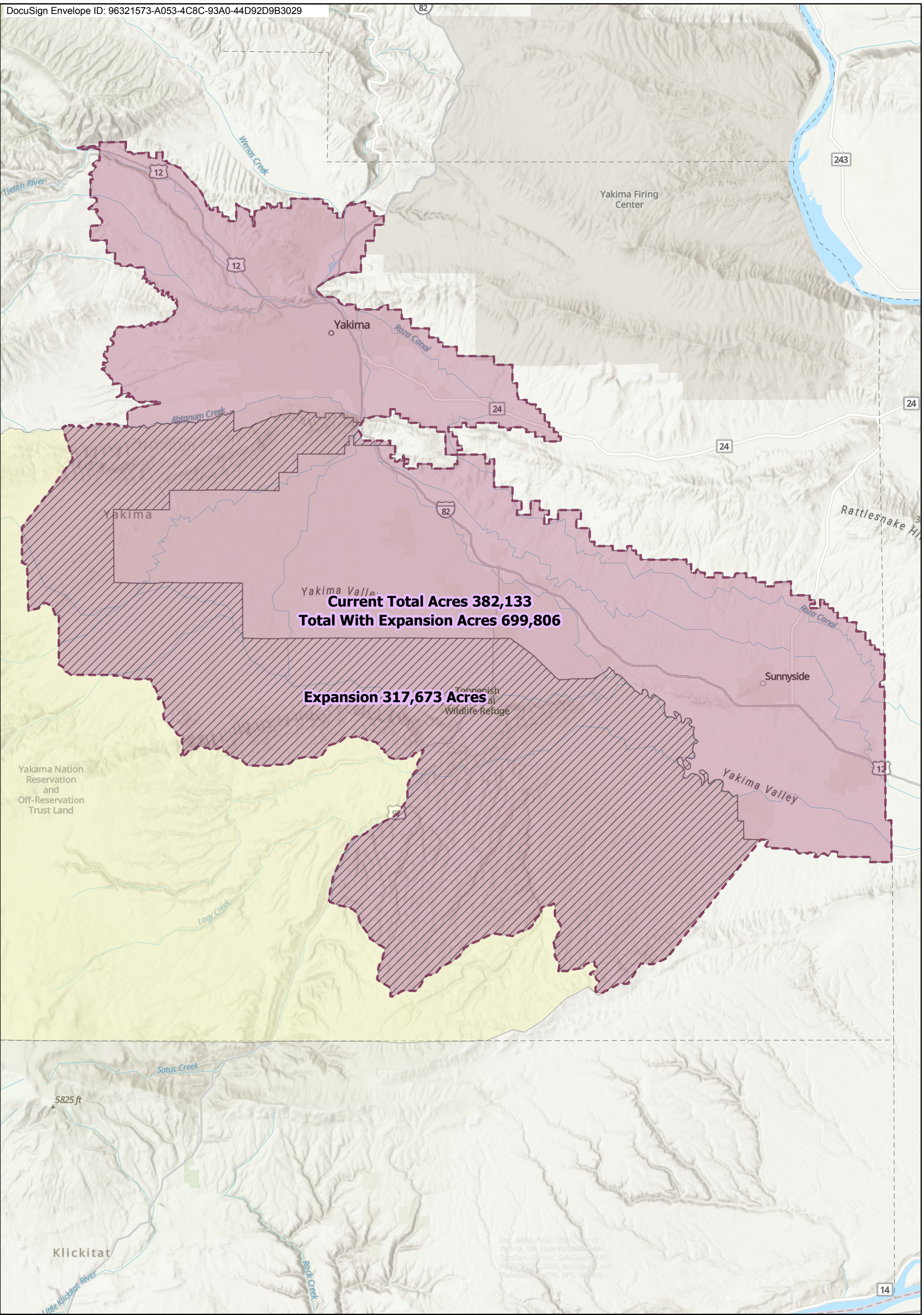
**“Yakama Nation Stock-Restricted Area Expansion”**

## **Attachment 2**

Map:

**“Yakama Nation Stock-Restricted Area Expansion”**





# Yakama Nation Stock-Restricted Area Expansion

Expansion Area  
Total Stock-Restricted With Expansion

Current Stock Restricted Area  
Yakama Nation Closed Area



0 5 10 20 Miles

2/15/2024