

The following information is provided as a summary of policy direction and regulations as they relate to Hood Canal Summer Chum populations. This information is general and is not intended as a substitute for actual codes and regulations adopted under County Code (Go to Kitsap.gov.com for the entire copy of the County Code). Please refer to the references for specific information.

Critical Areas Ordinance

The Kitsap County **Critical Areas Ordinance (CAO)** regulates the use of land near **wetlands, streams, saltwater, lakes, aquifer recharge areas, flood-prone areas, and geologically hazardous areas**. This CAO fact sheet describes the County's protections for some of these environmentally critical areas.

Parcels with pre-CAO development existing inside currently designated buffers and setbacks may be repaired, remodeled and expanded by up to 120% of the existing development footprint so long as new construction does not encroach further on the regulated critical area or creates additional adverse impacts.

Streams

Buffers and Building Setbacks: A "buffer" of native vegetation is designed to protect critical areas from human activities. Clearing or grading is not allowed within a buffer. In addition, structures must be set back 15 feet from the edge of the buffer. The inner edge of the buffer is measured from the stream's bankfull width (ordinary high water). Existing structures within a buffer may be remodeled, reconstructed or replaced.

Stream Buffers are tailored to the stream type. Standard buffer requirements:

- Type 1 Stream (fish bearing)–100 feet
- Type 2 Stream (fish bearing)–100 feet
- Type 3 Stream (fish bearing)–100 feet
- Type 4 Stream (Year-round stream/no fish)–50 feet
- Type 5 Stream (Seasonal/no fish)–25 feet

Depending upon site-specific conditions, staff may have the authority to administratively decrease these buffers by up to 25%.

Stream Buffers for Threatened Salmon: "Class I Wildlife Conservation Areas" are habitats needed by fish and wildlife listed as *endangered*, *threatened*, or *sensitive* by the federal or state government. Streams with listed species have a default buffer of 200 feet. This default may be decreased based upon a site-specific Habitat Management Plan.

Class I Wildlife Conservation Areas for Hood Canal Summer Chum:

- Big Beef Creek
- Seabeck Creek
- Stavis Creek
- Anderson Creek
- Dewatto Creek (within Kitsap County)
- Tahuya River (within Kitsap County)
- Union River (within Kitsap County)

Wetlands

Wetland Buffers are tailored to the wetland type:

- Category I Wetland (highest value)–200 feet
- Category II Wetland–100 feet
- Category III Wetland–50 feet
- Category IV Wetland–25 feet

Wetlands contiguous with Class I Wildlife Conservation Areas are regulated as Category I.

Structures must be set back 15 feet from the edge of the buffer. Depending upon site-specific conditions, staff may have the authority to administratively allow buffer averaging or decrease these buffers by up to 25%.

Shorelines

Shoreline Buffers for Threatened Salmon: All saltwater shorelines are designated as "Class I Wildlife Conservation Areas" and have a default buffer of 35 feet (with an additional 15 foot building setback). This default may be decreased based upon a site-specific Habitat Management Plan, or increased on sites with steep slopes.

Shorelines without Threatened Salmon: Lakes larger than 20 acres that do not have listed species, have setback requirements based upon the Shoreline Master Plan designation. Most shorelines are designated as "Urban" (with a 25-foot setback), "Semi-rural" or "Rural" (each with a 35 foot setback).

Comments

CAO revisions are currently underway to evaluate the adequacy of critical areas regulations. A committee has been formed representing a balanced mix of interests to ensure that the Best Available Science is considered by DCD staff. Revisions should be complete by the end of 2004.

References

Kitsap County Code, Title 16, Critical Areas Ordinance
Kitsap County DCD Departmental Interpretation: Habitat Management Plans for Threatened Salmon Species.
Building Limitations Map

Comprehensive Plan (Amended December 8, 2003)

The comprehensive plan is intended to actively guide growth in Kitsap County and effectively respond to changes in conditions or assumptions. The Comprehensive plan amendment process is intended to provide individuals an opportunity to propose amendments to the County's Comprehensive Plan adopted pursuant to the Growth Management Act (GMA) and to Develop Regulations (if required) to maintain their consistency with the plan.

The Kitsap County commissioners approved the following 2003 Comprehensive Amendments on 12/08/03 as they relate to Hood Canal Summer Chum populations: (description follows)

- Interim Rural Forest (IRF) Lands now identified as RURAL WOODDED (RW) lands.
- South Kitsap Industrial Area (SKIA)

Rural Wooded Amendment (2003)

The major components of the amendment are as follows:

- The "Rural Wooded" designation will replace the formerly designated "Interim Rural Forest" (Approximately 50,000 acres county wide)
- The base density of lands will remain one dwelling unit per 20 acres.
- Prior to accepting any applications pursuant to this policy, the County shall adopt development regulations that specifically address the criteria and objectives including but not limited to how rural character will be preserved and urban growth in the rural area will be prevented.
- A variety of incentive-based land conservation programs will be developed, including Transfer of Development Rights program, tax incentives, coordinating and directing private, state and federal funding for land acquisition or conservation easement, and allowing clustering of residential development.
- A density of one dwelling per 5 acres is allowed if residential units are clustered, subject to specified criteria:
 - 50% of the site placed in "Wooded Reserve" where forestry would be permitted (pursuant to the State Forest Practices Act). The Wooded Reserve may not be developed or subdivided earlier than 40 years.
 - Remaining 50% may be developed provided: 25% of the total site area shall be placed in a permanent open space or 50% of the property set aside as "Wooded Reserve" is designated as permanently undevelopable, where forestry may be practiced.
- On the portion to be developed, clustered and innovative rural planning techniques are encouraged.
- No more than 25 units per cluster and no new urban services provided.
- No more than 1,000 contiguous acres may use this mechanism for a single project.
- The developed portions of those properties seeking to utilize this mechanism shall comply with all existing Kitsap County development regulations including but not limited to the Critical Areas Ordinance in order to protect environmental features.
- Rural Wooded parcels larger than 40 acres in size that adjoin shoreline may utilize a density of one dwelling per 2.5 acres if residential units are clustered and landowner commits to permanently continue forestry use on a portion of their land that included the shoreline.
- The County will monitor the effectiveness of all Rural Wooded incentive programs on an annual basis and a 'stop and assess' report will be implemented at a 10,000 acre or 5 year threshold (whichever comes first) where all applications will be halted until a report has been generated and submitted.
- The implementation ordinance will be completed no later than July 31, 2004

Comments

Refer to the attached map, which identifies these Rural Wooded Lands (formally Interim Forest Lands). From the map you can see that portions of the Rural Wooded designations are within the Big Beef, Seabeck, Stavis, Anderson, Dewatto and Tahuya Watersheds. It is possible that development could increase in these areas.

References

Errata sheet, - Kitsap County Comprehensive Plan (December 8, 2003)
Interim Forest Lands Map (attached)
Ordinance No. #311-2003

South Kitsap Industrial Area (SKIA) and Implementing Regulations:

The South Kitsap Industrial Area (SKIA) consists of an undeveloped multiple-parcel area north, south and east of the Bremerton National Airport. The sub-area boundary, will include approximately 2000 acres and will have two non-residential land use designations: Industrial and Business Center, both of which require Master Planning by sub-basin if not determined to be "ready for development" prior to final implementation. The SKIA Sub-area Plan and implementing regulations are available on the County website: Kitsap.gov.com.

Comments

Part of the SKIA falls within the upper Union River Watershed (See attached map). However, development within a Master Plan area shall comply with the substantive environmental standards identified in other regulations pertinent to the specific sub-area and KCC Title 19 (Critical Areas) in effect at the time a Master plan is prepared. The Union River supports Hood Canal summer chum, however according to the plan, low flows and natural obstructions prevent Union River salmonids from reaching the SKIA site.

References

Errata sheet, Kitsap County Comprehensive Plan (December 8, 2003)
Figure 8: Watershed Location Map
Ordinance No. #311-2003
SKIA Plan: Development Regulations

Stormwater Ordinance

A Site Development Activity Permit (SDAP) **ensures stormwater quantity and quality concerns** are addressed prior to site development. This is accomplished by:

- Requiring temporary erosion and sediment control plans for construction activities,
- Requiring drainage construction plans and other stormwater documents for development,
- Inspecting stormwater facilities during construction.

When is an SDAP required?

- When grading resulting in movement of 150 cubic yards or more of earth.
- When clearing land or grading any land that is:
 - on slopes steeper than 30% or

- within the mandatory buffer/setback of a wetland, stream, lake, or Puget Sound.

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- When connecting to a public storm drainage system.
- When clearing of greater than one acre occurs.
- When developing impervious surface greater than 5000 square feet.

What are impervious surfaces?

Typical impervious surfaces include driving surfaces and rooftops. Lawns are not considered impervious.

Comments

Kitsap County is required to comply DOE's revised stormwater manual. The County is currently exploring how to best achieve compliance with NPDES Phase II requirements.

References

Ordinance No. 199-1996 Stormwater Management Ordinance. Kitsap County Code Title 12.

Kitsap County Road Standards 2003

The Kitsap County Road Standards apply to all newly constructed or reconstructed public roads within a Kitsap County right-of-way or right-of-way to be dedicated to Kitsap County by any person, firm, corporation or other entity. All road plans submitted to the County for review and approval shall be consistent with the Standards and current or amended County standards and ordinances, including Land Use and Development Procedures, Stormwater Drainage and Critical Areas Ordinance.

Comments

The Kitsap County Public Works has adopted the ESA 4(d) compliant regional road maintenance guidelines. Kitsap County encourages the use of low impact development techniques, which conserve natural areas and minimize development impacts. The County Engineer will support deviations from adopted standards when low impact development techniques are employed without risk to the traveling public or critical infrastructure.

References

Kitsap County Road Standards, Kitsap County Department of Public Works. Adopted January 13, 2003. Kitsap County Code Title 11, Chapter 11.22.

Kitsap County Zoning Ordinance

The Zoning Ordinance classifies, designates, and regulates the development of land for agriculture, forest, mineral resource extraction, residential, commercial, industrial, and public land uses for the unincorporated area of Kitsap County. Further, it is the purpose of the ordinance codified in this title to provide for predictable, judicious, efficient, timely, and reasonable administration respecting due process set forth in this title and other applicable laws; and to protect and promote the public health, safety and general welfare.

Comments

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References

Kitsap County Zoning Ordinance, Kitsap County Code Title 17 Zoning.

Shoreline Management Master Program

Uses, developments, and activities regulated by the master program are also reviewed pursuant to the Kitsap County Comprehensive Plan, the Washington State Environmental Policy Act, the Kitsap County Zoning Code (Title 17 of this code), the Critical Areas Ordinance (Title 19 of this code), the View Blockage Resolution (Chapter [17.450](#) of this code), and various other provisions of federal, state, and county law. The applicant must comply with all applicable laws prior to commencing any use, development, or activity. This applies to the above-referenced codes as amended in the future.

In order to plan and manage shoreline resources effectively, a system of categorizing shoreline areas is required for use by local governments in the preparation of master programs. The system is designed to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. To accomplish this, a shoreline environment designation is given to specific areas based on the existing development pattern, the biophysical capabilities and limitations of the shoreline being considered for development and the goals and aspirations of local citizenry. Such information was compiled in a shoreline inventory and was utilized as the basis for the environmental designations. Critical areas located within shoreline jurisdiction shall be subject to regulation pursuant to the Kitsap County Critical Areas Ordinance (Title 19 of this code).

This master program classifies shorelines into five distinct environments (natural, conservancy, rural, semi-rural and urban and one sub-environment, conservancy-public lands) which provide the framework for implementing shoreline policies and regulatory measures.

The master program is designed to encourage, in each environment, uses which enhance the character of that environment. At the same time, local government may adopt reasonable standards and place restrictions on development so that such development does not disrupt or destroy the character of the environment.

The shoreline environmental designations are not intended to be land use designations. They do not imply development densities, nor are they intended to mirror the Comprehensive Plan designations. The system of categorizing shoreline environment designations is derived from WAC 173-26.

The basic intent of this system is to utilize performance standards which regulate activities in accordance with goals and objectives defined locally rather than to exclude any use from any one environment. Thus, the particular use or type of developments placed in each environment must be designed and located so that there are no effects detrimental to achieving the objectives of the shoreline environment designations and local development criteria.

This approach provides an "umbrella" environment class over local planning and zoning on the shorelines. Since every area is endowed with different resources, has different intensity of development and attaches different social values to these physical and economic characteristics, the environment designations should not be regarded as a substitute for local planning and land-use regulations.

Should a conflict occur between the provisions of this SMP or between this SMP and the laws, regulations, codes or rules promulgated by any other authority having jurisdiction within Kitsap County, the more restrictive requirements shall be applied, except when constrained by federal or state law, or where specifically provided otherwise in this SMP. (Res. [27-1999](#) Exh. A, Part I (§ 14), 1999)

Comments

Shoreline Buffers for Threatened Salmon: All saltwater shorelines are designated as "Class I Wildlife Conservation Areas" and have a default buffer of 35 feet (with an additional 15 foot building setback). This default may be decreased based upon a site-specific Habitat Management Plan, or increased on sites with steep slopes.

References

Shoreline Management Master Program, Kitsap County Code, Title 22

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INCENTIVE PROGRAMS:

Open Space Land – Kitsap County

Chapter 84.34 RCW provides **property tax relief** for properties that meet certain use requirements and will be kept in the open space program for a minimum of ten years.

Open space land means:

- (a) land zoned for open space or
- (b) any land area, the preservation of which in its present use would:
 1. conserve and enhance natural or scenic resources, or
 2. protect streams or water supply, or
 3. promote conservation of soils, wetlands, beaches or tidal marshes, or
 4. enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations or sanctuaries or other open space, or
 5. enhance recreation opportunities, or
 6. preserve historic sites, or
 7. preserve visual quality along highway, road, and street corridors or scenic vistas, or
 8. retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the legislative body granting the open space classification, or

(c) land that was previously classified as agricultural land that no longer meets the qualifications of said classification, or traditional farmland, not classified, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential of returning to commercial agricultural.

<http://www.kitsapgov.com/assr/os-gen.htm>

Agricultural Land - Kitsap County

Chapter 84.34 RCW provides **property tax relief** for properties that meet certain use requirements.

Farm and agricultural land means either:

- (a) land in any contiguous ownership of twenty or more acres (i) devoted primarily to the production of livestock or agricultural commodities for commercial purposes, (ii) enrolled in a federal conservation reserve program, or (iii) other similar activities as may be established by rule, or
- (b) land of five to twenty acres devoted primarily to agricultural uses with a gross income from such uses equivalent to two hundred dollars or more per acre per year for three of the five calendar years preceding the date of application, or

(c) land of less than five acres devoted primarily to agricultural uses which has produced a gross income of \$1500 or more per year for three of the five calendar years preceding the date of the application.

Agricultural lands shall also include farm wood lots less than 20 and more than 5 acres, land on which additions necessary to the production or sale of agricultural products exist, and land of one to five acres, which is not contiguous but which constitutes an integral part of farming operations as conducted on land qualifying as farm and agricultural land. <http://www.kitsapgov.com/assr/ag.htm>

Timber Land - Kitsap County

Chapter 84.34 RCW provides **property tax relief** for properties that meet certain use requirements.

Timber land means land in contiguous ownership of five or more acres which is devoted primarily to the growth and commercial harvest of forest crops. If there is a residence on the parcel, a minimum one-acre building site is excluded from classification and it must be at least six acres in total area to qualify for this program. Twenty-acre and larger parcels may qualify for the Designated Forest Land Classification (Chapter 84.33 RCW). <http://www.kitsapgov.com/assr/timber.htm>

Designated Forest Land - Kitsap County

Chapter 84.33 RCW provides that **land of twenty or more contiguous acres primarily devoted to and used for growing and harvesting timber may be assessed, for purposes of property tax collection, based on the current use of the land.** However, if there is a residence on the parcel, a minimum one-acre building site is excluded from the classification. Smaller parcels may be eligible for the Timber land classification. <http://www.kitsapgov.com/assr/dfl.htm>

Hood Canal Salmon Sanctuary – WDFW/Kitsap County

This \$7M effort has purchased 700 high quality acres of streamside habitat from willing sellers at market value in the Big Beef, Stavis, and Tahuya River watersheds. Funding comes primarily from state capital funds through the Washington Wildlife & Recreation Program.

CREP (Conservation Reserve Enhancement Program) - USDA NRCS

Federal-State conservation partnership program that targets significant environmental effects related to agriculture. **Uses financial incentives to encourage farmers and ranchers to enroll** in the Conservation Reserve Program (CRP) in contracts of 10 to 15 years in duration to remove land from agricultural production. www.fsa.usda.gov/dafp/cepd/crep.htm

CRP (Conservation Reserve Program) - USDA NRCS

The CRP is a voluntary program that offers **annual rental payments and cost-share assistance** to establish long-term resource-conserving covers on eligible land. Reduces soil erosion, protects the Nation's ability to produce food and fiber, reduces sedimentation in streams and lakes, improves water quality, establishes wildlife habitat, and enhances forest and wetland resources.

www.wa.nrcs.usda.gov/Cons_Assist/FarmBillPrgms.htm

EQIP (Environmental Quality Incentives Program) - USDA NRCS

Provides technical, educational, and financial assistance to eligible farmers and ranchers to address soil, water, and related natural resource concerns on their lands in an environmentally beneficial and cost-effective manner. www.wa.nrcs.usda.gov/Cons_Assist/FarmBillPrgms.htm

FIP (Forestry Incentives Program) - USDA

FIP **shares up to 65 percent of the costs** of tree planting, timber stand improvements, and related practices on non-industrial private forest lands. Eligible practices are tree planting, timber stand improvement, site preparation for natural regeneration, and other related activities.

www.nrcs.usda.gov/NRCSProg.html#Anchor-Forestry

WHIP (Wildlife Habitat Incentives Program) - USDA

Provides financial incentives to develop habitat for fish and wildlife on private lands.

Participants agree to implement a wildlife habitat development plan and USDA agrees to provide cost-share assistance for the initial implementation of wildlife habitat development practices.

www.wa.nrcs.usda.gov/Cons_Assist/FarmBillPrgms.htm

WRP (Wetlands Reserve Program) - USDA

A voluntary program to restore wetlands. Participating landowners can **establish conservation easements of either permanent or 30-year duration, or can enter into restoration cost-share agreements where no easement is involved.**

www.wa.nrcs.usda.gov/Cons_Assist/FarmBillPrgms.htm

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KITSAP COUNTY POLICIES & REGULATIONS

Planning Efforts

Kitsap County is involved with several planning efforts designed to improve natural resources.

Watershed

Planning:

Kitsap

Peninsula

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Since 1999 Kitsap County, along with dozens of other local governments and citizen stakeholders, has been at the forefront of a 6-year, \$600,000 effort to plan for the future of Kitsap's water resources. The goal of this effort is "to develop a practical plan to sustainably manage water resources for humans, fish and wildlife."

KITSAP COUNTY POLICIES & REGULATIONS

Watershed

Planning:

Chico

Kitsap County, in partnership with the US EPA and Puget Sound Water Quality Action Team, is leading a citizen-based planning effort to determine how various “alternative futures” would impact the natural resources of the area. Upon completion of the citizen's work, the County will move into a sub-area planning process to update the Comprehensive Plan based upon the citizen's preferred alternative.

Habitat Restoration Efforts

Culvert Replacement: Undersized culverts block fish from reaching spawning and rearing habitat. Since the mid-1980's—long before state and federal funding was widely available—Kitsap County's Public Works Department has worked cooperatively with WA Dept of Fish & Wildlife (WDFW) to identify, prioritize, and replace County-owned problem culverts. This effort has improved access to over 195,000 square meters of habitat—that's about 75 miles of habitat (assuming streams average five feet in width)!

In the past fifteen years, the County's efforts have corrected 36 blockages—with five more projects in the pipeline. WDFW has said this effort is a statewide model of how local jurisdictions can improve fish passage.

Related to summer chum habitat:

Stream	Road	Sq m Gained
Big Beef	Holly	27,293
Seabeck	Seabeck-Holly	1,255
Seabeck(design)	Seabeck-Holly	?
Stavis	Holly	?

KITSAP COUNTY POLICIES & REGULATIONS

County-facilitated efforts: In 1999 the state and federal governments began funding salmon restoration projects. Kitsap County has aggressively identified, prioritized and sought these funds to accomplish public and private restoration and preservation projects throughout the County. The table on the following page highlights several of these projects, including projects within Hood Canal summer chum habitat.

Funding Round	Amount Awarded	Local Match	Examples of Projects Accomplished
1999	406,250	82,781	UW Big Beef Spawning Channel (Kitsap Co/UW/ Hood Canal Salmon Enhancement Group)
Early 2000	560,950	208,500	Gorst Restoration (Bremerton), Gamble Restoration (Kitsap Conservation District)
IRT (2000)	120,109	6,922	Johnson Creek culvert (Kitsap Co), UW Big Beef (HCSEG)
Late 2000	3,083,050	765,150	Stavis Acquisition (Kitsap Co), Dogfish Estuary Bridge (Poulsbo), Nearshore Assessment (Bainbridge Island)
2001	3,154,000	1,854,393	Barker Acquisition (Kitsap Co), Gluds Pond @ Steele Cr (Kitsap Co)
Total	7,324,359	2,917,746	

Table 2: Projects facilitated by Kitsap County since 1999

Stavis Creek Fish Passage Improvements

This project was identified by the WDFW as the county's eleventh highest priority fish passage barrier needing correction. N.L. Olson and Associates completed project design and all necessary permits have been obtained. SSWM staff will be submitting this project to the Salmon Recovery Funding Board (SRFB) during the 5th Round. This project will likely not be constructed in the foreseeable future unless external funding for construction becomes available.

Public Outreach and Education Efforts

Outreach and Education staff participated in several joint projects/events with other agencies including the 2003 Kitsap Water Festival and Salmon Tours in Central Kitsap. Staff also supported SSWM Managers by assisting in the development of several Power Point presentations for various audiences. The SSWM staff continued to operate the "Sound Car Wash" program. This program assists groups holding charity fundraiser car washes in finding ways to keep wash water from being discharged to storm drains.