



THE CRITICAL AREAS ORDINANCE PACKAGE as applied to AGRICULTURAL PRACTICES IN UNINCORPORATED KING COUNTY

The regulations described in this fact sheet are effective as of January 1, 2005.

BACKGROUND

King County recognizes the importance of sustaining viable agriculture. The Critical Areas Ordinance package allows existing agriculture to continue with only minor regulatory changes. The package also features flexible regulatory approaches that are based on sound agricultural practices.

EXISTING AGRICULTURAL OPERATIONS

Existing agricultural activities, including horticulture and livestock management, are able to continue with only a few exceptions:

- Farmers who wish to maintain their agricultural ditches must have an approved Farm Management Plan that covers this activity. A King County clearing and grading permit is not required for agricultural ditch maintenance under these circumstances, however a permit from the Washington State Department of Fish and Wildlife may be required.
- Livestock owners must meet specific fencing setback requirements: fencing setbacks are 50 feet without a Farm Plan and 25 feet with an approved Farm Plan.
- With the exception of agricultural ditch maintenance, farm management plans are not required for agricultural operations in place prior to January 1, 2005 that do not expand their operations. Farmers are encouraged, however, to develop plans on a voluntary basis.

NEW OR EXPANDED AGRICULTURAL OPERATIONS

In previously cleared areas: New or expanded agriculture is allowed in previously cleared areas. Outside of critical areas and critical area buffers, this is allowed without any special requirements. In wetland and aquatic area buffers, the new or expanded agriculture is allowed with a farm management plan. The farm management plan would include performance standards and best management practices and serve as the regulatory standard.

With some restrictions, farmers may place new farm buildings and field access drives in grazed or tilled wet meadows and in critical area buffers. New residential buildings can not be placed in critical area buffers, however they can be placed in grazed wet meadows if no other alternative is available.

In forested areas: Outside of critical areas and critical area buffers, farmers can expand or start new agricultural activities in forested areas under a farm management plan. In forested wetland and aquatic area buffers, new agricultural activities are not allowed.

LIVESTOCK MANAGEMENT

King County's Livestock Management Ordinance, which has been in effect since the mid-1990s, includes requirements for the density of animals allowed and manure management, among other provisions. In some cases, livestock operations covered by a farm management plan are allowed more flexibility than operations not covered by a plan. Some of the key features of the Livestock Management Ordinance are:

- Livestock may generally only be kept on properties larger than 20,000 square feet.
- The number of livestock allowed depends on the size of the parcel, the type of livestock, and the type of facilities on the property.
- A property with livestock densities of less than one large animal (cow or horse) per two acres are not required to have a livestock management plan, but are required to comply with livestock management standards, including requirements limiting access of animals to streams and wetlands, fencing, and manure management.
- Manure management rules are as follows:
 - Maintain a minimum 100 ft. Setback for manure piles uphill from a stream;
 - Direct surface water away from manure storage areas;
 - Cover manure storage facilities and/or provide containment of runoff from manure storage facilities;
 - Cover or maintain manure stock-piled during the winter months and within 200 feet uphill of any Type S of F aquatic area or Category I, II, or III wetland; and
 - Manure may only be spread during the growing season and never when the ground is saturated or frozen.
- A property with Type S of F aquatic areas or Category I, II, or III wetlands with livestock densities of greater than one large animal per two acres must provide a buffer.
- If the landowner consents to having a Farm Management Plan designed and best management practices implemented on their property a 25 foot buffer is generally required. With a Farm Management Plan, livestock densities may increase to a maximum of six animals per acre.
- If a livestock owner chooses not to have a Farm Management Plan, they must adhere to Livestock Management Ordinance standards, which include a 50 foot buffer. If LMO management standards are met up to three animals per acre are allowed.
- Farm Management Plans, including Best Management Practices, are currently prepared by the King Conservation District at no expense to the landowner. Best Management Practices generally include building stream or wetland buffers, manure management practices, water runoff management, pasture management, and riparian revegetation.
- Cost-sharing funds are available to the livestock owners by the county and other organizations to make these improvements.
- Commercial dairies must be in compliance with the Washington State Dairy Nutrient Management Act, and must also comply with the same fencing standards as other livestock operations.

AGRICULTURAL DITCH MAINTENANCE

Farmers who prepare an approved Farm Management Plan are able to maintain their agricultural ditches without a King County clearing and grading permit. The Farm Management Plan would include appropriate best management practices and mitigation. A permit from the Washington State Department of Fish and Wildlife may still be required. King County is working with the state to ensure that ditch maintenance requirements are consistent in both agencies.

DEVELOPING A FARM MANAGEMENT PLAN

A Farm Management Plan is one of several options available to landowners to achieve the goals of the Critical Areas Ordinance. Interested farmers/property owners should contact the King Conservation District at:

King Conservation District (KCD)
935 Powell Ave SW
Renton, WA 98055
Phone (425-277-5581)

The District develops and approves a Farm Management Plan according to best management practices. The process is designed and conducted to simultaneously address the needs of the agricultural operation and the needs for resource protection on a specific site.

In the event that the KCD is unable or unwilling to provide services to landowners, the landowner may obtain an alternate agricultural plan from:

Department of Natural Resources and Parks
Water and Land Resources Division
201 S Jackson, Suite 600
Seattle, WA. 98104

Staff contact: Eric Nelson 206-296-1469, or Eric-k.nelson@metrokc.gov.

For more information, telephone 206-205-3888 or visit <http://www.metrokc.gov/ddes/cao>

Alternative formats available upon request by calling 206-296-6519