

Conconully Safety of Dams Modification Project Draft Environmental Assessment

Land Use Impact Analysis Memorandum

June 2025

Analysis Area

The analysis area for land use is the project area, including Conconully Dam, Conconully Reservoir, and the east bank of the reservoir from the cemetery to the dam, as shown in **Map 1-1** in **Appendix A** of the environmental assessment (EA).

Affected Environment

Land status and use are assessed by analyzing current land activities, land ownership, and land use designations in adopted plans and policies. A land use assessment also considers legal guarantees or limitations, such as those provided by easements, deeds, rights-of-way (ROWs), leases, permits, or other use authorizations. While federally managed lands are generally not subject to local zoning regulations, these regulations often reflect local priorities for land use compatibility and community development; they are also considered in land use assessments.

Land Use

Bureau of Reclamation lands within the project area primarily serve to support dam and reservoir operations, including irrigation and water storage. Reclamation owns the dam, though the Okanogan Irrigation District operates the facilities. Most Reclamation lands within the project area remain undeveloped for reservoir management, though the area has historically been permitted for grazing and used for general recreation. Boating, fishing, camping, and picnicking are popular recreational activities on the reservoir, adjacent uplands, and surrounding region. Lands immediately adjacent to the project area are in private ownership.

The town of Conconully, a small, rural, and primarily residential community, is approximately 1 mile north of the dam. A cemetery, managed by the Conconully Cemetery Association, is situated north and immediately adjacent to the project area, near Conconully Road. To the east of the project area, just south of Conconully Road, private lands are primarily used for agriculture and grazing. Conconully Wastewater Treatment Plant, the town of Conconully's publicly owned treatment works,

operates a three-cell lagoon system and adjacent spray field east of the project area for wastewater treatment (Ecology 2015). Farther west of the project area, there are parcels of land managed by Reclamation, the Bureau of Land Management, and the State of Washington.

Land Use Zoning, Planning, and Policy Documents

The Land Use Element of the Okanogan County Comprehensive Management Plan guides land use planning and growth management in the region. The general land use goals and objectives of the Land Use Element include (1) directing and managing development that is orderly, resource conscious, and fiscally responsible (Goal LU-1), and (2) supporting the continuance of farming, ranching, mining, and logging for the production of food, fiber, and minerals in rural areas (Goal LU-2; OCBCC 2021).

Lands within the project area are zoned Rural 20 (OCPD 2025). This zone's goal is to provide rural and low-density development options that are consistent with the goals and objectives of the county's comprehensive plan (OCC 2025). The objective of the rural designation is to provide an effective mix of land uses for residential, commercial, industrial, agricultural, recreational, and other uses while minimizing and avoiding unnecessary conflicts. The plan directs that a wide range of compatible uses be considered on lands designated as rural to ensure compatibility of proposed activities with regard to existing uses and the historical characteristics of the neighboring area (OCBCC 2021).

There is no existing Reclamation resource management plan for Conconully Dam and Reservoir or adjacent Reclamation lands. As such, there are no specific land use designations for the project area. Reclamation lands and facilities within the project area are managed in accordance with Reclamation policy, standards, and directives, and as part of Reclamation's Safety of Dams program, which prioritizes public safety by evaluating and addressing dam safety risks. While no formal land use designation exists, the primary management focus for the dam and reservoir area is ensuring dam safety, structural and operational integrity, and public protection in accordance with Reclamation standards, regulations, and policies.

Land Acquisition and Land Use Authorizations

Land use authorizations regulate use of Reclamation's lands, facilities, and waterbodies by granting specific use rights to private individuals, as well as state and federal agencies. These use authorizations, which include permits, licenses, easements, leases, and consent documents, are discretionary and must comply with the requirements outlined in 43 Code of Federal Regulations (CFR) 429 and Reclamation Directives and Standards Manual for Land Use Authorizations LND 08-01 (Reclamation 2024).

Land use authorizations do not convey any possessory interest in the land; rather, they manage the lands' use for activities such as grazing, agriculture, infrastructure development, access, and habitat conservation. Commercial activities, including filming, photography, guiding, outfitting, or other organized commercial events and activities, also require a use authorization from Reclamation.

Per 43 CFR 429, a use authorization, also referred to as a "right-of-use," allows an entity or individual to use Reclamation land, facilities, or waterbodies for designated purposes under specific

conditions. The specific definitions to differentiate a permit from a license are not explicitly detailed in the regulations; however, in general, permits often refer to temporary authorizations for a specific activity, while licenses may grant more enduring rights for use under certain conditions. Per 43 CFR 429.1, an easement refers to an interest in land that consists of the right to use or control the land for a specific purpose but does not constitute full ownership of the land. Consent documents are issued to reduce potential conflicts when Reclamation holds an easement on land owned by others. Consent documents are defined as “a written agreement or notification listing conditions which will prevent unreasonable interference with our easement on non-Reclamation land” (43 CFR 429.2).

There is a ROW easement within the project area for the town of Conconully's underground sewer line and a portion of the sewer lagoon. The ROW is approximately 0.4-miles long and contains five sewer manholes that run along the eastern boundary of the project area south from Conconully Road. They terminate just northwest of the three-cell lagoon system located adjacent to the project area. Within the ROW easement, the town of Conconully also has an ingress and egress easement to access the sewer line within that area.

Reclamation has issued a distribution line easement to Okanogan County's Public Utility District for electricity and telecommunication services. The easement is approximately 0.3-miles long and contains a single-phase overhead electric power line and five electric utility poles. The power line runs from Conconully Road across the adjacent property to the east, just south of the three-cell lagoon system, where the power line enters the project area. The line continues west toward the dam's existing control house. There are four telephone riser boxes in the project area; three are located along the eastern fence line and one is located along the existing electric power line.

Reclamation previously issued a grazing lease to an adjacent landowner for use of Reclamation lands within the project area; however, this lease was cancelled in 2023 prior to the onset of planning for this project.

A portion of the project area includes privately owned lands; however, no project activities will be conducted on lands that are not owned by Reclamation.

Environmental Consequences

Methods and Criteria

Analysis Indicators

- Changes to assigned land use
- Consistency with land use zoning, planning, and policy documents
- Land acquisition and land use authorizations

Assumptions

- Areas disturbed during construction activities would be reclaimed and revegetated upon project completion.
- Best management practices (**Appendix F** of the EA) would ensure no residual impacts on land use or designations that would require additional environmental commitments to reduce impacts below the threshold of significance.

Alternative A – No Action

Under the No Action alternative, no structural modifications would be made to Conconully Dam, or its outlet works. No new valve house or administrative/storage/staging area would be constructed, and operations and maintenance would continue as usual. As a result, existing land uses within the project area would remain unchanged, consistent with current land use authorizations and county zoning designations. No conflicts with existing agreements or authorizations would occur.

Under the No Action alternative, the increased risk of dam failure during a seismic event would remain, resulting in the potential for catastrophic downstream flooding. Flooding would lead to widespread damage to infrastructure, residential properties, and agricultural lands within and surrounding the project area. The damage would result in moderate to major land use changes, including interim or permanent displacement of existing facilities or infrastructure as flooded areas become areas no longer suitable for previous uses (requiring relocation of facilities or infrastructure), or potential changes in zoning, as severely impacted areas may be rezoned and redesignated for flood mitigation purposes, which would restrict redevelopment and shift land use priorities. Additionally, existing land use authorizations and agreements may no longer be viable if the land is substantially altered or land is repurposed for flood mitigation, resulting in the termination of agreements.

While the No Action alternative would not immediately result in impacts on existing land uses, zoning, or land use authorizations, the increased risk of dam failure could lead to moderate or major permanent disruptions, including displacement of existing uses, changes in zoning or management priorities, and modification or termination of land use authorizations due to flood-related damage and safety concerns.

Alternative B – Proposed Action**Land Use**

Reclamation lands within the project area do not have designated land use classifications and are generally managed to support dam operations in accordance with Reclamation's policy, standards, and directives. While the borrow area would be restored and prepared to accommodate potential future recreational development, this action would not establish recreation as a designated land use. Rather, the site would be graded and revegetated to stabilize the area and manage drainage, but no recreational facilities would be constructed as part of the project. Because Reclamation lands within the project area do not contain existing land use designations, Alternative B would not result in adverse impacts on land uses or land use designations within the project area.

Additionally, construction and development of the dam access road would be conducted entirely on Reclamation lands and would not necessitate any expansion into the adjacent private landowner's parcel, which is currently used for agricultural and grazing purposes. As such, Alternative B would not result in adverse impacts on or conflict with existing adjacent land uses, including grazing. Project activities would continue to support the continued safe operation and use of Conconully Dam.

Land Use Zoning, Planning, and Policy Documents

Based on the Okanogan County Rural 20 designation, Alternative B would not conflict with existing zoning because it aligns with the intent of the designation to support a diverse mix of land uses, including residential, commercial, industrial, agricultural, and recreational uses (OCPD 2025). The county's plan specifically encourages a balance of uses while minimizing unnecessary conflicts. Alternative B would fall within the range of compatible uses outlined in the applicable comprehensive plan; as such, Alternative B would be consistent with existing zoning regulations and land use policies for the county.

Land Acquisition and Land Use Authorizations

Lands within the southernmost portion of the project area are privately owned. However, under Alternative B, no project activities would occur outside of Reclamation lands. As such, Alternative B would not adversely impact or result in any involuntary changes in land use or landownership, such as the federal acquisition of lands.

An easement or temporary right-of-entry would not be required from adjacent private landowners for project purposes. This is because ingress and egress to the project area would be provided through the construction of the dam access road on existing Reclamation lands. Additionally, Reclamation has not issued any third-party land use authorizations within the project area that would be affected by Alternative B. As a result, there would be no adverse impacts on existing land uses, authorizations, or agreements.

Alternative C

The impacts under Alternative C would be the same as those described under Alternative B.

Acronyms

CFR	Code of Federal Regulations
EA	environmental assessment
Reclamation	Bureau of Reclamation
ROW	right-of-way

References

- Ecology (Washington Department of Ecology). 2015. Fact Sheet for State Permit ST-0005528. April 29, 2015. Town of Conconully Publicly Owned Treatment Works. Internet website: <file:///C:/Users/hillgartnerm/Downloads/ST0005528-2015-2020FactSheet.pdf>.
- OCBCC (Okanogan County Board of County Commissioners). 2021. Okanogan County Comprehensive Plan. Final Adopted December 29, 2021. Internet website: https://cms9files.revize.com/okanoganwa/Document_Center/Department/pLANNING/Comp%20Plan/Comp%20Plan%20adopted/Okanogan%20County%20Comprehensive%20Plan.pdf.
- OCC (Okanogan County Code). 2025. Title 17a Zoning. Chapter 17A.60 Rural 20 (R20). Internet website. Internet website: <https://www.codepublishing.com/WA/OkanoganCounty/#!/OkanoganCounty17A/OkanoganCounty17A60.html#17A.60>.
- OCPD (Okanogan County Planning Department). Official Okanogan County Zoning Map. 2025. Internet website: <https://experience.arcgis.com/experience/e2585c02900a4e7d91e2adf4af212ba9/>.
- Reclamation (U.S. Bureau of Reclamation). 2024. Reclamation Manual. Directives and Standards. LND 08-01 Use Authorizations. United States Department of the Interior, Bureau of Reclamation, Washington, D.C. Internet website: <https://www.usbr.gov/recman/lnd/lnd08-01.pdf>.