



Introduction

THE REGIONAL POLICY PLAN

The Regional Policy Plan ("RPP") has been drafted to align directly with the goals and purposes of the Act. Specifically, this RPP adopts goals and corresponding objectives under each goal to guide and plan for the future of the region in a manner consistent with the vision and growth policy of the Commission.

The Goals and Objectives in Section 6 of the plan are the measures by which the Cape Cod Commission will make its determination whether a Development of Regional Impact ("DRI") is consistent with the RPP; for purposes of DRI and other regulatory reviews undertaken by the Commission, consistency with applicable goals and objectives constitutes consistency with the RPP.

The Commission determines the applicability and materiality of the RPP's goals and objectives to a project on a case by case basis. As the RPP has broad, general application to DRIs and other regulatory matters of regional significance, not every goal or objective may apply, be material, relevant or regionally significant, or apply in the same way or with the same focus or extent to every project or designation, given the specific facts and circumstances present in any given project.

THE ROLE OF TECHNICAL GUIDANCE IN REGULATORY REVIEW

The Commission has developed Technical Guidance to inform the design and regulatory review of development activity on Cape Cod. The Technical Guidance contains Placetype Maps, Technical Bulletins and references to resource areas mapped by federal, state and local governments. There is a Technical Bulletin for each of the goals of the RPP. The primary application of the Technical Guidance is during DRI or other regional regulatory review, and its primary purpose is to assist the Commission in its determination of whether a project is consistent with applicable RPP goals and objectives, and alternatively, to detail how an applicant could design and pursue its project to meet the applicable RPP goals and objectives. The Technical Bulletins detail methods by which the goals and objectives of the RPP may be met. Except where otherwise specified in the Technical Bulletin, the methods by which goals and objectives of the RPP are met are not prescriptive, but rather are examples of methods that further the goals and objectives of the RPP and assist in evidencing consistency with the RPP. There are some methods that are considered essential to achieving a particular goal and objective and therefore are required to be implemented; these methods are noted as such within the text of the applicable Technical Bulletin, and are indicated in that method by the term “must” in the summary of methods table in the text of that applicable Technical Bulletin. Applicants may also work with the Commission to develop alternative methods of evidencing RPP consistency.

THE ROLE OF CAPE COD PLACETYPES IN REGULATORY REVIEW

Cape Cod Placetypes is an organizing principle that informs the Commission’s regulatory review. The applicability of goals and objectives may vary based on how projects are classified by Placetype. The means for achieving consistency with these goals and objectives may vary from site to site and project to project, typically depending on the relevant Placetype and whether certain sensitive resources are present on a given project site.

The Placetypes are determined in two ways; some are depicted on a map contained within the RPP Data Viewer located at www.capecodcommission.org/RPPDataViewer adopted by the Commission as part of the Technical Guidance for review of DRIs, and the remainder are determined using the character descriptions set forth in Section 8 of this plan and the Technical Guidance. The Placetype for a given project is established at

the outset of DRI review and provides the lens through which the Commission will review the project under the RPP.

THE ROLE OF SENSITIVE RESOURCE AREAS IN REGULATORY REVIEW

The presence of identified sensitive resources on a particular project site will determine the applicability of certain goals and objectives during regulatory review. Identified sensitive resources include undeveloped land in Wellhead Protection Areas, BioMap Core Habitats and Critical Natural Landscapes; state listed rare species habitat; vernal pools and their 350-foot buffers; wetlands and their 100-foot buffers; protected open space; and potential public water supply areas. The presence of identified sensitive resources on a particular project site is determined by Commission staff prior to the first substantive hearing on a project. These sensitive resources and any corresponding guidance or requirements are referenced throughout the Technical Guidance. The means for achieving consistency with the goals and objectives of the RPP may vary from site to site and project to project, depending on whether certain sensitive resources are present on a given project site and whether they are likely to be impacted by the project.

The Technical Bulletins also address the protection of additional important resource areas such as Zone II water supply areas, marine and fresh water recharge areas, rare species habitat, and flood hazard zones. The Technical Bulletins specify where certain methods must be employed to protect these resources, or where alternative methods may be acceptable. Resource area delineations may be updated from time to time as new information becomes available, and may be viewed on the RPP Data Viewer.