

Existing Regulation(s)	Proposed Amendment & Description
<p>The applicant is required to show critical areas on the development proposal site and off-site within the distance equal to the largest potential required buffer (50 to 150 feet for streams, 50 to 215 for wetlands, 50 feet for landslide hazard areas).</p>	<p>Critical areas studies must include the area off-site a specified distance of 215-feet beyond the project area boundary.</p>
<p>Desired Result of Amendment: The proposed amendment would add consistency to the existing regulation, requiring a standard 215 distance for evaluation of off-site critical areas.</p>	

Amendment Source:

Best Available Science Report “Wetlands” by AMEC Environment & Infrastructure, Inc.

Best Available Science Support: Supported

Best Available Science Report “Wetlands” by AMEC Environment & Infrastructure, Inc.

Affected Code Section(s) (includes duplicative and overlapping sections):

- 21A.50.100(1) Disclosure by applicant

Notes:

Ratings are either: large positive (P), small positive (p), neutral, large negative (N), small negative (n)			
Environmental	Neutral	Implementation	Neutral
<ul style="list-style-type: none"> • Neutral effect related to on-site protection of the ECA functions and values (F&V) • Neutral protection of public assets and resources (e.g. streets, water quality) • Neutral cumulative impacts to the ECA F&V • Neutral effect on restoration of damaged ECA • Neutral chance of damage to ECA F&V • Neutral effect on protection of high quality, unique ECA features • Neutral effect on net loss of ECA F&V <p>There would be a neutral effect on critical area protection as a result of this amendment. An applicant is currently required to identify off site critical areas within the greatest potential buffer area.</p>		<ul style="list-style-type: none"> • Clearer regulations, lesser chance for unintended consequences • Neutral effect on consistent, efficient implementation by the staff • Neutral effect on increased likelihood of support/approval by other agencies • Neutral effect on effective mitigation and monitoring <p>Providing a set distance for an applicant to examine for off-site critical areas provides for a clearer, more standard regulation. There would be no effect on likelihood of approval by other agencies because current regulations require examination of a distance equal to the largest potential buffer, and there would be no effect on mitigation or monitoring.</p>	
Property	n	Overall Effect	
<ul style="list-style-type: none"> • Neutral effect on flexibility and options for property owner's use of property • Increased predictability for permit applicants, no effect on predictability for neighbors • Neutral effect on recognition of site improvements and existing uses in standards • Increase in expense <p>There would be no effect on property owner's use of property since the end result related to buffer size and protection of the critical area would be the same. There would be a slightly increased predictability with a standard and increased distance specified for the critical areas study, which would also increase the cost.</p>		Negative	

Existing Regulation(s)	Proposed Amendment & Description
<p>The applicant is required to show critical areas on the development proposal site and off-site within the distance equal to the largest potential required buffer (50 to 150 feet for streams, 50 to 215 for wetlands, 50 feet for landslide hazard areas).</p>	<p>Critical areas studies must include the area off-site a specified distance of 215-feet beyond the project area boundary.</p>
<p>Desired Result of Amendment: The proposed amendment would add consistency to the existing regulation, requiring a standard 215 distance for evaluation of off-site critical areas.</p>	

Amendment Source:

Best Available Science Report “Wetlands” by AMEC Environment & Infrastructure, Inc.

Best Available Science Support: Supported

Best Available Science Report “Wetlands” by AMEC Environment & Infrastructure, Inc.

Affected Code Section(s) (includes duplicative and overlapping sections):

- 21A.50.100(1) Disclosure by applicant

Public Comment Reference(s):

220

Notes:

Ratings are either: large positive (P), small positive (p), neutral, large negative (N), small negative (n)			
Environmental	Neutral	Implementation	Neutral
<ul style="list-style-type: none"> • Neutral effect related to on-site protection of the ECA functions and values (F&V) • Neutral protection of public assets and resources (e.g. streets, water quality) • Neutral cumulative impacts to the ECA F&V • Neutral effect on restoration of damaged ECA • Neutral chance of damage to ECA F&V • Neutral effect on protection of high quality, unique ECA features • Neutral effect on net loss of ECA F&V <p>There would be a neutral effect on critical area protection as a result of this amendment. An applicant is currently required to identify off site critical areas within the greatest potential buffer area.</p>		<ul style="list-style-type: none"> • Clearer regulations, lesser chance for unintended consequences • Neutral effect on consistent, efficient implementation by the staff • Neutral effect on increased likelihood of support/approval by other agencies • Neutral effect on effective mitigation and monitoring <p>Providing a set distance for an applicant to examine for off-site critical areas provides for a clearer, more standard regulation. There would be no effect on likelihood of approval by other agencies because current regulations require examination of a distance equal to the largest potential buffer, and there would be no effect on mitigation or monitoring.</p>	
Property	n	Overall Effect	
<ul style="list-style-type: none"> • Neutral effect on flexibility and options for property owner's use of property • Increased predictability for permit applicants, no effect on predictability for neighbors • Neutral effect on recognition of site improvements and existing uses in standards • Increase in expense <p>There would be no effect on property owner's use of property since the end result related to buffer size and protection of the critical area would be the same. There would be a slightly increased predictability with a standard and increased distance specified for the critical areas study, which would also increase the cost.</p>		Negative	