



# User's Guide To The Land Use Permit Process

## Critical Areas Report

Yakima County Planning Division ◆ 128 N. 2nd Street 4th Floor Courthouse - Yakima, Washington 98901 ◆ Phone (509) 574-2300

A Critical Area Report may be required in addition to your standard application materials. The report is used to determine the impacts your proposed development may have on critical areas. In addition to the required information identified below, there may be other information important for the review of your proposal. If additional information is needed, you will be contacted by County staff. If you need information or assistance at any time, please contact Public Services at (509) 574-2300.

A qualified professional shall prepare the report utilizing best available science, as defined by the Critical Areas Ordinance (YCC Title 16C.02.321). The intent of these provisions is to require a reasonable level of technical study and analysis sufficient to protect critical areas. The analysis shall be commensurate with the value or sensitivity of a particular critical area and relative to the scale and potential impacts of the proposed activity.

The Critical Area Report shall:

- Demonstrate that the submitted proposal is consistent with the purposes and specific standards of this title;
- Describe all relevant aspects of the development proposal; all critical areas adversely affected by the proposal including any geologic or flood hazards; all risks to critical areas, the site, and other public and private properties and facilities resulting from the proposal; and assess impacts on the critical area from activities and uses proposed; and
- Identify proposed mitigation and protective measures as required by this title.

A. At a minimum, a Critical Areas Report shall include the following information (16C.03.17(10)):

1. A site plan showing the proposed development footprint and clearing limits, and all relevant critical areas and buffers within and abutting the site, including but not limited to effects related to clearing, grading, noise, light/glare, modification of surface or subsurface flow, drilling, damming, draining, creating impervious surface, managing stormwater, releasing hazardous materials, and other alterations. Projects in frequently flooded areas must comply with the requirements of section 16C.05.20 through 16C.05.72. For projects on or adjacent to geologically hazardous areas or areas subject to high floodwater depth or velocity the report shall identify the type of hazard and assess the associated risks posed by the development to critical areas, the site, and other public and private properties and facilities that are the result from the proposal, and assess impacts on the critical area from activities and uses proposed;
2. A written description of the critical areas and buffers on or abutting the site, including their size, type, classification or rating, condition, disturbance history, and functions and values. For projects on or adjacent to geologically hazardous areas or areas subject to high floodwater depth or velocity the description shall identify the type and characteristics of the hazard;
3. An analysis of potential adverse critical area impacts associated with the proposed activity. For geologically hazardous areas, also assess the risks posed by the development to critical areas, the site, and other public and private properties and facilities that are the result from the proposal, and assess impacts on the critical area from activities and uses proposed;
4. An explanation of how critical area impacts or risks will be avoided and/or minimized, how proposed mitigation measures will prevent or minimize hazards, why the proposed activity requires a location on or access across a critical area, the on-site design alternatives, and why alternatives are not feasible;



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a) When impacts cannot be avoided, the report shall include a plan describing mitigation to replace critical area functions and values altered as a result of the proposal, or to reduce flood or geologic hazards to critical areas, the site, and other public and private properties. For projects on or adjacent to geologically hazardous areas or areas subject to high floodwater depth or velocity the plan shall address mitigation for impacts to critical areas, the site, and other public and private properties and facilities that are the result from the proposal, and assess impacts on the critical area from activities and uses proposed;

5. The dates, names, and qualifications of the persons preparing the report and documentation of analysis methods including any fieldwork performed on the site; and

6. Additional reasonable information requested by the Administrative Official for the assessment of critical areas impacts or otherwise required by the subsequent articles of this title.

### B. Stream Corridor Requirements:

In addition to the Critical Area Report general standards, when a Critical Areas Report is required for a stream corridor or hydrologically related critical area, it shall include the following (16C.03.18):

1. A habitat and native vegetation conservation strategy that addresses methods to protect and enhance the functional properties listed in section 16C.06.05 (Functional Properties);
2. Where there is evidence that proposed construction lies within an immediate zone of potential channel migration, representing a future hazard to the construction, a hydrologic analysis report may be required. The report shall assume the conditions of the onehundred-year flood, include on-site investigative findings, and consider historical meander characteristics in addition to other pertinent facts and data.

### C. Wetlands

When a Critical Areas Report is required for wetlands, it shall include the following:

1. The exact location of a wetland's boundary and wetland rating shall be determined through the performance of a field investigation by a qualified wetland professional applying the *Washington State Wetlands Identification and Delineation Manual* (Ecology Publication #96-94 - <http://www.ecy.wa.gov/pubs/9694.pdf>) as required by RCW 36.70A.175 (Wetlands to be delineated in accordance with manual), and the *Washington State Wetland Rating System for Eastern Washington* (Ecology Publication # 04-06-15), as amended;
2. All delineated wetlands and required buffers within two hundred (200) feet of the project area shall be depicted on the site plan. For areas off-site of the project site, wetland conditions within 200 feet of the project boundaries may be estimated using the best available information. Best available information should include, but not be limited to aerial photos, land based photos, soils maps, or topographic maps;



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3. A critical area report for wetlands shall contain an analysis of the wetlands including the following site- and proposal-related information:
  - a) A statement specifying all assumptions made and relied upon;
  - b) Documentation of any fieldwork performed on the site, including field data sheets for delineations, the wetland rating form, baseline hydrologic data, etc.;
  - c) A description of the methodologies used to conduct the wetland delineations, or impact analyses including references;
  - d) Wetland category, including vegetative, faunal, and hydrologic characteristics;
  
4. For projects that will affect the wetland or it's buffer, provide the following:
  - a) A habitat and native vegetation conservation strategy that addresses methods to protect and enhance on-site habitat and wetland functions and values listed in section 16C.07.04(1) (Wetland Functions and Rating), and section 16C.06.05 Functional Properties);
  - b) Mitigation sequencing pursuant to section 16C.03.10 (Mitigation Requirements) to avoid, minimize, and mitigate impacts. Mitigation shall result in no net loss of wetland functions and values. Mitigation ratios may be necessary and should follow the guidance provided in section 16C.07.05 (Compensatory Mitigation) of the wetland chapter.

### D. Floodplains

Additionally, prior to authorization of any major construction project within a floodplain which can be anticipated to displace floodwaters or alter the depth or velocity of floodwaters during the base flood, an engineering report shall be prepared that establishes any new flood elevations that would result for the one-hundred-year flood frequency if the project were implemented.