# Fee-in-lieu Mitigation for Streams

### Evaluation Form – Public Hearing Version

<table>
<thead>
<tr>
<th><strong>Existing Regulation(s)</strong></th>
<th><strong>Proposed Amendment &amp; Description</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently the City of Sammamish does not employ a fee-in-lieu regulation except where a Reasonable Use Exception or Public Agency/Utility Exception is approved.</td>
<td>Provide for a fee-in-lieu mitigation program for stream impacts, if such a program is adopted as part of the wetland mitigation approach.</td>
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</tbody>
</table>

**Desired Result of Amendment:**
This amendment, if adopted, would allow for a certain flexibility in the code, allowing for slightly more intense development in one area while enhancing the environmental quality and function of another.

**Amendment Source:**
Best Available Science

**Best Available Science Support:** Supported
- Best Available Science Report “Streams and Fish and Wildlife Habitat Conservation Areas” by AMEC Environment & Infrastructure, Inc.

**Affected Code Section(s) (includes duplicative and overlapping sections):**
- 21A.50.350 – Streams – Mitigation requirements

**Public Comment Reference(s):**
111, 113, 170, 178

**Notes:**

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Fee-in-lieu Mitigation for Streams

**Item 2-8b**

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### Environmental

- Decreased on-site protection of streams
- Neutral protection of public assets and resources (e.g. streets, water quality)
- Neutral effect on cumulative impacts to streams within program area
- Increased potential to restore damaged stream channels or buffers within program area
- Neutral effect on chance of damage to streams within program area
- Neutral effect on the potential to damage high quality, unique streams within program area
- Neutral effect on net loss of stream functions and values

The proposed amendment will create a case by case and site specific evaluation where the functions and values of the stream will be evaluated to determine appropriateness for fee-in-lieu mitigation. The regulation would allow for an increased on-site impact which will create a net loss of stream values and functions in Sammamish and decreased protections on site and cumulatively. The amendment may also create a patchwork of open and closed stream segments.

### Implementation

- Neutrally clear regulations, neutral chance for unintended consequences
- Neutral ability for consistent, efficient implementation by the staff
- Neutral effect on likelihood of support/approval by other agencies
- Neutral effective mitigation, increased monitoring required

Due to the increased variability of a fee-in-lieu regulation, it will be more difficult for city staff to track decisions over time and maintain a high level of consistency. The proposed regulation may also take more time as it will require inter-agency coordination.

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### Property

- Increased flexibility and options for property owner’s use of property
- Decreased predictability for permit applicants and neighbors
- Increased recognition of site improvements and existing uses in standards
- More expensive / more time

The proposed regulation will offer flexibility for the applicant, but not necessarily predictability or a less expensive or efficient mitigation alternative. The regulation will require more study, increasing the level of review thereby impacting the amount of time it may take to reach a decision. Some difference in stream channel protections will reduce predictability in the permit process and may decrease perceived equity.

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### Overall Effect

Positive