

**San Juan County Critical Area Regulations Update & Public Participation Plan
January 6, 2012**

Task	Public/Agency Participation Opportunities	Projected Completion Date	Responsible Parties
Task A. Establish CAO/SMP Update Implementation Team.		completed	P. Rose, R. Beliveau, R. Gaylord, J. Cain, S. Hale, J. Biletnikoff, R. Fralick, L. Pratt, P. Miller, Colin Maycock
Task B. Approve approach & work plan. <ol style="list-style-type: none"> 1. Prepare draft work plan. 2. Provide notice and accept public comment on draft plan. 3. Joint workshop with County Council (“CC”), Planning Commission (“PC”), Prosecuting Attorney (“PA”), and Doug Peters (Dept. of Commerce) 4. Approve final plan by resolution. 	Public Input Public Input	completed completed completed completed	Fac. Team & CC CC PC/CC/ PA/ Department of Commerce CC
Task C. Complete Wetland Study & Approve Local Wetland BAS		completed	P. Adamus; C. Maycock
1. Develop wetland base map.		completed	SJ GIS staff, P. Adamus
2. Hire & train wetland interns.		completed	C. Maycock, P. Adamus
3. Select statistical sample of wetlands.		completed	P. Adamus
4. Identify property owners, conduct mailing, & secure permission to access property.		completed	C. Maycock, CD&P staff, GIS staff
5. Follow up phone calls to non-responsive prop. owners.		completed	C. Maycock, CD&P staff, wetland interns
6. Conduct wetland site visits, enter data to Excel & GIS data base.		completed	wetland interns, GIS staff
7. Run alternate buffer scenarios & complete GIS analysis.		Pending Council direction	P. Adamus/ GIS contractor or staff
8. Prepare first draft report & maps.		completed	P. Adamus, GIS contractor or staff

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9. Solicit & respond to peer review comments.	Scientific Peer Review	completed	P. Adamus, qualified wetlands scientists
10. Complete 2 nd draft report & maps & present to CC & PC at public meeting.		completed	P. Adamus, GIS contractor or staff, PC, CC
11. Public workshop(s), hearing or other methods of soliciting/ accepting public & agency comment on 2 nd draft.	Public/ Agency Input	Completed May 16-17, 2011	CC/PA/Planning staff
12. Prepare & adopt final wetlands report & maps as BAS.		completed	P. Adamus/ CC
<p>Task D. Approve Best Available Science (see above process for local wetland science)</p> <p>Applicable topic areas include:</p> <ul style="list-style-type: none"> • Wetlands (P. Adamus) • Frequently flooded areas (minimal changes – assistance probably not necessary) • Geologically hazardous areas (Brendan Cowan & Rene Beliveau) • Fish & Wildlife Habitat Conservation Areas (FWHCAs) <p><u>Required FWHCAs:</u></p> <ul style="list-style-type: none"> ▪ Shellfish areas (State synthesis available) ▪ Kelp & eelgrass beds (State synthesis available) ▪ Herring, smelt & other forage fish spawning areas (State synthesis available) ▪ Naturally occurring ponds < 20 acres with fish & wildlife habitat (P. Adamus). ▪ Waters of the state as defined in RCW 90.48.020 (P. Adamus). ▪ Lakes, ponds & streams planted with game fish (P. Adamus). ▪ State natural area preserves, natural resource conservation areas & wildlife areas (areas established & managed by WDNR & WDFW) (P. Adamus). ▪ Areas important to endangered/ threatened/ sensitive species: <ul style="list-style-type: none"> -Bald eagle (P. Adamus) -Marbled murrelet (P. Adamus) -Peregrine falcon (P. Adamus) -Taylor’s Checkerspot butterfly (P. Adamus) -Brown pelican -Common loon -Southern Resident Orca -Rockfish (boccacio, canary, yelloweye) -Stellar sea lion -Sea Otter -Gray whale -Humpback whale -Steelhead -Chinook Salmon -Summer Chum Salmon <p><u>Optional FWHCAs:</u></p> <ul style="list-style-type: none"> ▪ Habitats & species of local importance (local option – not required). 		completed	CC

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<ul style="list-style-type: none"> -Native grassland/ camas wildflower prairie -Herbaceous balds & bluffs (DNR synthesis available) -Garry oak woodlands, savannahs & associated ecosystems (WDFW synthesis available) • Management of stormwater as it relates to protection of Critical Areas. e.g. characteristics of and management options for preventing negative impacts associated with runoff from commercial, residential & agricultural land uses. (P. Adamus - additional expertise may be needed depending on approach). 			
<p>1. Compile Science Master List.</p> <p>a) List existing scientific reports & maps that have been submitted for consideration.</p> <p>b) Publish display ad & e-mail notice with 30-day call for additional science related to impacts of land use and development on Critical Areas. [Include call for qualified scientists interested in reviewing wetland study results (CV required to confirm wetland expertise). Provide list of Critical Areas, links to State guidance on BAS, & list of existing scientific reports.]</p> <p>c) Compile scientific reports & maps to be considered.</p>	Public input on BAS	<p>completed</p> <p>completed</p> <p>completed</p>	Planning Staff
<p>2. Review of Science.</p> <p>a) Identify &/or contract with scientists or consulting firm to provide support for areas not covered by Dr. Adamus (e.g. shoreline Critical Areas). For each Critical Area, implementation team to provide recommended approach to CC. Options include use of agency experts, contracting with a marine scientist with general expertise, contracting with a consulting firm, and contracting with several scientists with specific expertise. CC approval of approach.</p> <p>b) Determine content and format of science syntheses.</p> <p>c) Scientists/ consulting firm complete BAS review, make recommendation on which scientific reports constitute the Best Available Science for San Juan County.</p> <p>d) Scientists/ consulting firm prepare a synthesis of science (or if a synthesis already exists, an addendum addressing any new, relevant information) as it relates to protection of Critical Areas from impacts of land use & development, including discussion of any characteristics of SJ County that are different than other areas of Puget Sound & actions necessary to protect Critical Areas. Staff to seek assistance from agency scientists & compile maps & executive summaries of reports on any topics not covered by contract scientists/ consultant.</p>		<p>completed</p> <p>completed</p> <p>completed</p> <p>completed</p>	<p>P. Rose/ Planning Staff/ Implementation Team/ CC</p> <p>CAO Fac. Team</p> <p>Scientists/ consulting firm</p> <p>Scientists/ consulting firm/ staff</p>
<p>3. Approval of Synthesized BAS.</p> <p>a) Release scientific syntheses & proposed BAS for SJ County. Ask for written questions/ comments for scientists to</p>	Questions from public	completed	Planning Staff

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<p>respond to at meetings with PC & CC.</p> <p>b) Joint meetings with scientists/ PC/ CC & PA to i) provide overviews of BAS by topic, ii) answer questions/ discuss comments (cards for additional written comments to be available & collected throughout meeting), iii) discuss potential modifications to BAS based on comments, and iv) If necessary, consider revising BAS & associated syntheses.</p> <p>c) Council hearing to accept comment on proposed BAS. PC invited to attend for information purposes.</p> <p>d) Scientists prepare final draft of syntheses.</p> <p>e) Comment accepted on second draft of syntheses.</p> <p>f) Council approves applicable BAS.</p>	<p>Questions/ comments from public</p> <p>Public comment</p>	<p>completed</p> <p>completed</p> <p>completed</p> <p>Completed May 16-17, 2011</p> <p>Resolution signed June 7, 2011</p>	<p>PC/ CC/ PA/ scientists/ consulting firm/ CC & Planning staff</p> <p>PC/ CC/ PA & staff</p> <p>scientists/ cons. firm/ Planning staff/ PA</p> <p>CC/ scientists/ Planning Staff CC</p>
<p>4. Scientific evaluation of regulations. Using adopted BAS, scientists or consulting firm examine existing regulations and if necessary provide recommendations for changes.</p>		completed	Scientists/ consulting firm/ Planning staff
<p>Task E. Review & Revise Critical Area Regulations.</p>			
<p>1. Hold public workshops on hot button issues on Lopez, San Juan & Orcas Islands, beginning with Orcas (Hot button issues include reasonable use, non-conforming use, buffers in UGAs, relationship between Critical Area requirements & other GMA requirements/ goals, & application of no net loss requirement). Consider using round table format like LAMIRD meetings.</p>	Public comment	completed	PA/ Planning Staff/ PC/CC/ Ecology staff
<p>2. Council workshop, with Planning Commission and the former CAO Citizen Review Committee invited to attend, to discuss regulatory recommendations from scientists and planners, and take public/ agency input on any deficiencies in or suggestions for the regulations (including CAO Review Committee recommended amendments & minority reports), and get CC direction on broad policy guidance and preferred approaches for regulations. Meeting agenda to be organized as follows: a) brief presentations by consultants, planners, and where necessary legal counsel; b) public comment; and c) Council direction to staff and consultants on preferred approaches for the regulations.</p>	Public comment	Completed	CC/PC/PA/Planning Staff
<p>4. PC review and as necessary make recommendations on amendments to SJCC 18.30.120 (Geohazard Areas) and 18.30.130 (Frequently Flooded Areas).</p> <p>a) Preparation of PC hearing draft of any necessary amendments.</p> <p>b) Preparation of scientific risk assessment on hearing draft.</p> <p>c) PC hearing with PA present, followed by revision & completion of final PC recommended draft.</p>	Public comment throughout process	completed	PC/ CC/ PA/ Planning & CC Staff

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5. PC review and as necessary make recommendations on amendments to SJCC 18.30.110 (General Section) & related definitions & sections. a) Preparation of PC hearing draft. b) Preparation of scientific risk assessment on hearing draft. c) PC hearing with PA present, followed by revision & completion of final PC recommended draft.	Public comment throughout process	completed	PC/ CC/ PA/ Planning & CC Staff
6. PC review and as necessary make recommendations on amendments to SJCC 18.30.150 (Wetlands) and adoption associated maps. Contract scientists advise during discussions & hearings. a) Preparation of PC hearing draft. b) Preparation of scientific risk assessment on hearing draft. c) PC hearing with PA present, followed by revision & completion of final PC recommended draft.	Public comment throughout process	Hearing on second draft November 10	PC/ CC/ PA/ Planning & CC Staff/ scientists or consulting firm
7. PC review and as necessary make recommendations on amendments to SJCC 18.30.160 (FWHCAs) and adoption of associated maps. Contract scientists advise during discussions & hearings. a) Preparation of PC hearing draft. b) Preparation of scientific risk assessment on hearing draft. c) PC hearing with PA present, followed by revision & completion of final PC recommended draft.	Public comment throughout process	February?	PC/ CC/ PA/ Planning & CC Staff/ scientists or consulting firm
8. Town hall meetings on SJ, Orcas and Lopez to discuss and solicit input on proposed amendments to the General, Wetlands and Fish and Wildlife Habitat Conservation Area sections.	Informal public comment & discussion.	completed	CC (Planning staff to attend / PA staff may attend or participate by phone)
9. If needed, Council approval of amendments to SJCC 18.30.120 (Geohazard Areas) and 18.30.130 (Frequently Flooded Areas) and adoption of associated maps. a) Presentation of PC recc. draft to CC along with staff and PA comments (1 st touch). CC directs staff to make any changes for CC hearing draft. b) Second CC touch – review & if necessary revise CC hearing draft. c) Preparation of scientific risk assessment on hearing draft. d) CC hearing on amendments. Prior to hearing staff to provide discussion of ecological risk associated with proposal. e) CC makes final amendments. If substantial CC holds second hearing prior to final approval.	Public comment throughout process	Council hearing Oct. 18.	CC/ PA/ Planning & CC Staff/ scientists or consulting firm
10. CC field trip to apply case studies illustrating application of the proposed amendments.		Orcas trip completed. SJ trip postponed pending 2 nd draft wetland regs.	CC/ Co. Administrator/ Planning staff/ PA
11. If needed, Council approval, of amendments to SJCC 18.30.110 (General Section). a) Presentation of PC recc. draft to CC along with staff and PA comments (1 st touch). CC directs staff to make any changes for CC hearing draft. b) Second CC touch – review & if necessary revise CC hearing draft.	Public comment throughout process	Oct. 18 2 nd touch (tentative), Nov. 8 hearing	CC/ PA/ Planning & CC Staff/ scientists or consulting firm

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c) Preparation of scientific risk assessment on hearing draft. d) CC hearing on amendments. Prior to hearing staff to provide discussion of ecological risk associated with proposal. e) CC completes review/ revision of amendments. If substantial changes outside scope of advertised amendments, CC holds second hearing. Final review for consistency with other sections followed by simultaneous adoption of all sections.		(tentative pending release of hearing draft)	
12. If needed, Council approval of amendments to SJCC 18.30.150 (Wetlands) and adoption of associated maps. Contract scientists advise during discussions & hearings. a) Presentation of PC recc. draft to CC along with staff and PA comments (1 st touch). CC directs staff to make any changes for CC hearing draft. b) Second CC touch – review & if necessary revise CC hearing draft. c) Preparation of scientific risk assessment on hearing draft. d) CC hearing on amendments. Prior to hearing staff to provide discussion of ecological risk associated with proposal. e) CC completes review/ revision of amendments. If substantial changes outside scope of advertised amendments, CC holds second hearing. Final review for consistency with other sections followed by simultaneous adoption of all sections.	Public comment throughout process	February?	CC/ PA/ Planning & CC Staff/ scientists or consulting firm
13. If needed, Council approval of amendments to SJCC 18.30.160 (FWHCAs) and adoption of associated maps. Contract scientists advise during discussions & hearings. a) Presentation of PC recc. draft to CC along with staff and PA comments (1 st touch). CC directs staff to make any changes for CC hearing draft. b) Second CC touch – review & if necessary revise CC hearing draft. c) Preparation of scientific risk assessment on hearing draft. d) CC hearing on amendments. Prior to hearing staff to provide discussion of ecological risk associated with proposal. e) CC completes review/ revision of amendments. If substantial changes outside scope of advertised amendments, CC holds second hearing. Final review for consistency with other sections followed by simultaneous adoption of all sections.	Public comment throughout process	March/April?	CC/ PA/ Planning & CC Staff/ scientists or consulting firm
14. Final review and modification for consistency followed by simultaneous adoption.	Public comment will be accepted on modifications for consistency of the entire critical areas ordinance on January 10, 2010 or at final review.	May/June	CC/ PA/ Planning Staff