

DRAFT - FOR REVIEW ONLY

Critical Areas Ordinance Revision and Best Available Science Review

Meeting date: February 18, 2004

Location: Island Lake Community Center, Poulsbo WA

Attendance:

Technical Review Committee (TRC) Members:

Art Castle, Home Builders Association of Kitsap County,

John Nantz, West Sound Conservation Council

Jeff Davis, Washington State Department of Fish and Wildlife

Don Flora, Kitsap Alliance of Property Owners

Ted Labbe, Port Gamble S'Klallam Tribe

Tom Ostrom, Suquamish Tribe

Dave Jones, Kitsap County Association of Realtors

Kitsap County Department of Community Development Staff: Jim Bolger, Natural Resources, Rick Kimball, Environmental Review, David Greetham, Environmental Review, Deanna Jacobsen, Natural Resources, Monica Daniels, Natural Resources,

Others: Alison O'Sullivan, Suquamish Tribe, John Cambalik, Puget Sound Action Team, Jerry Gorsline, WA Environmental Council, Samantha Torpey, Home Builders Association of Kitsap County, Mary Ellen Madison, League of Women Voters, Mary Bertrand, Chums of Barker Creek.

The meeting convened at 2:00 with introductions by attendees.

(Discussion prior to presentation #2 of Fish and Wildlife Conservation Areas)

Tom O. 303D list WRIA 15 fecal coliform listings "remarkable" (all parameters listed) proposed new list for impaired water bodies- dept of Ecology. (EPA also generates list)...indicator of septic, but there are other sources.

John N. Concerned about disconnect amongst agencies and jurisdictions, i.e. communication and coordination of health district, planning, etc.

Tom O. Connected development found to be related to fecal coliform contamination. Development patterns can make natural sources problematic.

Alison O. Encourages small groups of animals to congregate (because of pressure from urbanized areas).

Jim B. Multiple sources in some watersheds (U.W. studies) "some" found most fecal coliform from cats and dogs. Water bodies also listed for temperatures that naturally have variances may not be due to development...Kitsap health district is putting together a comment sheet.

Tom O. Some marine waters may be taken off the list.

Don F. A study of Snohomish County Lakes found that the smaller lakes were the “cleanest” in these (Ecology) parameters because people decided not to build on the “dirty” lakes, but the “clean” ones instead.

Tom O. Many Kitsap lakes are naturally eutrophic.

Rick K. They are more susceptible to the products or effects of development.

John C. Ecology has reports on water quality using GIS and other analysis of watersheds in area.

Jim Bolger begins Presentation. First meeting for fish and wildlife conservation areas concerned specific buffer areas. This presentation will focus on riparian areas and ranges.

Strategies for protecting fish and wildlife areas...there are multiple spatial areas in the conservation areas...functions that sustain the habitat must be protected. (refers to Table of riparian functions from King County BAS review). Kitsap addresses wildlife areas as a whole. Table of recommendations on riparian management zones from Chris May's refugia study (2003) using Site Potential Tree Height (SPTH).

Dave G. Buffers from streams summarized from CAO and Comprehensive Plan.

Tables cited from King County BAS review (modified from Knutson & Naef, 1997 and FEMAT, 1993)

Ted L. Points out to clarify the dominant vegetation at so many years or SPTH.

Jeff D. Refers to DNR model.

Jim B. (continues) This would be best but more difficult to administer by county...must take into account changing landscapes to administer programs to designate and characterize riparian areas.

Mary M. How is the riparian zone related to the terrestrial animals concerning buffers?

Jim B. Buffers and setbacks more based on aquatic than terrestrial vegetation.

John N. How will CAO protect large animals and large areas for them to inhabit,

Dave G. Large acquisitions by Parks Dept. is how protection in place at this time.

Don F. Says he plotted regression analysis of data points from Chris May's study and found no statistical difference between wide and narrow buffers...need more sophisticated studies that are more site specific.

Tom O. In getting permit – need to be conservative and have standard buffer widths.

Don F. Must be done.

Jeff D. Comes down to where (in permitting) people want to know exactly what buffer is before any development is planned.

Dave G. Predictability before buying property is what people want.

Jim B. Variance on stream systems: Look at protection strategies, prioritize on biological potential. Must not lose opportunities before development...(otherwise) more costly to replace functions or habitat.

Alison O. Concerned about species specific vs. holistic view.

Rick K. County's intent is multi-species protection, "how to protect a healthy stream", will cover many species. May want to move away from (Director's) interpretation "beyond variance" required for fish streams and wetlands, etc. Have some leeway with single residential lots, but other development must go through hearing process.

Jeff D. Concerned about Black Bear habitat in N. Kitsap. Protecting more than fish will ultimately protect more species...relying on other industries to protect wildlife – species in decline – other species may come up as endangered in future...restricting further development.

Rick K. Eco-regional multi-strategy approach needed in CAO and Comprehensive planning.

Jim B. Need more socio-political level decisions.

Rick K. Eco-regional planning by others, such as WA State, will give us tools for this.

Tom O. Forest protection...should be in CAO for watershed protection.

Jeff D. Concerned that eco-regional planning information will not be incorporated into County planning.

Jerry G. Habitat fragmentation known to contribute to species decline...should create habitat networks...connectivity for species and habitat of local importance. (Will send link of references to County).

John N. Concerned about increase in population (to Kitsap) after (second) Narrows Bridge construction...will too much time pass before County takes action.

Jeff D. Economics and aesthetic value (socio-economic) factors...eco-tourism, fishing, and hunting make money for WA State.

Ted L. According to author Charles Wilkenson (sp?) codes and regulations are reflection of social values. Think about science and how successful we've (county) has been at protecting and designating Critical Areas. What led to creating administrative vs. non-administrative variance in CAO. Concern about public scrutiny.

Dave G. Administrative – variance – flexibility is 25%, used to be 50%...must demonstrate that variance cannot be met...this is difficult to change because of staff resources, time, etc.

Rick K. Majority of lots are 2.5 – 5 acres...in most cases, requirements can be met. ...difficult to meet requirements for shorelines, small lots, and urban areas.

Ted L. Revisit code on how to expose potential development to public – to help implement the code. (More public involvement in process so system protects itself.)

Dave G. Issue concerns non-conforming lots.

Rick K. This will all go to planning commission. Bottom line is what meets the code and not by popular vote. Buffers don't "regulate out" existing use.

Non-conforming area can be looked at for potential mitigation...e.g. some homes are actually in buffers...as long as footprint isn't increased by 20% then need some restoration or enhancement of buffer.

Dave G. "Critical Area" and conditions should be disclosed on title.

Tom O. Will setbacks be increased for buffers?

Dave G. Inner buffer "cannot touch" outer buffer...(from Snohomish County CAO)

Ted L. How does County deal with storm water that affects Critical Areas.

Jim B. Waiting to see what happens with stormwater direction and issues.

Tom O. Shellfish are heavily linked to stormwater.

Rick K. Need to see if policies need changing after review. ...for stormwater and impermeable surfaces in rural areas. County can look at this...open for discussion.

Dave G. County legislation of wildlife corridors...need to examine if corridors are identified and are connected.

Jim B. BAS from eco-regional planning, (WDFW et. al.) plan is to identify and protect corridors.

Rick K. Information, good for planners and planning process (non-regulatory) was examined for rezoning or zoning. Factors identified areas as urban restricted – urban protection zone... reducing density.

John C. Requests that stormwater issues be addressed in this forum.

Rick K. County did (their own) technical equivalent of a manual.

Meeting adjourned at 4pm. Next meeting on March 10, 2004.

