

ENVIRONMENTALLY CRITICAL AREAS

WHAT ARE ENVIRONMENTALLY CRITICAL AREAS?

An Environmentally Critical Area (ECA) is a natural resource or hazard area that requires designation and protection under the Washington State *Growth Management Act*. ECAs are wetlands, critical aquifer recharge areas, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas. Regulations and procedures related to ECAs are intended to protect the environment, life, and property from harm and degradation. ECAs are defined within *Federal Way Revised Code* (FWRC) Chapter 19.05, “Zoning and Development in General,” and Chapter 19.145 “Environmentally Critical Areas.” Please refer to these code sections for more in-depth information on ECAs.

WHY DO WE NEED TO PROTECT ENVIRONMENTALLY CRITICAL AREAS?

ECA regulations ensure protection of water quality, groundwater recharge, stream flow, slope stability, wildlife and fisheries habitat, natural stormwater storage/filter systems, human life, and property.

HOW DO I DETERMINE IF MY PROPERTY CONTAINS ENVIRONMENTALLY CRITICAL AREAS?

Maps

The first source of information is the city’s map inventory of citywide ECAs including erosion and landslide hazard areas, lakes, wetlands, streams, and critical aquifer recharge areas. This inventory is based on city, county, and state agency initiated inventories. On a citywide scale, it is not possible to identify all ECAs and therefore not all ECAs are included in this inventory. The map inventory is provided to the community as the best available information. ECA verification requires careful site-specific investigation in conjunction or prior to submitting specific development proposals.

Visual Inspection

A second source of information involves a visual inspection of property. In some instances, ECAs such as surface water, geological, and topographic conditions are easily identified. Other areas, such as special wildlife habitat or subsurface geological conditions, are more difficult. In those cases, research of other information sources such as soil conservation maps or wildlife habitat inventories may be beneficial.

Experts

A third source of information involves the use of experts hired to investigate site conditions. Typically, ECA regulations require that expert analysis be provided in conjunction with development proposals when ECA conditions are encountered. Therefore, it is important to bring experts into the development process as early as possible.

CAN I DISTURB ENVIRONMENTALLY CRITICAL AREAS?

No, unless the action meets one of the identified exempt actions or you are issued approval by the city. ECAs, such as streams, wetlands, regulated lakes, and landslide hazard areas contain specific buffers and setbacks where work may not occur, or is subject to special approval. Exceptions to this rule include minor activities such as maintenance/repair of existing improvements and hand removal of invasive vegetation. Other minor activities such as tree removal, site reconnaissance in preparation of a permit application, and demolition of structures require written approval from the Director, but no formal permit.

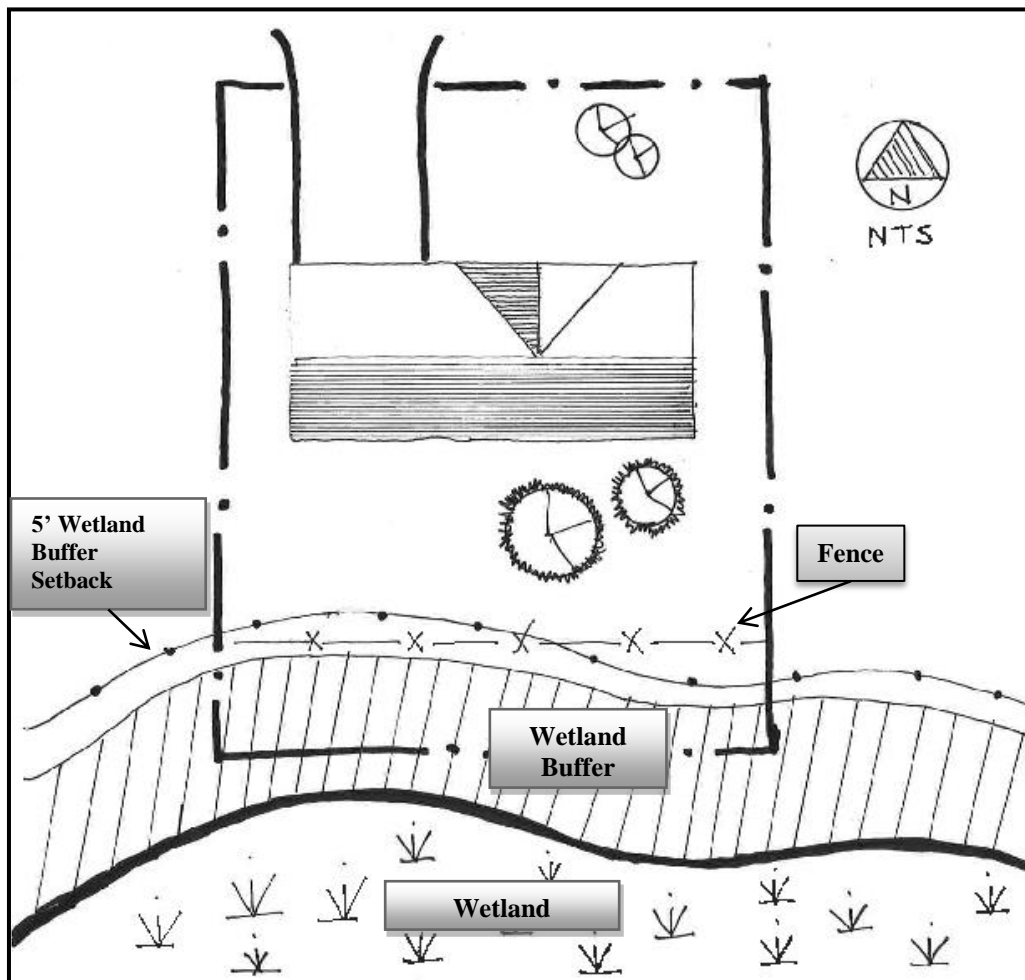
Projects involving construction, clearing, and grading require more extensive review under a Use Process application. It is recommended that you contact the Permit Center (see below) to verify whether your work or proposed improvements requires approval under the ECA regulations.

WORK PROPOSED WITHIN ENVIRONMENTALLY CRITICAL AREAS

Prior to allowing any work within ECAs, the city may require the applicant to provide a critical area report containing information, mapping, studies, materials, inspections, and/or reviews that are reasonably necessary to identify and properly delineate an ECA. An itemized list of requirements for a critical area report can be found in FWRC 19.145.080. It is also likely the prepared information will need to be reviewed by the city's third party qualified professional at the applicant's expense. You will be advised at the earliest possible point if your project will be subject to these types of expenses.

QUESTIONS?

Additional questions about ECAs may be directed to the Federal Way Community Development Department's Permit Center at 253-835-2607, permitcenter@cityofederalway.com, or 33325 8th Avenue South, 2nd Floor., Federal Way, WA 98003. Chapter 19.145 FWRC, which contains the ECA regulations, can be viewed in its entirety at www.codepublishing.com/wa/federalway.



Example of a single-family residential lot with wetland buffers on the property. As shown on the sketch, the wetland feature is offsite, but the wetland buffer extends onto the subject property where improvements are generally not permitted. A five-foot building setback from the wetland buffer is also shown. Only limited improvements, such as fencing, are allowed within ECA buffer setbacks.

This handout cannot be used as a substitute for codes and regulations. Details of every project should be reviewed for specific compliance with the City of Federal Way codes and regulations.