



PLANNING COMMISSION MEETING AGENDA
Wednesday, January 21, 2015, 7:00 PM
City Municipal Center, 616 NE 4th Avenue

Special Meeting

I. CALL TO ORDER

II. ROLL CALL

III. Elections


A. Election of Chair and Vice Chair

Details: The Planning Commission positions of chair and vice chair are one-year terms, which are generally elected by majority vote each January.

Recommended Action: That the Commissioners nominate and approve a chair and vice chair of the Planning Commission for 2015.

IV. MINUTES

A. Approval of minutes from the November 18, 2014, Planning Commission Meeting

 [Minutes from the November 18, 2014, Planning Commission Meeting](#)

V. MEETING ITEMS


A. Public Hearing for Zoning Code Text Change (File No. ZC14-01)

Details: The applicant proposes amendments to CMC Ch. 18.23 Planned Residential Developments to allow commercial land uses.


Presenter: Sarah Fox, Senior Planner

Recommended Action: Conduct public hearing, deliberate, and forward a recommendation of approval to City Council.

 [Staff Report for Amendments to Camas Municipal Code 18.23 \(ZC14-01\)](#)
[Proposed Text Amendment](#)

- B. Public Hearing for Limited Amendments to the Camas Shoreline Master Program
Details: The proposed limited amendments to the Camas Shoreline Master Program, Appendix C, Chapter 16.53-Wetlands will update the wetland regulations in order to comply with a mandate from the Department of Ecology. The city adopted the updated wetland regulations to Camas Municipal Code on January 5, 2015, by Ordinance 15-001.
Presenter: Sarah Fox, Senior Planner
Recommended Action: Conduct a public hearing, deliberate, and forward a recommendation of approval to City Council.
-  [Limited Amendment Staff Report \(MC15-02\)](#)
[Attachment A SMP C-Wetlands \(MC15-02\)](#)
[Attachment B - Ecology 2014 Updates](#)
[Attachment C - Email Correspondences](#)
- C. Workshop for Land development applications and time limits for inactivity
Details: There is an understanding that development applications may progress at the discretion of applicant, aside from the city's requirements to respond and issue decisions. Some applicants request that their development application, after being determined "technically complete", be placed on hold, essentially stopping the regulatory time clock for decision making. The reasons vary, although it is typically requested when ownership of a project changes hands, or there are technical studies that must be conducted in order to proceed. The city is concerned about the effect to the community when a development application is inactive for years, and the vested codes are no longer consistent with current regulations, particularly current environmental regulations
Presenter: Sarah Fox, Senior Planner
Recommended Action: Discussion only

VI. MISCELLANEOUS UPDATES

- A. 2015 Community Development Work Plan (added on January 21, 2015)
Details: Overview of the Community Development Department Plan and Priorities
Recommended Action: Informational only, no action required
-  [2015 Community Development Department Work Plan](#)

VII. NEXT MEETING DATE

- A. The next Planning Commission meeting is scheduled for Wednesday, February 18, 2015, in the City Council Chambers at 7:00 p.m.

VIII. ADJOURNMENT

NOTE: The City of Camas welcomes and encourages the participation of all of its citizens in the public meeting process. A special effort will be made to ensure that persons with special needs have opportunities to participate. For more information, please call 360.834.6864.



PLANNING COMMISSION MEETING MINUTES - Draft
Tuesday, November 18, 2014 at 7:00 p.m.
Camas City Hall, 616 NE 4th Avenue

I. CALL TO ORDER

Chair Beel called the meeting to order at 7:00 p.m.

II. ROLL CALL

Commissioners Present: Bryan Beel, Lloyd Goodlett, Tim Hein and Jim Short

Commissioners Excused: Frank Hood, Troy Hull and Jaima Johnson

Staff: Jan Coppola, Sarah Fox, Robert Maul and David Schultz

City Council: Shannon Turk, Council Liaison

III. MINUTES

A. Approval of minutes from the October 21, 2014, Planning Commission Meeting

[Minutes from the October 21, 2014, Planning Commission Meeting](#) 

It was moved by Jim Short, seconded by Lloyd Goodlett to approve the minutes from the October 21, 2014, Planning Commission Meeting. The motion carried unanimously by roll call vote.

IV. AGENDA ITEMS

A. Public hearing for Amendments to Camas Municipal Code, Title 16 Environment (Staff Report added on November 14, 2014)

Details: The proposed amendments to the Camas Municipal Code (CMC) Title 16 Environment, Chapter 16.53 Wetlands, are intended to comply with new mandates from the Department of Ecology.

Department/Presenter: Sarah Fox, Senior Planner

Ms. Fox gave a brief summary of the proposed code amendments.

The public hearing opened at 7:02 p.m.

[Staff Report \(File No. CMC14-04\)](#) 

[Proposed Amendments to Chapter 16.53 Wetlands](#) 

[Attachment "A" Memorandum from the Department of Ecology](#) 

[Attachment "B" Email Correspondences with the Department of Ecology](#) 

The public testimony portion of the hearing was opened and closed, as there were no members of the public who wished to testify.

It was moved by Lloyd Goodlett, seconded by Tim Hein to forward a recommendation of approval to City Council for the proposed amendments to the Wetland Regulations of the Camas Municipal Code as outlined in the November 14, 2014, Staff Report (File No. CMC14-04) along with the changes that are noted on pages 12 and 18 of the Chapter 16.53 amendments. The motion carried unanimously by roll call vote.

V. MISCELLANEOUS UPDATES

Ms. Fox briefly updated the Commissioners on the outcome of the Camas Municipal Code amendments to the Light Industrial Land Uses. She explained that City Council held a public hearing on November 17, 2014, and noted that the property owners who could be potentially impacted by the proposed amendments were also notified of the hearing.

Mr. Maul gave a brief update on the 2016 Vision Summit that was held on November 5th and noted that the next Visioning Summit will be held on January 8, 2015, at Lacamas Lake Lodge and Conference Center.

VI. NEXT MEETING DATE

- A.** The next Planning Commission meeting is scheduled for Tuesday, December 16, 2014, in the City Council Chambers at 7:00 p.m.

VII. ADJOURNMENT

Chair Beel adjourned the meeting at 7:18 p.m.

NOTE: The City of Camas welcomes and encourages the participation of all of its citizens in the public meeting process. A special effort will be made to ensure that persons with special needs have opportunities to participate. For more information, please call 360.834.6864.

Planning Commission Public Hearing Process

[Rules of Procedure for Legislative Hearings](#) 



STAFF REPORT
AMENDMENTS TO CMC CHAPTER 18.23
PLANNED RESIDENTIAL DEVELOPMENT (PRD)
File #ZC14-01
January 15, 2015

To: Bryan Beel, Chair
Planning Commission
Public Hearing: January 21, 2015

Applicant: Randy Printz, Landerholm
Owner: Green Mountain, LLC

Staff: Phil Bourquin, Community Development Director
Robert Maul, Planning Manager
Sarah Fox, Senior Planner

Agency Compliance: Notice of the public hearing was published in the Camas Post Record on January 13, 2015 (publication no. 526907).

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SUMMARY

The applicant proposes to amend CMC§18.23.030 Scope, which currently reads, ***“A PRD may be allowed in all R and MF zoning districts.”*** The applicant proposes the following text be added:

“Commercially zoned property may be allowed within a PRD when it is part of an overall master plan that includes an Urban Village and which is subject to a Development Agreement. Where commercially zoned property becomes part of a PRD as provided for in this section, residential uses and commercial uses may be arranged in a manner that causes commercial uses to occur on residentially zoned land and residential units uses to occur on commercially zoned land. Nothing in this section shall allow the number of residential units to exceed the number of residential units that could otherwise occur in the residentially zoned portion of the PRD.”

This staff report supports the concept of incorporating limited commercial uses within a PRD project. First, the report discusses specific concerns with the proposed modification as written, and then provides alternatives for Planning Commission consideration.

DISCUSSION

The proposed code amendment is namely to remedy a perceived barrier within the Planned Residential Development (PRD) code, which only allows for residential development, and restricts PRDs to residentially zoned lands. The applicant represents the owner, Green Mountain, LLC, of 283 acres of property at the northern end of the city. The 253 acre property as consolidated contains single-family, multi-family, and commercial zoning designations. Although the applicant represents a specific group of properties, and has developed a master plan for the area, the proposed code change would apply universally to all properties over ten acres in the city.

From this inclusive perspective, staff identified the following concerns with the amendment as proposed, given that the code change would apply to any future development proposals.

1. The term “urban village” is not defined in the CMC.
2. There is no control for the location of commercial uses, or the type of commercial uses.
3. Requiring a development agreement.
4. The calculation of land uses at CMC§18.23.030, subsections E, F, and H, for single family, multi-family and open space, could limit commercial land uses, regardless of density provisions.

(1) Urban village. The application does not define “urban village”. The PRD chapter contains a section for definitions that are applicable only to the PRD chapter and perhaps a definition for the term “urban village” should be added there, or the term should be replaced within the proposed amendment with another term that is defined throughout CMC, which would include other standards associated with that known term. For example, the term and zone of “mixed use” is subject to the use tables of CMC§18.07.030; density and development dimension standards of CMC§18.09.030; parking standards of CMC Chapter 18.11; landscaping standards of CMC Chapter 18.13; design review requirements for gateway areas of CMC Chapter 18.19; and where zoning is designated, Chapter 18.23 Mixed Use.

(2) Type of commercial uses. The commercially zoned land within the 283 acres property is located at the intersection of NE Goodwin Rd/NE 28th Street and NE Ingle Road. It is zoned Community Commercial (CC), and is subject to the use limitations within that zone. If approved as a PRD, then permitted uses per CMC§18.23.060, states, *“Permitted or conditional uses currently listed in the applicable zoning classification shall be considered permitted within a PRD. All proposed uses shall be reviewed in conjunction with the preliminary master plan review.”* If the amendment is approved, and the subject property contains commercially zoned land, then the code would allow any permitted and conditional use of that commercial zone outright. Given that commercial development often changes use over time, this provision restricts uses to those reviewed with the preliminary application. The code is silent as to a process for changing uses after a PRD has been approved.

Location of commercial uses. Regarding location, the proposed amendment reads, *“...residential uses and commercial uses may be arranged in a manner that causes commercial uses to occur on residentially zoned land...”* A plain reading would permit commercial uses to occur anywhere on the property (or nowhere), albeit the actual plans as presented in a development agreement to Council are more specific. However, a change to the code would apply to any PRD development. The city must ensure there is adequate land for economic development, and the proposed text should be more precise.

(3) Requiring a development agreement. A PRD must include a preliminary master plan per CMC§18.23.070 Preliminary master plan-requirements, which is subject to a public hearing before Planning Commission and final decision of council. Following that permit, the PRD must return to council with a Final Master Plan for approval (no hearing). Staff is concerned that adding a requirement for approval of a development agreement, would be duplicative, and overly burdensome to an applicant unless there is a qualifier included in this requirement, beyond what is already required within the existing code.

For example, should the development agreement include a list of allowed commercial uses, associated parking standards, and landscaping/buffer design?

(4) Land use allocation formula in a PRD. CMC§18.23.030, subsections E, F, and H, regulates the mix of uses in a PRD. Subsection “E” requires fifty percent to a “maximum” of seventy percent of the overall permitted density be single family homes. Subsection “F” requires multi-family development, which would not be between thirty and fifty percent of the density provisions. In general, the code is silent at “H” regarding the minimum amount of open space, other than it must include trails and passive open space areas. If commercial uses are allowed within a PRD, should the code provide a similar performance measure, such as specifying a minimum percentage of the total property, or provide a number of potential jobs within the project? If the code is silent regarding a minimum measure of commercial development, then how would the city ensure that there is no impact to the city’s employment forecast?

ALTERNATIVE

The PRD code is intentionally discretionary and flexible, in order to “*facilitate the innovative development of land*” CMC§18.23.010-Purpose. The applicant’s proposal to amend the PRD code to include limited commercial uses is consistent with the purpose statement. The alternative amendments are intended to address the concerns raised in the discussion section of this report, and maintain the flexibility of the PRD code as intended.

Proposed alternative

18.23.020 Definitions

"Planned residential development" (hereinafter referred to as a PRD) means a development constructed on land of at least ten acres in size, designed and consistent with an approved master plan. A PRD is comprised of two primary components: single-family and multifamily units. The single-family component shall contain only single-family detached residences on lots equal to or greater than four thousand square feet. The multifamily component may contain either attached or detached single-family residences on lots smaller than four thousand square feet, or it may contain, but may not be limited to, duplexes, rowhouses, apartments, and designated manufactured homes, all developed in accordance with [Section 18.23.030\(A\)](#) of this chapter. [Secondary components include parks and recreational amenities, accessory uses, and limited commercial uses as provided in this Chapter.](#)

18.23.030 - Scope.

Planned residential developments (PRDs) are optional. If proposed, it shall be established under the following criteria:

- A. A PRD may be allowed in all R and MF zoning districts. [Where a PRD is contiguous to lands planned and zoned for commercial uses, the City, may subject to a Development Agreement, provide for the inclusion of the commercial area into the PRD master plan for the purposes of establishing continuity community design, pedestrian and commercial circulation, streetscape standards and design, and effective transitions between commercial and residential uses.](#)
- B. The minimum land area necessary to apply for a PRD shall be ten acres of contiguous land.
- C. All land in which a PRD is to be developed shall be held and maintained in a single ownership, including but not limited to an individual, partnership, corporation, or homeowner's association. Evidence of such ownership shall be provided to the planning commission and city council before PRD approval.
- D. Permissible uses within a PRD include any use listed as a permitted use or conditional use in the applicable zones, as per CMC [Section Chapter 18.07.040 Table 2](#), when approved as part of a master plan. Notwithstanding an approved master plan, incidental accessory buildings, incidental accessory structures, and home occupations may be authorized on a case by case basis.

- E. A minimum of fifty percent to a maximum of seventy percent of the overall permitted [residential](#) density of the PRD must be single-family homes.
- F. The multifamily component (two or more attached dwelling units) of a PRD shall ideally be developed toward the interior of the tract, rather than the periphery, to ensure compatibility with existing single-family residences that border the surrounding properties. Deviation from this requirement shall be requested during the preliminary master plan review, and specifically approved by the planning commission and city council.
- G. Density standards and bonuses for [the residential portion of](#) a PRD shall be in accordance with CMC Sections [18.23.040](#) and [18.23.050](#)
- H. An equivalent amount of up to twenty percent of the developable area shall be set aside and developed as recreational open space in a PRD, and shall include the following:
 - 1. Passive or active recreation concentrated in large usable areas;
 - 2. Provide trails and open space for connection and extension with the city's open space and trail plan, if feasible; and
 - 3. Be held under one ownership, and maintained by the ownership; or be held in common ownership by means of homeowners' association, and maintained by the homeowners' association. The open space and recreation areas shall be dedicated for public use and be maintained by the ownership or homeowners' association.

FINDINGS

The following findings address the concerns raised in this report, and support the approval of the alternative amendments as proposed by staff.

(1) As discussed, the term “urban village” is not defined in the CMC.

Findings: The definition of PRD could be amended to include secondary uses, rather than introduce new terminology. See alternative CMC§18.32.020 above.

(2) As discussed, staff is concerned regarding the location of commercial uses being uncertain, and whether decision makers are comfortable with CMC§18.23.060 as adopted.

Findings: The proposed alternative text at 18.23.030(A) provides direction as to the manner for including commercial uses by requiring, “(E)ffective transitions between commercial and residential uses.” The current code at CMC§18.23.060 limits uses to those allowed by the underlying zone, and no amendments to this section are proposed by staff, if a development agreement is required.

(3) As discussed, requiring a development agreement may be duplicative if it does not include standards beyond what is required in the PRD Chapter.

Findings: The alternative text provides a purpose statement at CMC§18.23.030(A), which only applies to projects that include commercial land.

(4) As discussed, the calculation of land uses at CMC§18.23.030, subsections E, F, and H, for single family, multi-family and open space, could limit commercial land uses.

Findings: The alternative text inserted the term “residential portion” at subsections E and G to address those concerns.

RECOMMENDATION

That Planning Commission reviews the proposed amendments, conducts a public hearing, deliberates, refines amendment as necessary, and forwards a recommendation to City Council to approve the alternative amendments to CMC Chapter 18.23 Planned Residential Development.



LANDERHOLM

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September 17, 2014

Robert Maul
Planning Manager
City of Camas
616 NE 4th Avenue
Camas, WA 98607

Re: Green Mountain Mixed Use Development-File PA 14-07

Dear Robert:

On behalf of the Applicant, Green Mountain Land, LLC, we are formally requesting approval of a text amendment to the City's Planned Residential Development ordinance. The Applicant is requesting that the City amend CMC 18.23.030A, to add the following language:

"Commercially zoned property may be allowed within a PRD when it is part of an overall master plan that includes an Urban Village and which is subject to a Development Agreement. Where commercially zoned property becomes part of a PRD as provided for in this section, residential uses and commercial uses may be arranged in a manner that causes commercial uses to occur on residentially zoned land and residential uses to occur on commercially zoned land. Nothing in this section shall allow the number of residential units to exceed the number of residential units that could otherwise occur in the residentially zoned portion of the PRD."

As you know, the Applicant and the City have been working together to achieve a master plan design of the Green Mountain mixed use development that we all can be proud of and that will further the City's goals for parks, trails and open space, density, view preservation, capital facilities, economic development, compatibility and aesthetically pleasing design. Part of this joint effort includes the adoption of a development agreement. In furtherance of these and other goals identified in the City's Comprehensive Plan, the Applicant's development agreement and master plan are designed to preserve a large majority of the heavily wooded upper portions of Green Mountain and to create large areas of open space and trails. To accomplish this, the master plan relocates the lots that could have been constructed in these sensitive areas to areas further down the hill that have far less view impacts or impacts to trees and steep slopes.

The property has multiple zoning designations including Multi Family, Single Family and Commercial. One of the foundational elements of the master plan is an urban village. The urban village is located at the bottom of the hill along Goodwin and Ingle Road. The goal of the urban village is to create an environment that is pedestrian friendly, accessible to future mass transit, provides a mix of uses that are compatible, easily accessible and functionally integrated in a manner that creates a vibrant place to live work, shop or play.

Re: Green Mountain Mixed Use Development
September 17, 2014
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While one of the purposes of the City's PRD code is to allow the blending of zoning designations in conjunction with the integration of open space, the code as currently written does not allow for commercially zoned land to be included in a PRD. When the City brought this property into its Urban Growth Boundary and annexed it, it is clear by the variety of zoning designations that were applied to this property that the City intended for this property to develop with a mix of uses and a mix of densities and home types.

If the property were to be developed under the current PRD ordinance, the commercial uses would be functionally separated from the remainder of the project. The commercial area would also likely develop as a standard "blank wall" commercial center that is auto oriented with large amounts of surface parking. By allowing the commercially zoned land to be included in the PRD, substantial opportunities are presented to create specialty retail and other commercial space that may have residential on the second floor. It would also allow some of the commercial uses to be located in the interior of the urban village to further enhance the pedestrian opportunities to access goods and services. Opportunities are also created to architecturally blend the commercial uses with the residential uses.

The proposed ordinance amendment has been drafted in a manner that requires close scrutiny by the City before these provisions can be applied to any PRD application. The proposed ordinance requires a concurrent development agreement approved by the City Council, and a master plan with an urban village area. The proposed ordinance creates design and functional integration opportunities that simply do not exist within the existing PRD code provisions. Because of the ordinance's requirements for a City Council approved master plan and development agreement, the City can assure that there are no unintended consequences caused by the proposed amendment.

The Applicant encourages the City to strongly consider adopting the proposed amendment or an amendment that would achieve the same result. We look forward to working with the City on this, the development agreement and the upcoming PRD process.

Sincerely,

LANDERHOLM, P.S.



RANDALL B. PRINTZ

RBP/ss

Enclosure

CC: Phil Bourquin

GREM15-000001 - Document in ProLaw



STAFF REPORT
LIMITED AMENDMENT TO THE CAMAS SHORELINE MASTER PROGRAM
WETLAND REGULATIONS
File #MC 15-02
January 13, 2015

To: Bryan Beel, Chair
Planning Commission

Public Hearing: January 21, 2015

From: Sarah Fox, Senior Planner

Compliance with state agencies: Notice of the public hearing before Planning Commission was published in the Camas Post Record on January 13, 2015 (publication no. 526907).

SUMMARY

The proposed limited amendments to the Camas Shoreline Master Program (SMP), specifically Appendix C, Chapter 16.53 Wetlands, are intended to comply with new mandates from the Department of Ecology (Ecology), which went into effect on January 1, 2015. The memorandum that is attached to this report from the Department of Ecology entitled, 2014 Updates to the Washington State Wetland Rating Systems (Attachment B), provides a summary of the changes to the law and the purpose. Although the Camas Municipal Code wetland provisions were adopted on January 5, 2015, by Ordinance 15-001, those updates are not adopted by reference in the SMP.

ANALYSIS

The proposed amendments to the SMP, Appendix C, Chapter 16.53 Wetlands, are intended to comply with state mandates. Ecology updated their wetland guidance manuals and method of scoring to be consistent with revised federal standards. The wetland scoring system is the most evident change to the regulations.

Staff also received guidance from Ecology (Attachment C), which was specific to the city's municipal code update. The critical area regulations within the city's municipal code are substantially similar (not identical) to the provisions within the SMP, which is why Attachment C is included with this report. The amendments that were adopted with Ordinance 15-001, are similar to the amendments that are proposed for the limited SMP amendment, however the process of amending the SMP differs from amending the municipal code. Ecology must ultimately approve the amendments to the SMP; after the city's final decision is rendered per RCW90.58.090 of the Shoreline Management Act (SMA). Washington Administrative Codes (WAC) Section 173.26.100, describes the process, and subsection 201, requires that the city provide evidence that the amendments will result in no net loss of ecological functions. The state code is in italics below.

WAC§173.26.201(c) "Limited master program amendments may be approved by the department provided the department concludes:

(i) The amendment is necessary to:

- (A) Comply with state and federal laws and implementing rules applicable to shorelines of the state within the local government jurisdiction;
- (B) Include a newly annexed shoreline of the state within the local government jurisdiction;
- (C) Address the results of the periodic master program review required by RCW 90.58.080(4), following a comprehensive master program update;

- (D) Improve consistency with the act's goals and policies and its implementing rules; or
- (E) Correct errors or omissions.

Findings: The limited amendments to the SMP, Appendix C, Chapter 16.53 Wetlands are intended to comply with state and federal laws, per "A", and will be consistent with the SMA's goals and policies per "D". The city has not annexed new shoreline areas per "B". The amendments are limited to the wetland regulations, and is not a periodic updates of the SMP, per "C"

- (ii) The local government is not currently conducting a comprehensive shoreline master program update designed to meet the requirements of RCW 90.58.080, unless the limited amendment is vital to the public interest;

Findings: True. The city is not conducting a comprehensive shoreline master program update.

- (iii) The proposed amendment will not foster uncoordinated and piecemeal development of the state's shorelines;

Findings: True. The limited amendments to the SMP, Appendix C, Chapter 16.53 Wetlands will avoid inconsistencies with development standards.

- (iv) The amendment is consistent with all applicable policies and standards of the act;

Findings: The limited amendments to the SMP will be consistent with the policies and standards of state and federal regulations.

- (v) All procedural rule requirements for public notice and consultation have been satisfied; and

Findings: A public notice was published and distributed on January 13, 2015, prior to the public hearing that will be held on January 21, 2015. The city will send notices to the Department of Commerce and Ecology as required 60-days prior to the anticipated final decision of Council. The city will also issue a SEPA determination and distribute it to the applicable agencies.

- (vi) Master program guidelines analytical requirements and substantive standards have been satisfied, where they reasonably apply to the limited amendment. All master program amendments must demonstrate that the amendment will not result in a net loss of shoreline ecological functions."

Findings: The limited amendment will be consistent with changes required by state mandate, and no local ecological analysis has been conducted.

RECOMMENDATION

That Planning Commission conduct a public hearing, deliberate, and forward a recommendation of approval to City Council.

Camas Shoreline Master Program
Appendix C
Chapter 16.53 - WETLANDS

16.53.020 - Rating system

A. Designating Wetlands. Wetlands are those areas, designated in accordance with the Washington State Wetland Identification and Delineation Manual, or Corps of Engineers Delineation Manual, Environmental Laboratories, 1987, or most current editions approved federal wetland delineation manual and applicable regional supplements, that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. All areas within the City of Camas meeting the wetland designation criteria in the State Identification and Delineation Manual approved federal wetland delineation manual and applicable regional supplements, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this title.

B. Wetland Rating System. Wetlands shall be rated according to the Washington State Department of Ecology (Ecology) wetland rating system found in Washington State Wetlands Rating System for Western Washington-2014 Update, (Revised, Ecology publication No. 04-06-02514-06-029, August 2004October 2014) or most current edition. The rating system document contains the definitions and methods for determining if the criteria below are met:

1. Wetland Rating Categories.

a. Category I. Category I wetlands are those that meet one or more of the following criteria:

- i. Wetlands that are identified by scientists of the Washington Natural Heritage Program, Department of Natural Resources (DNR) as wetlands with high quality wetlandsconservation value;
- ii. Bogs ~~larger than one half acre~~;
- iii. Mature and old growth forested wetlands larger than one acre;
- iv. Wetlands that perform many functions well, as indicated by scoring seventy twenty-three points or more(out of one hundred) in the rating system.

Category I wetlands represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, are relatively undisturbed and contain some ecological attributes that are impossible to replace within a human lifetime, or provide a very high level of functions.

b. Category II. Category II wetlands are those ~~that meet one or more of the following criteria:~~

- ~~i. Wetlands identified by the Washington Natural Heritage Program as containing sensitive plant species;~~
- ~~ii. Bogs between one fourth and one half acre in size;~~
- ~~iii. Wetlands with a moderately high level of functions, as indicated by scoring fifty one twenty and twenty-two points to sixty nine~~ in the Ecology rating system.

Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly

than Category I wetlands, but they still need a relatively high level of protection.

c. Category III. Category III wetlands are those with a moderate level of functions, as indicated by scoring ~~thirty to fifty~~between sixteen and nineteen points in the Ecology rating system. Generally, wetlands in this category have been disturbed in some way and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

d. Category IV. Category IV wetlands have the lowest levels of functions and are often heavily disturbed. They are characterized by a score of ~~less than thirty~~on fewer than sixteen points in the rating system. These are wetlands that should be replaceable, and in some cases may be improved. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions, and should be protected to some degree.

2. Date of Wetland Rating. Wetland rating categories shall be applied as the wetland exists on the date of adoption of the rating system by the local government, as the wetland naturally changes thereafter, or as the wetland changes in accordance with permitted activities. Wetland rating categories shall not change due to illegal modifications.

16.53.030 - Critical area report—Additional requirements for wetlands

A. Prepared by a Qualified Professional. A critical areas report for wetlands shall be prepared by a qualified professional who is a wetland biologist with experience preparing wetland reports.

B. Area Addressed in Critical Area Report. In addition to the requirements of Appendix C - Chapter 16.51, the following areas shall be addressed in a critical area report for wetlands:

1. Within a subject parcel or parcels, the project area of the proposed activity;
2. All wetlands and recommended buffer zones within three hundred feet of the project area within the subject parcel or parcels;
3. All shoreline areas, water features, floodplains, and other critical areas, and related buffers within three hundred feet of the project area within the subject parcel or parcels;
4. The project design and the applicability of the buffers based on the proposed layout and the level of land use intensity; and
5. Written documentation from the qualified professional demonstrating compliance with the requirements of this chapter.

C. Wetland Determination. In conjunction with the submittal of a development permit application, the responsible official shall determine the probable existence of a wetland on the subject parcel. If wetland or wetland buffers are found to be likely to exist on the parcel, wetland delineation is required.

D. Wetland Delineation

1. Methodology. Wetland Delineation shall be determined in accordance with the ~~“Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region”~~approved federal wetland delineation manual and applicable regional supplements. (most currently adopted version), as required per WAC173-22-035 (March 14, 2011).

2. Information Requirements. Wetland boundaries shall be staked and flagged in the field and a delineation report shall be submitted to the department. The report shall include the following information:

- a. USGS quadrangle map with site clearly defined;
- b. Topographic map of area;
- c. National wetland inventory map showing site;
- d. Soil conservation service soils map showing site;
- e. Site map, at a scale no smaller than one inch equals one hundred feet (a scaling ratio of one is to one thousand two hundred), if practical, showing the following information:
 - i. Wetland boundaries,
 - ii. Sample sites and sample transects,
 - iii. Boundaries of forested areas,
 - iv. Boundaries of wetland classes if multiple classes exist;
- f. Discussion of methods and results with special emphasis on technique used from the [approved federal Wetlands Delineation Manual](#) and applicable regional supplements;
- g. Acreage of each wetland on the site based on the survey if the acreage will impact the buffer size determination or the project design;
- h. All completed field data sheets per the [approved federal Wetlands Delineation Manual](#) and applicable regional supplements, numbered to correspond to each sample site.

E. Wetland Analysis. In addition to the minimum required contents of subsection D of this section, and in addition to Section 16.51.140, a critical area report for wetlands shall contain an analysis of the wetlands including the following site- and proposal-related information at a minimum:

1. A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing wetlands and restore any wetlands that were degraded prior to the current proposed land use activity.
2. Proposed mitigation, if needed, including a written assessment and accompanying maps of the mitigation area, including the following information at a minimum:
 - a. Existing and proposed wetland acreage;
 - b. Vegetative, faunal, and hydrologic conditions;
 - c. Relationship within watershed, and to existing water bodies;
 - d. Soil and substrate conditions, topographic elevations;
 - e. Existing and proposed adjacent site conditions;
 - f. Required wetland buffers; and
 - g. Property ownership.
3. A discussion of ongoing management practices that will protect wetlands after the project site has been developed; including proposed monitoring and maintenance programs.

When deemed appropriate, the director may also require the critical area report to include an evaluation by the Department of Ecology or an independent qualified expert regarding the applicant's analysis, and the effectiveness of any proposed mitigating measures or programs, and to include any recommendations as appropriate.

16.53.040 - Standards

A. Activities and uses shall be prohibited from wetlands and wetland buffers, except as provided for in this chapter.

B. Wetland Buffers. Wetland buffer widths shall be determined by the responsible official in accordance with the standards below:

1. All buffers shall be measured horizontally outward from the delineated wetland boundary or, in the case of a stream with no adjacent wetlands, the ordinary high water mark as determined in consultation with Ecology.

2. Buffer widths are established by comparing the wetland rating category and the intensity of land uses proposed on development sites per Tables 16.53.040-1, 16.53.040-2, 16.53.040-3 and 16.53.040-4. For Category IV wetlands, the required water quality buffers, per Table 16.53.040-1, are adequate to protect habitat functions.

Table 16.53.040-1**Buffers Required to Protect Water Quality Functions**

Wetland Rating	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I	50 ft.	75 ft.	100 ft.
Category II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

Table 16.53.040-2 Buffers**Required to Protect Habitat Functions in Category I and II Wetlands**

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
19 4 points or less	See Table 16.6053.040-1	See Table 16.6053.040-1	See Table 16.6053.040-1
20	60 ft.	75 ft.	100 ft.
24 5	70	85 105	100 140
22	80	95	120
23 6	90	105 135	140 180
24	100	115	160
25 7	110	125 165	180 220
26	120	135	200
27 8	130	145 195	220 260
28	140	165	240
29	150	185	260
30	150	205	280
31 9 points or greater	150	225	300

Table 16.53.040-3 Buffers Required to Protect Habitat Functions in Category III Wetlands

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
20-4 points or less	See Table 16. 6053 .040-1	See Table 16. 6053 .040-1	See Table 16. 6053 .040-1
21	45 ft.	65 ft.	90 ft.
22	50	70	100
23	55	80	110
24 5	60	90	120
25 6	65 ft.	100 ft.	130 ft. 135
26	70	105	140
27 points or greater	75 ft.	110 ft.	150 ft.
8	130	195	260
9	150	225	300

Table 16.53.040-4 Land Use Intensity Matrix¹

	Parks and Recreation	Streets and Roads	Stormwater Facilities	Utilities	Commercial/Industrial	Residential ²
Low	Natural fields and grass areas, viewing areas, split rail fencing	NA	Outfalls, spreaders, constructed wetlands, bioswales, vegetated detention basins, overflows	Underground and overhead utility lines, manholes, power poles (without footings)	NA	Density at or lower than 1 unit per 5 acres
Moderate	Impervious trails, engineered fields, fairways	Residential driveways and access roads	Wet ponds	Maintenance access roads	NA	Density between 1 unit per acre and higher than 1 unit per 5 acres
High	Greens, tees, structures, parking, lighting, concrete or gravel pads, security fencing	Public and private streets, security fencing, retaining walls	Maintenance access roads, retaining walls, vaults, infiltration basins, sedimentation fore bays and structures, security fencing	Paved or concrete surfaces, structures, facilities, pump stations, towers, vaults, security fencing, etc.	All site development	Density higher than 1 unit per acre

1. The responsible official shall determine the intensity categories applicable to proposals should characteristics not be specifically listed in Table 16.53.060-4.

2. Measured as density averaged over a site, not individual lot sizes.

3. Where a residential plats and subdivisions is proposed within shoreline jurisdiction, wetlands and wetland buffers shall be placed within a non-buildable

tract unless creation of a tract would result in violation of minimum lot depth standards.

4. Adjusted Buffer Width in shoreline jurisdiction.

a. Adjustments Authorized by Wetland Permits. Adjustments to the required buffer width are authorized by Section 16.53.050(D) of this section upon issuance of a wetland permit.

b. Functionally Isolated Buffer Areas. Areas which are functionally separated from a wetland and do not protect the wetland from adverse impacts shall be treated as follows:

i. Preexisting roads, structures, or vertical separation shall be excluded from buffers otherwise required by this chapter;

ii. Distinct portions of wetlands with reduced habitat functions that are components of wetlands with an overall habitat rating score greater than ~~twenty~~ five points shall not be subject to the habitat function buffers designated in Tables 16.53.040-2 and 16.53.040-3 if all of the following criteria are met:

(A) The area of reduced habitat function is at least one acre in size,

(C) The area does not meet any WDFW priority habitat or species criteria, and

(D) The required habitat function buffer is provided for all portions of the wetland that do not have reduced habitat function.

(E) The buffer reduction afforded by this subsection shall not exceed 75% of the required buffer width of Category I and II wetlands.

C. Standard Requirements. Any action granting or approving a development permit application shall be conditioned on all the following:

1. Marking Buffer During Construction. The location of the outer extent of the wetland buffer shall be marked in the field and such markings shall be maintained throughout the duration of the permit.

2. Permanent Marking of Buffer Area. A permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official. In addition, small signs shall be posted at an interval of one per lot or every one hundred feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer as approved by the responsible official, and worded substantially as follows:

Wetland and Buffer—Please retain in a natural state.

3. A conservation covenant shall be recorded in a form approved by the City as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer.

4. In the case of plats, short plats, and recorded site plans, include on the face of such instrument the boundary of the wetland and its buffer, and a reference to the separately recorded conservation covenant provided for in subsection (C)(3) of this section.

D. Standard Requirements—Waivers. The responsible official shall waive the requirements of Section 16.53.030(D) and subsection B of this section in certain cases described below if the applicant designates development envelopes which are clearly outside of any wetland or buffer. The responsible official may require partial wetland delineation to the extent necessary to ensure eligibility for this waiver:

1. Residential building permits and home businesses;
2. Site plan reviews where the responsible official determines that all development is clearly separated from the wetlands and wetland buffers:
 - a. Development envelopes shall be required for a fully complete preliminary application,
 - b. Development envelopes shall be shown on the final site plan, and
 - c. A note referencing the development envelopes shall be placed on the final site plan.

16.53.050 - Wetland permits

A. General.

1. A wetland permit is required for any development activity that is not exempt pursuant to Section 16.53.010(C) within wetlands and wetland buffers.
2. Standards for wetland permits are provided in subsections B, C and D of this section.
3. All wetland permits require approval of a preliminary and final enhancement/mitigation plan in accordance with the provisions of subsection E of this section unless the preliminary enhancement/mitigation plan requirement is waived under the provisions of subsection (E)(2) of this section.
4. Wetland permit application, processing, preliminary approval, and final approval procedures are set out in subsections F through I of this section.
5. Provisions for programmatic permits are provided by subsection K of this section.
6. Provisions for emergency wetland permits are provided by subsection L of this section.

B. Standards—General. Wetland permit applications shall be based upon a mitigation plan and shall satisfy the following general requirements:

1. The proposed activity shall not cause significant degradation of wetland functions;
2. The proposed activity shall comply with all state, local, and federal laws, including those related to sediment control, pollution control, floodplain restrictions, stormwater management, and on-site wastewater disposal.

C. Buffer Standards and Authorized Activities. The following additional standards apply for regulated activities in a wetland buffer to ensure no net loss of ecological functions and values:

1. Buffer Reduction Incentives. Standard buffer widths may be reduced under the following conditions, provided that functions of the post-project wetland are equal to or greater after use of these incentives.
 - a. Lower Impact Land Uses. The buffer widths recommended for proposed land uses with high-intensity impacts to wetlands can be reduced to those recommended for moderate-intensity impacts if both of the following criteria are met:

- i. A relatively undisturbed, vegetated corridor at least one hundred feet wide is protected between the wetland and any other priority habitats that are present as defined by the Washington State Department of Fish and Wildlife*; and
 - ii. Measures to minimize the impacts of the land use adjacent to the wetlands are applied, such as infiltration of stormwater, retention of as much native vegetation and soils as possible, direction of noise and light away from the wetland, and other measures that may be suggested by a qualified wetlands professional.
 - b. Restoration. Buffer widths may be reduced up to twenty-five percent if the buffer is restored or enhanced from a pre-project condition that is disturbed (e.g., dominated by invasive species), so that functions of the post-project wetland and buffer are equal or greater. To the extent possible, restoration should provide a vegetated corridor of a minimum one hundred feet wide between the wetland and any other priority habitat areas as defined by the Washington State Department of Fish and Wildlife. The habitat corridor must be protected for the entire distance between the wetland and the priority habitat area by some type of permanent legal protection such as a covenant or easement. The restoration plan must meet requirements in subsection D of this section for a mitigation plan, and this section for a critical area report.
 - c. Combined Reductions. Buffer width reductions allowed under subsections (C)(1)(a) and (C)(1)(b) of this section may be added provided that minimum buffer widths shall never be less than seventy-five percent of required buffer width for all Categories I and II, or less than fifty feet for Category III wetlands, and twenty-five feet for all Category IV wetlands.
2. Buffer Averaging. Averaging buffers is allowed in conjunction with any of the other provisions for reductions in buffer width (listed in subsection (C)(1) of this section) provided that minimum buffer widths listed in subsection (C)(1)(c) of this section are adhered to. The community development department shall have the authority to average buffer widths on a case-by-case basis, where a qualified wetlands professional demonstrates, as part of a critical area report, that all of the following criteria are met:
- a. The total area contained in the buffer after averaging is no less than that contained within the buffer prior to averaging;
 - b. Decreases in width are generally located where wetland functions may be less sensitive to adjacent land uses, and increases are generally located where wetland functions may be more sensitive to adjacent land uses, to achieve no net loss or a net gain in functions;
 - c. The averaged buffer, at its narrowest point, shall not result in a width less than seventy-five percent of the required width, provided that minimum buffer widths shall never be less than fifty feet for all Category I, Category II, and Category III wetlands, and twenty-five feet for all Category IV wetlands; and
 - d. Effect of Mitigation. If wetland mitigation occurs such that the rating of the wetland changes, the requirements for the category of the wetland after mitigation shall apply.
3. Stormwater Facilities. Stormwater facilities are only allowed in buffers of wetlands with low habitat function (less than [twenty-four](#) points on the habitat section of

the rating system form); provided, the facilities shall be built on the outer edge of the buffer and not degrade the existing buffer function, and are designed to blend with the natural landscape. Unless determined otherwise by the responsible official, the following activities shall be considered to degrade a wetland buffer when they are associated with the construction of a stormwater facility:

- a. Removal of trees greater than four inches diameter at four and one-half feet above the ground or greater than twenty feet in height;
- b. Disturbance of plant species that are listed as rare, threatened, or endangered by the City, county, or any state or federal management agency;
- c. The construction of concrete structures, other than manholes, inlets, and outlets that are exposed above the normal water surface elevation of the facility;
- d. The construction of maintenance and access roads;
- e. Slope grading steeper than four to one horizontal to vertical above the normal water surface elevation of the stormwater facility;
- f. The construction of pre-treatment facilities such as fore bays, sediment traps, and pollution control manholes;
- g. The construction of trench drain collection and conveyance facilities;
- h. The placement of fencing; and
- i. The placement of rock and/or riprap, except for the construction of flow spreaders, or the protection of pipe outfalls and overflow spillways; provided, that buffer functions for areas covered in rock and/or riprap are replaced.

4. Road and Utility Crossings. Crossing buffers with new roads and utilities is allowed provided all the following conditions are met:

- a. Buffer functions, as they pertain to protection of the adjacent wetland and its functions, are replaced; and
- b. Impacts to the buffer and wetland are minimized.

5. Other Activities in a Buffer. Regulated activities not involving stormwater management, road and utility crossings, or a buffer reduction via enhancement are allowed in the buffer if all the following conditions are met:

- a. The activity is temporary and will cease or be completed within three months of the date the activity begins;
- b. The activity will not result in a permanent structure in or under the buffer;
- c. The activity will not result in a reduction of buffer acreage or function;
- d. The activity will not result in a reduction of wetland acreage or function.

D. Standards—Wetland Activities. The following additional standards apply to the approval of all activities permitted within wetlands under this section:

1. Sequencing. Applicants shall demonstrate that a range of project alternatives have been given substantive consideration with the intent to avoid and minimize impacts to wetlands. Documentation must demonstrate that the following hierarchy of avoidance and minimization has been pursued:

- a. Avoid impacts to wetlands unless the responsible official finds that:
 - i. For Categories I and II wetlands, avoiding all impact is not in the public interest or will deny all reasonable economic use of the site;
 - ii. For Categories III and IV wetlands, avoiding all impact will result in a project that is either:

(A) Inconsistent with the City of Camas comprehensive plan,

- (B) Inconsistent with critical area conservation goals, or
- (C) Not feasible to construct.

b. Minimize impacts to wetlands if complete avoidance is infeasible. The responsible official must find that the applicant has limited the degree or magnitude of impact to wetlands by using appropriate technology and by taking affirmative steps to reduce impact through efforts such as:

- i. Seeking easements or agreements with adjacent land owners or project proponents where appropriate;
- ii. Seeking reasonable relief that may be provided through application of other City zoning and design standards;
- iii. Site design; and
- iv. Construction techniques and timing.

c. Compensate for wetland impacts that will occur, after efforts to minimize have been exhausted. The responsible official must find that:

- i. The affected wetlands are restored to the conditions existing at the time of the initiation of the project;
- ii. Unavoidable impacts are mitigated in accordance with this subsection; and
- iii. The required mitigation is monitored and remedial action is taken when necessary to ensure the success of mitigation activities.

2. Location of Wetland Mitigation. Wetland mitigation for unavoidable impacts shall be located using the following prioritization:

- a. On-Site. Locate mitigation according to the following priority:
 - i. Within or adjacent to the same wetland as the impact,
 - ii. Within or adjacent to a different wetland on the same site;
- b. Off-Site. Locate mitigation within the same watershed or use an established wetland mitigation bank; the service area determined by the mitigation bank review team and identified in the executed mitigation bank instrument;
- c. In-Kind. Locate or create wetlands with similar landscape position and the same hydro-geomorphic (HGM) classification based on a reference to a naturally occurring wetland system; and
- d. Out-of-Kind. Mitigate in a different landscape position and/or HGM classification based on a reference to a naturally occurring wetland system.

3. Types of Wetland Mitigation. The various types of wetland mitigation allowed are listed below in the general order of preference.

a. Restoration. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into:

- i. Re-Establishment. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.
- ii. Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic

functions to a degraded wetland. Re-establishment results in a gain in wetland function, but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.

b. Creation (Establishment). The manipulation of the physical, chemical, or biological characteristics of a site with the goal of developing a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.

c. Enhancement. The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve the specific function(s), or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, floodwater retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations, or the proportion of open water to influence hydroperiods, or some combination of these activities.

d. Protection/Maintenance (Preservation). Removing a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This includes the purchase of land or easements, repairing water control structures or fences, or structural protection such as repairing a barrier island. This term also includes activities commonly associated with the term preservation.

Preservation does not result in a gain of wetland acres, but may result in improved wetland functions.

4. Wetland Mitigation Ratios.

a. Standard Wetland Mitigation Ratios. The following mitigation ratios for each of the mitigation types described in subsections (D)(3)(a) through (D)(3)(c) of this section apply:

Table 16.53.050-1. Standard Wetland Mitigation Ratios (In Area)

Wetland to be Replaced	Reestablishment or Creation	Rehabilitation	Reestablishment or Creation and Rehabilitation	Reestablishment or Creation and Enhancement	Enhancement
Category IV	1.5:1	3:1	1:1 R/C and 1:1 RH	1:1 R/C and 2:1 E	6:1
Category III	2:1	4:1	1:1 R/C and 2:1 RH	1:1 R/C and 4:1 E	8:1
Category II	3:1	6:1	1:1 R/C and 4:1 RH	1:1 R/C and 8:1 E	12:1
Category I, Forested	6:1	12:1	1:1 R/C and 10:1 RH	1:1 R/C and 20:1 E	24:1
Category I, Based on Score for Functions	4:1	8:1	1:1 R/C and 6:1 RH	1:1 R/C and 12:1 E	16:1
Category I, Natural Heritage Site	Not considered possible	6:1 Rehabilitate a natural heritage site	N/A	N/A	Case-by-case

b. Preservation. The responsible official has the authority to approve preservation of existing wetlands as wetland mitigation under the following conditions:

- i. The wetland area being preserved is a Category I or II wetland, or is within a WDFW priority habitat or species area;
- ii. The preservation area is at least one acre in size;
- iii. The preservation area is protected in perpetuity by a covenant or easement that gives the City clear regulatory and enforcement authority to protect existing wetland and wetland buffer functions with standards that exceed the protection standards of this chapter;
- iv. The preservation area is not an existing or proposed wetland mitigation site; and
- v. The following preservation/mitigation ratios apply:

Table 16.53.050-2. Wetland Preservation Ratios for Categories I and II Wetlands (In Area)

Habitat Function of Wetland to be Replaced	In Addition to Standard Mitigation		As the Only Means of Mitigation	
	Full and Functioning Buffer	Reduced and/or Degraded Buffer	Full and Functioning Buffer	Reduced and/or Degraded Buffer
Low (<203 -4 points)	10:1	14:1	20:1	30:1
Moderate (20 — 305 -7 points)	13:1	17:1	30:1	40:1
High (>308 -9 points)	16:1	20:1	40:1	50:1

- c. The responsible official has the authority to reduce wetland mitigation ratios under any of the following circumstances:
 - i. Documentation by a qualified wetland specialist demonstrates that the proposed mitigation actions have a very high likelihood of success based on prior experience;
 - ii. Documentation by a qualified wetland specialist demonstrates that the proposed actions for compensation will provide functions and values that are significantly greater than the wetland being affected;
 - iii. The proposed actions for compensation are conducted in advance of the impact and are shown to be successful;
 - iv. In wetlands where several HGM classifications are found within one delineated wetland boundary, the areas of the wetlands within each HGM classification can be scored and rated separately and the mitigation ratios adjusted accordingly, if all the following apply:
 - (A) The wetland does not meet any of the criteria for wetlands with "Special Characteristics," as defined in the rating system,
 - (B) The rating and score for the entire wetland is provided, as well as the scores and ratings for each area with a different HGM classification,
 - (C) Impacts to the wetland are all within an area that has a different HGM classification from the one used to establish the initial category, and
 - (D) The proponents provide adequate hydrologic and geomorphic data to establish that the boundary between HGM classifications lies at least fifty feet outside of the footprint of the impacts.

5. Alternate Wetland Mitigation ~~as determined through an analysis of mitigation sequencing.~~

- a. Wetland Mitigation ~~Banking~~ Banks.
 - i. Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands when:
 - (A) The bank is certified under state rules;
 - (B) The Administrator determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and
 - (C) The proposed use of credits is consistent with the terms and conditions of the certified bank instrument.
 - ii. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the certified bank instrument.
 - iii. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the certified bank instrument. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.
 - i. ~~Construction, enhancement, or restoration of wetlands to use as mitigation for future wetland development impacts is permitted subject to the following:~~
 - ~~(A) A wetland permit shall be obtained prior to any mitigation banking. If a wetland permit is not obtained prior to mitigation bank~~

~~construction, mitigation credit shall not be awarded. On projects proposing off-site wetland banking in addition to required wetland mitigation, a separate wetland permit shall be required for each activity. The performance and maintenance bond requirements of subsections (H)(3)(c) and (H)(3)(d) of this section shall not be applicable, provided there are no requests for mitigation credit prior to the City determining the mitigation banking is successful. If mitigation banking is not fully functioning, as defined in the wetland permit, at the time mitigation credit is requested, subsections (H)(3)(c) and (H)(3)(d) of this section shall apply;~~

~~(B) Federal and state wetland regulations, if applicable, may supersede City requirements;~~

~~ii. The mitigation credit allowed will be determined by the City, based on the wetland category, condition, and mitigation ratios as specified in subsection (D)(4) of this section. Prior to granting mitigation banking credit, all wetland mitigation banking areas must comply with Section 16.53.040(E)(4)(b) and (E)(4)(c), and, if applicable, subsection (H)(3) of this section;~~

~~iii. On projects proposing off-site wetland banking in addition to required wetland mitigation, a separate permit fee will be required for each activity;~~

~~iv. Purchase of banked wetland credits is permitted to mitigate for wetland impacts in the same watershed, provided the applicant has minimized wetland impacts, where reasonably possible, and the following requirements are met:~~

~~(A) Documentation, in a form approved by the City, adequate to verify the transfer of wetland credit shall be submitted, and~~

~~(B) A plat note, along with information on the title, shall be recorded in a form approved by the City as adequate to give notice of the requirements of this section being met by the purchase of banked wetland credits.~~

~~b. Cumulative Effects Fund~~In-Lieu Fee. To aid in the implementation of off-site mitigation, the City may develop an in-lieu fee program. This program shall be developed and approved through a public process and be consistent with federal rules, state policy on in-lieu fee mitigation, and state water quality regulations. An approved in-lieu-fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor, a governmental or non-profit natural resource management entity. Credits from an approved in-lieu-fee program may be used when paragraphs 1-6 below apply:

i. The approval authority determines that it would provide environmentally appropriate compensation for the proposed impacts.

ii. The mitigation will occur on a site identified using the site selection and prioritization process in the approved in-lieu-fee program instrument.

iii. The proposed use of credits is consistent with the terms and conditions of the approved in-lieu-fee program instrument.

iv. Land acquisition and initial physical and biological improvements of the mitigation site must be completed within three years of the credit sale.

v. Projects using in-lieu-fee credits shall have debits associated with the proposed impacts calculated by the applicant's qualified wetland scientist using the method consistent with the credit assessment method specified in the approved instrument for the in-lieu-fee program.

vi. Credits from an approved in-lieu-fee program may be used to compensate for impacts located within the service area specified in the approved in-lieu-fee instrument. Any cumulative effects fund or in-lieu fee program that proposes to use credits for state or federal permits will need to seek approval from the Corps of Engineers and Ecology. The Federal Mitigation Rule (40 CFR Part 230) has criteria for approval.

c. Compensatory mitigation credits may be issued for Cumulative Effects Fund. The City may accept payment of a voluntary contribution to an established cumulative effects fund for off-site watershed scale habitat and wetland conservation in lieu of wetland mitigation of unavoidable impacts in the following cases:

i. Residential building permits where on-site enhancement and/or preservation is not adequate to meet the requirements of subsection (D)(4) of this section;

ii. Approved reasonable use exceptions where sufficient on-site wetland and wetland buffer mitigation is not practical;

iii. Small impacts affecting less than 0.10 acre of wetland where on-site enhancement and/or preservation is not adequate to meet the requirements of subsection (D)(4) of this section; or

iv. As an additional mitigation measure when all other mitigation options have been applied to the greatest extent practicable.

6. Stormwater Facilities in shoreline jurisdiction. Stormwater facilities shall follow the specific criteria in this Program, Chapter 6 at Section 6.3.15 Utilities Uses.

7. Utility Crossings. Crossing wetlands by utilities is allowed, provided the activity is not prohibited by subsection (D)(1) of this section, and provided all the following conditions are met:

a. The activity does not result in a decrease in wetland acreage or classification;

b. The activity results in no more than a short-term six month decrease in wetland functions; and

c. Impacts to the wetland are minimized.

8. Other Activities allowed in a Wetland. Activities not involving stormwater management, utility crossings, or wetland mitigation are allowed in a wetland, provided the activity is not prohibited by subsection (D)(1) of this section and if it is not subject to a shoreline permit as listed in Chapter 2 of this Program, and provided all the following conditions are met:

a. The activity shall not result in a reduction of wetland acreage or function; and

b. The activity is temporary and shall cease or be completed within three months of the date the activity begins.

E. Mitigation Plans.

1. General. Mitigation plans are required for activities in a buffer or wetland. Content requirements which are inappropriate and inapplicable to a project may be waived by the responsible official upon request of the applicant at or subsequent to the pre-application consultation provided for in subsection (F)(1) of this section.

2. Preliminary Mitigation Plan. The purpose of the preliminary plan is to determine the feasibility of the project before extensive resources are devoted to the project. The responsible official may waive the requirement for a preliminary mitigation plan when a wetland permit is not associated with a development permit application (listed in Section 16.53.010(B)). The preliminary mitigation plan consists of two parts: baseline information for the site and a conceptual plan. If off-site wetland mitigation is proposed, baseline information for both the project site and mitigation site is required.

a. Baseline information shall include:

- i. Wetland delineation report as described in Section 16.53.030(D)(2);
- ii. Copies of relevant wetland jurisdiction determination letters, if available, such as determinations of prior converted crop lands, correspondence from state and federal agencies regarding prior wetland delineations, etc.;
- iii. Description and maps of vegetative conditions at the site;
- iv. Description and maps of hydrological conditions at the site;
- v. Description of soil conditions at the site based on a preliminary on-site analysis;
- vi. A topographic map of the site; and
- vii. A functional assessment of the existing wetland and buffer.

(A) Application of the rating system in Section 16.53.020(B) will generally be considered sufficient for functional assessment,

(B) The responsible official may accept or request an alternate functional assessment methodology when the applicant's proposal requires detailed consideration of specific wetland functions,

(C) Alternate functional assessment methodologies used shall be scientifically valid and reliable.

b. The contents of the conceptual mitigation plan shall include:

- i. Goals and objectives of the proposed project;
- ii. A wetland buffer width reduction plan, if width reductions are proposed, that includes:

(A) The land use intensity, per Table 16.53.040-4, of the various elements of the development adjacent to the wetlands,

(B) The wetland buffer width(s) required by Tables 16.53.040-1, 16.53.040-2 and 16.53.040-3,

(C) The proposed buffer width reductions, including documentation that proposed buffer width reductions fully protect the functions of the wetland in compliance with subsection C of this section;

- iii. A wetland mitigation plan that includes:

(A) A sequencing analysis for all wetland impacts,

(B) A description of all wetland impacts that require mitigation under this chapter, and

(C) Proposed mitigation measures and mitigation ratios;

iv. Map showing proposed wetland and buffer. This map should include the existing and proposed buffers and all proposed wetland impacts regulated under this chapter;

v. Site plan;

vi. Discussion and map of plant material to be planted and planting densities;

vii. Preliminary drainage plan identifying location of proposed drainage facilities including detention structures and water quality features (e.g., swales);

viii. Discussion of water sources for all wetlands on the site;

ix. Project schedule;

x. Discussion of how the completed project will be managed and monitored; and

xi. A discussion of contingency plans in case the project does not meet the goals initially set for the project.

3. Final Mitigation Plan. The contents of the final mitigation plan shall include:

a. The approved preliminary mitigation plan and all conditions imposed on that plan. If the preliminary mitigation plan requirement is waived, the final plan shall include the content normally required for the preliminary plan listed in this section.

b. Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the mitigation project are being met. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance and diversity targets, habitat diversity indices, or other ecological, geological, or hydrological criteria.

c. Detailed Construction Plans. Written specifications for the mitigation project shall be provided. The specifications shall include: the proposed construction sequence, grading and excavation details, water and nutrient requirements for planting, specification of substrate stockpiling techniques, and planting instructions, as appropriate. These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.

d. Monitoring Program. The mitigation plan shall include a description of a detailed program for monitoring the success of the mitigation project.

i. The mitigation project shall be monitored for a period necessary to establish that the mitigation is successful, but not for a period of less than five years. Creation of forested wetland mitigation projects shall be monitored for a period of at least ten years;

ii. Monitoring shall be designed to measure the performance standards outlined in the mitigation plan and may include but not be limited to:

(A) Establishing vegetation plots to track changes in plant species composition and density over time,

(B) Using photo stations to evaluate vegetation community response,

(C) Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals),

(D) Measuring base flow rates and stormwater runoff to model and evaluate water quality predictions, if appropriate,

(E) Measuring sedimentation rates, if applicable, and

(F) Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity;

iii. A monitoring protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the project;

iv. Monitoring reports shall be submitted annually, or on a pre-arranged alternate schedule, for the duration of monitoring period;

v. Monitoring reports shall analyze the results of monitoring, documenting milestones, successes, problems, and recommendations for corrective and/or contingency actions to ensure success of the mitigation project.

e. Associated Plans and Other Permits. To ensure consistency with the final mitigation plan, associated plans and permits shall be submitted, including, but not limited to:

i. Engineering construction plans;

ii. Final site plan or proposed plat;

iii. Final landscaping plan;

iv. Habitat permit;

v. WDFW HPA;

vi. USACE Section 404 permit; and

vii. WDOE Administrative Order or Section 401 certification.

f. Evidence of Financial and Scientific Proficiency. A description of how the mitigation project will be managed during construction and the scientific capability of the designer to successfully implement the proposed project. In addition, a demonstration of the financial capability of the applicant to successfully complete the project and ensure it functions properly at the end of the specific monitoring period.

g. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

F. Wetland Permit—Application.

1. Pre-Permit Consultation. Any person intending to apply for a shoreline permit in combination with a wetland permit is encouraged, but not required, to

meet with the department during the earliest possible stages of project planning in order to discuss wetland impact avoidance, minimization, compensatory mitigation, and the required contents of a mitigation plan before significant commitments have been made to a particular project design. Effort put into pre-permit consultations and planning will help applicants create projects which will be more quickly and easily processed.

2. Applications. Applications for wetland permits shall be made to the department on forms furnished by the department and in conformance with Section 16.53.030

3. Fees. At the time of application, the applicant shall pay a filing fee in accordance with the most current fee schedule adopted by the City.

G. Wetland Permit—Processing.

1. Procedures. Wetland permit applications within shoreline jurisdiction shall be processed using the application procedures in this Program, Appendix B – Administration and Enforcement, unless specifically modified herein:

a. Type I Wetland Permit. The following wetland permits shall be reviewed under the Type I review process in accordance with CMC Chapter 18.55

- i. Buffer modification only;
- ii. Wetland permits associated with single-family building permits, regardless of impact;
- iv. Re-authorization of approved wetland permits;
- iv. Programmatic wetland permits that are SEPA exempt.
- v. Programmatic wetland permits that are exempt from a shoreline substantial development permit.

2. Consolidation. The department shall, to the extent practicable and feasible, consolidate the processing of wetland permits with other City regulatory programs which affect activities in wetlands, such as SEPA review, subdivision, grading, and site plan approval, so as to provide a timely and coordinated permit process. Where no other City permit or approval is required for the wetland activity, the wetland permit shall be processed in accordance with a Type II process under CMC Chapter 18.55 Administration.

3. Notification. In addition to notices otherwise required, notice of application shall be given to federal and state agencies that have jurisdiction over, or an interest in, the affected wetlands. This notice may be incorporated into a SEPA comment period.

H. Wetland Permit—Preliminary Approval.

1. Decision Maker. A wetland permit application which has been consolidated with another permit or approval request which requires a public hearing (e.g., preliminary plat) shall be heard and decided in accordance with the procedures applicable to such other request. Any other wetland permit application shall be acted on by the responsible official within the timeline specified in Appendix B or CMC Chapter 18.55 for the required permit type.

2. Findings. A decision preliminarily approving or denying a wetland permit shall be supported by findings of fact relating to the standards and requirements of this chapter.

3. Conditions. A decision preliminarily approving a wetland permit shall incorporate at least the following as conditions:
 - a. The approved preliminary mitigation plan;
 - b. Applicable conditions provided for in subsection (E)(3) of this section;
 - c. Posting of a performance assurance pursuant to subsection J of this section; and
 - d. Posting of a maintenance assurance pursuant to subsection J of this section.
4. Duration. Wetland permit preliminary approval shall be valid for a period of three years from the date of issuance or termination of administrative appeals or court challenges, whichever occurs later, unless:
 - a. A longer period is specified in the permit; or
 - b. The applicant demonstrates good cause to the responsible official's satisfaction for an extension not to exceed an additional one year.

I. Wetland Permit—Final Approval.

1. Issuance. The responsible official shall issue final approval of the wetland permit authorizing commencement of the activity permitted thereby upon:
 - a. Submittal and approval of a final mitigation plan pursuant to subsection (E)(3) of this section;
 - b. Installation and approval of field markings as required by Section 16.53.040(C)(2);
 - c. The recording of a conservation covenant as required by Section 16.53.040(C)(3) and included on the plat, short plat, or site plan as required by Section 16.53.040(C)(4);
 - d. The posting of a performance assurance as required by subsection (H)(3) of this section.
2. Duration.
 - a. Wetland or Wetland Buffer Impacts. Final approval shall be valid for the period specified in the final wetland permit, or the associated development approval. Extension of the permit shall only be granted in conjunction with extension of an associated permit.
 - b. Compensatory Mitigation. The compensatory mitigation requirements of the permit shall remain in effect for the duration of the monitoring and maintenance period specified in the approval.

J. Wetland Permit Financial Assurances.

1. Types of Financial Assurances. The responsible official shall accept the following forms of financial assurances:
 - a. An escrow account secured with an agreement approved by the responsible official;
 - b. A bond provided by a surety for estimates that exceed five thousand dollars;
 - c. A deposit account with a financial institution secured with an agreement approved by the responsible official;
 - d. A letter of commitment from a public agency; and

- e. Other forms of financial assurance determined to be acceptable by the responsible official.
- 2. Financial Assurance Estimates. The applicant shall submit itemized cost estimates for the required financial assurances. The responsible official may adjust the estimates to ensure that adequate funds will be available to complete the specified compensatory mitigation upon forfeiture. In addition the cost estimates must include a contingency as follows:
 - a. Estimates for bonds shall be multiplied by one hundred fifty percent;
 - b. All other estimates shall be multiplied by one hundred ten percent.
- 3. Waiver of Financial Assurances. For Type I wetland permits, the responsible official may waive the requirement for one or both financial assurances if the applicant can demonstrate to the responsible official's satisfaction that posting the required financial assurances will constitute a significant hardship.
- 4. Acceptance of Work and Release of Financial Assurances.
 - a. Release of Performance Assurance. Upon request, the responsible official shall release the performance assurance when the following conditions are met:
 - i. Completion of construction and planting specified in the approved compensatory mitigation plan;
 - ii. Submittal of an as-built report documenting changes to the compensatory mitigation plan that occurred during construction;
 - iii. Field inspection of the completed site(s); and
 - iv. Provision of the required maintenance assurance.
 - b. Release of Maintenance Assurance. Upon request, the responsible official shall release the maintenance assurance when the following conditions are met:
 - i. Completion of the specified monitoring and maintenance program;
 - ii. Submittal of a final monitoring report demonstrating that the goals and objectives of the compensatory mitigation plan have been met as demonstrated through:
 - (A) Compliance with the specific performance standards established in the wetland permit, or
 - (B) Functional assessment of the mitigation site(s), and
 - (C) Field inspection of the mitigation site(s).
 - c. Incremental Release of Financial Assurances. The responsible official may release financial assurances incrementally only if specific milestones and associated costs are specified in the compensatory mitigation plan and the document legally establishing the financial assurance.
- 5. Transfer of Financial Assurances. The responsible official may release financial assurances at any time if equivalent assurances are provided by the original or a new permit holder.
- 6. Forfeiture. If the permit holder fails to perform or maintain compensatory mitigation in accordance with the approved wetland permit, the responsible

official may declare the corresponding financial assurance forfeit pursuant to the following process:

- a. The responsible official shall, by registered mail, notify the wetland permit holder/agent that is signatory to the financial assurance, and the financial assurance holder of nonperformance with the terms of the approved wetlands permit;
- b. The written notification shall cite a reasonable time for the permit holder, or legal successor, to comply with provisions of the permit and state the City's intent to forfeit the financial assurance should the required work not be completed in a timely manner;
- c. Should the required work not be completed timely, the City shall declare the assurance forfeit;
- d. Upon forfeiture of a financial assurance, the proceeds thereof shall be utilized either to correct the deficiencies which resulted in forfeiture or, if such correction is deemed by the responsible official to be impractical or ineffective, to enhance other wetlands in the same watershed or contribute to an established cumulative effects fund for watershed scale habitat and wetland conservation.

K. Programmatic Permits for Routine Maintenance and Operations of Utilities and Public Facilities. The responsible official may issue programmatic wetland permits for routine maintenance and operations of utilities and public facilities within wetlands and wetland buffers, and for wetland enhancement programs. It is not the intent of the programmatic permit process to deny or unreasonably restrict a public agency or utility's ability to provide services to the public. Programmatic permits only authorize activities specifically identified in and limited to the permit approval and conditions.

1. Application Submittal Requirements. Unless waived by the responsible official with specific findings in the approval document in accordance with subsection (K)(2) of this section, applications for programmatic wetland permits shall include a programmatic permit plan that includes the following:
 - a. A discussion of the purpose and need for the permit;
 - b. A description of the scope of activities in wetlands and wetland buffers;
 - c. Identification of the geographical area to be covered by the permit;
 - d. The range of functions and values of wetlands potentially affected by the permit;
 - e. Specific measures and performance standards to be taken to avoid, minimize, and mitigate impacts on wetland functions and values including:
 - i. Procedures for identification of wetlands and wetland buffers,
 - ii. Maintenance practices proposed to be used,
 - iii. Restoration measures,
 - iv. Mitigation measures and assurances,
 - v. Annual reporting to the responsible official that documents compliance with permit conditions and proposes any additional measures or adjustments to the approved programmatic permit plan,

- vi. Reporting to the responsible official any specific wetland or wetland buffer degradations resulting from maintenance activities when the degradation occurs or within a timely manner,
 - vii. Responding to any department requests for information about specific work or projects,
 - viii. Procedures for reporting and/or addressing activities outside the scope of the approved permit, and
 - ix. Training all employees, contractors and individuals under the supervision of the applicant who are involved in permitted work.
2. Findings. A decision preliminarily approving or denying a programmatic wetland permit shall be supported by findings of fact relating to the standards and requirements of this chapter.
3. Approval Conditions. Approval of a programmatic wetland permit shall incorporate at least the following as conditions:
- a. The approved programmatic permit plan;
 - b. Annual reporting requirements; and
 - c. A provision stating the duration of the permit.
4. Duration and Re-authorization.
- a. The duration of a programmatic permit is for five years, unless:
 - i. An annual performance based re-authorization program is approved within the permit; or
 - ii. A shorter duration is supported by findings.
 - b. Requests for re-authorization of a programmatic permit must be received prior to the expiration of the original permit.
 - i. Re-authorization is reviewed and approved through the process described in subsection (K)(1) of this section.
 - ii. Permit conditions and performance standards may be modified through the re-authorization process.
 - iii. The responsible official may temporarily extend the original permit if the review of the re-authorization request extends beyond the expiration date.

L. Wetland Permit—Emergency.

1. Authorization. Notwithstanding the provisions of this chapter or any other laws to the contrary, the responsible official may issue prospectively or, in the case of imminent threats, retroactively a temporary emergency wetlands permit if:
- a. The responsible official determines that an unacceptable threat to life or loss of property will occur if an emergency permit is not granted; and
 - b. The anticipated threat or loss may occur before a permit can be issued or modified under the procedures otherwise required by this act and other applicable laws.
2. Conditions. Any emergency permit granted shall incorporate, to the greatest extent practicable and feasible, but not inconsistent with the emergency situation, the standards and criteria required for nonemergency activities under this act and shall:
- a. Be limited in duration to the time required to complete the authorized emergency activity, not to exceed ninety days; and

b. Require, within this ninety-day period, the restoration of any wetland altered as a result of the emergency activity, except that if more than the ninety days from the issuance of the emergency permit is required to complete restoration, the emergency permit may be extended to complete this restoration.

3. Notice. Notice of issuance of an emergency permit shall be mailed to Ecology and published in a newspaper having general circulation in the City of Camas not later than ten days after issuance of such permit.

4. Termination. The emergency permit may be terminated at any time without process upon a determination by the responsible official that the action was not or is no longer necessary to protect human health or the environment.

M. Revocation. In addition to other remedies provided for elsewhere in this chapter, the responsible official may suspend or revoke wetland permit(s) issued in accordance with this chapter and associated development permits, pursuant to the provisions of Appendix B – Administration and Enforcement, if the applicant or permittee has not complied with any or all of the conditions or limitations set forth in the permit, has exceeded the scope of work set forth in the permit, or has failed to undertake the project in the manner set forth in the permit.

N. Enforcement. At such time as a violation of this chapter has been determined, enforcement action shall be commenced in accordance with the enforcement provisions of Appendix B – Administration and Enforcement, and may also include the following:

1. Applications for City land use permits on sites that have been cited or issued an administrative notice of correction or order under Title 18, or have been otherwise documented by the City for activities in violation of this chapter, shall not be processed for a period of six years provided:

a. The City has the authority to apply the permit moratorium to the property;

b. The City records the permit moratorium; and

c. The responsible official may reduce or wave the permit moratorium duration upon approval of a wetland permit under this section.

2. Compensatory mitigation requirements under subsections C and D of this section may be increased by the responsible official as follows:

a. All or some portion of the wetland or wetland buffer impact cannot be permitted or restored in place; and

b. Compensatory mitigation for the impact is delayed more than one year from the time of the original citation or documentation of the violation.

ATTACHMENT B

2014 Updates to the Washington State Wetland Rating Systems

Ecology has updated the Washington State Wetland Rating Systems for eastern and western Washington that were published in 2004 and annotated in 2006. The categorization and scoring in the 2014 updates were calibrated at 211 wetland sites that we use as a reference. Both updates were reviewed by peers outside of Ecology and by the public. The 2014 publications are the third update of the rating system for eastern Washington and the fourth update for the western Washington version since they were first published in 1991.

Why did we update the rating systems?

The need to update the rating systems published a decade ago has become apparent as we continue to expand our understanding of how wetlands function and what is needed to protect them. By updating the rating systems, we hope to provide a more accurate characterization of the functions performed by individual wetlands: one that is based on the most recent science.

In these updates, we kept:

- The four categories of wetlands (Category I, II, III, IV)
- The three functions that are rated (Improving Water Quality, Hydrologic Functions, Habitat Functions)
- About two-thirds of the questions found on the field forms in the 2004 versions.

What changed?

The substantive differences between the 2004 versions and the draft updates are:

1. Changing the scale of scores from 1 – 100 to 9 -27 to better reflect the scientific accuracy of the tools (see below for [score conversion tables](#)).
2. Starting with a qualitative rating of High, Medium, or Low for different aspects of functions before assigning a score to them.
3. Keeping the questions for the Site Potential found in the 2004 versions, but replacing the Opportunity section with two new sections called Landscape Potential and Value.

The new sections on Landscape Potential and Value were developed as part of the Credit-Debit Method ([Calculating Credits and Debits for Compensatory Mitigation in Wetlands](#)) developed by Ecology in 2012. The Credit-Debit Method underwent peer and public review and was field tested for one year prior to publication in 2012.

Other changes include:

1. The addition of interdunal wetlands with very high habitat scores to the list of Category I wetlands. This is based on our field work during the last decade on barrier beaches along the coast. In the 2004 version, all interdunal wetlands were categorized only as Category II and III.
2. The addition of calcareous fens to Category I peat wetlands in eastern Washington. These peat systems are extremely rare in the state and sensitive to disturbance. As of 2014 only five calcareous fens have been found in the Okanogan region by the Natural Heritage Program at the Department of Natural Resources.
3. Incorporating the annotations that were added in 2006 directly into the text.
4. Including current definitions used by the Washington State Department of Fish and Wildlife for Priority Habitats and by the Natural Heritage Program at the Department

of Natural Resources for Natural Heritage Wetlands. These wetlands are now called Wetlands with a High Conservation Value.

When do I need to start using the 2014 updated versions?

The effective date of the 2014 rating systems is January 1, 2015.

As of July 15, 2014, we are currently addressing some typographical errors in the June 2014 version of this document. We expect to have the corrected rating systems posted by mid-September (with a new published date and publication numbers). Users will then have a chance to get familiar with the updates and to attend training. Also, local governments will have some time to determine and address how the updates may affect parts of their CAO. We will send an email to [Ecology's wetlands information email listserv](#) when the corrected versions are posted. In the meantime, please use the annotated versions of the 2004 wetland rating system, which can be found below.

The January 1, 2015, effective date means that if you rate a wetland on or after that date, you will be required to use the 2014 updates for projects needing Ecology authorization. An applicant applying for a local permit will need to consult with that specific local government if its CAO requires the use of the rating system. If a CAO contains the language "2004 rating system or as revised," it is likely that an applicant will need to use the 2014 updates, as of January 1, 2015, to address local government requirements.

- [Eastern Washington \(Publication #0406015\)](#)
- [Western Washington \(Publication #0406025\)](#)

How do the changes affect Ecology's guidance on buffers?

June 2014 Webinar on Updated Rating Systems and Wetland Buffer Guidance

On June 3, 2014, Ecology wetland staff hosted a one-hour webinar on Ecology's 2014 updates to the wetland rating systems and how they apply to Ecology's wetland buffer guidance. Additional information about integrating the rating system updates into Critical Areas Ordinance (CAO) updates was also provided.

> [View Presentation only](#) (PDF)

> [Listen to Recorded Audio version](#) (YouTube)

Ecology is not changing the recommended buffer widths found in the following documents:

- Appendices 8-C and 8-D of [Wetlands in Washington State – Volume 2: Guidance for Protecting and Managing Wetlands](#) (2005 guidance).
- [Wetlands and CAO Updates: Guidance for Small Cities](#)
- [Wetland Mitigation in Washington State, Part 1: Agency Policies and Guidance](#) (mitigation guidance)

Ecology's recommendations for buffers are based in part on the category of the wetland and the scores for functions. The update of the rating systems keeps the same four wetland categories, but the scale of scores has been adjusted. Therefore, any buffer guidance based on scores for functions needs to be adjusted to reflect the new range of scores (for example, in the 2004 version the medium score range for habitat was 20-28 and it is now 5-7). See below for score conversion tables.

Many local jurisdictions have included language on buffers in their critical areas ordinances based on Ecology's buffer guidance. For the 2015-2019 critical areas ordinance update cycle, we are not proposing any changes to the recommended buffer widths, however, any buffer strategy that uses function scores to determine buffer widths will need to be adjusted to use the new scores.

For those jurisdictions that have adopted Alternative 3 or 3A from Appendices 8-C or 8-D in the 2005 guidance, or Table XX.1 from the guidance for small cities, we will post modified appendices and Table XX.1 to incorporate the 2014 score range when we post the corrected versions of the rating systems.

You can compare the old and new score ranges in the tables below. (Note: The tables below can be used to adjust the scores in Tables 3, 4, 5a, 5b, 6a, and 6b in the mitigation guidance.)

Converting scores for categories and function scores between the 2004 and 2014 rating systems

Tables for converting category scores

2004	Western WA	2014	2004	Eastern WA	2014
≥ 70	Category I	23-27	≥ 70	Category I	22-27
51-69	Category II	20-22	51-69	Category II	19-21
30-50	Category III	16-19	30-50	Category III	16-18
<30	Category IV	9-15	<30	Category IV	9-15

Tables for converting function scores

2004	Final Habitat Score	2014	2004	Final Water Quality Score	2014
29-36	High	8-9	24-32	High	8-9
20-28	Medium	5-7			
≤ 19	Low	3-4			

More Information

For more information, contact:

- [Amy Yahnke](#), Senior Ecologist, (360) 407-6527
- The [regional wetland specialist](#) for your area.

ATTACHMENT C – Correspondences from the Department of Ecology to Staff

From: Bunten, Donna (ECY) [mailto:DBUN461@ECY.WA.GOV]

Sent: Tuesday, August 19, 2014 2:51 PM

Subject: Updating your CAO wetland buffer tables

Greetings,

You are receiving this email because:

- Your CAO adopted wetland buffer tables that use habitat scores to determine the buffer width, AND
- Your CAO adopted the 2004 rating system as revised, AND
- Your buffer tables appear to be slightly different from the recommendations in Appendix 8-C of Wetlands in Washington State, Volume 2: Managing and Protecting Wetlands (Publication # 05-06-008, April 2005).

As many of you know, Ecology is updating the Washington state wetland rating systems for eastern and western Washington. One of the changes associated with the updates are that the scale of scores changed to better reflect the scientific accuracy of the tools. As a result, the range of scores for individual functions, including habitat, have also changed. For example, the updated rating systems produce a smaller range of habitat scores: 3-9 rather than $\leq 19-36$.

Due to the implications of these changes for CAOs, we have decided to make the 2014 updates effective on January 1, 2015. Since your CAO contains the “as revised” language, you will be using the new habitat scores as of the first of the year.

Because your CAO assigns buffers based on groupings of habitat scores that differ from those in Appendix 8-C, we will need to work together to revise your buffer tables. We are working on some recommendations that I will be able to share with you individually by mid-September.

In the meantime, below are some tables that convert the 2004 category and function scores into the 2014 scores. Please call or email me if you have any questions about this email or why I am contacting you. If you are not the best contact for this information, please forward this email to your associates with a copy to me so I can update my list.

For more information on the 2014 updates to the wetland rating systems go to:

<http://www.ecy.wa.gov/programs/sea/wetlands/ratingsystems/2014updates.html>.

Tables for converting category scores

2004	Western WA	2014
≥ 70	Category I	23-27
51-69	Category II	20-22
30-50	Category III	16-19
<30	Category IV	9-15

2004	Eastern WA	2014
≥ 70	Category I	22-27
51-69	Category II	19-21
30-50	Category III	16-18
<30	Category IV	9-15

Tables for converting function scores

2004	Final Habitat Score	2014
29-36	High	8-9
20-28	Medium	5-7
≤ 19	Low	3-4

2004	Final Water Quality Score	2014
24-32	High	8-9

Donna J. Bunten
 CAO Coordinator
 Shorelands and Environmental Assistance Program
 Department of Ecology
 PO Box 47600
 Olympia, WA 98504
 360-407-7172

From: Bunten, Donna (ECY) [mailto:DBUN461@ECY.WA.GOV]
 Sent: Thursday, October 16, 2014 3:53 PM
 To: Sarah Fox; Robert Maul
 Cc: Schroeder, Rebecca (ECY)
 Subject: CAO Update

Hi, Sarah,

Here are my edits regarding the rating system update and the delineation manual. I'm also mentioning the banking and ILF language, even though it might be out of the scope of this particular action. We want to make sure that jurisdictions have the tools in place to use mitigation options. Your CAO does already allow banking and the cumulative effects fund; I'm just wondering if you need to add some more specifics. See the language below.

Let me know if you have questions about the buffer table. We tried to “shrink” your habitat point buckets into the new smaller buckets created by the rating system update. There may be some confusion about the large Category III buffers. In the past we assumed it was not possible for a Category III wetland to score high for habitat, and so the largest buffers we recommended for Category III’s were 75-110-150 (low-moderate-high land-use intensity).

However, it is conceivable that a Category III wetland could score 8-9 habitat points, although it’s not very likely. That high habitat function would need to be protected with wider buffers, as are the Category I and II wetlands with 8-9 points in your table, not the 75-110-150 as implied by the “27 or greater” in that row in your existing CAO.

So we are recommending that you either add rows for 8 and 9 as shown in our recommended table, or delete them and don’t add “or greater” after the 7 score. If a high-habitat Category III wetland were to be discovered in Camas, we recommend you contact us so that we can work together to determine the appropriate buffer.

Cowlitz County just submitted their CAO amendments under an “expedited review”, so it looks like Commerce is allowing that option.

Wetland Mitigation Banks.

1. Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands when:
 - a. The bank is certified under state rules;
 - b. The Administrator determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and
 - c. The proposed use of credits is consistent with the terms and conditions of the certified bank instrument.
2. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the certified bank instrument.
3. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the certified bank instrument. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.

In-Lieu Fee.

To aid in the implementation of off-site mitigation, the City may develop an in-lieu fee program. This program shall be developed and approved through a public process and be consistent with federal rules, state policy on in-lieu fee mitigation, and state water quality regulations. An approved in-lieu-fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor, a governmental or non-profit natural resource management entity. Credits from an approved in-lieu-fee program may be used when paragraphs 1-6 below apply:

1. The approval authority determines that it would provide environmentally appropriate compensation for the proposed impacts.
2. The mitigation will occur on a site identified using the site selection and prioritization process in the approved in-lieu-fee program instrument.

3. The proposed use of credits is consistent with the terms and conditions of the approved in-lieu-fee program instrument.
4. Land acquisition and initial physical and biological improvements of the mitigation site must be completed within three years of the credit sale.
5. Projects using in-lieu-fee credits shall have debits associated with the proposed impacts calculated by the applicant's qualified wetland scientist using the method consistent with the credit assessment method specified in the approved instrument for the in-lieu-fee program.
6. Credits from an approved in-lieu-fee program may be used to compensate for impacts located within the service area specified in the approved in-lieu-fee instrument.

Donna J. Buntен
CAO Coordinator
Shorelands and Environmental Assistance Program
Department of Ecology
PO Box 47600
Olympia, WA 98504
360-407-7172

From: Sarah Fox [<mailto:SFox@cityofcamas.us>]
Sent: Wednesday, November 12, 2014 12:36 PM
To: Buntен, Donna (ECY)
Subject: Estuarine wetlands in the CAO Update

Donna,
I am finally getting a chance to review the red-lines. I was wondering about the addition of the word "estuarine" wetlands to page 21 under wetland rating categories? Could you define this term, since I thought that it was associated with the coast? I wouldn't imagine that our city would have any within that category. Would you suggest that we omit (b)(i) altogether?

Thank you,
Sarah

From: Buntен, Donna (ECY)
Sent: Wednesday, November 12, 2014 1:06 PM
To: Sarah Fox; Schroeder, Rebecca (ECY)
Subject: RE: Estuarine wetlands in the CAO Update

Hi, Sarah,
Here is the definition of "estuarine" from the rating system. I know that a lot of jurisdictions omit from their category definitions the types of wetlands that definitely don't occur within their boundaries (e.g., interdunal). Then again, there's no down side to including them if you're not sure, except for extra lines of text. If you think there's a possibility of ever discovering such a wetland in Camas or its UGA, I'd go

ahead and include the text. I'm cc-ing Rebecca Schroeder, who is more familiar with the actual physical circumstances in Camas. Rebecca, do you have any thoughts on this?

I've also pasted in below the category definitions in their entirety.

SC 1.0 Estuarine wetlands

SC 1.1 Estuarine wetlands are vegetated, Tidal Fringe, wetlands where the concentration of salt in the water is greater than 0.5 parts per thousand. Estuarine wetlands of any size within National Wildlife Refuges, National Parks, National Estuary Reserves, Natural Area Preserves, State Parks, or Educational, Environmental or Scientific Reserves designated under WAC 332-30-151 are rated a Category I.

SC 1.2 Estuarine wetlands in which the salt marsh vegetation extends over more than 1 ac, and that meet at least two of the following three criteria are rated a Category I.

☐ The wetland is relatively undisturbed. This means it has no ditching, filling, cultivation, or grazing, and the vegetation has less than 10% cover of non-native plant species. NOTE: If non-native *Spartina* species cover more than 10% of the wetland, then the wetland can be given a dual rating (I/II). The area of *Spartina* would be rated a Category II, while the relatively undisturbed upper marsh with native species would be a Category I. Do not, however, exclude the area of *Spartina* in determining the size threshold of 1 ac.

☐ At least $\frac{3}{4}$ of the landward edge of the wetland has a 100-ft buffer of ungrazed pasture, shrub, forest, or relatively undisturbed freshwater wetland. A relatively undisturbed dike with vegetation that is not cut or grazed annually can count as an undisturbed buffer.

☐ The vegetated areas of the wetland have at least two of the following structural features: tidal channels, depressions with open water, or contiguous freshwater wetlands.

Any estuarine wetland that does not meet the criteria above for a Category I is a Category II wetland.

NOTE: Eelgrass beds do not fall within the definition of vegetated wetlands used in the rating system. They are an important aquatic resource but they do not fall within the purview of this rating system.

Category I. Category I wetlands are: (1) relatively undisturbed estuarine wetlands larger than 1 acre; (2) wetlands of high conservation value that are identified by scientists of the Washington Natural Heritage Program/DNR; (3) bogs; (4) mature and old-growth forested wetlands larger than 1 acre; (5) wetlands in coastal lagoons; (6) interdunal wetlands that score 8 or 9 habitat points and are larger than 1 acre; and (7) wetlands that perform many functions well (scoring 23 points or more). These wetlands: (1) represent unique or rare wetland types; (2) are more sensitive to disturbance than most wetlands; (3) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or (4) provide a high level of functions.

Category II. Category II wetlands are: (1) estuarine wetlands smaller than 1 acre, or disturbed estuarine wetlands larger than 1 acre; (2) interdunal wetlands larger than 1 acre or those found in a mosaic of wetlands; or (3) wetlands with a moderately high level of functions (scoring between 20 and 22 points).

Category III. Category III wetlands are: (1) wetlands with a moderate level of functions (scoring between 16 and 19 points); (2) can often be adequately replaced with a well-planned mitigation project; and (3) interdunal wetlands between 0.1 and 1 acre. Wetlands scoring between 16 and 19 points generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.

Category IV. Category IV wetlands have the lowest levels of functions (scoring fewer than 16 points) and are often heavily disturbed. These are wetlands that we should be able to replace, or in some cases to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions, and should be protected to some degree.

From: Schroeder, Rebecca (ECY)
Sent: Wednesday, November 12, 2014 3:53 PM
To: Sarah Fox
Cc: Bunten, Donna (ECY)
Subject: RE: CAO Update

I've checked around here and gotten a consensus that the salt wedge doesn't go up that far, so you are fine not to address estuarine wetlands in your CAO.

Rebecca Schroeder

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From: Sarah Fox [<mailto:SFox@cityofcamas.us>]
Sent: Wednesday, November 12, 2014 2:19 PM
To: Schroeder, Rebecca (ECY); Bunten, Donna (ECY)
Cc: Robert Maul
Subject: RE: CAO Update

I am not the subject matter expert by any stretch. For what it is worth, within my nine years in Camas, I have not read any information in any report that mentioned salt water or wedges in our area. Would that mean that we do not need to include references to estuarine?
-Sarah

From: Bunten, Donna (ECY)
Sent: Thursday, November 13, 2014 12:36 PM
To: Schroeder, Rebecca (ECY); Sarah Fox
Subject: RE: CAO Update

Hi, Sarah,

I also asked around and uncovered an additional question. I have not encountered this situation before but wanted to mention it.

In a more general sense, because you are requiring the use of the rating system, it doesn't really matter whether or not you include the category definitions in your CAO. If a rating determined that a particular wetland is estuarine, that would be the case whether or not you defined it in your CAO. The bigger question would be whether your CAO would protect an estuarine wetland if one were found, because your buffer table doesn't include wetlands with special characteristics (estuarine, forested, bogs, wetlands of high conservation value). So while it is unlikely that there are any of these in Camas, is there a mechanism in your CAO that would allow you to determine the appropriate buffer to use, since these wetlands are not specifically called out in your buffer table? While these wetlands would still be scored for functions, plugging the resulting habitat scores into your buffer tables wouldn't necessarily provide adequate protection according to our guidance in Volume 2, Appendix 8C <http://www.ecy.wa.gov/programs/sea/wetlands/pdf/2014Appendix8C.pdf>.

As you said, this probably isn't a real issue, nor does it specifically need to be addressed in this CAO amendment. However, it might be a good idea for you and Rebecca to have an understanding about how such a circumstance would be handled IF it ever came up. I wasn't sure whether the language in 16.53.040.B.4.a would allow the city to apply a larger buffer if needed.

Donna J. Bunten
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From: Schroeder, Rebecca (ECY) [mailto:rebs461@ECY.WA.GOV]
Sent: Friday, November 14, 2014 8:18 AM
To: Bunten, Donna (ECY); Sarah Fox
Subject: RE: CAO Update

Donna, thanks for this additional information. It makes a lot of sense to have language in place in the CAO that would address protection for wetland types that are not thought to exist in a particular area. In this case, however, I am assured that the salt water doesn't go anywhere near Camas, and therefore there is no possibility that there would be an estuarine wetland in that jurisdiction. We're talking many tens of miles, so we're safe in this instance not to address estuarine wetlands.

Rebecca Schroeder
Wetlands/Shorelands Specialist, Shorelands and Environmental Assistance Program
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2015 Community Development Department Work Plan/Priorities

2015 Annual Comprehensive Plan Update

- Park Impact Fee Update
- Fire Impact Fee Update

2016-2035 Comprehensive Plan Update

- Vision 2035 Process completion (establishing a strong direction)
- Second Phase of Comprehensive Plan Update

Planning and Economic Development

- Annexation of the Winchester Hills and Grand Ridge Subdivisions
- 60% Annexation Petition – North of Camas High School
- Green Mountain, LLC. Planned Residential Development
- Downtown Camas Mixed Use Development opportunities
- Multiple municipal code amendments
- Development Review Process Improvement.
- Monitoring and Revisiting I-502 uses.
- Monitoring BPA I-5 Corridor project
- Misc. economic development incentives and opportunities

Capital Projects

- NW Friberg Road Project - Completion
- NW 38th Avenue Road Project – Completion
- NW Brady Road - Design and Right of way acquisition
- Slow Sand Filter – Construction
- STEP Sewer Transmission Main – NE 6th/Joy Street to Treatment Plant - Construction
- 544 Reservoir – Property Acquisition and Design
- 6th Avenue/Norwood Street Signal Improvements