



JEFFERSON COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

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'Critical Areas' FAQ:

Frequently Asked Questions about Environmentally Sensitive Areas

This Department of Community Development (DCD) fact sheet is an initial “frequently asked questions” release concerning the current proposal to amend the section of the Jefferson County Code (JCC) that addresses environmentally sensitive areas (also known as “critical areas” in the State Growth Management Act), such as streams and wetlands. This sheet supplements information on the DCD website:
<http://www.co.jefferson.wa.us/commdevelopment>.

Growth Management Act

1. What is the Growth Management Act?

The Growth Management Act (GMA) is a state law enacted in 1990 and amended frequently since then. It has been applicable to this County since 1992 and basically requires the County to establish a two-tiered system. The first tier, a compendium of data, goals and policies, is known as the Comprehensive Plan (CP) and Jefferson County adopted its CP in August 1998 and readopted its CP, as required by state law, in December 2004. The second tier consists of development regulations or rules that apply to a particular land use proposal or application. They are found in the Unified Development Code (UDC), made effective in January 2001, and now found in Title 18 of the Jefferson County Code (JCC). GMA requires that the development regulations be consistent with the CP that is the development regulations have to implement and support the goals and policies listed in the CP.

2. What are “critical areas?”

“Critical areas” is a term found in the GMA and includes a) wetlands, like swamps, marshes or bogs; b) aquifers, where rock or soils conducts water; c) fish and wildlife habitat, such as creeks, rivers, mudflats, forested areas; d) frequently flooded areas for both fresh and salt water; and e) geologically hazardous areas like landslides, steep slopes and rock falls. The GMA requires a county to both designate and protect critical areas.

3. What is “best available science?”

“Best available science” or BAS is another term found within the GMA. BAS refers to the most current and widely accepted scientific data, which includes research studies and reports. There’s a range of science that ensures the protection of the function and values of critical areas. The burden is ultimately on the local governments to determine whether the scientific information is applicable or not to local circumstances but BAS of some sort must be included in the development regulations that designate and protect critical areas.

4. Why is Jefferson County proposing to amend the rules for protecting critical areas?

Jefferson County was required by law to review and revise, if necessary, its Comprehensive Plan and development regulations in 2004. This review included consideration of “best available science.” The Board of

County Commissioners (BoCC) in December 2004 re-adopted the then-existing critical areas regulations. That decision led directly to the claim by the Washington Environmental Council that the County's regulations relating to critical areas are not sufficiently protective and thus violate GMA.

5. What are conforming and non-conforming uses?

A conforming use is consistent with the current Jefferson County Code and a non-conforming use is not consistent with current code. A legal non-conforming use was consistent with the JCC and complied with permitting requirements when it began. A grandfathered use may lose its status if the use is abandoned or discontinued for more than two years.

6. How does the CAO correlate to WRIA planning?

The CAO is a regulatory ordinance and the WRIA is a planning document that will not control any particular land use application or proposal. WRIA planning *may* recommend future regulatory changes.

7. Does the CAO have to implement both state and federal requirements?

Yes, but only in the sense that the guidance for the CAO has come from various state agencies that in turn are getting data and criteria from federal agencies.

8. What is a reasonable economic use variance?

It's an exception from strict adherence to the requirements of the development code. An applicant obtains this variance through the permitting process.

9. Is the standard for a scientist the same for peer review?

Yes, both have a professional responsibility to apply the same scientific standards required for special reports.

10. How have all the GMA planning goals been considered in the CAO?

When the draft CAO was written, each of the 14 GMA planning goals was considered. Particular planning goals such as Economic Development, Property Rights, Open Space and Recreation, and Environment were of primary concern.

11. Is the County going to hire more staff to regulate and implement the CAO?

The current 2007 budget proposal requests a wetland scientist to be added to the County's Department of Community Development (DCD).

12. Is the fee schedule for permitting going to change?

The CAO itself does not trigger permit fee changes. However, DCD has reviewed a new fee schedule for the proposed 2007 budget. The new fee schedule does not become effective unless the County Commissioners adopt it.

13. What is a Comp Plan Amendment?

It's an annual process where the County staff, a person or a firm asks for a change to the Comprehensive Plan. Applications are due March 1st for that calendar year, with the Board of County Commissioners' (BoCC) decision completed by year-end.

14. What is vesting?

Vesting is a legal concept that, if a permit application obtain that status, then the applicant is guaranteed that a permit application will be processed under "today's rules," even if the rules change tomorrow.

15. Who drafted the Critical Areas Ordinance (CAO)?

The County's Department of Community Development Long Range Planning staff wrote the draft ordinance.

16. Why didn't the County ask for more time?

The County's attorneys recommended staff should follow the timeline from the settlement agreement and all county staff believed the original July 18, 2006 deadline could be met. When it became clear that the proposed changes to the CAO were of such a controversial and substantial nature that more time was needed for the citizens and staff to process comments, changes and concerns, the County immediately asked for more time.

Appeal Process

17. What allows a person or group to appeal to the Hearings Board?

Any decision by the County legislature (the County Commissioners) that adopts or enacts any change to either the County's CP or the related development regulations OR re-adopts an existing development regulation (as occurred in December 2004) triggers a 60-day period in which an appeal can be filed with our regional Hearings Board, known as the Western Washington Growth Management Hearings Board.

18. When was the County sued over the Unified Development Code (UDC) and why?

Upon adoption of the UDC in early 2001, Jefferson County was appealed to the Western Washington Growth Management Hearings Board in early 2001 by various parties. The appealing parties were the Port of Port Townsend over uses at the airport, Northwest Aggregates over uses at the Mats Mats Quarry, Shine Action Committee and the Olympic Environmental Council over aquifer recharge and salt water intrusion, the City of Port Townsend over asphalt batch plants, and Washington Environmental Council (WEC) about best available science and critical areas. All except the Port of Port Townsend appeal included claims that the UDC did not adequately protect critical areas. The WEC sued again in early 2005 when the CAO was not amended by the County Commissioners in December 2004. The WEC claimed in its 2005 appeal that the CAO as it existed in December 2004 did not reflect or memorialize BAS as it existed at that time.

19. Did the County negotiate with these parties?

Yes, the County negotiated with all parties. All parties to an appeal are encouraged to engage in "alternative dispute resolution," settlement conferences and/or mediation to emphasize local decision making and avoid a lengthy hearing process. This direction to mediate rather than litigate comes as a state policy recommendation.

20. Why did the County use an attorney outside Jefferson County?

The decision was based upon the heavy workload in the prosecuting attorney's office at the time.

Settlement Agreements

20. Did the County sign settlement agreements with each of those 5 parties/petitioners?

Settlement agreements were signed in the Port of Port Townsend appeal, in the ongoing WEC appeal and the City of Port Townsend appeal. Four of the cases eventually settled. One case was heard by the Hearings Board and the County was ordered to implement policies to prevent salt-water intrusion. The WEC case is still before the Hearings Board.

21. Does a settlement agreement bind the County before the Western Washington Growth Management Hearings Board?

No, the Hearings Board is not authorized to make a ruling that one party or the other has violated or ignored the terms of a settlement agreement. The Hearings Board wants appeals resolved without a full hearing on the merits, but if a hearing on the merits does it occur, then the Hearings Board ignores the settlement agreement and hears the substantive arguments of all parties to the appeal.

A settlement agreement is simply a jumping off point for the usual public participation process that leads to a legislative decision by the County Commissioners that alters or amends either the CP or the development

regulations or both. After the legislative decision is made on a draft ordinance, a new appeal period is open once again for anyone to appeal.

22. Why did the County engage in a settlement agreement with WEC?

There were and are several reasons. The first reason was to save time and the taxpayer's money. The second reason was in order to avoid going to the Hearings Board and jeopardizing the agricultural exemption from standard stream and wetland buffers that currently applies to existing and ongoing agriculture. For those reasons the County chose to enter into a settlement agreement with WEC.

23. Is WEC going to come onto properties to monitor them?

No. No one can come onto a property owner's land without prior permission from the property owner. All of the monitoring is done by the proper state or local authorities.

24. Who negotiates with the petitioners and participates in settlement negotiations?

The County Administrator designated staff such as the prosecuting attorney, management from County Departments and specified professional staff. Between the period of March 2001 and April 2002, there were numerous executive sessions reviewing the legal issues on these matters.

25. Are these proposed amendments a formality due to the settlement agreement?

No, a public process is required and the proposed amendments may vary from the settlement agreement, based upon the public process.

26. What is the revised timeline for this process?

The County was originally scheduled to adopt code amendments by the middle of July, according to the second settlement agreement with WEC, which was signed in January 2006. Due to the level of interest in this proposal and the issues raised through the public process, a revised timeline has been developed. The BoCC now intends to take legislative action on or before January 18, 2007. A committee of the Planning Commission will work with an Advisory Group of representative stakeholders to develop a revised proposal, which will be presented to the full Planning Commission and the public in mid-November. Interested people can follow and contribute to the Planning Commission committee process and/or provide comments to the full Planning Commission and the BoCC when public hearings are scheduled for later in the year and early next year.

Agricultural Concerns

27. What is the "agricultural exemption" and how does it apply to land issues?

Existing and ongoing agriculture is exempt from standard stream and wetland buffers. This is defined as any agricultural activity conducted on an ongoing basis on lands enrolled in the open space tax program or designated as agricultural lands. The exemption is provided to land where agricultural activities were conducted on those lands at anytime during the five-year period preceding April 28, 2003. The intention of the agriculture buffer exemption allows for agricultural activities within buffer areas on qualified lands. For example, switching from crops to livestock or from livestock to crops is common agricultural practice. However, the exemption does not cover new structures, parking areas, or other similar new development.

28. Can farmers plow and seed their pasture if they have critical areas on their property?

Yes

29. Is a permit required for a farmer to change from one crop to another?

No. You can operate your farm, change crops, rotate crops or change from crops to livestock, all as part of agricultural activities.

30. Can a farmer change an agricultural building to a non-ag building?

Yes, but a building permit is required.

31. What is a hobby farm?

While this phrase is not defined in the County's development regulations at this time, the phrase is generally thought to include any small farm with limited revenue that may provide extra income, feed the property owner's family and is farmed part-time.

32. Can you drain a wetland to create a pasture?

Yes you can, but with proper permits including one from the Army Corps of Engineers. It's an extensive and often complex process.

33. Is a manmade pond considered a "critical area?"

No, it's considered to be an artificial body of water, not a natural wetland and as long as the pond had not been excavated from a wetland.

34. Who tests water quality for streams, ponds or lakes?

It's a combination of the Department of Ecology and the County's Department of Health. The local County Conservation District also does some testing for water quality.

35. What are high, moderate and low intensity land uses?

An example of high intensity land uses include a high level of human disturbance, such as multi-family residential housing and industrial uses; moderate intensity uses can include low density residential housing and active recreation; low intensity uses include low levels of human disturbance or low habitat impact such as passive recreation, open space or forest management.

36. On the scale of high, moderate and low intensity uses where does a single family residence fall?

A single family residence is considered to be a moderate intensity use on more than one acre and a high intensity use on one acre or less, according to Dept. of Ecology wetlands management guidance.

37. How do I get an agricultural exemption for my property?

You need to apply through the Comp Plan Amendment process to rezone your property as Agricultural. Applications are due March 1st for that calendar year, with the BoCC decision completed by year-end.

38. If I have an agricultural exemption, is my property considered a non-conforming use?

No, agriculture is an allowed use and therefore it's not the same as legal non-conforming.

39. Do I need a County permit to farm?

No permits are necessary for farming.

40. What's a BMP?

BMP stands for Best Management Practices. It's a system of conservation practices to minimize adverse impacts to surface and groundwater and to protect vegetation while maintaining health and safety standards.

General Information on Buffers

41. What is a buffer?

It's an area of protection for environmentally sensitive areas.

42. What is buffer averaging?

It's a means of reducing a buffer in one area and increasing it in another in order to facilitate the best use of property while maintaining a level of protection.

43. Where in the GMA does it say buffers are necessary?

Buffers serve to protect designated critical areas and thus implement one of the mandates of the GMA. See RCW 36.70A.060 and RCW 36.70A.170. In addition, RCW36.70A.172 requires "all counties and cities to include Best Available Science in developing policies and development regulations to protect the function and values of critical areas.

44. How will buffers affect my taxes?

Taxes are based on market rate and actual use, so it's possible through conservation easements and other mechanisms that taxes could be reduced. If a property owner has fully maximized the number of building sites he or she can obtain from a particular parcel, for example the land is zoned one residence per five acres and the landowner's five acre parcel contains one home, then the presence of buffers on that five-acre parcel will not impact the assessed value of the parcel because the fullest use of that parcel has been achieved and accurately assessed by the Assessor.

45. How will buffers affect my property values?

See the answer to the previous question. Market conditions and comparables in the area will always be the biggest factors in determining what a property is worth.

46. Will anyone lose 100% "build ability" on their property because of increased buffers?

Generally through mitigation and buffer averaging or reduction, a workable solution could be identified.

47. Why can't buffers be adjustable to the land?

They currently are. The UDC, this County's development regulations, currently has ways of adjusting buffers to the land such as buffer averaging, buffer reduction and reasonable economic use variance.

48. Can you have a lawn or landscaping in the buffer?

Yes, however most of the buffer area should include natural vegetation, but some portion could be either lawn or landscaping, preferably with native plants.

49. Do my buffers change over time?

Yes, this could occur. Natural resources like streams or rivers change their direction of flow or as wetlands may increase or decrease in size.

50. Why do other counties have smaller buffers or why do they differ?

There are many reasons. Some counties have not updated their CAOs, some differ from the Department of Ecology's recommendations and some were not appealed.

51. Why is the County using a "restoration model" rather than a "protection model?"

The proposed CAO is neither a restoration model nor a protection model. It's a combination of both, including regulatory and voluntary incentives.

52. If I originally built my structure beyond the buffer, but with the updated ordinance my house now within the buffer, what do I do?

The existing structure is unaffected; however any additions or modifications that may require new permits would be subject to the non-conforming use section.

53. What is mitigation?

The measures taken to avoid, minimize, lessen or compensate for adverse impacts.

54. Does the County need to bond for wetland mitigation? If so, why?

Not under the current code or if the wetland will remain undisturbed. However, under the proposed CAO a performance bond will be required if the wetland may be adversely affected by new development, such as an access road. The performance bond will be 120% of the expected mitigation costs, but it will be refunded in entirety or in part at the end of the mitigation process based on completion of mitigation. Equitable standards will be applied to all applicants. A bond is required to ensure that the mitigation is done correctly as a standard practice.

55. Can you have off-site mitigation?

Yes, off-site mitigation is allowed. It could be used as a way of increasing the benefit of a critical area off the property and to balance the impacts on one piece of property by enhancing another.

56. Are wetland reductions limited to a percentage of the buffer?

No, because tools like buffer averaging or buffer reductions may be allowed.

Stream and Wetland Buffers

57. Are stream buffers proposed to increase?

The answer is yes and no. The current buffer of 150 feet on Type 1 and Type 2 streams is not proposed for increase. Type 1 includes large rivers like the Hoh and Type 2 includes smaller tributaries and stream sections where the mean annual flow drops to less than 20 cubic feet per second. The typing system for streams is proposed to change to a lettering system based on fish presence that is used by the State Department of Natural Resources. Type 1 streams would become Type S and Type 2 would become Type F, with buffers remaining at 150 feet. Most Type 3 streams—smaller than Type 1 and 2—would become Type F, which carries a buffer of 150 feet, representing an increase of 50 feet. Type 4 and 5 streams would change labels to Np and Ns, but keep the same buffers of 100 feet and 50 feet, respectively

58. Are wetland buffers proposed to increase?

Yes and No. The proposal incorporates the 2005 wetlands management recommendations from the Department of Ecology into the critical areas section of the JCC. The buffers for the wetlands that offer the highest habitat value would increase. For example, the buffer for a Category 1 wetland with the highest range of habitat value based on the 2004 wetlands rating system would increase from 150 feet to 300 feet for a high-intensity land use, such as commercial, industrial and residential density of more than one dwelling unit per acre. For a moderate-intensity land use, such as residential development at a density of one dwelling unit per acre or less, the buffer on the same wetland would be 225 feet. Furthermore, the buffer for a moderate-intensity land use adjacent to a Category 1 wetland with a low habitat score would decrease to 75 feet from the standard 150 feet currently in code for all Category 1 wetlands. A moderate habitat score paired with a moderate-intensity land use would result in a buffer of 110 feet, which is a 40-foot decrease from the current standard.

59. What is gained by adopting the Department of Ecology recommendations?

The program offers more flexibility and increased reliance on a site-specific analysis, rather than a one-size-fits-all approach. The question of who is responsible for paying the cost of the site-specific analysis—whether the

applicant, all applicants through increased permit fees, or all taxpayers—remains a policy question to be decided.

Certain activities may be permissible within wetland buffers and there are options available for buffer reduction, buffer averaging, and reasonable economic use variances. The development code contains the details and interested persons should contact the DCD Development Review Division.

60. What information specific to the West End is available?

There is a National Wetland Inventory (NWI) map for the West End. The map shows the potential for wetlands based on a fly-over. For this reason, not all wetlands are shown on the NWI map and site-specific assessments are needed to conclusively determine if wetlands are present. The information is at a coarse scale and does not include wetland category, habitat value, or other essential site-specific information. Therefore, each case must be evaluated when a permit application is submitted.

61. Is there a required 450-foot wetland buffer?

No. When an applicant can accommodate a buffer of 1.5 times the standard wetland buffer, the requirement for a wetland delineation report (i.e., survey of the boundary of the wetland) is waived. If, for example, the standard buffer would be 300 feet, the waiver distance would be 450 feet. If, however, a basic assessment can be made of the wetland that includes a categorization and a habitat score, the standard buffer width could be determined. If the standard buffer is determined to be 100 feet based on the proposed land use intensity, the waiver distance would be 150 feet. This is a site-specific situation meant to provide an alternative to the development of a wetland delineation report for applicants with sufficient land to accommodate ‘failsafe’ distances from wetlands on the property. It is an optional program intended to save time and expense.

62. Isn't 30 feet enough to protect a wetland?

No. According to DOE, the first 10 to 50 feet removes the core sediment. Fine sediment is removed between 100 and 300 feet. Nitrogen and phosphorous are removed 30 to 200 feet. Wildlife “screening” occurs between 50 and 150 feet. Wildlife habitat needs 100 to 1200 feet for a buffer.

63. Can the County provide a wetland specialist to delineate wetlands?

This position is in the proposed budget for 2007. The request for the new employee would be paid for as a fee for service from the applicant; however the BoCC could decide to fund a position as a service to the community.

Shoreline Management Program

64. Is a shoreline a critical area?

Yes, this proposal would designate freshwater bodies within the shoreline as fish and wildlife habitat conservation areas.

65. Where is the shoreline measured from?

A point on the land called ordinary high water mark. This generally is the place where vegetation starts upland from the water.

66. What about marine shorelines?

Marine shorelines are dealt with in the Shoreline Master Program for Jefferson County, a separate section in the Jefferson County Code.

67. Do marine shorelines have other critical areas?

They may have associated wetlands. There could potentially be both a shoreline setback and a wetland buffer.

Fish and Wildlife

68. What are the proposed regulatory protections for wildlife habitat core areas and corridors?

The current intent of County staff is to map the wildlife habitat corridors and to include this study in the County's map database. Habitat management plans are recommended for activities within the core areas and corridors. The map of wildlife habitat core areas and corridors shows where the areas are in East Jefferson County only. The West End is unaffected by this section of the proposal.

69. What is stream typing and how does it relate to fish and wildlife?

Stream typing is a system for categorizing fish and wildlife habitat in streams and rivers on a statewide level. Streams were once categorized using numbers ranging from one to five, and now letters are being used.

70. Are shellfish growing areas designated as fish and wildlife conservation areas?

No, those areas fall under the Shoreline Master Program, a different area of the JCC.

71. Are pocket estuaries designated as fish and wildlife conservation areas?

Non-vegetated areas are part of the Shoreline Master Program; however estuaries that may have vegetation fall under the CAO requirements.

72. How are fish and wildlife habitat conservation areas being protected from stormwater impacts?

There are protections in the JCC arising from the regulations relating to drainage and stormwater. Part of the protections fall under the code that pertains to drainage and the stream buffers within the critical areas of the code provide further protection to these habitats. There are two sections of the code that pertain to stormwater so there isn't a degradation of stream habitat.

73. Why has the County determined that bioengineering is superior to hardened surfaces?

Scientific review has concluded that bioengineering provides better construction, flexibility and protection for the habitat.

Geological Hazardous Areas

74. Why is a "channel migration zone" (CMZ) considered a geologically hazardous area?

A CMZ is defined as the zone where the active area of the channel is prone to move. Since it could potentially undermine a sloped area, it could create a landslide hazard. The channel migration zone maps, or maps of river meander areas, cover the south part of East Jefferson County only. The West End is unaffected by this section of the proposal.

75. What rivers will be regulated as CMZs?

The Duckabush, Dosewallips, Big Quilcene and Little Quilcene.

Forestry

76. How does the CAO affect logging?

It doesn't, unless you're applying under the JCC for a Conversion Option Harvest Plan, a class 3 forest practice application to DNR, but uses county standards from the JCC.

77. Why is logging regulated under the CAO rather than deferring to fish and wildlife regulations?

The CAO does not regulate logging. Logging is regulated by the State Department of Natural Resources and regulations established by that state agency.

78. How is the logging moratorium lifted?

If such a moratorium exists, the landowner gets it lifted by applying for a permit with the County's Department of Community Development.

West End

79. Does the CAO affect the Open Space Range in the West End?

No. The Open Space Range is a separate ordinance designated by the BoCC and is not part of the Development Code or the Comprehensive Plan

80. Is the West End affected by the proposed regulatory protections for channel migration zones?

No. The channel migration zone maps, or maps of river meander areas, cover the south part of East Jefferson County only. The West End is unaffected by this section of the proposal.

81. Is the West End affected by the proposed regulatory protections for wildlife habitat core areas and corridors?

No. The map of wildlife habitat core areas and corridors covers East Jefferson County only. The West End is unaffected by this section of the proposal.

82. What locations in the West End would have copies of the Jefferson County Code, regulations and ordinances?

The County's DCD is not aware of any at the moment; however possible locations are being researched.

83. Does the County put notices and send press releases to the *Forks Forum*?

Yes, all notices and press releases from the County's Department of Community Development are sent to the *Forks Forum*. Whether or not the notices and press releases are published is at the discretion of the *Forks Forum* editor.

Special Reports

84. Who prepares special reports?

A qualified specialist in the appropriate field of expertise prepares special reports.

85. What is a delineation?

A delineation marks the edge or boundary and type of wetland.

86. How does DCD have the authority to request a wetland delineation?

DCD has been granted authority through adopted ordinances by the Board of County Commissioners.

87. Has an Environmental Impact Statement (EIS) been completed on the CAO?

Yes, the CAO has been reviewed for its probable significant adverse environmental impacts as is required by the State Environmental Policy Act (SEPA). Environmental analysis for this proposal includes the EIS prepared in 1998 concurrent with and in support of the adoption of the County's Comp Plan in August 1998. That EIS is supplemented by a report prepared by staff in 2004 in anticipation of the County Commissioners adopting an amended CAO in December 2004 (an event which did not occur, although the related environmental analysis remains in use today).

Maps

88. Are there CMZ and critical area maps available for the West End?

The critical area maps for the West End are very limited and are available on the County's Web site. There are no CMZ maps for the West End since the County is not proposing to map them, based upon lack of financial resources.

89. Where can I find maps?

Maps are located on the County's Web site with a link to "Maps," as well as in the Assessor's office and at Information Services—both located in the County Courthouse.

90. How are the maps updated?

Information Services updates the County maps annually from data collected from a variety of sources, including state and federal agencies and/or annual Comp Plan Amendment changes from the Department of Community Development.

91. What does the County have maps of?

The County has over 150 maps available on the Web site. A few of the many categories include: land use maps, environmentally sensitive areas, shorelines, water service areas, census maps, voter precincts and road among others.

Community Involvement

92. Where are public notices published?

The *Jefferson County & Port Townsend Leader* is the official newspaper of record for the County where all public notices are included. Additional public notices are sent to the *Peninsula Daily News* and the *Forks Forum*, and then published at the discretion of those newspapers.

93. Is the County going to perform a cost benefit analysis?

Preparation of a cost-benefit analysis has not been budgeted for and no one on staff has the capability to prepare such an analysis. No one to our knowledge has interpreted GMA to require that such a cost-benefit analysis is mandatory under GMA.

94. What are the due process requirements for the CAO?

First, that a draft ordinance is presented to and reviewed by the Planning Commission, an advisory body that hears public input at a properly-noticed public hearing. After deliberation by the Planning Commission, that body makes a recommendation to the County Commissioners who shall approve or deny or remand the draft ordinance. The BoCC sends the draft ordinance to CTED 60 days prior to possible adoption. The GMA requires public participation that is frequent and often. Any draft ordinance is subject to environmental review as well.

95. When does the public comment period close for the CAO?

By motion from the County Planning Commission, it's currently open for an indefinite period of time.

96. How can I get involved in the process?

A new timeline has been established. See the response to #26 above regarding the timeline. You are welcome to participate in the Planning Commission committee process this summer and early fall and/or the public process before the Planning Commission and the BoCC public hearings anticipated between November 2006 and January 2007. Contact DCD Long-Range Planning at planning@co.jefferson.wa.us or (360) 379-4450. Visit the Web page dedicated to critical areas planning:

<http://www.co.jefferson.wa.us/commdevelopment/CriticalAreas.htm>.

Finally, farmers are invited to participate in developing agricultural management plans for East and West Jefferson County. These are voluntary plans for farmers to select and implement best management practices in order to protect water quality and habitat as an alternative to standard stream and wetland buffers. This planning process is expected to begin this summer and conclude this fall, through the local Conservation District. Please contact the Department of Community Development for more information on any of these issues.