



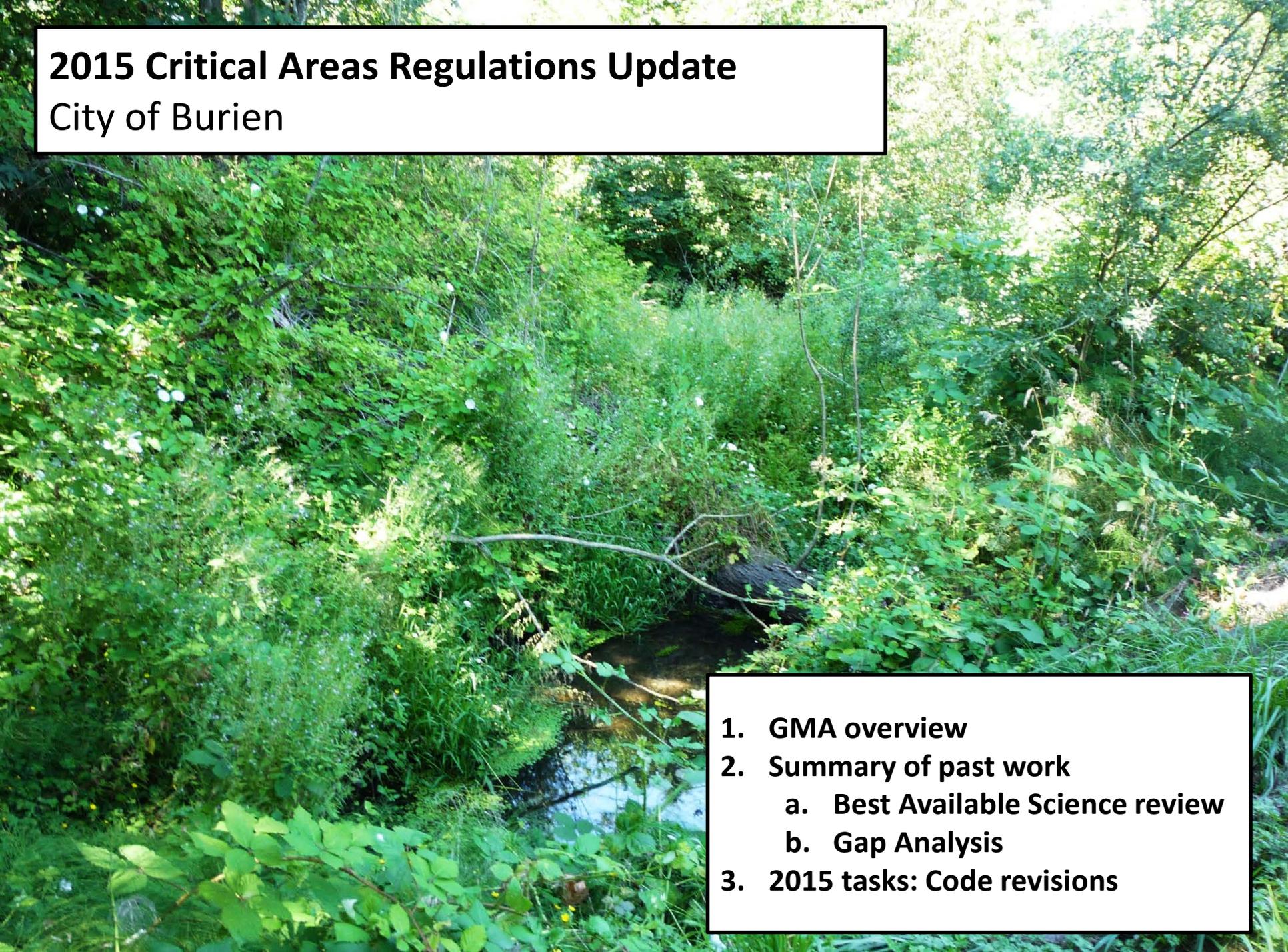
2015 Critical Areas Regulations Update
City of Burien

City Council/ Planning Commission Joint Meeting

March 23, 2015

2015 Critical Areas Regulations Update

City of Burien

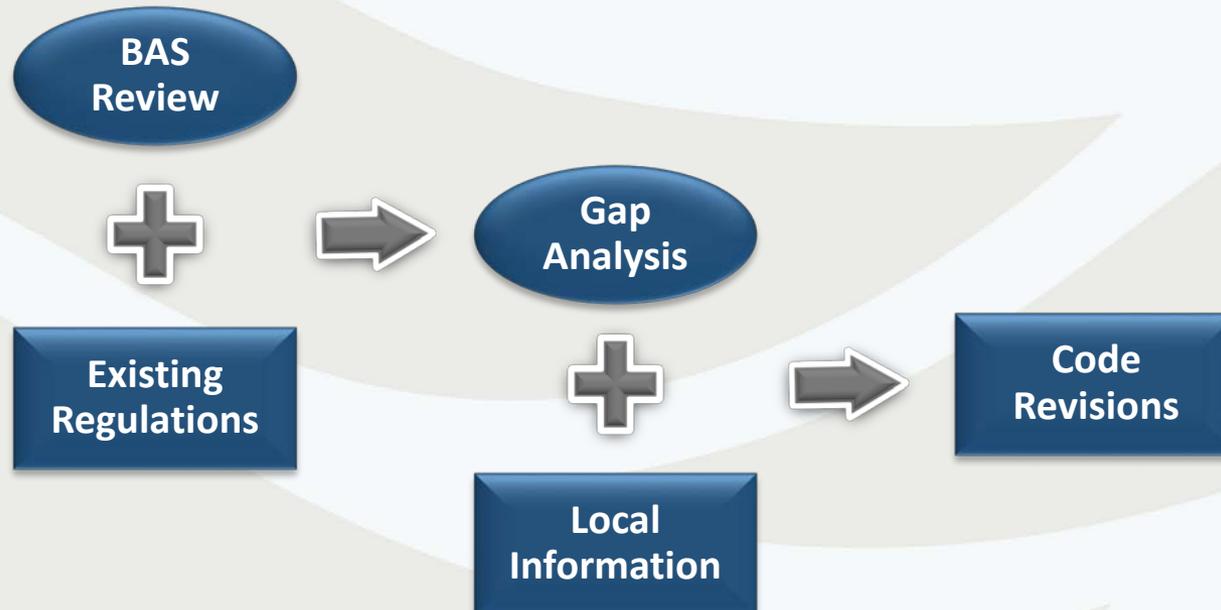
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- 1. GMA overview**
 - 2. Summary of past work**
 - a. Best Available Science review**
 - b. Gap Analysis**
 - 3. 2015 tasks: Code revisions**

GMA mandates:

- Cities and counties develop comprehensive land use plans & development regulations, including critical areas regulations
- Periodic review and update (Burien deadline: June 2015)
- Purpose: to protect the **functions and values** of critical areas
 - Geologically hazardous areas
 - Frequently flooded areas
 - Critical aquifer recharge areas
 - Wetlands
 - Fish and wildlife habitat conservation areas
 - Non-shoreline streams, lakes, ponds, and other waters of the State
 - Priority/sensitive habitats
 - State natural and conservation areas

GMA mandates:

- “...counties and cities shall include the best available science in developing policies and regulations to protect the functions and values of critical areas” (RCW 36.70A.172(1))
- Best available science (BAS) must be balanced with other GMA goals and mandates
 - Socioeconomic, cultural, legal, political
 - Local factors: projected growth, land use, administrative capacity



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What is Best Available Science? (WAC 365-195-905)

Scientific information: Produced through a valid scientific process

Characteristics:

- Peer-reviewed
- Clear, standardized methods
- Logical conclusions supported by data
- Quantitative analysis
- Framed in context of body of scientific knowledge
- Citations to relevant literature

Sources:

- Research
- Monitoring results
- Inventory, surveys, assessments
- Modeling
- Review & synthesis
- Expert opinion

What is Best Available Science? (WAC 365-195-905)

Non-scientific information:

Anecdotal information: “I saw a salmon in that stream.”

Non-expert opinion: “I do not believe there are salmon in that stream.”

Hearsay: “At a lecture last week Dr. Smith said there were no salmon in that stream.”



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BAS helps us understand and consider how land use decisions affect critical areas within the City.

How to Use Best Available Science? (WAC 365-195-915)

Demonstrate inclusion of BAS by addressing:

- What regulations protect functions and values?
- Sources of BAS?
- Non-scientific sources and departures from BAS? If so:
 - What?
 - Why?
 - Risks to functions and values?

BAS for Burien critical areas

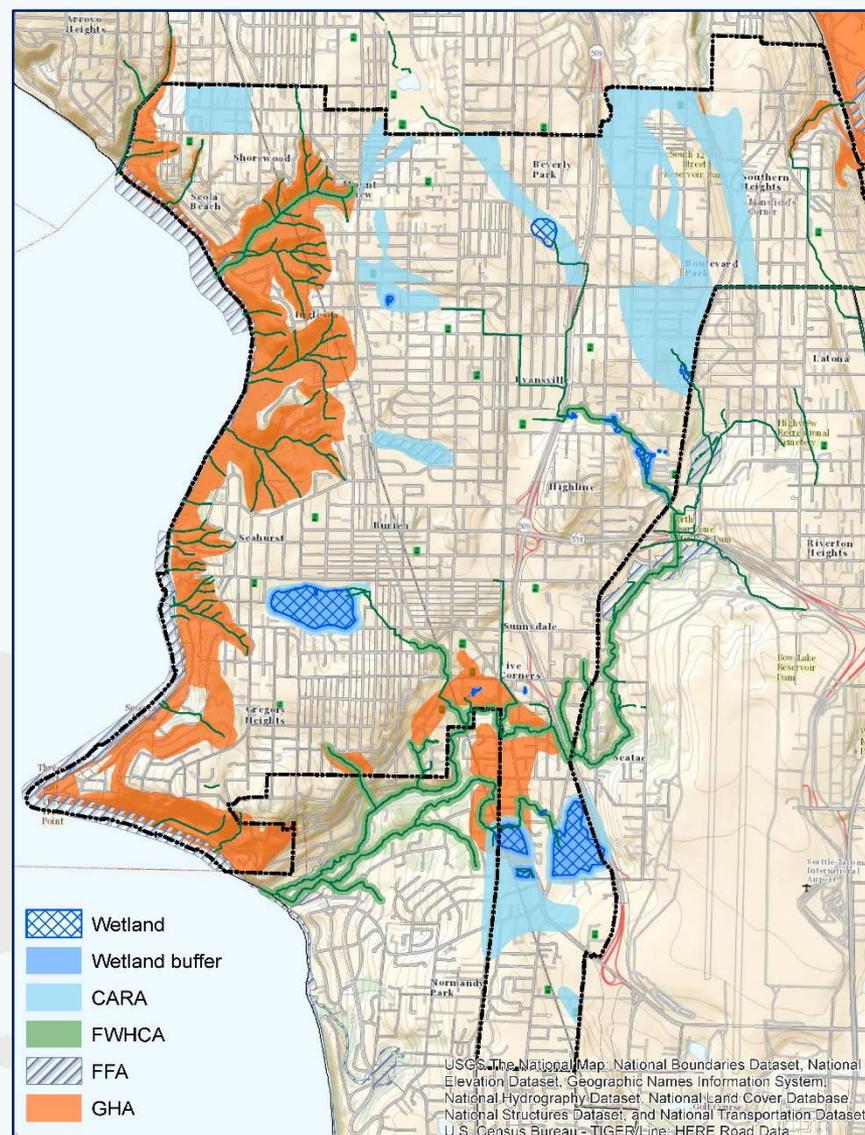
- Completed review of BAS in 2011
- Sources:
 - Critical area inventories from the City, USFWS, NRCS
 - Peer-reviewed research publications
 - Synthesis publications (e.g. WA State Department of Ecology guidance)
 - Limited field assessment
- For each of the five critical areas, BAS report reviews:
 - Identification and classification
 - Functions and values
 - Potential impacts from development
 - Potential protection measures

For the City of Burien's full BAS review, see:

The Watershed Company. October 2011. City of Burien Comprehensive Plan Update, Best Available Science Review.

What's missing from Burien's existing critical areas regulations?

- Gap Analysis reviews City's regulations (BMC 19.40) for consistency with BAS and GMA requirements
- Provides required and recommended changes to BMC 19.40



What's missing from Burien's existing critical areas regulations?

Gap Analysis Results:

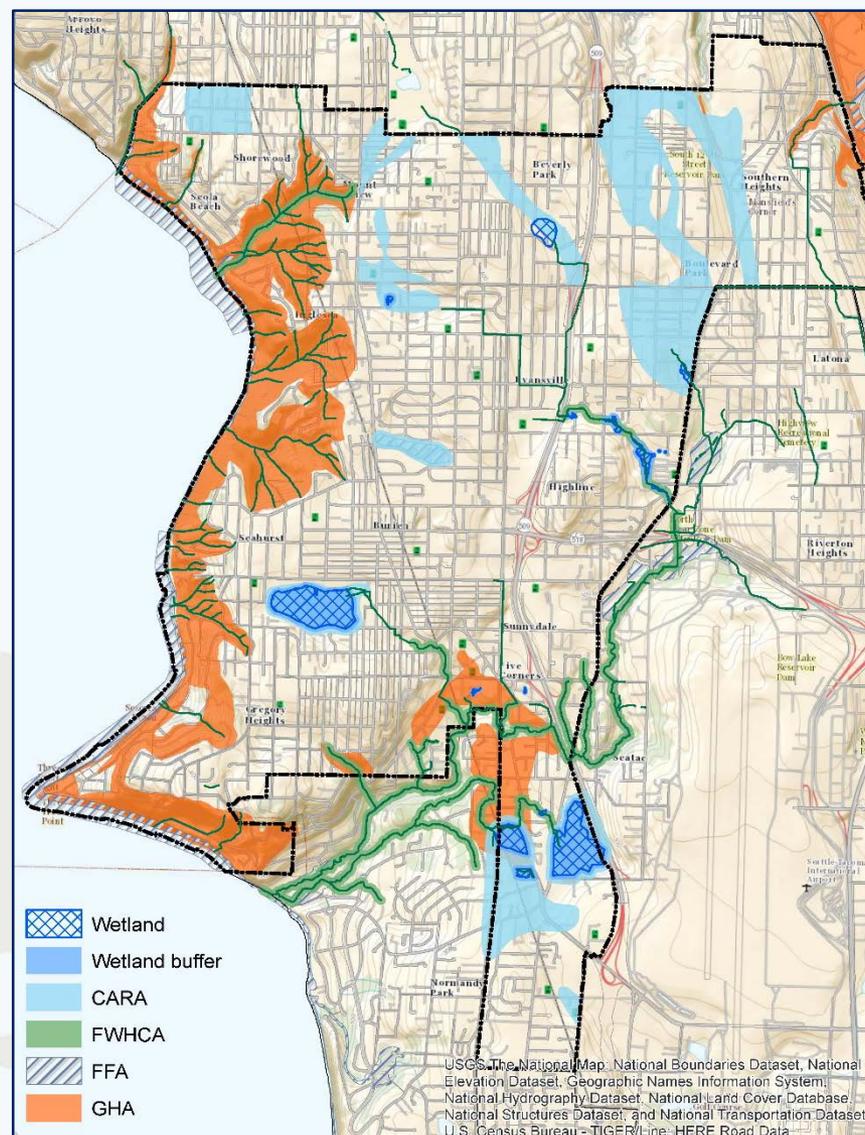
Geologically hazardous areas: No changes necessary.

Frequently flooded areas: Consider additional protection measures in new Ecology guidance.

Critical aquifer recharge areas: No changes necessary.

Wetlands: Changes needed to reflect new Ecology guidance.

Fish and wildlife habitat conservation areas: Changes needed to reflect new WDNR guidance.



The task ahead: Code revisions

Review and incorporate as appropriate:

- Changes identified in the Gap Analysis
 - Comments from Ecology (emphasis on wetlands; received March 2015)
 - City of Burien Shoreline Master Program (SMP) regulations for critical areas in shoreline jurisdiction (BMC 20.30.025, adopted October 2013)
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The task ahead: Code revisions

Areas of focus:

- **Wetlands** – revise: wetland designation and classification methodology, mitigation requirements, performance standards
- **Fish and Wildlife Habitat Conservation Areas** – consider revision of: stream designation and classification methodology, performance standards
- **Frequently Flooded Areas** – review for consistency with Ecology recommendations
- Review for consistency with **SMP**
- Refine overall **language** to enhance readability and enforceability

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The goal of this update is to ensure that the City of Burien's critical areas regulations meet State requirements and effectively protect the City's critical areas, while also ensuring that the regulations are appropriate for application in an urban setting.

A lush green landscape featuring tall, slender grasses in the foreground, dense foliage in the middle ground, and a clear blue sky with a few wispy clouds. A white rectangular box with a black border is centered in the image, containing the text "Thank you for your attention!".

Thank you for your attention!