

# Critical Areas Updates

Passport to 2044: Comprehensive Plan  
Update Workshop Series

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Washington State  
Department of  
**Commerce**

# CAO - Periodic Update Requirement

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## RCW 36.70A.130 (1)

(a)... a county or city shall take legislative action to review and, if needed, revise its comprehensive land use plan and development regulations.

(c) The review and evaluation required by this subsection shall include, but is not limited to, consideration of critical area ordinances...

# Eligibility for Grants and Loans

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## RCW 36.70A.130 (7)

(b) A county or city that is fewer than twelve months out of compliance with the schedules in this section for development regulations that protect critical areas is making substantial progress towards compliance. Only those counties and cities in compliance with the schedules in this section may receive preference for grants or loans subject to the provisions of RCW 43.17.250.

# Recommended Update Process

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- Do not wait to get started!!
- Conduct Best Available Science (BAS) Review
- Use Commerce critical areas checklist
- Use other agency checklists
- Reach out to state agency staff early in process

# Commerce Resources

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- [Contact Regional GMS Planner](#)
- [Critical Areas Handbook](#)
  - Updated Chapter 7: Monitoring and Adaptive Management
- [Critical Areas Checklist](#)
- [Commerce Periodic Update Webpage](#)
- [Commerce Critical Areas Webpage](#)

# WAC Update

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- Early 2023 adoption
- Emphasize avoidance as the best way to protect critical areas
- Must conduct BAS review
- Permit monitoring and adaptive management encouraged
- ALL critical area functions must be protected

# Recent CAO Appeals

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- [Ian Munce and Evergreen Islands v. City of Anacortes](#)
  - GMA Hearings Board found City not in compliance
- [Yakama Nation vs. Kittitas County](#)
  - GMA Hearings Board found County in compliance

# Thank you



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