

Overview of the Cooperative CAO Process

Month/yr 2003 > Nov 2004 > Mar Jun Jul Aug Oct Dec 2005 > Jan Apr


CAO Event

BAS Process 

Review of First Draft CAO 

Mall & Fair Booths 

CAO Science Panel & Community Roundtables 

Meetings and outreach with Stakeholder groups and interested private individuals 

Kitsap County Department Of Community Development

Technical Review Committee*

November 2003 – March 2004 – a stakeholder group of public and private individuals that provided an advisory role to the review of appropriate best available science in the update and revision process

Stakeholder Presentations

June/July 2004 – individual meetings with public and private groups to review the proposed changes of the First Public Draft

Open Houses

July/August 2004 – three events in north, central and south Kitsap County to exhibit information on the First Public Draft and explain the proposed changes

Mall & Fair Booths

July/August 2004 - public education and outreach, interactive discussions with citizens on critical areas ordinance process and proposed changes

CAO Science Panel

October 2004 – a presentation and interactive question and answer event with recognized scientists discussing best available science on the functions of critical areas

Community Roundtables*

November 2004/January 2005- three interactive public events to receive and discuss citizens' feedback on critical area functions and ways to protect and manage them

* Report published and posted on county web page (www.kitsapgov.com/dcd)



CRITICAL AREAS PUBLIC PARTICIPATION

Public Input

Stakeholders, General Public and/or Agencies



Event	Date
1. CAO – BAS Technical Review Committee Meetings	Nov., 2003 – March, 2004
a. Orientation	November 5, 2003
b. Frequently Flooded Areas	November 12, 2003
c. Geologically Hazardous Areas	November 19, 2003
d. Critical Aquifer Recharge Areas – Parts 1 & 2	Dec. 3 and Dec. 17, 2003
e. Wetlands	January 21, 2004
f. Fish and Wildlife Habitat Areas - Part 1	February 4, 2004
g. Fish and Wildlife Habitat Areas - Part 2	February 18, 2004
h. Review and Recap	March 10, 2004
2. Web site launched with consolidated Committee BAS information, bibliography and outline of future process	Late March, 2004
3. First Public Draft CAO prepared for public review and comment	June 22, 2004
4. Presentations to interested groups	Late June – Late July, 2004
a. West Sound Conservation Council	June 22
b. Community Working Group	June 23
c. Home Builders Association (HBA)	June 24
d. Kitsap Alliance of Property Owners (KAPO)	July 6
e. Realtors Association	July 30
5. Planning Commission Work Session on First Public Draft	July 20, 2004
6. SEPA Environmental Checklist completed	July 29, 2004
7. SEPA Determination released	July 30, 2004
8. Meet with members of interested groups (Kitsap Alliance of Property Owners, Department of Ecology, Homebuilders Association, etc.) to discuss their comments on First Public Draft	Beginning in August, 2004
9. SEPA appeal period ends	August 2004
10. Booth at the Kitsap Mall to Display Draft CAO and Best Available Science	August 13 – 15, 2004
11. Public Open House on First Public Draft CAO (Givens Comm. Center)	August 16, 2004
12. Public Open House on First Public Draft CAO (Poulsbo Library)	August 19, 2004
13. Booth at the KC Fair to Display Draft CAO and Best Available Science	August 25 - 29, 2004
14. Critical Areas Science Panel Public Meeting	October 27, 2004
15. CAO Community Roundtable Public Input Meetings - Poulsbo	December 15, 2004
16. CAO Community Roundtable Public Input Meetings - Port Orchard	January 6, 2005
17. CAO Community Roundtable Public Input Meetings - Silverdale	January 12, 2005
18. Meeting With KAPO Representatives on CAO Best Available Science	February 16, 2005
19. Staff releases 2 nd Draft CAO for review and comment	May 17, 2005
20. CAO Public Forum – Second Draft CAO	August 10, 2005
21. Joint Planning Commission/Board of Commissioners Hearing	September 2005
22. Board of Commissioners Hearing on Planning Commission Recommendations	TBA

*CRITICAL AREAS PUBLIC PARTICIPATION
Public Meeting, Presentations and Displays
Kitsap County Department of Community Development
August 1, 2005*



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Cindy Baker, Director

Executive Summary And Report on Public Comment: Critical Area Ordinance (CAO) Community Roundtables

MEETING DATES

North Kitsap

Dec. 15, 2004

Poulsbo

South Kitsap

January 6, 2005

Port Orchard

Central Kitsap

January 12, 2005

Silverdale

As part of the on-going, cooperative public participation process, the Critical Areas Ordinance (CAO) Community Roundtable discussion meetings were held to get feedback from the public on what critical area functions were important and what would be the best way(s) to protect critical areas. The roundtable meetings were planned as a follow up to the Critical Areas Science Panel, which was held on October 27, 2004. At that meeting, scientists identified and discussed the scientific factors of critical area functions and values and how critical areas support a range of water quality and habitat functions. The community roundtable discussions were intended to get input from the public on critical areas and the functions that should be protected. What follows is a summary of highlights of the three public input meetings held at the dates shown above. This executive summary is followed by a detailed write-up of each meeting.

A) Participation

About two hundred people participated in the community roundtable discussions, including those who responded using the on-line survey forms. Most people indicated a familiarity with the Washington Growth Management Act and with the mandate for local jurisdictions to protect critical areas. The majority of participants said they owned land in Kitsap County and a little over half of those said they believed their property contained a possible critical area.

B) The Importance Critical Areas and the Need to Protect Them

At each meeting, a wide range of answers, opinions and beliefs were given regarding the importance of critical areas and the need to protect them. Following is a brief overview of major responses:

➤ Wetlands

- Wetlands are important and need to be protected. They provide critically important water quality, recharge, stormwater and wildlife habitat functions. Wetlands are being lost and degraded before their functions and values to Kitsap County are understood.
- Do not protect wetlands. We are designating too much area as wetlands and increased buffers decrease property values.

- The functions of wetlands in Kitsap County need to be better understood before we can value and/or protect them; the science is not well established and there seems to be a poor understanding of the science behind designating and protecting wetlands and their buffers.
- Wetlands are already protected and have been for some time. It is not a question of if wetlands should be protected but how much. There should be more proof that the existing system of buffers, etc., is not working before changes are proposed.
- Streams/Fish and Wildlife Habitat
 - Do not protect these areas; there are other areas set aside for fish and wildlife such as sanctuaries and parks.
 - A healthy Puget Sound requires healthy streams and reasonable buffers provide habitat for all kinds of wildlife and their basic life needs.
 - The government should not protect these areas. Hard science needs to be brought to bear to justify any buffers; fixed buffers do not work.
 - Streams and fish and wildlife are important but there has to be a balance. There is not enough proof that there will be significant improvements with new measures.
 - We need to quantify the gain or loss of fish and wildlife species in Kitsap. Which species are we interested in protecting and how is this protection justified?
- Steep Slopes, Aquifers, Frequently Flooded Areas
 - Aquifers are a must-protect resource. We need safe drinking water.
 - Steep slopes, flooded areas and aquifers are a fact of nature and are important but should be protected by minimal regulation and expanded public education.
 - Steep slopes present a safety issue and should be protected. Aquifers are important because we need safe drinking waters; aquifers are very difficult to clean up once contaminated.
 - The existing technical reporting requirements to address steep slopes and aquifers are adequate, no additional buffers or setbacks should be required.

C) The Best Way to Preserve Property Rights While Protecting Critical Areas

This question was intended to get specific feed back from the public on to the importance given and personal-held beliefs regarding privately owned land, public environmental stewardship and future land use and development.

➤ Wetlands

- Property values are improved and enhanced by healthy functioning critical areas like wetlands. We need better tools and incentives for critical area protection.
- Let private property owners manage their own wetlands and let the private market place determine values.
- People are concerned that wetlands and critical areas will lower the value of their property. Make decisions on a case-by-case basis.

- Determine the monetary value wetlands provide – flood control, water quality improvement, etc. Educate landowners and realtors regarding real value, not just apparent dollar value. Dollars have little worth if we pollute or use up resources.
- Streams/Fish and Wildlife Habitat
 - Property values are preserved and enhanced by protecting fish, wildlife and natural systems. Property ownership includes awareness and adherence to community issues/concerns/values.
 - Make buffers smaller and violations to buffers more obvious and severe. Have a minimum buffer, which can be increased if needed, and fine gross violators and pollution offenders.
 - Best way is to provide flexibility and prioritization (vs. one size fits all). Do site specific review and give more consideration to the people who own property and pay taxes- they are the ones who care most about the land.
 - Give private property owners the responsibility for managing their own property. Let people know what is needed and let them do it; do not require it.
- Steep Slopes, Aquifers and Frequently Flooded Areas
 - Protect aquifers from commercial and industrial contamination. Restrictions must be common sense and engineered, not a 'just-say-no' blanket rule.
 - Residential uses should have vastly different rules than business and industrial uses. Make decisions on a case-by-case basis.
 - It is important to protect property owners from steep slope development and flood hazards.

D) Other Issues

This final inquiry allowed the public to raise other issues regarding the CAO revision process. Much of these discussions centered on Best Available Science review and the basis (or need for a better one) to change the existing CAO. Below are some of these other issue items that were raised in this final segment of each discussion.

- The CAO is unnecessarily restrictive and the proposed revisions are not based on Kitsap County conditions. The CAO is not based on facts. Government has too much power and citizens' rights are being eroded. Make site-specific decisions, not blanket laws.
- I think the county is doing a good job and I fully support on-going efforts. The roundtable format is a good process; it requires citizens with opposing views to talk to one another; it is obvious that many people love Kitsap County.
- There has to be better and on-going scientific data collected and applied to Kitsap County in order for the CAO revisions to make sense to people and to be supportable. Since it is inevitable that development will happen, we need to determine how is the best way for development to take place.
- The choices the County has to make and the guidance that is given to the future of Kitsap County has a lot to do with the preservation of Kitsap

County's natural beauty.

- The issues of critical area protection should be confined only to public health and safety. The focus should be only on pollution prevention and personal and property safety. Do not include trees, fish or wildlife in the setting of buffers or in the revision process as a whole.

CAO Community Roundtable Meetings- Detailed Responses and Comments
Wednesday, December 15, 2004 – Poulsbo Library
Recorder Notes and Written Survey Responses

WETLANDS

*Is this critical area important to you?
Should this critical area be protected; if so, how?*

Recorder Notes – All Sessions

- Yes. Wetlands supply food chain, primary productivity and start a sink for actions/reactions.
- No. Wetlands are not as identifiable as they used to be and most people are surprised to find out wetlands are on their property.
- Yes. Land use practices are changing wetland hydrology. We need to protect all wetlands. Interconnections are important. We need to look at the larger picture.
- No. The presence of wetlands has changed. If property was purchased 40 years ago and no wetlands were identified then the rules change and the presence of wetlands diminish property use rights.
- Yes. Especially if property owners upstream protect wetlands then downstream property will not flood.
- Yes. So little wetland acreage left. Let's protect what we have. We cannot get it back.
- Yes. Important because Kitsap County is lowland and wetlands recharge groundwater. Wetlands mitigation/replacement is not proving that it works to protect the resource.
- Yes. We need to protect groundwater, which cannot be cleaned up if polluted.
- Yes. Designating wetlands provides habitat for birds and wildlife.
- No. We are designating too much area as wetlands. There needs to be a balance.
- Yes. We need to protect wetlands to protect the quantity and quality of water for human use.
- Yes. Protect wetlands for wildlife but not necessarily for wildlife corridors.
- We need to understand the functions before we can value. We need to understand functions enough to make good resource management decisions.
- It is more difficult to restore a wetland once it is damaged/lost.
- Yes. Wetlands are nature's sponges. Wetlands were working naturally before Public Works put in retaining ponds.
- Yes but I do not agree with buffer widths.
- Do buffers really need to be as large as proposed?
- Do wetlands change over time and, if so, how is this accounted for in regulations.
- Yes, we need support behind buffers.
- There is a need for specific references for all science-based changes to CAO.

Written Survey Responses

- Yes. Wetlands are the most critical area for clean water quality.
- Wetlands need to be the most protected critical area due to past practices.

- Yes. We cannot afford to lose any more wetlands and remaining areas need to be restored. Wetlands are nature's most effective methods of cleaning water, removing silt and other contaminants before reaching our waterways.
- Protecting and planning for growth means seeing all functions that wetlands provide and preserving those processes-water quality, wildlife and flood control.
- Wetlands attract and sustain wildlife and add natural components to our developed and undeveloped landscapes; this diversity improves our quality of life.
- Yes. Wetlands perform so many useful services – flood control, wildlife habitat, especially for rearing young wildlife. We do not understand all they do. Allowing wetlands to be destroyed is not a good thing.
- Wetlands should be protected to assure the best functioning of each wetland and the nearshore. Cannot agree with those who say don't regulate until we see a problem- then it is too late. Use expertise and BAS.
- Yes. Wetlands provide primary nutrients for web of life, they buffer floods and increase aquifer recharge. Wetlands should be protected by buffers and with monitoring by county staff.
- Wetlands are very important in life's chain and should be protected with reasonable and smaller buffers.
- Wetlands protection very important- they provide flood protection, ecological niches and native plant protection. Wetlands should be protected as a function of government, enforcing buffers, etc.
- Protect wetlands but do not require large buffers.
- Wetlands are important to recharge aquifers. They should be protected not enlarged.
- Protect wetlands. I have wetlands on my property- very important to me to have it there; I want protection in the strongest terms.
- There is too poor an understanding by staff of science behind wetland designation. BAS not well established.
- Not convinced enough information is available and that BAS is accurate.
- Wetlands should be protected but within reason; not all property is same. 100-200 foot buffers may not be necessary for all parcels.
- Protect wetlands; they function for local wildlife; aquifer recharge – but do not do buffers.
- I place wetlands protection as the most important.
- Protect wetlands – I want and value wildlife and fish and these areas are important to them.

WETLANDS

What is the best way to preserve property rights while protecting this critical area?

Recorder Notes – All Sessions

- Property values are secondary. Government should not and does not reimburse wetlands protection.
- If once you could do certain activities on a property and now cannot due to wetlands, that is vested rights discrimination.
- Kitsap County should have a property rights staff person who is qualified to deal with property rights issues.
- Property values are improved with healthy functioning critical areas. We need better tools and incentives for critical area protection.

- Did Speak Out sessions ever produce incentives?
- Realtors need more education. Buyers are not always made fully aware if critical areas are present.
- Government needs to stop taking away property rights even if it takes paying higher taxes to do this.
- There should be compensation for land taken.
- People are concerned that critical areas will lower the value of their property.
- Property is part of a larger system, we should be the custodians of critical areas on our lands. Regulations should come in only if someone is abusing the land.
- What is the reason to change the regulation?
- Property that was not historically regulated now is regulated due to presence of wetlands and this is confusing.
- How many Category I wetlands are there? Two hundred feet buffer width seems like a lot. Where does the science come from?
- Property values are enhanced by critical areas.
- Need to educate children about wetlands values – harder to restore if wetlands are lost so we need to protect wetlands now.
- When we make all these rules, the county should be held accountable.

Written Survey Responses

- Teach people to value natural habitat, such as wetlands. Target education to realtors.
- Determine the monetary value wetlands provide – flood control, water quality improvement and compare to human made alternatives – on an acre-by-acre basis; develop from this a landowner incentive program. Fund this initiative from permit fees – building, hunting, and fishing.
- It is curious as to whether “preserve property values’ really means “ allow me to make a lot of money off my property. It is not the public’s or county’s job to ensure this happens. Land speculation is like the stock market – if conditions change, so do profits. I doubt protecting critical areas like wetlands will decrease land values.
- Property values are enhanced when critical areas are protected.
- Do not require wetlands enhancement.
- Eliminate mandated increases in wetland acreage when mitigating/creating wetlands.
- Buffers for wetlands are overkill.
- I value preservation of as much of the environment as possible and am willing to pay for it and give up some rights.
- We cannot have private property interests taking rights to the environment away.
- Property rights people don’t want anything but buildable lands.
- Have facts and BAS to validate decision made by county.
- Property values cannot be maintained with these significant restrictions on property.
- Ordinance should have the least restrictions possible placed on the property owner.
- Pay for the property. Civic cost and compensation is needed.
- Preservation of property values, as opposed to the livability of property, is not of prime concern. Government does not protect the value of other investments but acts to preserve the

common good.

- Protecting critical areas protects property values especially wetlands and streams. Property ownership is a responsibility –to protect resources.

WETLANDS

Other Issues

Recorder Notes and Written Survey Responses

- Need another mechanism other than public hearing to respond to CAO revisions.
- There should be separate public comment on the science–support document of the revised second CAO draft.
- Consider asking question that explores humans as resources for nature’s benefit. When do humans become tools of nature?
- Since regulation is a signal of design failure, we should insist that nature and humanity co-exist. More thinking away from “Bill of Rights” to a “Bill of Responsibilities.”
- Sponsor an annual contest sponsored by Master Gardeners/DCD DNR that highlights properties with wetland landscapes. The public could tour these and learn how to have wetlands enhance their property. Contestants could compete and have plenty of publicity.
- Roundtable is a good process. It requires citizens with opposing views to talk to one another. It is obvious to me that many people love Kitsap County.
- Wetland functions are not truly appreciated.
- What BAS justifies setbacks in addition to buffers. The county is liable if impacts of new regs are not justified.
- Protect and maintain wetlands - do not enlarge.
- Government has too much power and citizens’ rights are being eroded.
- This is the first GMA conforming public process. Do not place buffers on top of other buffers.

STREAMS/FISH AND WILDLIFE

Recorder Notes – All Sessions

- Why is there an across-the-board proposed increase to stream buffers and specifically to the non-fish bearing streams. This should be determined on a site-specific basis.
- Large stream buffers do not seem justified. Why do streams without listed species have to follow the same rules.
- Why increase 100-foot buffer to 150 feet?
- If county staff is not always available to respond to site-specific requests, can another expert provide recommendations?
- Compensation is wanted for property taken away.
- How does a property owner challenge a buffer width?
- Are buffer widths proven to be working?
- Make minimum requirements but allow for site-by-site changes if needed.
- I support BAS, Habitat Management Plans and DCD staff – well done.

- I give support for the buffers and for the wildlife that depends on them.
- Buffers and wildlife corridors are necessary to provide for wildlife and sustain their populations.
- Do we want to use stream corridors for wildlife or just look at stream buffers for fish?
- Any buffer greater than 50 foot is not good. It is meaningless.
- Fixed buffers do not work.
- Take a sub-watershed approach like Chico Creek. Address problems with viable solutions.
- Kitsap County has all kinds of wildlife; bear especially in north county.
- The county's native plants are endangered. The only way to preserve native plants is through habitat conservation. Let's preserve our natural legacy.
- There seem to be broad agreement to protect wildlife but not uniform agreement as to the role of government.
- Property owner stewardship should be explored.
- We all have to decide how much wildlife we want to protect, what we are willing to give up, and to choose and decide.
- Kitsap County will either become all developed or we will decide to protect certain functions at a minimum.
- If it is decided that wildlife is to be protected, then we have to know by whom and how?
- Wildlife corridors are possible with rural cluster development.
- We should buy-up the remaining high functioning wildlife habitat and create preserves or conservancy areas.
- Consider reverse mortgages; once property owner moves then land can revert to a wildlife preserve.
- Contact every property owner to cooperate in basin-wide studies.
- Wildlife corridors will lock up all the land; we have enough open space and parks.
- At the rate county is being developed, we are losing wildlife habitat. Less and less area is available for wildlife use.
- Humans and wildlife are equal.
- Wildlife presence and protection is a function of education, baseline science and not regulation.
- Humans should be 50% of the equation.
- Stream buffers address the richest environments in the county due to the combination of aquatic and terrestrial plants and animals.
- Establish minimum stream buffers until it is shown that more is needed.

STREAMS/FISH AND WILDLIFE

Is this critical area important to you?

Should this critical area be protected; if so, how?

Written Survey Responses:

- Yes. Streams and riparian habitat are major factors in determining what types of animals will live in and use these areas for basic life needs. These habitats provide food, protective cover, nesting area and nurseries and are critical habitat for birds, mammals, reptiles, amphibians and fish.

- Protection of these areas assures that we have good quality instream habitat for fish, amphibians and aquatic invertebrates. We need to protect stream corridors and maintain reasonable buffers.
- A healthy Puget Sound system requires healthy streams. We shouldn't be surprised to find so many critical areas in Kitsap County –like capillaries in a body.
- All agencies, businesses and homeowners should be made aware of the sensitivity of our county's lands and accept that development will damage part of its function.
- Programs like the watershed academy should be expanded. Stewardship groups should be encouraged.
- Protect wildlife corridors and preserve salmon.
- Protect streams in their natural state, maintain natural water supply and discharge necessary to control flooding, fish and land use.
- Smaller, uncut, maintained buffers are more doable.
- Protect streams – streams support a unique native plant community.
- Protect the beauty and function of our natural systems, by law if necessary.
- Protect streams – I value fish and streams provide habitat and food for them.
- Need to protect large wildlife in the county, which depend on streams.
- Protect water quality for fish, wildlife corridors and Puget Sound as well as our water.
- Cannot over-protect our tiny creeks – they are cumulatively important as any big river.
- Do not protect. Hard science needs to be brought to bear to justify any buffers. Fixed buffers do not work.
- Water quality degradation/pollution comes from county roads not private property.
- Protect streams for the quality of life they provide.
- Protect with as much flexibility as possible. Base decisions on site-specific data.
- Define 'protected'. Is it no net loss or preserve/restore?
- Protect streams and fish and wildlife. I am concerned for our natural systems.
- Fish and wildlife habitat must be protected so that these animals can survive.
- Protect streams/fish and wildlife. Human population pressure impacts wildlife habitat and reduces balanced wildlife populations around us. This is an important opportunity in Kitsap County to keep our natural systems working longer because they are not yet destroyed.
- Protect these critical areas. We do not understand how all the animals interact to keep natural systems healthy. Protect wildlife corridors, streams and their abilities to nurture salmon, forage fish, etc.
- Protect these areas. No species should be pushed out. It would be more acceptable to have wildlife survive in a national forest rather than in a person's backyard.
- Yes, protect. I like to go fishing and I support protecting the environment.
- Protect these areas to the extent that we accept that human residences and workplaces must have at least equal rights.
- Fish and wildlife are one of the unique amenities of the Northwest. We need to be stewards of our environment. We did not inherit this world. We borrowed it from our grandchildren.
- Protect fish and wildlife. My concern is for the native plants that are being bulldozed for development. Preserving habitat is a way to preserve this natural legacy.

- These area should be protected because preservation of habitat provides a buffer from humans and the by products of our way of life.
- Protect streams through habitat management plans.
- Protecting these areas is of average concern to me.
- I put the highest value on protecting these areas. I value fish and wildlife and habitat and protection is needed for them. I want to have these resources here in 20 years for my children.
- The only way to have fish and wildlife habitat is to protect these areas.
- Government should not take away property owners rights to use their property.
- Protection of these areas does not work; there is not enough science.
- Wildlife is a critical measure of the quality of life here in Kitsap County; I love sharing our land with the ones who preceded us. We live in the bear's front yard and need to respect that.
- This critical area should be protected to the highest degree. Any person should be able to request government (federal, state) assessment on possible infringement by humans on wildlife habitat. Beaver dams should be openly protected.
- We need to quantify the gain or loss of fish and wildlife by species in Kitsap. Which species are we specifically interested in protecting and how is this protection justified?
- Current zoning of 5, 10 and 20 acre parcels in the majority of Kitsap provides more than adequate area for fish and wildlife.
- Protect these areas as much as possible.
- We do not need to protect these areas. There are other areas set aside for fish and wildlife like sanctuaries, parks, etc. It is not necessary to completely protect these areas if the fish and wildlife chooses to live in urban areas.
- These areas do not need to be protected. The purpose of our ordinances is to enhance human quality of life, not preserve raccoons and mice.
- These areas should not be protected. We have already procured vast regions for parks, preserves, and wildlife.
- Protect fish and wildlife as much as possible.
- Protect fish and wildlife as an integral part of Kitsap County and the State of Washington.
- These areas should be protected as a status quo.

STREAMS/FISH AND WILDLIFE

What is the best way to preserve property rights while protecting this critical area?

Written Survey Responses:

- Property values and protection will be preserved by restricting development and seeing these features as value-added to the property.
- Not sure but one way is to change the mindsets and market critical areas as a precious, scarce commodity. Find ways to implement low-impact development practices.
- Provide more staff and instrumentation to do a quantitative evaluation of particular properties.
- Making buffers smaller and violations to buffers more obvious and severe will provide more willingness to comply.
- Set buffers site specifically not one-size-fits-all.
- Natural systems enhance property values.

- Property values are protected when resource values are protected – except for those who believe they should do anything without restriction – narrow minded.
- Give people tax breaks on buffers or conservation easement to reduce taxes.
- All property rendered unusable as a benefit to the public should be bought or compensation paid for landowner to leave land in natural state.
- Best way is to provide flexibility and prioritization (vs. one size fits all).
- Allow planning, management decisions and negotiations to be specific to individual properties.
- If the use of property is restricted then government should buy it.
- Natural amenities enhance the value of property.
- Property values will be preserved and protected by respecting the needs of fish and wildlife
- Diversity improves our quality of life; the more diversity we maintain the healthier our communities will be.
- Encourage the value of keeping properties as natural as possible, limiting lawn and paved areas. Development should be required to show how wildlife habitat is being protected.
- Use buffers that are truly necessitated by BAS or purchase the affected property.
- Respect private property.
- Site-specific cost impact study should be done for each regulatory ruling. Compensate property owners for the loss of their property, which they paid for and pay taxes on.
- Use zoning to encourage protection of critical habitat. Make efficient use of the land and the resources needed.
- Take the time needed to educate the public about the value of preserving the natural habitat.
- It is very difficult to preserve property values with major restrictions on my property.
- Use open space tax incentives. Have an open space bond and/or real estate bond to purchase land. Use stream buffers for wildlife corridors and educate people on existing mechanisms to protect wildlife habitat (tax incentives, etc.).
- Identify wildlife corridors and protect them as other critical areas. Give people easements or tax breaks where their property is impacted. Educate these people about how to be caretakers of wildlife and corridors.
- Cooperate with property owners and preserve property values.
- Use voluntary and cooperative agreements with private property owners – not yet more wildlife regulations.
- Leave valuable critical habitat alone.
- The best ways are not to infringe on property rights and buffers unless specific and documented damage is being done.

STREAMS/FISH AND WILDLIFE

Other Issues

Written Survey Responses:

- We need to shift the process from efficiency to effectiveness to stop the tragedies to our natural systems.
- Stream corridors need to be small, maintained and infrequently checked.

- Do not have science to support buffers over 50 feet.
- Concerned that “property rights” will override protecting our natural legacies.
- Need to determine and protect wildlife corridors beyond calling in wildlife sitings.
- Best available science does not support wide buffers on S and F streams.
- We need to use our own compilation of BAS rather than relying on King County.
- This ordinance has taken my property.
- Start thinking beyond the rights of humans and include the rights if nature. Move discussions and understandings to another level. Ask are we doing it right (efficiency) or are we doing the right thing (effectiveness).
- There should be some flexibility built in but not so much that critical areas are reduced or their functioning systems are reduced.
- Define “protect” – is it no net loss or restore?
- Since it is inevitable that development will happen, we need to ask how is the best way for development to take place.
- People are in the way of habitat management.
- There should be monetary compensation for restricted property.
- Public works road runoff creates the greatest adverse impacts on fish – far greater than buffers will gain; proof of non-impact should be available to any property developer.
- I do not agree with the right wing whacko at my table.
- Why do regulations always increase?
- Do not adopt a critical areas ordinance with chicken little syndrome

STEEP SLOPES AND AQUIFERS

Is this critical area important to you?

Should this critical area be protected; if so, how?

All Group Sessions/Written Survey Responses

- These critical areas are very important because of erosion’s impacts to streams and because Kitsap is dependent on groundwater for drinking water.
- Very much protect steep slopes to protect streams and protect aquifer recharge areas to assure quality of groundwater.
- This critical area is very important and should be very much protected because of the safety issues involved to property owners, neighbors and stream resources (steep slopes) and for health concerns- clean water for drinking and streams.
- These areas are only moderately important to protect and should be decided on a site dependent basis and only where activities present unsafe situations or aggravate the unstable slope.
- These areas are very important and should be protected because Kitsap County is an island and the tribes are trying to restrict water rights and take over streams. Keep the coliform, pesticides, chemicals and industrial waste out of the aquifers. Keep the tribes out.
- Protect steep slopes for safety only not fish habitat or environmental control; protect aquifer

recharge for groundwater supplies less so for stream flow.

- The existing permitting process should be adequate protection for these areas.
- Aquifers are a must-protect resource; steep slopes less so.
- Aquifers very important and protection is critical; mainly protection of individual drinking water wells. These should be protected for the health of water consumers, especially from individual wells.
- These critical areas are important and should be protected.
- Steep slopes present a safety issue and should be protected. Aquifers are important because we need safe drinking water. Building requirements need to be enforced for steep slopes and aquifers protected from potentially contaminating land activities.
- Aquifers are very important to protect to assure clean water to drink and stream flow; aquifers are very difficult to clean up once contaminated.
- Steep slopes need to be protected for property below and water below and the resources associated with those sites.
- These areas should be protected within reason. Gov't should not impose rules that take away property rights. Buffers are not the answer.
- Protect aquifers since this is a large system problem. They should be protected as much as possible from possible pollution.
- We have a relatively finite water supply that could be possibly affected; protect aquifers if measures clearly make a difference.
- Steep slopes can be assessed by property owners and their advisors. Few of the slopes with 15 % grade –which comprise 2/3 of shoreline- are regulated and have never slumped even with seeps.
- A geotechnical report should be adequate for building permit, no additional buffers or setbacks should be required.
- Prevent the event that occurred on Bainbridge Island – a family killed due to failing slope.
- Protect aquifers to keep water supply from being contaminated.

STEEP SLOPES AND AQUIFERS

What is the best way to preserve property rights while protecting this critical area?

Written Survey Responses:

- Make sure that zoning does not permit affected businesses in identified areas.
- Compensate property owners when necessary to restrict surface use.
- Put less emphasis on buffers and more restrictions on pesticides, heavy fertilizers, etc on steep slopes.
- Protect aquifers from commercial and industrial contamination; restrictions must be a common sense, engineered-concern, not a 'just say no' blanket rule.
- Examine all uses of properties within aquifer areas to limit uses of toxic materials or to provide systems to prevent spills. Constantly monitor quality of water from wells drawing from specific aquifers.
- Provide for flexibility and be site specific.
- Property values would drop if water source were contaminated.

- When property is restricted I see no way to preserve property values.
- Protect slopes through geotechnical reports and measures to prevent sliding not curtain drains and ditches-that simply puts water on adjacent land.
- Regulate uses over aquifers and require protection measures.
- Provide Oregon Measure 38-type compensation.
- Stick to must-type regulation and forego the nice-to-have regs.
- Show clear and quantitative links between regs and protection.
- Any program put into place to protect the public should be paid for by the public.
- Allow building if engineer can say that critical area is protected.

STEEP SLOPES AND AQUIFERS

Other Issues

Written Survey Responses:

- Use least measurable buffers as supported by any available BAS for impervious areas and water generated to downslope.
- Better late than never on finally providing a public process.
- The process has lacked a public process until now. Better late than never.
- Use original BAS compiled by county not King County.
- I am not convinced what is being done is beneficial to maintain critical areas; BAS is iffy at best. The ordinance is somewhat subjective. Why not give property owners the benefit of doubt?
- Ordinances should be constitutional.
- Aquifer husbandry education of the public may be a better approach than creating buffers or public purchase.
- County needs to drill test cores in the regions of large, public wells –to properly define our gravel aquifers.

CAO Community Roundtable Meetings
Wednesday, Jan. 6, 2005 – Port Orchard
Recorder Notes and Written Survey Responses

WETLANDS, STEEP SLOPES AND AQUIFERS

Recorder Notes – All Sessions

- The county needs to publish how much land is affected by/under the jurisdiction of the existing and proposed CAO.
- The purpose and outcome of feedback from community roundtable meetings needs to be clearly stated.
- The county needs to explain how non-Kitsap County specific. BAS is being used to drive CAO updates.
- How does the roundtable feedback fit in with the mandates under GMA?
- County needs to more seriously consider adopting the new DOE wetland ratings system and the site specific buffer widths associated with it.
- The setbacks from buffers appear to be additional no-build areas and should be described as such.
- The second CAO draft should have language clearly stating that residential development is not a regulated activity affecting critical aquifer recharge areas.
- Any change in buffers that results from the adoption of the new DOE wetland ratings system needs to be clearly identified.
- Does GMA account for overlap of International Building Code and CAO on steep slopes/geohazard sites?
- The review of BAS seems to have included a processing of conflicting information with respect to new buffer widths.

WETLANDS, STEEP SLOPES AND AQUIFERS

Is this critical area important to you?

Should this critical area be protected; if so, how?

Written Survey Responses

- Category III and IV wetlands should not be regulated.
- Wetland restrictions really decrease property values especially when buffers are added.
- It is important to keep property owners at the bottom of steep slopes safe from development at the top.
- Steep slopes should be cared for.
- Wetlands are very important and the people can take care of protecting it.
- We do not need county, state or feds to regulate wetlands.
- It is not a question of if wetlands should be protected but how much.

- Protect wetlands only for their aquifer recharge functions.
- Do not protect wetlands and buffers for wildlife.
- Wetlands are very important critical areas and should be protected for their pollution control with 25-30 foot buffers.
- Let the insurance companies resolve the protection rates for steep slopes and flood plains.
- The importance of critical areas protection has to be compared to something.
- Critical areas should not be protected by the government at all. Educate the landowners and let them decide.
- All of Kitsap County could be considered critical area for one reason or another.
- Wetlands protection is very important due to my property being taken without compensation.
- Restrictive ordinances need to be repealed and addressed on an individual basis.
- Critical areas are already being protected and existing system is working well.

WETLANDS, STEEP SLOPES AND AQUIFERS

What is the best way to preserve property rights while protecting this critical area?

Written Survey Responses:

- Show evidence that a buffer protects the resource.
- Do not include wetlands on small parcels that present little or no impact on the environment.
- Do not make rules for everyone just the people causing a problem in a critical area.
- Just focus wetlands protection on problem areas and leave people alone if there is no problem.
- Let property owners take care of their own property with less restrictive, costly parameters.
- Let private property be managed by its owners.
- Let private property owners manage their own properties and let private market place determine values. Get government out of managing private property. It only decreases property values.
- Private property owners have a vested interest in protecting their own property values.
- Protect critical areas like wetlands only to the extent it doesn't infringe on property rights.
- If land continues to be restricted then what little remains will be very valuable for those who can afford it.
- Let property owners be responsible for their own property.

WETLANDS, STEEP SLOPES AND AQUIFERS

Other issues

Written Survey Responses:

- Building setbacks and impervious surface restrictions should be added as additional buffer because it limits the useable area of property.
- I do not believe that there is evidence that buffers need to be increased.
- Don't keep making new rules unless there is a problem. Then make a rule to clean up the problem and don't bother everyone else who doesn't have a problem.
- We should not be treating wildlife habitat with the same priority as we do pollution. Go with 25 feet of forested or grass buffers.

- There is a failure to distinguish between “protection” against pollution and “protection for wildlife – relates only to aesthetics. Pollution is the only important public issue warranting government intrusion.
- Pay for the property taken.
- I have concerns for the whole CAO revision process.
- The whole CAO revision process is a violation of constitutional rights.
- The whole CAO should be tossed.
- Codes take property without compensation.
- The CAO takes away property without compensation.
- The CAO revisions are not based on facts.

STREAMS/FISH AND WILDLIFE

Recorder Notes – all sessions

- All critical areas are important but government should not be telling people what to do next to a stream I own.
- Landowners would help voluntarily to protect streams if given the opportunity.
- Be more specific of what can/cannot be done in a stream buffer.
- Existing, on-going agriculture is exempt until land is subdivided, then new regs would apply.
- The impacts of cattle grazing are not apparent. They include sedimentation, temperature changes and cumulative impacts.
- The county should have enough people to go out and inspect all lands with critical areas.
- The county should be telling how specifically the CAO is or is not meeting GMA.
- Who decided that the CAO was in need of revision, the county or the State?
- How important are non-fish streams as tributaries to fish bearing streams so that their buffers need to be increased?
- Wildlife habitat should not be increased.
- We need an opportunity to say that CAO buffers are too large.
- What are the consequences to the county if the CAO is not updated.
- Why do private property owners have to take on most of the burden.
- We need the facts about stream degradation and fish population fluctuation.
- It appears that CAO revisions are trying to fix something that is not broken.
- Maybe we should make buffers smaller. Standard is set too high.
- Focus on pollution not on trees and fish. Leave buffers alone or reduce them.
- Why can't BAS be used to reduce buffers?
- Individual rights are not being met.
- We are all against the new ordinance, so why change it?
- Buffer increase need to be supported by specific data. It does not look like there is information showing that the current CAO is degrading habitat or harming fish.
- Buffers on stream types 4 and 5 seem unnecessary especially urban streams and streams that

drain directly into Puget Sound.

- Fish do not recognize the difference between urban and non-urban streams.
- The evidence supporting stream buffers is lacking.
- It is not right to depend solely on literature review to support bigger buffers. Until the county does the studies that say the current CAO is not working, it should not be changed.
- The county needs to err on the side of the property owner. Most landowners take care of their own property. CAO should be voluntary.

STREAMS/FISH AND WILDLIFE

Is this critical area important to you?

Should this critical area be protected; if so, how?

Written Survey Responses

- If it is on my property, it is my critical areas. I'll protect it.
- Protection depends on the how and from what.
- Protection should be by the property owner on a voluntary basis.
- Asking about importance is not right – I am more concerned about whether I can build and garden on the property that I purchased and pay taxes on.
- Protect critical areas from pollution but do not protect for purposes of beautifying or letting the rabbit, raccoon or any other animal population live on property I paid for and pay taxes on.
- It is very important to protect stream and fish and wildlife but government should compensate landowners if they lose land due to buffers; most landowners would voluntarily protect.
- If a stream has no fish in it then you don't need 100 ft; ten feet is enough.
- The importance and whether or not to protect stream and fish and wildlife has to be as compared to what.
- Streams and fish and wildlife are important but there has to be a balance. There is nothing to say that there will be significant improvements with new measures..
- These areas should be protected; the question is how much. I do not particularly want mammals – raccoon, possum, coyotes and rabbits – on my yard.
- These critical areas are not at all important compared with being responsible for my own property.
- It is very important to protect endangered, listed species but not important to protect non-listed species and do not apply blanket buffers but decide individually.
- Fish and wildlife are the most threatening to property owners.
- Animals need to be studied.
- It is very much important to protect fish and wildlife but not at the expense of property rights; protect fish and wildlife only to the extent that it does not jeopardize property rights.

STREAMS/FISH AND WILDLIFE

What is the best way to preserve property rights while protecting this critical area?

Written Survey Responses

- Follow the GMA mandate and the US and State constitution to protect property rights.
- There may not be any best way.
- Let the landowner take care of their own property they are best suited to protect land that is owned.
- Have minimum buffer, which a person reviewing a building permit can increase if certain criteria are met and fine gross pollution offenders.
- Talk to the people if there is a problem and come to agreement; don't make blanket rules that don't fit.
- Let people know what would be desirable and helpful and let them do it not require it.
- Do site specific reviews and use flexible buffers- higher upstream and lower downstream at the mouth.
- Give private property rights and responsibility to the owner- don't fall for the idea that government can manage property (and values) in a superior manner.
- Decrease regulations and restrictions.
- Do not put controls or buffers on personal property.

STREAMS/FISH AND WILDLIFE

Other issues

Written Survey Responses

- This is further damaging my rights to use my property.
- I am concerned that this is taking private property without compensation.
- I am concerned about government over regulation.
- I am concerned about over ordinance and lack of reimbursement to land owner.
- Get government out of my life. No buffers.
- The ability to take an average of a range of BAS is ridiculous. Scientific evidence cannot possibly be used as justification unless it is completely conclusive and irrefutable.
- The multitudinous regulations make homes artificially more expensive and more difficult to make improvements, but if you have enough cash and time you can do whatever you want.
- The bar is always being raised.
- The property owner should be responsible for care and protection of his land not the county or state.
- Good people will take care of the land.
- I think changing the rules every 7 years is just a way to slowly take all the rural land.
- This may spawn a class action lawsuit.
- The CAO process is one of diminishing return for the property owner; more requirements do not guarantee equal improvement.
- Decrease the buffers.
- There is inconclusive science; do not include restoration.
- Base buffers on pollution requirements alone except for endangered species-listed streams;

boils down to about 25-30 feet for the one and about 100 feet for the other.

- The animals have more rights than the people.
- Deregulate property owners.
- I do not agree with so-called best available science; there are too many opinions and not any facts from which to choose which data to use.
- Fish counts and wildlife numbers are up; if these are not endangered why are we changing?

BEST-AVAILABLE SCIENCE AND THE CRITICAL AREAS ORDINANCE REVISION PROCESS

Recorder Notes

- Discussion on what constitutes BAS and how relevancy of references was determined.
- BAS is a misleading term; it appears that BAS definition and use can vary and can be based on a lot of bias.
- How come trade offs between environmental protection and property rights are not addressed?
- What BAS really justifies making changes to current CAO?
- Is proposed increase to Category III wetlands justified?
- The county should pay for the appeal of decisions.
- BAS does not justify doubling the buffers.
- Is avoidance of lawsuits determining what the county is doing?
- Why is it taking so long to collect the data that supports the facts?
- Wildlife should be a separate consideration.
- If increases occur now who is to say that increase will not happen again in the future?
- BAS is not a useful or relevant term.
- What is the difference between a drainage ditch and a seasonal stream? What BAS justifies a 25-foot buffer?
- Kitsap County should be cautious when using state agencies data.
- Buffers could be ranked low, moderate, or high depending on functions.
- Kitsap County should adopt new state wetlands ratings system and buffers like Pierce County.
- If staff is not available to do site specific studies or assessment then this entire process is not being thought out well.
- What is difference of replacing and rebuilding versus new development?
- Too much weight being given to government data, which is biased.
- CAO should be implemented to allow maximum use of private property.
- It seems that protection of wildlife takes precedence over the right of property owner to utilize and/or build on property.
- Is there a balance that could be met to avoid property from being taken?
- More and higher quality scientific research should be included, especially data developed by large private corporations like Weyerhaeuser.
- Kitsap County appears to be more or possibly the most restrictive of surrounding counties in the area. What happens if we are too restrictive?

- No one supports the revision as proposed.

CAO Community Roundtable Meetings
Wednesday, Jan. 12, 2005 – Silverdale
Recorder Notes and Written Survey Responses

WETLANDS, STEEP SLOPES AND AQUIFERS

Recorder Notes – All Sessions

- The delineation of channel migration zones is not clear.
- The geotechnical report requirements, and when or if they become necessary, is not well understood.
- If county permits development on steep slopes or flood hazard area and down slope or down stream property is damaged, who pays?
- Do critical aquifer recharge areas affect agricultural farming?
- All critical areas are important, at the top of the scale.
- Are fish and wildlife habitat conservation areas only based on listed endangered species - what about species of local importance?
- If a majority of the population supports only 10-foot buffers, would BAS overrule this?
- Does this input really count?
- Is notice to title a lien on that property?
- How can a large commercial development like Central Market be built on a wetland when private property owners are not allowed to build a same circumstance?
- People in the urban areas are not being penalized as much as those in rural areas.
- The development potential of this county is being downzoned.
- Whose responsibility is it to correct errors in mapping, esp. for flood hazard areas?
- How is stormwater runoff considered in flood hazard?
- Why are houses allowed to be built on steep slopes and cliffs?
- If private citizens have to pay for technical services and reports why can't county do more to help with costs?
- Is wildlife a higher priority than water quality and quantity?
- Buffer widths have to be adhered to especially as it relates to wetlands and their functions to retain/detain stormwater. Wetlands can only perform these functions if buffers are implemented.
- The signage requirements of buffers may be considered a takings.
- Is there a mandate to protect wildlife?
- Habitat is beneficial to humans as well as wildlife.
- What incentives are being considered?
- The CAO changes that are proposed are definitely reasonable and may be viewed as not enough.
- Is there a need for wildlife viewing areas?
- Does a surveyor determine frequently flooded areas in tidal shorelines?

- Keep engineers away from steep slopes.
- Do chemicals used on a golf course present a threat to groundwater? What about residential chemical use?
- What exemptions allow for building in a critical area?
- Are there instances where an application was declined to build but later accepted
- How many variances have been requested? Granted?
- The county needs to do more mapping and get more information on critical area locations.
- We need to find a balance between allowing intensive development and protecting areas.

WETLANDS, STEEP SLOPES AND AQUIFERS

Is this critical area important to you?

Should this critical area be protected; if so, how?

Written Survey Responses

- Wetlands are critical to North Kitsap water supply.
- Because I live in Kitsap County and hope to for the rest of my life, all wetlands, streams, and steep slopes are critical to me because these areas are part of the uniqueness of Kitsap County. These areas enhance the beauty, serenity and back-to-nature qualities of Kitsap.
- All critical areas are very important, they are all systems and part of one vital ecosystem web.
- All critical areas need to be very much protected. They are severely compromised and need immediate attention to assure future vitality.
- All critical areas should receive the highest level of protection. Steep slopes to protect owners' land values; aquifers to keep our water supply safe, wetlands to preserve natural diversity and natural attractions for tourists.
- Wetlands are very important. They are critical to the management of stormwater and water quality cleansing. They are important for wildlife and amphibian protection. They are important for water recharge in some areas.
- Wetlands need very much to be protected; for wildlife and aquatic life protection; and, in some areas, for human drinking water protection. Salmon are protected by protecting water quality.
- Wetlands should have reasonable protection but not overly restrictive protection.
- Wetlands, stream and fish and wildlife are very important and all work together or at least they should. Human populations and ways of living are impacting them beyond repair.
- Wetlands, streams and wildlife have to be very much protected. Without them our own species will die, too. It will be long, very slow, heartbreaking and unpleasant but we will die non-the-less, just as we "killed" the balance.
- Steep slopes protection is very important. I am a taxpayer and I do not want to be sued when someone is killed or injured because land was purchased, the county gave a building permit and the cliff behind the building slid and pushed it into Puget Sound.
- Steep slopes need to have the highest level of protection. Before people purchase property, and if it is a hazardous spot, the new owners should have to sign away any right to sue the county, No approval should be given to build on hazardous slopes.
- Wetlands, steep slopes and aquifers are all adequately regulated; public education should be expanded.
- Wetlands, steep slopes and aquifers are a fact of nature and are important but should be

protected by minimal regulation and public education.

WETLANDS, STEEP SLOPES AND AQUIFERS

What is the best way to preserve property rights while protecting this critical area?

Written Survey Responses

- Educate landowners regarding real value, not just apparent dollar value. Dollars have little worth if we pollute or use up resources.
- The functions and public values that wetlands provide need to be made very clear so that folks will understand their “rights” are saved by these rules. The county should create a better understanding by all of what problems losing these functions will create for them and their children.
- Make decision on a case-by-case basis.
- Residential uses should have vastly different rules than business and industrial uses.
- Maybe if there is a “green program of living” installed we could get tax breaks. The greener and more environmental a house, property, type or non-use of chemicals on private lands, the higher the tax break.
- The best ways are to have minimal regulations and public education.
- If a new definition restricts use of property, then compensate the owner- including back property tax collected for full use.
- Make sure that wetlands/water resources are not ignored in the planning process.

WETLANDS, STEEP SLOPES AND AQUIFERS

Other Issues

Written Survey Responses

- “Best Available Science” seems to include a great deal of non-scientific input.
- Make site-specific decisions. Not blanket laws.
- I think the county is doing a good job and I fully support on-going efforts.
- Do not let “wilder” areas be developed into mass housing. Keep a 2-acre per home standard. Leave apartments and/or mass housing to more urban areas, closer to areas already developed.
- CAO has unnecessarily restrictive regulations, which are not based on Kitsap County conditions.
- What about the issues of takings?
- The Best Available Science is neither ‘best’ nor ‘science’ but simply ‘available.’

STREAMS/FISH AND WILDLIFE

Recorder Notes – All Sessions

- Does the state have the authority to regulate species of local concern?
- How much does Kitsap County rely on State agencies for species information?
- The state’s knowledge of Kitsap streams is poor and is not always correct.

- How does BAS deal with incorrect, not updated mapping?
- Kitsap County should use the PUD maps because they are correct?
- Correct maps are very important?
- Has the county completed a survey to see how much land is coming under county jurisdiction? When can we get a firm date on this information becoming available?
- Does the GMA, county regulations extend to common species?
- Kitsap County should identify and protect common (non-listed) species.
- Is wildlife habitat protection added on to title?
- Property that is restricted in size and use should have the taxes be less.
- Start with small buffers an increase as needed.
- Does BAS show clearly that the existing CAO we have is not working?
- BAS seems more skewed towards wildlife and not human health.
- Are stream functions based on existing or on a historical basis? The needs of salmon and large woody debris should be compared to clear-cutting of many years ago. Are functions to be restored to historical settings or existing settings?
- Buffers are larger than they need to be. The mandate is to protect not restore.
- Who decides on and who monitors priority species, candidate species and species of local concern?
- There needs to be a check and balance for species of local concern.
- What kind of enforcement process is there to ensure that people do what they are supposed to do? Is there any follow-up?
- The county lost an opportunity for businesses in the business park proposed on Clear Creek. Could mitigation have been used in this case?
- Why are Type 5 streams that do not have water in them most of the year having their buffers increased?
- How does the new, larger buffers affect existing homes and outbuildings?
- It is debatable that small stream buffer fragments are not providing functions- fish are returning to the remaining patches in Clear Creek
- Wildlife cannot be forced into wildlife corridors
- A lot of development is going to happen and we are going to lose a lot of habitat.
- Make sure that current buffers are truly inadequate.
- Preserve and protect streams and fish and wildlife. Protect streams to help dwindling salmon runs and salmon size. If streams are polluted then our natural waters surrounding Kitsap peninsula would be polluted. Our outdoor recreation would suffer; fishing is a great draw from all over the Puget Sound area.
- Buffer flexibility is great but property owners still have to go through the process and pay fees. Too much of the burden is on landowner.
- Notice to title is confusing. Who is responsible and when does it occur? If one property has notice to title that critical area and buffer are on his land and adjacent property does not, that seems unfair.

STREAMS/FISH AND WILDLIFE

***Is this critical area important to you?
Should this critical area be protected; if so, how?***

Written Survey Responses

- Streams and fish and wildlife are very important and very much need to be protected. I am a landowner and want to do what is necessary but not have unnecessary regulations.
- Protect streams and fish and wildlife if needed and as needed.
- We should consider peoples' needs first.
- The proposed revisions are basically unnecessary.
- Protect fish and streams-especially for ESA listed species, not wildlife. County has recently purchased thousands of acres for wildlife parkland.
- More and more people will be requiring more water which if these areas are not protected we will all suffer.
- Clean water is critical to life. Buffers will help clean the water for all to have clean, safe water.
- These areas are important; we must be in harmony with our environment.
- Protection of these critical areas depends on human needs first.
- All critical areas are very important because all elements of our physical place are interconnected and because they all contribute to the special natural beauty of the Puget Sound region.
- All of the critical areas need to be protected by cooperation of all constituencies, by ordinances and laws and by monitoring by public and private agencies.

STREAMS/FISH AND WILDLIFE

What is the best way to preserve property rights while protecting this critical area?

Written Survey Responses

- When property use is restricted, only people with money can afford to own/buy it. This seems to be truly the goal of these restrictions.
- Most property owners enjoy viewing wildlife and are not going to endanger the visitor crossing their property.
- Purchase rights from affected property owners.
- Experimental smaller and larger buffer should be authorized and supervised.
- Give private property owners continued responsibility for managing their own property. Experiment and study methods for effectual private property management.
- Best way is public education.
- Limit multiple units on a single lot. Mandate that 22 to 25% of all lots must remain with natural vegetation. Require stricter monitoring of site excavation and corresponding areas including street drainage.
- Give tax allowances on an equal basis to all landowners. A lot of people appreciate the beauty of these areas and want to protect it.
- Give more consideration to the people who own property and pay taxes – they are also the ones who care most about the land.

- Property values will be preserved and enhanced by protecting critical areas. Property ownership includes awareness and adherence to “community” issues/concerns/values.

STREAMS/FISH AND WILDLIFE

Other issues

Written Survey Responses

- I fear this public meeting is window dressing and input from public is not really considered significant.
- No buffers for ‘common species’. Wildlife habitat should be considered irrelevant compared to sediment or chemical pollution, which only requires 20-30 foot buffer. We should not be involved in restoring anything.
- These are overly restrictive when not based on need to be. Give people a chance.
- Do not give in to pressures to give variances on these critical areas.
- The state wants an update, let’s be smart and give something that is favorable to the human being. Reduce the buffer. Do not increase it.
- I would like to encourage the DCD to gather input especially from environmental groups in hopes that natural top dollar assets of Kitsap County be preserved and possibly become a visitor asset to Kitsap County.
- Your choices and guidance to the future of Kitsap County have a lot to do with the preservation of Kitsap County’s natural beauty. We are close enough to Seattle and all the services and products it offers to benefit us without having too many Wal-Marts to hurt our preservation efforts.

BEST-AVAILABLE SCIENCE AND THE CRITICAL AREAS ORDINANCE REVISION PROCESS

Recorder Notes

- Kitsap County should conduct and depend on their own BAS studies.
- Discussion on the BAS technical review committee, participation and differing comments from the committee process.
- How was preponderance of data applied to both upper and lower ends of buffer widths?
- Was other BAS data looked at as long as it met the criteria?
- Why can’t we defer another seven years to conduct our own studies?
- Why would the most conservative buffers be required in the absence of countywide data?
- Has the state deemed Kitsap County CAO out of compliance as is?
- This code does not provide enough protection. Appeals cost too much.
- How do we know that what we have is not working?
- Are we going to adopt the new state wetlands rating system and proposed buffer widths?
- More public input should be used to determine what BAS Kitsap will rely on.
- The CAO revision process is not guided by clear goals.
- Does BAS support smaller buffers? How can the 5 foot increase to Category IV wetlands mean much?

- If GMA gives all jurisdictions same mandate, why are all CAOs different?
- How is the current CAO not working? What measures were used?