

**Jefferson County
Critical Areas Regulatory Reform
Task Force**

**Charter and Groundrules
July 2019**

BACKGROUND AND PURPOSE

Jefferson County plans under the Washington State Growth Management Act (GMA). The GMA requires participating counties and cities to adopt a Comprehensive Plan and to designate and protect critical areas. The GMA further requires periodic update of Comprehensive Plans and the implementing regulations of the Plan, including critical areas regulations. Jefferson County Department of Community Development (DCD) is in the process of completing the periodic updates of its Critical Areas Ordinance (CAO). The GMA requires robust public participation as part of CAO development.

The CAO regulations address development and uses within and adjacent to critical area lands. Critical areas are:

- wetlands,
- fish and wildlife habitat conservation areas,
- geologically hazardous areas,
- frequently flooded areas and
- critical aquifer recharge areas.

These regulations affect land uses, new development and modifications within the critical areas and their buffers. An additional section of the CAO deals with administration and applicability of the CAO regulations.

On March 25, 2019, the Jefferson County Board of Commissioners (BoCC) adopted Resolution No. 17-19 A Joint Resolution of the Board of County Commissioners and the Jefferson County Board of Health Establishing a Regulatory Reform Program for Jefferson County. That Resolution directs DCD to protect Jefferson County's environment and public health while streamlining and simplifying the structure of the County Code, including its CAO.

As part of meeting this directive, the BoCC has assembled a regulatory reform citizen task force to assist the County in completing the CAO update. Earlier this year DCD staff drafted revisions to the CAO and briefed the Jefferson County Planning Commission on most of those proposed revisions. DCD and the Planning Commission jointly decided that more work on CAO revisions was advisable. The Planning Commission made special note of the

need for further work critical area protections in agricultural areas.

The CAO Regulatory Reform Task Force is comprised of seven private individuals who broadly represent Jefferson County stakeholders involved in or affected by local regulations, including the CAO. These members represent land use planning and development, environmental protection and salmon recovery interests, agriculture and resource conservation, real estate and building trades and each Commissioner district. Additionally, a representative of Jefferson County Department of Community Development (DCD) will participate in Task Force discussions, and the DCD Director will be present as a resource to the group.

MEMBERSHIP

Appointed to the task force are:

Jean Ball, District 3 citizen

John Bellow, Spring Rain Farms

Al Cairns, Jefferson County Conservation District

Kevin Coker, Certified Professional Building Designer and Jefferson Co. Planning Commission member

Craig Durgan, Business Owner

Robin Fitch, District 2 citizen

Donna Frosthalm, Jefferson County DCD staff

Steve Mader, Environmental Scientist/Consultant

Teresa Michelson, District 1 citizen

TASK FORCE ROLE AND OPERATING STRUCTURE

The Task Force will review the CAOs of other GMA-compliant counties, and compare and contrast those development standards to see if, through the lens of regulatory reform, Jefferson County's CAO can be made easier to read, understand and implement.

The Task Force is not a decision-making body, but a group assembled to review, discuss, and make recommendations on updating the Jefferson County CAO. The Task Force's recommendations will be presented to the Department of Community Development and Jefferson County Planning Commission for ultimate consideration by the BoCC.

Jefferson County DCD has assembled the scientific data needed to inform the policies related to key CAO issues within its record of Best Available Science (BAS) collected in support of this CAO update. No new or additional BAS data is required. The primary focus of the CAO Regulatory Reform Task Force is to compare and contrast development standards and protection requirements in other selected, GMA-compliant counties. The task force will use this data, along with staff and task force expertise and experience and with professional

assistance from BERK and Associates in their continuing role to help Jefferson County complete its Comprehensive Plan and implementing regulations.

Task Force members will specifically review and discuss each of the CAO sections in relation to the relevant part of other GMA-compliant counties as identified by BERK and Associates:

- Is the comparison CAO standards worth consideration by Jefferson County? Why or why not?
- Do these comparison standards meet the CAO requirements?
- Should the Jefferson County standard be replaced by one of the comparison CAO sections, or are other edits or refinements needed?
- What is the Task Force recommendation related to this standard?

The Task Force will work in a relatively informal fashion. The objective of each meeting will be comprehensive discussion of the issues at hand. The group may or may not reach consensus on all issues. More importantly, the thoughts and opinions of the task force members will be shared and noted.

Where consensus appears to be emerging around a particular issue or recommendation, every effort will be made to bring the group to full agreement. When consensus is elusive, and when there are strong divergent opinions, each of those perspectives will be documented.

The group will not formally vote on issues or recommendations, nor will Roberts Rules of Order be followed. "Process checks" will be used to assess satisfaction with the learning and sharing process, and to judge the relative level of consensus as the group moves through the issues and forms its recommendations.

If a member is unable to attend a meeting, that member will be expected to study the material slated for discussion and submit his/her input to the facilitator prior to the meeting.

To assure a smooth flow of the deliberations, conclusions of the prior meeting will be affirmed at the subsequent meeting before discussion moves to the next CAO regulatory area.

A quorum – or at least half – of the Task Force members must be present for the task force to craft a statement of consensus or majority/minority opinion.

Task Force meetings have been scheduled so that each CAO topic (e.g. wetlands, aquifer recharge areas, etc.) can be addressed by the task force at two separate meetings.

Meetings

The Task Force will meet one or two times per month from August 2019 to late fall 2019.

Meeting agendas will be created in collaboration between DCD staff, BERK and Associates and the meeting facilitator. The facilitator will provide task force members with an action-only meeting record following each meeting.

Groundrules

In order for the task force to work as successfully as possible, members will honor these groundrules:

1. Focus on broad interests, not individual positions.
2. Use the group's time productively.
3. Engage constructively – vigorous, respectful exchange that encourages all points of view, open communication and good solutions.
4. Watch your air time – make sure everyone has the chance to participate.
5. Focus on preferred end states, opportunities for mutual gain, and equitable outcomes.
6. Represent well the interests and welfare of your community or organization.
7. Seek out what you and the group can and agree to, live with, or modify to achieve agreement, while recognizing that majority and minority opinions may be the best result on some topics.
8. Strive, at every meeting, to conduct your business in a way that will improve your ability to work together in the future.
9. Absolutely turn off cell phone ringers and laptop computers before and during our meeting time together.
10. Show courtesy to your fellow task force members. Give them your full attention. Seek first to understand and then to be understood.
11. Keep your associates and constituency groups up to date on the progress of the task force. It is your responsibility to both share information and represent your constituency's views at the meetings.
12. Work will be required between meetings to maintain momentum. Members must check email, review draft documents, and provide their edits/comments on task force recommendations between meetings. This work will be conducted electronically through email and shared documents.
13. The task force will work together to decide how to interact with the media.

ROLE OF THE FACILITATOR

Linda Herzog will serve as the group's facilitator. It is Linda's responsibility to ensure that the Task Force process is as successful as possible. To that end, here is Linda's pledge to the CAO Task Force:

1. We will begin and end every meeting on time unless members assent to extend no more than 10 minutes beyond the scheduled ending time.
2. I will make certain that everyone has the chance to participate, and that no single interest dominates the discussion.
3. I will be focused on the objectives for each meeting, and will strive to help you achieve them in a relatively friendly but assertive way.
4. I will ask members to keep the discussion as simple as possible, striving hard to assure everyone is understanding the points being made and to avoid the discussion getting bogged down.
5. I will do everything I can to help you succeed as a group, providing meeting action summaries, reminders, working drafts, and other group-supportive communications between meetings.
6. I am responsible for the process of our discussion and will always be neutral in terms of its content.

ROLE OF THE DCD AND BERK

The DCD and Berk and Associates will provide technical and logistics support to the Task Force. This includes the creation and dissemination of background material and using final recommendations from the Task Force to create draft policies and other products.

DCD will participate in Task Force discussions to the extent that Department staff are able to provide information relevant to the discussion, or answer questions about the subject matter at hand. BERK and Associates may be called upon for technical assistance between meetings or if necessary by SKYPE during task force discussions.

DCD will respond to all Task Force recommendations, providing its rationale for accepting, not accepting, and/or suggesting modifications to those recommendations.

DCD will serve as the liaison between the Task Force and other entities providing input on the CAO update, including agencies, governments and other County departments.

PUBLIC COMMENT AT MEETINGS

Task Force meetings will be open to the public. Observers are welcome at Task Force meetings, but will not be seated at the table nor offered opportunity to address the group during its meetings. Comments about the task force's processes and conclusions can be expressed at public meetings of the BoCC and the Planning Commission at appropriate times. Citizens who wish to insert their issues and views into task force deliberations are free to contact a task force member(s) outside of meeting times.