

Comments from the Joint Team on the Critical Areas Ordinance and the Monitoring and Adaptive Management Program Plan

The Joint Team represents ten Rural Area Organizations and three Urban Unincorporated Organizations throughout King County. Our organizations and their members have significant knowledge and history with past Critical Area regulations and their implementation.

As a followup to our extensive work on the 2024 KCCP Major Ten-Year Update, we have reviewed the "Best Available Science Review and Updates to the Critical Areas Protection Report," "SEPA Checklist," "Riparian Analysis Process and Parameters," "SEPA Determination of Non-Significance," and other relevant materials associated with the CAO Update (Update).

In general, the Update is very good and offers a greater level of protection to critical areas in the County. Best Available Science is clearly explained, along with how it informs the regulations and protections. If there is conflict with other Growth Management Goals, it is explained and noted. For example, buffers are smaller in urban areas to allow housing density, while increased vegetation in those buffers is recommended to improve the protection.

We applaud the extensive use of *non-regulatory measures* throughout. These include new and improved mapping, the Land Conservation Initiative, Public Benefit Rating System (PBRs), and the reduction from 10 ac to five ac for Rural Open Space eligibility, stormwater management, flood management planning, Farm and Forest Management Plans, restoration of damaged critical areas, and other proven strategies. All of these measures have multiple benefits, yet provide some flexibility, while still ensuring compliance.

We are especially pleased with the "*Critical Areas Monitoring and Adaptive Management Program Plan (Plan)*" as submitted to the Council on June 30th by the Executive. The Four Tasks outlined and the details of each are excellent. The *Plan* includes the number of staff, dollars needed, and other things to implement the CAO and do some reforms in the DLS Permitting Division. The timeline is slower than we would like but, it exists!

We urge you to adopt the proposed CAO. We strongly urge you to adopt the *Critical Areas Monitoring and Adaptive Management Plan*. We have long said that our biggest fear is adopting the CAO, but then failing at implementation—and we have good reason to fear based on a long history of permit non-compliance, lack of tracking and follow up, and failure to enforce when needed. The *Plan* puts forth a strong outline of the tasks needed, the staff needed, and the dollars to do the work, but the dollars and staffing levels need to be in the upcoming Budget. To ensure successful implementation this work also must include assistance to landowners to understand and then comply with the regulations.

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