The update of the critical area regulations addresses areas subject to flooding, areas with geologic hazards, wetlands, and certain types of fish and wildlife habitat including marine shorelines, lakes, natural ponds, streams, and habitats associated with particular plants and animals. The San Juan County Code (SJCC) contains the following sections that regulate five types of critical areas:

1) General critical area regulations (SJCC 18.30.110)
2) Geologically hazardous areas (SJCC 18.30.120)
3) Frequently flooded areas (SJCC 18.30.130)
4) Critical aquifer recharge areas (SJCC 18.30.140 - not revised in this update)
5) Wetlands (SJCC 18.30.150)
6) Fish and Wildlife Habitat Conservation Areas. (SJCC 18.30.160)

How do the regulations protect critical areas? Overlay districts are adopted to protect the functions and values of critical areas in conformance with the requirements of the Washington Growth Management Act. The regulations for the overlays address land use, development and vegetation removal in critical areas and areas adjacent to critical areas.

What is the effective date of the updated critical area regulations? The effective date of the new critical area regulations is March 31, 2014.

What does the update mean for project applicants and persons proposing development and new land uses? As planned, complete permit applications received prior to March 31, 2014 will be processed under the current regulations. Permit applications submitted on, or after March 31, 2014, and new land uses, development and vegetation removal will be subject to the new critical area regulations.

What are the major differences between the existing regulations and the regulations updated or proposed to be amended to comply with the Growth Management Act?

- Many endangered, threatened and sensitive plants and animals and habitats of local importance are protected under the new regulations. Previously, the Bald Eagle was the only animal receiving special protection.
- Proposed wetland habitat buffers are larger. They are based on the land use intensity and updated State Wetland Rating System (see the February 4th public hearing draft ordinance).
• New buffers are required along streams.
• New requirements for shoreline modifications (docks, bulkheads, etc.) supplement the existing shoreline regulations.

What technical assistance is available? You may contact Community Development & Planning at (360) 370-2354 to request general information or to arrange a pre-application meeting and site inspection. Residential pre-application forms may be downloaded here San Juan County - Community Development and Planning Department under the land use information section. Please plan ahead. Appointments are conducted on a time-available basis. At the meeting, you will have an opportunity to discuss your proposed plans, review available critical area maps and examine unique site or project characteristics to determine if and how County regulations may apply to your project. This will help you consider the effect of applicable regulations on your project design and development options.

What resources are available to help me understand the regulations? Critical area maps, photos of protected plants, adopted and proposed critical area regulations and other guidance materials are available here San Juan County -- Community Development and Planning Department.

Where can I find maps of frequently flooded areas? Areas subject to flooding are shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps which are available here FEMA Map Service Center - FEMA Issued Flood Maps.

May my existing legally established structures, uses, and activities continue if they do not comply with the new regulations effective March 1, 2014? Yes, they may continue in perpetuity and will not be considered nonconforming as a result of critical area requirements. However, if they are located within shorelines of the state, the nonconforming regulations in SJCC 18.30.110(B) apply.

Where are Fish and Wildlife Habitat Conservation Areas described? They are described in SJCC 18.30.160.