



# Conservation Program on Agricultural Lands (CPAL)

## Frequently Asked Questions

### **Q1: What is the Critical Areas Ordinance?**

A1: The Critical Areas Ordinance (CAO) is a set of regulations adopted and implemented by the County to comply with Washington's Growth Management Act. The CAO allows for productive use of land and property while protecting critical areas such as wetlands and streams.

### **Q2: What is the "CPAL" Program?**

A2: The Conservation Program on Agricultural Lands (CPAL) is a program within the CAO. It provides flexibility from the standard regulations for ongoing agriculture—activities associated with the production of crops and livestock (including hobby farms).

CPAL allows for agricultural use of the critical areas, when the protection of water quality through best management practices can be demonstrated.

Without participation in CPAL, the more stringent critical areas protection applied to development is also applied to ongoing agricultural uses.



### **Q3: How do I participate in CPAL?**

A3: Participation in CPAL requires the submittal and approval of a "farm plan" to Whatcom County Planning and Development Services.

### **Q4. What is a farm plan?**

A4: A farm plan is a site map, a checklist of current management practices, and a list of best management practices that will be implemented to help protect water quality. There is a handbook available to help you prepare the farm plan — contact the Conservation District for a copy at 360-526-2381.

### **Q5: Should I have a farm plan?**

A5: If you would like to use critical areas (wetlands, streams, critical recharge areas) or their buffers on your property for ongoing agriculture activities, you need to have an approved farm plan on file at the County.

### **Q6: What if I choose to not have a farm plan?**

A6: If you decide to not create and implement a farm plan, you may not impact water bodies, wetlands, critical aquifer recharge areas, or their buffers. Animals would be restricted from these areas.

### **Q7: Does CPAL apply to ALL agricultural uses?**

A7: Activities that are considered to have minimal impacts, such as haying, do not need a farm plan. Dairies are regulated by state agencies and therefore do not require an additional County farm plan. However, proof of a nutrient management plan is needed.

**Q8: Which farm operations may need a farm plan?**

A8: Farm operations that involve animal husbandry may benefit from having a farm plan. Someone who raises a few chickens likely would be exempt because the impacts to water quality from pasturing and manure are minimal. But a person with one horse or cow may need a farm plan, if critical areas are used, because the potential for manure contamination of water or degradation of a wetland due to pasturing is much greater with large animals.



**Q9: What if I have a ditch on my property?**

A9: If the ditch provides fish habitat or conveys natural waters, then it is considered a critical area and has a regulated buffer. All ditches (even those that are not considered critical areas) can still transport pollutants, so you must make sure your agricultural activities do not negatively impact regulated waterways downstream. Contact the County to request a determination about the status of your ditch.

**Q10: How do I find out if I have critical areas or should have a farm plan?**

A10: You can contact Whatcom County Planning and Development Services at 360-778-5900 to request a free assessment or for more information.

**Q11: How much does it cost to have a farm plan?**

A11: The County has contracted with the Conservation District to provide **free** technical assistance with writing farm plans. Additionally, Whatcom County Planning and Development Services may write farms plans for free. There is no review fee for farm plans.

**Q12: What happens after a farm plan is submitted?**

A12: It is important not just to have an approved farm plan, but to carry it out. In order to meet water quality goals and the requirements of the CAO, the County will periodically check to see that farm plans are being implemented and are effective. Inspections can be completed by landowners through submittal of a self-report with photos that show the farm plan actions are being carried out.

**Q13: Does the submittal of a farm plan mean that the county will be able to access my property whenever they want?**

A13: No, the county must provide reasonable notice and will ask permission before entering private property for farm plan review. A farm plan does, however, require the continued cooperation of the land owner so that the effectiveness of the best management practices can be verified.

**Q14: What if my practices change, or I add an animal?**

A14: When a change to an ongoing agricultural use occurs, the farm plan needs to be updated to reflect the current situation and practices. If the intensity of the farm activities increases significantly, a different type of farm plan may be required.

For more information contact Whatcom County Planning and Development Services

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