

San Juan County Comprehensive Plan Goals and Policies for Critical Areas

2.5.B Critical Areas

Critical Areas are areas within San Juan County that are important to the healthy function of natural ecosystems, as well as areas that can be hazardous to people and their property. Critical Areas include wetlands, fish and wildlife habitat conservation areas, critical aquifer recharge areas, geologically hazardous areas, and frequently flooded areas. The Washington Growth Management Act requires Counties to designate and protect critical areas. The policies in this section are intended to guide County regulations and programs for Critical Areas to ensure they are protected. (Additional goals and policies related to Critical Areas within the shoreline jurisdiction are found in Section B, Element 3 of this Plan).

Goal 1: Protect the functions and values of Critical Areas, giving special consideration to anadromous (migratory) fish.

Goal 2: Allow for use of property to the greatest extent possible while protecting Critical Area functions and values.

Goal 3: Establish Critical Area requirements that are balanced and related to impacts.

Goal 4: Establish funding mechanisms to support Critical Area protection programs including funding for voluntary measures such as education, technical assistance, and cost share programs.

Policies (2.5.B.1–11):

1. In conformance with the Washington Growth Management Act, in designating and protecting critical areas establish regulations that protect Critical Areas based on consideration of the best available science.
2. Adopt policies and regulations that, as of the effective date of implementing ordinances, are designed to protect functions and values of critical areas.
3. In addition to regulations, develop voluntary and incentive-based programs to protect the overall functions and values of Critical Areas and other natural resources. Voluntary actions may include education, technical assistance, water conservation, stewardship programs, implementation of best management practices, and restoration activities. One purpose of these programs is to mitigate impacts resulting from authorized exemptions and exceptions.
4. The impacts of land use and development preferably will be managed and mitigated on site.
5. When developing Critical Area regulations, consider the positive effect of all State, Federal and local environmental protection programs.
6. To the extent possible, adopt protection standards that vary based on site characteristics.
7. Encourage the installation of water catchment systems.

8. Implement applicable provisions of adopted Salmon Recovery and Marine Area Stewardship Plans, giving special consideration to anadromous fish.
9. Monitor and enforce permit requirements and Best Management Practices designed to protect Critical Areas.
10. Control or eradicate invasive and/or noxious weeds in conformance with RCW 17.10.
11. Any regulation created pursuant to these policies should include provisions for reasonable use exceptions and nonconforming uses.

a. Geologically Hazardous Areas

Goal: To protect the public health, safety and welfare from threats resulting from incompatible commercial, residential, institutional or industrial development being sited in geologically hazardous areas.

Policies:

- i. Designate geologically hazardous areas in accordance with WAC 365-190-080(4).
- ii. Designate and classify areas on which development should be prohibited, restricted, or otherwise controlled because of danger from geological hazards based on the level of hazard or risk.
- iii. Require that significant geological impacts resulting from development are either mitigated or avoided within geologically hazardous areas.
- iv. Avoid locating essential public facilities such as hospitals and emergency response operations in geologically hazardous areas.

b. Frequently Flooded Areas

Goal: To protect the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas of *special flood hazard*.

Policies:

- i. Protect the important hydrologic role of frequently flooded areas by designating those areas subject to frequent flooding or coastal inundation as special flood hazards. At a minimum, designate and protect the 100-year area of special flood hazard as defined and mapped by the Federal Emergency Management Agency.
- ii. Prevent or mitigate the impacts of development which may result in hazards to persons or property, or harm to hydrologic functions. In general, this will be accomplished through compliance with applicable building codes, the San Juan County Flood Hazard Ordinance and the requirements of the Unified Development Code.
- iii. Minimize expenditures of public money for costly flood control projects and minimize the need for rescue and relief efforts associated with flooding.

c. Critical Aquifer Recharge Areas

Goal: Protect the quality and quantity of groundwater.

Policies:

- i. Designate and classify those areas which have the characteristics of critical aquifer recharge areas.
- ii. Within critical aquifer recharge areas, regulate those uses which could potentially have a significant negative impact on ground water quality and/or quantity. Such uses include, but are not limited to, underground hazardous materials storage tanks, facilities which use or store significant amounts of hazardous materials or wastes, large on-site sewage disposal systems, petroleum pipelines, landfills, and surface mining operations.

d. Wetlands

Goal: To protect wetlands from a net loss in functions, values, and acreage.

Policies:

- i. Designate, classify, and regulate wetlands based on *wetland functions and values* consistent with State guidance.
- ii. Establish standards for wetland protection including use limitations and buffers based on the classification of the wetland and the potential impact of a proposed use on the wetland.
- iii. Establish a mitigation sequence which includes, in order of priority, avoiding, minimizing or compensating for adverse impacts to regulated wetlands and/or their buffers.
- iv. Define wetlands consistent with RCW 36.70A.030(21).

- v. Delineate wetlands using the Washington State Wetlands Identification and Delineation Manual, Ecology Publication 96-94, or comparable criteria consistent with state law, RCW 36.70A.175.
- vi. Establish methodologies which provide for compatible agricultural uses of wetlands and their buffers.

e. Fish and Wildlife Habitat Conservation Areas

Goal 1: To protect the functions and values of fish and wildlife habitat conservation areas.

Goal 2: Within and adjacent to 100 year areas of special flood hazard, protect and restore habitat for salmon listed as endangered, threatened or sensitive.

Policies:

- (1). Designate and classify fish and wildlife habitat conservation areas in accordance with WAC 365-190-080(5) based on type, State or Federal status, association with priority species, or species of local concern.
- (2) Establish standards including buffers, timing restrictions, and site specific habitat management plans based on the classification of the habitat area and the potential impact of a proposed use on the affected habitat.
- (3) Use the WA Dept. of Natural Resources stream typing system.
- (4) Establish clearing, grading and stormwater management regulations that protect water quality, water quantity, and fish and wildlife habitat from short term and long term impacts of land use and development.
- (5) Adopt regulations prohibiting the blockage of fish passage in F type streams.