

Testimony to 4/2/2013 City Council meeting
From: Reid Brockway
Subject: Citations for "dramatization" of ECA code issues

EXHIBIT NO. CC28

The following are citations from the Planning Commission Recommended Draft ECA code revisions dated 2/6/13. They provide the bases for elements of the dramatization presented this evening.

Stream Type definitions – 21A.15.1240

Type F Stream, the most protected category, not required to actually have fish nor to run year-round – 21A.15.1240 (1) (b), 21A.15.1240 (2) (b) (Note that referenced WDFW criteria are found in WAC 222-16-031; see "Type 3 Water".)

Structure cannot be built within 165 feet of bank of Type F stream – 21A.50.330 (1), 21A.50.210

Type F (or Type Np) Stream establishes Fish and wildlife habitat corridor 200 feet on either side – 21A.50.327, 21A.15.467

Streams constitute fish and wildlife conservation areas – 21A.50.468 (2)

Fish and wildlife habitat corridors constitute fish and wildlife habitat conservation areas – 21A.15.468 (4)

Development proposal required for projects within a stream buffer – 21A.50.330, 21A.50.340 (1) (implied)

Development proposal required for projects within a fish and wildlife habitat conservation area – 21A.50.325

Development proposal required for projects within a fish and wildlife habitat corridor – 21A.50.327

"Development" includes "any project of a permanent or temporary nature exterior to a building" – 21A.15.XXX ("Project" is not defined)

Required submittals may include a critical areas study, habitat management plan, alteration plan – 21A.50.325 (1) and various, 21A.50.327 (3) (b), 21A.50.340 (1)

Mitigation required for alterations within stream buffer – 21A.50.350

Mitigation required for alterations within fish and wildlife habitat conservation area – 21A.50.325 (3)

*Received @ Reg. Mtg.
April 2, 2013
Public Comment*