

GG108-14

402.3, 402.4

Proponent: Brenda Thompson, Clark County Development Services, Las Vegas, NV, Chair, ICC Sustainability, Energy and High Performance Code Action Committee (SEHPCAC)

Delete without substitution:

~~**402.4 Wetland protection.** Buildings and building site improvements shall not be located within a wetland or within a buffer as established by the jurisdiction around a wetland.~~

~~**Exception:** Buildings and associated site improvements specifically related to the use of the wetland including, but not limited to, piers, docks, fish hatcheries, and habitat restoration facilities, shall be permitted where the impacts of the construction and location adjacent to or over the wetland on the habitat are mitigated.~~

~~**402.3 Surface water protection.** Where this section is indicated to be applicable in Table 302.1, buildings and building site improvements shall not be located over, or located within a buffer as established by the jurisdiction, around or adjacent to oceans, lakes, rivers, streams and other bodies of water that support or could support fish, recreation or industrial use. The buffer shall be measured from the ordinary high-water mark of the body of water.~~

Exceptions:

- ~~1. Buildings and associated site improvements specifically related to the use of the water including, but not limited to, piers, docks, fish hatcheries, and habitat restoration facilities, shall be permitted where the impacts of the construction and location adjacent to or over the water on the habitat is mitigated.~~
- ~~2. Buildings and associated site improvements shall be permitted where a wetlands permit has been issued under a national wetlands permitting program or otherwise issued by the authority having jurisdiction.~~

Reason: These sections are unenforceable because no guidance is provided for establishment of the size of the "buffer" referred to in each section.

This proposal was submitted by the ICC Sustainability Energy and High Performance Code Action Committee (SEHPCAC). The SEHPCAC was established by the ICC Board of Directors to pursue opportunities to improve and enhance International Codes with regard to sustainability, energy and high performance as it relates to the built environment included, but not limited to, how these criteria relate to the International Green Construction Code (IgCC) and the International Energy Conservation Code (IECC). This includes both the technical aspects of the codes as well as the code content in terms of scope and application of referenced standards. In 2012 and 2013, the SEHPCAC has held six two-day open meetings and 50 workgroup calls, which included members of the SEHPCAC as well as any interested parties, to discuss and debate proposed changes and public comments. Related documentation and reports are posted on the SEHPCAC website at: <http://www.iccsafe.org/cs/SEHPCAC/Pages/default.aspx>.

Cost Impact: Will not increase the cost of construction.

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