

ORDINANCE NUMBER 86-05

INTERIM ORDINANCE EXTENDING ORDINANCE NUMBER 24-05 AMENDING THE MASON COUNTY FLOOD DAMAGE PREVENTION ORDINANCE, CHAPTER 14.22, MASON COUNTY CODE.

WHEREAS, the Board finds that the Flood Damage Prevention Ordinance regulates development within the flood plain and Section 14.22.180 specifically regulates development within the Skokomish River Valley;

WHEREAS, the Board finds that critical environmental water quality conditions have been identified within the River, resulting in the adoption by the state Department of Ecology of the *Skokomish River Detailed Implementation Plan for Fecal Coliform Bacteria* that specifically recommended as one means to address the issue the farmers "Store manure in a manner that protects it from being carried into streams by rain water or flood events." (Page 4);

WHEREAS, the Board finds that the Skokomish River flows into the Hood Canal, which is at significant risk from and has had repeated events of low levels of dissolved oxygen that have caused a recurrent "dead zone" for many years;

WHEREAS, the Board finds that contributions to the dissolved oxygen problem are likely to include nitrogen from agricultural and other sources as documented in the May 2004 *Preliminary Assessment and Corrective Action Plan* published by the state Puget Sound action team and Hood Canal coordinating council;

WHEREAS, the Board finds that important opportunities to address these concerns and other water quality concerns may be lost as early as April 1, 2005, if the county fails to act immediately to remove regulatory constraints in the existing county ordinance and allow facilities to be build to contain and control livestock manure and other nitrogen contributing waste as requested by Rich Geiger of the Mason Conservation District in his letter dated February 7, 2005;

WHEREAS, the Board finds that Rich Geiger in his letter of February 7, 2005 identified that the Mason Conservation District "is currently working with several agricultural landowners in the Skokomish to encourage them to employ best management practices developed by the USDA Natural Resource Conservation Service (NRCS). By employing these practices, these landowners will protect water quality critical to correcting ongoing problems with shellfish habitat, endangered salmon habitat, and low dissolved oxygen in the Hood Canal.";

WHEREAS, the Board finds that the prohibition on any new or expanded structures in the Skokomish River flood plain prevent landowners from applying these best management practices and also from using Mason Conservation District, state, and Federal assistance

Skokomish River flood plain prevent landowners from applying these best management practices and also from using Mason Conservation District, state, and Federal assistance in addressing these water quality issues;

WHEREAS, the Board held a public hearing on March 22, 2005, to consider amendments to the flood damage protection ordinance to address these concerns;

WHEREAS, the Board received a letter from the Mason Conservation District dated September 12, 2005, requesting at least a 30-day extension to ensure that there is adequate time to complete the application process for a water quality protection project currently being prepared;

WHEREAS, Ordinance 25-05 is scheduled to expire on September 16, 2005, if the Board takes no action;

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF MASON COUNTY DO HEREBY ORDAIN as follows:

SECTION 1.

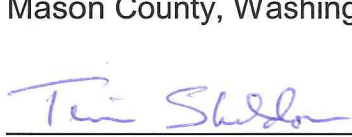
That the effectiveness of Interim Ordinance 24-05 amending the Mason County Flood Damage Prevention Ordinance to allow for the construction of structures in the Skokomish Valley flood plain that are intended to protect or enhance water quality by the management of farm waste, is hereby extended until October 13, 2005.

SECTION 2.

The Board will hold a public hearing on this interim ordinance to consider additional comments and changes to its provisions on Tuesday, October 11, 2005, at 9:30 A.M.

DATED this 13th day of September, 2005.

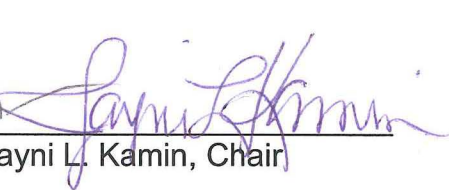
Board of Commissioners
Mason County, Washington



Tim Sheldon



Lynda Ring Erickson



Jayni L. Kamin, Chair

ATTEST:



Rebecca Rogers
Clerk of the Board

APPROVED AS TO FORM



Prosecuting Attorney