

NOTE: There are two public comment periods included on the agenda. Anyone wishing to address the City Council may come forward when invited; please state your name and address. Public comments are typically limited to three minutes, and written comments may be submitted to the City Clerk. Special instructions for public comments will be provided at the meeting if a public hearing or quasi-judicial matter is scheduled on the agenda.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. PUBLIC COMMENTS

V. CONSENT AGENDA

A. Approve the minutes of the February 17, 2015 Camas City Council Meeting and the Workshop minutes of February 17, 2015.

February 17, 2015 Workshop Meeting Minutes - DRAFT February 17, 2015 Regular Meeting Minutes - DRAFT

- B. Approve the claim checks as approved by the Finance Committee.
- C. Authorize the Mayor to sign a professional services agreement with Gray & Osborne, Inc. in the amount of \$11,750 to provide water system distribution modeling services and make recommendations on any system improvements needed to utilize water from the new treatment plant or to serve the proposed developments in the Green Mountain area. (Submitted by Steve Wall)

Water System Modeling Gray & Osborne Proposal

D. Authorize the Mayor to sign a Professional Services Contract with S&B, Inc. for Project WS-709C Water Treatment Slow Sand Filter Plant for instrumentation hardware, data management and integration services in the amount not to exceed \$189,130.00. This item is budgeted and will be funded by a Drinking Water State Revolving Fund (DWSRF) loan from the Washington State Department of Health. (Submitted by James Carothers)

Water Treatment Plant Instrumentation Contract

E. Authorize Pay Estimate No. 8 (FINAL) to AAA Septic Service for Project WS-741, 2014 STEF/STEP Tank Pumping in the amount of \$7,251.86 for work through February 28, 2015, and accept project as complete. This project provides for on-going pumping of STEF and STEP tanks throughout Camas and is funded by the Water/Sewer Fund. (Submitted by James Carothers)

2014 Septic Tank Pumping Pay Estimate 8 (Final)

F. Approve Pay Estimate No. 4 (Release of Retainage) for Project P-899 Fallen Leaf ADA Ramp in the amount of \$1,053.43 payable to PD Badertsher Const. LLC. (Submitted by Denis Ryan)

P-899 Final Payment Retainage

NOTE: Any item on the Consent Agenda may be removed from the Consent Agenda for general discussion or action.

VI. NON-AGENDA ITEMS

- A. Staff
- B. Council

VII. MAYOR

- A. Announcements
- B. Camas City Council and Committee Appointments for 2015

2015 Council Committees

Appointment Information

VIII. MEETING ITEMS

 Public Hearing for Proposed Amendments to Camas Municipal Code (CMC) Chapter 18.23 Planned Residential Developments (File No. CMC14-05) Details: Proposed amendments to CMC Chapter 18.23 Planned Residential Developments will allow for commercial land uses. At the Planning Commission public hearing on January 21, 2015, alternative amendments were proposed by staff and agreed upon with the applicant. The Commission forwarded a recommendation of approval. Presenter: Sarah Fox, Senior Planner

Recommended Action: Staff recommends that Council conducts a public hearing, deliberates and moves to approve the amendments to CMC Chapter 18.23; and directs the City Attorney to prepare an ordinance for Council's consideration at the March 16, 2015 regular meeting.

Staff report to City Council - CMC 18.23

Application Narrative Exhibit 1 - Email from applicant Staff report to Planning Commission B. Public Hearing for Limited Amendments to the Camas Shoreline Master Program (File No. MC15-02)

Details: Proposed limited amendments to the Camas Shoreline Master Program, specifically Appendix C, Chapter 16.53 Wetlands, which are intended to comply with new mandates from the Department of Ecology. Planning Commission forwarded a recommendation of approval at a public hearing that was held on January 21, 2015.

Presenter: Sarah Fox, Senior Planner

Recommended Action: Staff recommends that Council conducts a public hearing, deliberates and moves to approve the limited amendments to the Camas Shoreline Master Program (File No. MC15-02); and directs the City Attorney to prepare an ordinance for Council's consideration at the March 16, 2015 regular meeting.

Staff Report

Attachment A - Limited amendments to the SMP Attachment B - Ecology 2014 Update Memo Attachment C - Email correspondence Attachment D Email from Ecology 02-26-15

C. Final Plat for 7th Avenue Townhomes (File No. FP14-08)

Details: Seventh Avenue Townhomes Subdivision (File no. SUB06-10) is located at 722 NW 7th Avenue near the intersection of NW 7th Avenue and NW Greeley Street. Preliminary plat approval for 12 new lots was issued on December 14, 2006. A minor modification decision was issued on February 3, 2015, that reduced the subdivision to 11 lots (File no. MinMod15-02).

Presenter: Sarah Fox, Senior Planner

Recommended Action: Staff recommends Council move to approve the Final Plat for 7th Avenue Townhomes (File No. FP14-08).

Staff Report

7th Avenue Final Plat

D. Public Hearing Considering Ordinance No. 15-006 an Ordinance Adopting a New Section 13.04.020 of the Camas Municipal Code, Relating to the Abandonment of Utility Services Details: This public hearing is to provide utility customers an opportunity to give public testimony on Ordinance No. 15-006 to change the City's billing practice. This ordinance is one of three actions for City Council to consider in order to implement proposed utility code changes. This first step would allow the City to consider a utility account abandoned if the account has been disconnected for a period of five years. Any system capacity shall revert to the City and subsequent customers would be required to pay a system development charge to re-establish a connection. The two other actions for consideration will include low-income assistance and a fee schedule adjustment. These two items will be presented on the March 16, 2015 City Council Workshop.

Presenter: Cathy Huber Nickerson, Finance Director

Recommended Action: Staff recommends that Council conducts a public hearing, deliberates and moves to approve Ordinance No. 15-006 adopting a new Section 13.04.020 of the Camas Municipal Code, Relating to the Abandonment of Utility Services.

ORD 15-006 adopting a new section 13 04 020 of CMC

IX. PUBLIC COMMENTS

X. 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 a person with special needs has the opportunity to participate. For more information, please call 360.834.6864.



CITY COUNCIL WORKSHOP MEETING MINUTES - DRAFT Tuesday, February 17, 2015, 4:30 PM City Municipal Center, 616 NE 4th Avenue

I. CALL TO ORDER

Mayor Scott Higgins called the meeting to order at 4:30 p.m.

II. ROLL CALL

Present: Greg Anderson, Bonnie Carter, Don Chaney, Tim Hazen, Steve Hogan, Melissa Smith, and Shannon Turk

Staff: Bernie Bacon, Phil Bourquin, Pete Capell, Curleigh Carothers, Sherry Coulter, Sarah Fox, Charlotte Frias (student intern), Jennifer Gorsuch, Jim Hodges, Cathy Huber Nickerson, Mitch Lackey, Leona Langlois, Eric Levison, Robert Maul, Ron Schumacher, Nick Swinhart, and Steve Wall

Press: No one from the press was present

III. PUBLIC COMMENTS

No one from the public wished to speak.

IV. SPECIAL PRESENTATION

Mayor Higgins announced that he would be recognizing retiring Public Works Director, Eric Levison following the Fire Department employee's recognition.

 A. Recognition of 25-Year Anniversaries for Fire Department Employees Details: Longtime firefighters Gene Marlow and Dale McKenzie have recently celebrated 25 years with the City of Camas. Swinhart presented Dale McKenzie with his 25 years of service pin. Gene Marlow was unable to attend the meeting and his pin will be presented to him at a future meeting. Presenter: Nick Swinhart, Fire Chief

Mayor and Council thanked retiring Public Works Director, Eric Levison for his 30 years of service to the City. Levison thanked his family and the City for their support.

V. WORKSHOP TOPICS

A. Water System Distribution Modeling Services

Details: Gray & Osborne, Inc. (G&O) has submitted the attached professional services agreement in the amount of \$11,750 to provide water system distribution modeling services. The City will be constructing the new Water Treatment Plant in the Headworks Property and staff has requested that G&O complete hydraulic modeling to make recommendations on any system improvements necessary to fully utilize water from the treatment plant during low demand periods. Additionally, with pending development of the Green Mountain area, staff has asked G&O to confirm sizing of infrastructure needed to serve the new developments. The 2015 Budget includes sufficient funds to complete the work effort.

Presenter: Steve Wall, Public Works Director

Water System Modeling Gray & Osborne Proposal

This proposal was referred to the March 2, 2015 Consent Agenda for Council's consideration.

B. Proposed Watershed Property Boundary Line Agreement Details: City staff has received a request from property owners with parcels located west of the City's watershed property to develop and enter into a boundary line agreement establishing a common property line. A memorandum with details regarding the request is attached for information. Staff reviewed the details of the memorandum with Council.

Presenter: Steve Wall, Public Works Director

Memo to Council - Watershed Boundary Line Agreement

Staff will develop a watershed property boundary line agreement with property owners to the west of the property and it will be brought back to Council at a future meeting.

C. Public Works Miscellaneous and Updates

Wall said a meeting took place regarding Ecology's Water Quality Standards Update legislation and rule-making process; and that it will continue to be tracked by staff.

Mayor said that the pedestrian signal light on Everett is now installed and Clark Public Utilities will be getting it turned on. Mayor also shared that the traffic signal light on 38th has now been fixed and is on a more normal cycle.

D. Renewal of "Three Party Agreement"

Details: Since approximately 1978 the cities of Camas and Washougal, and East County Fire and Rescue (ECFR), have had a continuous interlocal agreement to provide for emergency medical services response and transport in East Clark County. This document has provided the legal framework for Washougal and ECFR to forward their Emergency Services (EMS) levy revenue to Camas and for Camas to provide ambulance response and transport in return. The most recent iteration of this agreement expired at the end of 2014. Now, as a "Two Party Agreement," staff recommends Council approve a new agreement between the City of Camas and ECFR as prepared by counsel. This agreement will be for two years and will contain the same provisions between the parties as the previous version did. ECFR Commissioners are also in favor of this new agreement and will be presenting it for approval at their second meeting in February.

Presenter: Nick Swinhart, Fire Chief

ECFR Revised Agreement 2014-2020

This item was also included on the February 17, 2015 Regular Meeting Agenda for Council's consideration.

E. Application for the 2015 Staffing for Adequate Fire and Emergency Response (SAFER) Grant for Firefighter Staffing

Details: The application period for the 2015 SAFER grant for firefighter staffing is open February 9 through March 6. This grant would pay for the salary and benefits of three firefighters for two years. There would be no obligation to maintain the firefighters after that period of time. The only stipulation of all SAFER grants is that, if the grant is awarded and accepted, the department cannot lay off or attrition out any positions during that two year period. Council will recall that the Camas-Washougal Fire Department (CWFD) received a SAFER grant award in 2012 to hire three firefighters. That grant expired in 2014. Unfortunately the City did not have the funding to keep those positions after the grant expired, but due to some well-timed retirements, staff was able to avoid laying off any of those firefighters. The department is planning to apply for the 2015 SAFER grant and City Administration supports this effort. This was an informational report to advise Council of plans to apply for the grant. Whenever staff has applied for any grant, staff takes the opportunity to remind Council that if the grant is awarded, Council maintains the final authority on whether it will be accepted. Presenter: Nick Swinhart, Fire Chief

Council did not voice any objections to staff applying for the grant.

F. Ordinance No. 15-004 Amending Section 15.04.030(D)(2)

Details: Currently the ordinance for the installation of fire alarm systems within the city limits of Camas is in conflict with Washington State Law. The purpose of the proposed revision is to modify the Camas Municipal Code to be aligned with Washington State Statutes.

Presenter: Ron Schumacher, Division Chief / Fire Marshal

 ORD amending Section 15 04 030
 NICET (National Institute for Certification in Engineering Technologies) determination

This item was also included on the February 17, 2015 Regular Meeting Agenda for Council's consideration.

G. Zoning Code Text Change to Camas Municipal Code (CMC) Chapter 18.23 (File No. CMC14-05)

Details: The applicant proposes amendments to CMC Chapter 18.23 Planned Residential Developments to allow commercial land uses. At the Planning Commission public hearing on January 21, 2015, alternative amendments were proposed by staff and agreed upon with the applicant. The Commission forwarded a recommendation of approval.

Presenter: Sarah Fox, Senior Planner

<u>Staff report to City Council - CMC 18.23</u>
 <u>Application Narrative</u>
 <u>Exhibit 1 - Email from applicant</u>
 <u>Staff report to Planning Commission</u>

This item was referred to the March 2, 2015 Regular Meeting for Council's consideration, following a public hearing.

H. Limited Amendments to the Camas Shoreline Master Program (File No. MC15-02) Details: Proposed limited amendments to the Camas Shoreline Master Program, specifically Appendix C, Chapter 16.53 Wetlands, which are intended to comply with new mandates from the Department of Ecology. Planning Commission forwarded a recommendation of approval at a public hearing that was held on January 21, 2015. Presenter: Sarah Fox, Senior Planner

<u>Staff Report</u>
 <u>Attachment A - Limited amendments to the SMP</u>
 <u>Attachment B - Ecology 2014 Update Memo</u>
 <u>Attachment C - Email correspondence</u>

This item was referred to the March 2, 2015 Regular Meeting for Council's consideration, following a public hearing.

I. Final Plat for 7th Avenue Townhomes (File no. FP14-08)

Details: Seventh Avenue Townhomes Subdivision (File no. SUB06-10) is located at 722 NW 7th Avenue near the intersection of NW 7th Avenue and NW Greeley Street. Preliminary plat approval for 12 new lots was issued on December 14, 2006. A minor modification decision was issued on February 3, 2015, that reduced the subdivision to 11 lots (File no. MinMod15-02).

Presenter: Sarah Fox, Senior Planner

Staff Report
 <u>7th Avenue Final Plat</u>

This item was referred to the March 2, 2015 Consent Agenda for Council's consideration.

J. NW 6th and Norwood Improvements

Details: There has been some interest voiced by Council to explore the potential installation of a roundabout at 6th and Norwood in lieu of a traffic signal. Camas staff has consulted with HDJ Design Group regarding the feasibility of this proposal. Staff brought forth a presentation and discussed both signal and roundabout characteristics and costs with Council.

Presenter: James Carothers, Engineering Manager

6th & Norwood Gateway Presentation

Council directed staff to move forward with roundabout design options.

K. Water Treatment Plant Professional Services Contract

Details: This contract with S&B, Inc., is for instrumentation, data management, and integration services and hardware for the new Slow Sand Filter Water Treatment Plant, Project WS-709C. The contract amount is not to exceed \$189,130.00. This item is budgeted and will be funded by a Drinking Water State Revolving Fund (DWSRF) loan from the Washington State Department of Health.

Presenter: James Carothers, Engineering Manager

Water Treatment Plant Instrumentation Contract

This item was referred to the March 2, 2015 Consent Agenda for Council's consideration.

L. Community Development Miscellaneous and Updates

There were no miscellaneous items or updates.

M. City of Camas Utility Billing Proposed Changes - Phase II Details: This presentation was to discuss proposed changes to be incorporated into an ordinance for public hearing and City Council's consideration on March 2nd. The proposed changes include: budget billing, low income assistance, filing property tax liens, abandonment of service, new fees and elimination of payment extensions. Presenter: Cathy Huber Nickerson, Finance Director

<u>Utility Code Changes Phase 2</u>
Utility Code Changes Phase 2-Summary

This item was referred to the March 2, 2015 Regular Meeting for Council's consideration, following a public hearing.

 N. 2015 Limited General Obligation Bonds Discussion Details: This presentation was to finalize the sizing of the 2015 Limited General Obligation Bonds approved by City Council by Ordinance No. 2710 on July 21, 2014. Presenter: Cathy Huber Nickerson, Finance Director

2015 Limited General Obligation Bond-updated 7 3mil 2015 Limited General Obligation Bond-updated 8.3mil

The bond schedule was reviewed with Council and there was consensus that the Finance Director may proceed to sell \$8.3 million in limited general obligation bonds.

A supplemental draft budget for the bonds will be provided at the March 2, 2015 Council Workshop.

O. City Administrator Miscellaneous Updates and Scheduling

Capell shared that he and Mayor will attend the Association of Washington Cities 2015 City Action Days on Wednesday and Thursday. They will meet with the City's delegation, Senator King, Chair of Transportation; Representative Bruce Chandler, ranking member on appropriations; and Representative Jim Moeller. The Governor will be speaking at the luncheon Wednesday and there will be other topics and opportunities to meet with legislators at the conference.

Capell shared that he is putting together orientations for Council Member Carter with various departments and invited other Council Members to contact him if they are interested. He also shared that the Police Department can arrange Council ride-alongs, if of interest.

VI. COUNCIL COMMENTS AND REPORTS

Turk shared that there were 153 attendees in the 2nd Story Gallery at the February 2nd First Friday. She also shared that there is a Planning Commission meeting February 18th at 7:00 p.m.

Anderson shared highlights from his attendance at the last C-Tran Board meeting.

Hogan provided an update on the Downtown Camas Association's current and upcoming activities. He also commented on an idea of a quarter-century years of service employee recognition.

Chaney and Hazen commented on the City's park-naming process.

Chaney attended the ribbon-cutting of Flutes and Rocks.

Hazen attended a tour of the new park property with Greg Hochhalter.

Carter attended the February 5th Library Board of Trustees meeting and shared highlights of their activities.

VII. PUBLIC COMMENTS

Randy Printz, 805 Broadway Street, Vancouver, WA, commented about Eric Levison's retirement.

VIII. ADJOURNMENT

The meeting adjourned at 6:40 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 a person with special needs has the opportunity to participate. For more information, please call 360.834.6864.



CITY COUNCIL REGULAR MEETING MINUTES - DRAFT Tuesday, February 17, 2015, 7:00 PM City Municipal Center, 616 NE 4th Avenue

I. CALL TO ORDER

Mayor Scott Higgins called the meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Greg Anderson, Bonnie Carter, Don Chaney, Tim Hazen, Steve Hogan, Melissa Smith, and Shannon Turk

Staff: Bernie Bacon, Phil Bourquin, Pete Capell, Curleigh Carothers, Sarah Fox, Charlotte Frias (student intern), Jennifer Gorsuch, Jim Hodges, Cathy Huber Nickerson, Mitch Lackey, Robert Maul, Ron Schumacher, Nick Swinhart, and Steve Wall

Press: No one from the press was present

IV. PUBLIC COMMENTS

No one from the public wished to speak.

V. CONSENT AGENDA

A. Approved the minutes of the January 26, 2015 Special Council Meeting, the minutes of the February 2, 2015 Camas City Council Meeting and the Workshop minutes of February 2, 2015.

January 26, 2015 Special Council Meeting Minutes - Draft
 February 2, 2015 Workshop Meeting Minutes - Draft
 February 2, 2015 Regular Meeting Minutes - Draft

- B. Approved the claim checks numbered 124812 124986 in the amount of \$1,419,993.26.
- C. Authorized Pay Estimate No. 8 to Nutter Corporation for Project S-565 NW 38th Avenue Roadway Improvements, Phase 2 in the amount of \$382,718.72 for work completed from January 1, 2015 thru January 31, 2015. (Submitted by James Carothers)

38th Avenue Pay Estimate No. 8

D. Authorized the Mayor to sign the Proposal by Gray & Osborne, Inc. in the amount of \$9,750 for technical review assistance of the City's Draft Wastewater Treatment Plant National Pollutant Discharge Elimination System (NPDES) Permit as discussed with Council at the February 2, 2015 Workshop. This work was anticipated and included in the 2015 Budget. (Submitted by Steve Wall)

<u>NPDES Permit Review - Gray & Osborne Proposal</u>

E. Authorized the Mayor to sign the Proposal by AKS Engineering and Forestry Inc. in the amount of \$85,500 to provide construction administration services and Jones Creek turbidity monitoring associated with Project WS709-E 2015 Jones Creek Timber Harvest. As discussed with Council at the February 2, 2015 Workshop, this project was not included in the 2015 Budget; however, the project is supported by the current rate structure and revenue generated by the timber harvest project. Staff will include the amount of the contract in the 2015 Spring Omnibus Budget reconciliation. (Submitted by Steve Wall)

Jones 2015 Construction Services Proposal AKS

F. Authorized Pay Estimate No. 7 to McDonald Excavating, Inc. for Project S-566 NW Friberg Street/NW Goodwin Road Improvements in the amount of \$296,357.25 for work through January 31, 2015. (Submitted by James Carothers)

Friberg Pay Estimate 7

- G. Authorized the write-off of the January Emergency Services (EMS) billings in the amount of \$74,511.53. This is the monthly uncollectable balance of Medicare and Medicaid accounts that are not collectable after receiving payments from Medicare, Medicaid and secondary insurance. (Submitted by Cathy Huber Nickerson)
- H. Authorized the release of retainage for Project SS-568 Vactor Waste Facility Upgrade in the amount of \$9,654.93 to Nutter Corporation. All City and State project documentation has been received and verified. (Submitted by James Carothers)

<u>Vactor Waste Facility final pay estimate</u>

I. Approved Pay Estimate No. 3 for Project S-589A 2014 Grind & Overlay in the amount of \$2,090 payable to Granite Construction Company. (Submitted by Denis Ryan)

Pavement Grind and Overlay Pay Estimate No. 3

J. Authorized the Mayor to sign the Commercial Industrial Custom Project Program Participation Agreement with Clark Public Utilities (CPU) for the City's Wastewater Treatment Plant UV and Blower Control Upgrade Project. The Agreement will allow CPU to provide the City with the estimated \$77,403 energy efficiency incentive for the project that was discussed with the City Council multiple times in 2014. The final incentive amount will be based on actual energy savings to be measured and verified after project completion. (Submitted by Steve Wall)

CPU Incentive Agreement - WWTP

It was moved by Council Member Chaney, seconded by Council Member Turk, to approve the Consent Agenda. The motion carried unanimously.

VI. NON-AGENDA ITEMS

A. Staff

There were no comments from staff.

B. Council

Chaney shared that John and Dorothea Butler, members of Veterans of Foreign Wars (VFW) Post 4278, worked preparing downtown Camas for the placement of the flags for the President's Day holiday.

Anderson commented on the upcoming, February 26th, Washington State University "Opening Conversations" event.

VII. MAYOR

A. Announcements

Mayor thanked retiring Public Works Director, Eric Levison, for his 30 years of service to the City of Camas. He also shared that he and Pete Capell will be attending the Association of Washington Cities "City Action Days" conference in Olympia February 18th and 19th.

VIII. MEETING ITEMS

A. Lake Hills Subdivision Final Plat (File no. FP14-05)

Details: Lake Hills Subdivision (file no. SUB12-01) received preliminary plat approval April 6, 2013, to subdivide approximately 18.1 acres of residentially zoned land (R-10) into 53 single-family lots, with 11 lots along NW Lake Road, and 42 lots that will be accessed from Hood Street. The property includes 2.6 acres of open space, and will provide a local connector trail between NW Lake Road and Hood Street. Presenter: Sarah Fox, Senior Planner

Staff Report Lake Hills Final Plat Drawing

It was moved by Council Member Turk, seconded by Council Member Smith, that the Final Plat be approved. The motion carried unanimously.

B. Resolution No. 15-002 Adopting the Camas Vision Statement Details: Approve the Camas Vision Statement, which is the product of hundreds of community members who participated in Camas 2035 outreach activities. The purpose of this outreach was to create a vision that captured what citizens' value most about Camas today, while planning for what Camas will be in twenty years. The vision statement will act as the cornerstone of the periodic update to the comprehensive plan document, which must be finalized by June 2016. Presenter: Sarah Fox, Senior Planner

Resolution 15-002 - Camas Vision Statement

It was moved by Council Member Turk, seconded by Council Member Anderson, that this Resolution be read by title only. The motion carried unanimously.

It was moved by Council Member Turk, seconded by Council Member Anderson, that this Resolution be adopted. The motion carried unanimously.

C. Ordinance No.15-003 Ratifying and Approving Various Loans with the State of Washington

Details: In updating all the City's debt files, it was discovered twelve loans were not approved by an ordinance with a public hearing preceding the motion. Rather these loans were approved through consent with the City Administrator's signature. It is the opinion of Bond Counsel for the City to correct the procedural approval of the loans with a motion of City Council to ratify the existing loans by an ordinance to be signed by the Mayor. Staff has developed a new process for all future loans and reviewed this new process during the February 2, 2015 Council Workshop. Presenter: Cathy Huber Nickerson, Finance Director

Ord 15-003 - Ordinance ratifying LoansCity of Camas

It was moved by Council Member Chaney, seconded by Council Member Hogan, that this Ordinance be read by title only. The motion carried unanimously.

It was moved by Council Member Chaney, seconded by Council Member Hogan, that this Ordinance be adopted and published according to law. The motion carried unanimously. D. Renewal of "Three Party Agreement"

Details: Since approximately 1978 the cities of Camas and Washougal and East County Fire and Rescue (ECFR), have had a continuous interlocal agreement to provide for emergency medical services response and transport in East Clark County. This document has provided the legal framework for Washougal and ECFR to forward their EMS levy revenue to Camas and for Camas to provide ambulance response and transport in return. The most recent iteration of this agreement expired at the end of 2014. Now, as a "Two Party Agreement," staff is recommending Council approve a new agreement between the City of Camas and ECFR as prepared by counsel. This agreement will be for two years and will contain the same provisions between the parties as the previous version did. ECFR commissioners are also in favor of this new agreement and will be presenting it for approval at their second meeting in February. Presenter: Nick Swinhart, Fire Chief

ECFR Revised Agreement_2014-2020

It was moved by Council Member Anderson, seconded by Council Member Chaney, to authorize the Mayor to sign the new agreement. The motion carried unanimously.

E. Ordinance No. 15-004 Amending Section 15.04.030(D)(2) of the Camas Municipal Code (CMC)

Details: Currently the ordinance for the installation of fire alarm systems within the city limits of Camas is in conflict with Washington State Law. The purpose of the proposed revision is to modify the CMC to be aligned with Washington State Statutes. Presenter: Ron Schumacher, Division Chief / Fire Marshal

Ordinance No. 15-004

NICET (National Institute for Certification in Engineering Technologies) determination

It was moved by Council Member Hogan, seconded by Council Member Anderson, that this Ordinance be read by title only. The motion carried unanimously.

It was moved by Council Member Hogan, seconded by Council Member Smith, that this Ordinance be adopted and published according to law. The motion carried unanimously.

IX. PUBLIC COMMENTS

No one from the public wished to speak.

X. ADJOURNMENT

The meeting adjourned at 7:14 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 a person with special needs has the opportunity to participate. For more information, please call 360.834.6864.



February 5, 2015

Mr. Steve Wall, P.E. Public Works Director City of Camas 616 NE Fourth Avenue Camas, Washington 98607

SUBJECT: ENGINEERING SERVICES PROPOSAL FOR DISTRIBUTION SYSTEM MODELING CITY OF CAMAS, CLARK COUNTY, WASHINGTON G&O #12476.00

Dear Mr. Wall:

This letter is a scope of work designed to provide additional information regarding distribution system improvements and system operational changes required for when the new slow sand filter plant (SSFP) is constructed and brought online. The product of this scope of work will be a predesign technical memorandum outlining all of the distribution system improvements required including length, size, and estimated cost. The memorandum will also describe operational changes required for winter operation with the SSFP operational and summer operation when the SSFP is not producing.

We understand that the City would like to use water from the SSFP to the fullest extent possible while minimizing other capital improvements to the distribution system. This scope of work is intended to build upon previous memoranda including the memorandum dated December 19, 2012. Since that memorandum was prepared, the City has considered delaying construction of the West Prune Hill Reservoir, has reconsidered the timeline for eventually joining the 542 and 544 Zones into a single zone, and has expressed a desire to review possible development in the Green Mountain area. This scope of work will include updated information on the existing distribution system from City staff, reflect the current anticipated timeline for improvements, and include the recent distribution/transmission upgrades installed by the City. The discussion of improvements included in this scope of work will also include greater detail for each recommended improvement.

SCOPE OF WORK

Update Hydraulic Model

Gray & Osborne will update the existing hydraulic model including incorporating the recent distribution system improvements as well as information from City staff on the

701 Dexter Avenue N., Suite 200 Seattle, Washington 98109 (206) 284-0860 Fax (206) 283-3206



Mr. Steve Wall, P.E. February 5, 2015 Page 2

current distribution system configuration. Gray & Osborne personnel will also work with City staff to perform on-site hydrant testing to calibrate the model to ensure an accurate representation of existing conditions, especially in the area around the existing treatment plant.

Analyze System

Gray & Osborne will perform an analysis of system operation for both summer and winter at current and 2035 demands to identify system deficiencies. The analysis will identify immediate distribution system improvements required to fully use the anticipated production from the SSFP. The analysis will also identify future improvements required to fully realize the full water right flow from the SSFP and meet future system demands. In addition, anticipated development projects in the Green Mountain area will be compared with future distribution system operation.

Present Projects

The technical memorandum will identify the required distribution system piping projects and will include size and length information. Each project will be shown on an aerial photographic map of the distribution system. A cost estimate including estimated valving, hydrants, and residential pressure reducing valves will be included for each project. The cost estimate will include estimated engineering and administration as well as a contingency appropriate for the level of design.

The not-to-exceed cost for the proposed scope of work is \$11,750. A detailed list of tasks and hours is attached.

Please contact the undersigned if you have any questions or desire further information.

Sincerely,

GRAY & ØSBORNE, INC.

Russell Porter, P.E.

RLP/hhj Encl.



Mr. Steve Wall, P.E. February 5, 2015 Page 3

CITY OF CAMAS – DISTRIBUTION PROJECTS PREDESIGN MEMORANDUM

Gray & Osborne, Inc. is hereby authorized to proceed with the engineering services as noted herein and under the terms and conditions of our current On-Call Water and Wastewater Engineering Services Contract dated December 2, 2013, for a cost not to exceed \$11,750 as noted herein without further written direction and authorization of the City.

Name (Print)

Title

Signature

Date

EXHIBIT B

ENGINEERING SERVICES SCOPE AND ESTIMATED COST

City of Camas - Distribution Projects Predesign Memorandum

Tasks		Project Janager Hours	Civil Eng. Hours
Hydraulic Model Update		2	16
Analysis		4	40
Technical Memorandum Update		6	32
Quality Assurance/Quality Control		2	2
Hour Estimate:		14	90
Fully Burdened Billing Rate Range:*	\$1	15 to \$178	\$75 to \$114
Estimated Fully Burdened Billing Rate:*		\$145	\$105
Fully Burdened Labor Cost:		\$2,030	\$9,450
Total Fully Burdened Labor Cost: Direct Non-Salary Cost:	\$	11,480	
Mileage & Expenses (Mileage @ \$0.57/mile)	\$	270	

TOTAL ESTIMATED COST:

....

* Actual labor cost will be based on each employee's actual rate. Estimated rates are for determining total estimated cost only. Fully burdened billing rates include direct salary cost, overhead, and profit.

11,750

\$



S&B inc. 13200 SE 30th St., Bellevue, Washington 98005 (425) 644-1700 FAX (425) 746-9312

February 3, 2015

City of Camas 616 NE 4th Ave Camas Washington 98607

Subject:Slow Sand Water Treatment PlantBid Proposal for Section 40 90 00, updatedInstrumentation and Control for Process SystemsDesign Specifications and Plans dated January 2015

Mr. Jim Hodges:

We are pleased to quote the control panels, wired instrumentation, wired field devices, PLC programming, and system integration work defined in the Engineer's documents for Section 40 90 00. Installation is not included and the equipment supplied by this proposal are designated for installation by the successful bidding Contractor. Startup and field acceptance testing for this system shall be executed by our firm in full compliance with the project documents. Work at the project site, described for the System Integrator will be performed by our field engineer.

Note that our scope of work does not include sensors that do not connect to the control system with wires, or any packaged control systems specifically called out in Section 40 90 99. This is mentioned as this quote excludes all hand valves and pressure gages that are external to the control panels.

SCOPE OF SUPPLY

Our firm will provide the following list of deliverables as outlined in the referenced specifications. Note the attached block diagram drawings indicate these items with black diamond \blacklozenge icons as well. The control panel pricing also includes seismic bracing per Section 01 88 15.

Contro	n i anei Scheuule (per	40 JO 01 Supplement-1
	TAG	DESCRIPTION
	PCP	Plant Control Panel (PLC-1)
	RIO	Remote IO Panel (PLC-2)
	WQP	Water Quality Monitoring Panel (PRV Station PLC-3)
	LP-420	Sodium Hypochlorite Feed Pump VFD Panel
	LP-520	Fluoride Feed Pump VFD Panel
	MTU	Modifications to SCADA master system at City Shops
		Control Panel Sub-Total: \$ 128,452

Control Panel Schedule (per 40 90 01 supplement-1)

Instrument scope of work listed below includes equipment and documentation necessary for integration with the control system and in full compliance with the project specifications. Physical parameter instruments are included in our base scope of work, analytical parameter measurements at the Slow Sand plant are offered as an additive option.

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Instrument List (per 40 90 00 supplement-1- physical parameters)

TAG	DESCRIPTION
FE/FIT-111	Raw Water Flow - 12" Mag Meter
FE/FIT-221	Filter 1 Water - 12" Mag Meter
FE/FIT-222	Filter 2 Water - 12" Mag Meter
FE/FIT-301	Finished Water - 12" Mag Meter
FE/FIT-524	Fluoride saturator makup water Meter, 5/8"
FE/FIT-631	Domestic Water – 1.5" Mag Meter
LE/LIT-201	Roughing Filter Level Transmitter
LE/LIT-231	Filter 1 Level Transmitter
LE/LIT-232	Filter 2 Level Transmitter
LSH-281	Filter Area Flood
LSH-511	Chemical Feed Area Flood
PIT-111	Raw Water Pressure
PIT-633	Domestic Water Pressure
QS-061	Motion Detector (2 total)
TT-07x	Air Temperature Transmitter (3 total)
YS-021	Smoke Detector
YS-022	Smoke Detector
YS-023	Smoke Detector
ZS-062	Limit Switch (3 total)
ZS-063	Limit Switch (2 total)
	Physical Sensors and Instruments Sub-Total: \$ 38

Physical Sensors and Instruments Sub-Total: \$ 38,157

Spares and Expendables Summary

Spares and Expendables include basic control system parts.

Start up Summary

Our startup plan calls for a four day cycle of commissioning and validation. This is critical time required to interface with the installing contractor, answer questions, validate field installation wiring and process operation.

Start-up Sub-Total: \$ 6,118

Testing and Documentation Summary

Testing and documentation includes the specified certificate of proper installation, field calibration and verification of instruments, witnessed control loop tests, loop status reports and an overall performance acceptance test. Breakouts are provided

Testing Sub-Total: \$ 5.101

Spares Sub-Total: \$ 476

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Coordination Meeting Summary

Five separate meetings with the consulting engineer are specified. Since the instrumentation engineer we met with during the design was located in Bellevue, we estimated these meetings based on meeting at CH2M's Bellevue office or our facility during the course of the project. Meetings include: schedule, initial software review, 50% software review, final software review and training coordination review. Coordination Sub-Total: \$ 3.120

Training Summary

Five days of on-site testing are required by the specification for management and O&M. We anticipate 1.5 days of preparation time for this training in addition to the onsite training. We priced this based on three consecutive days in one session and two consecutive days on a separate session.

Training Sub-Total: \$ 7,706

Total Price: \$189,130.00

The Hach analyzers, reagents, supporting parts and service required for operation are quoted below as an additive option to the base scope listed above. This scope together with the base scope was included in our January 20 scope and is broken out in response to the City's decision to supply the analytical instruments and startup services direct from Hach. We recommend the City review the quantities of spare parts and reagents with Hach based on the expected startup date and seasonal operation schedule prior to purchase. Confirming our telephone conversations regarding this approach, we will coordinate the control panel testing of the instruments while the Hach service technician is on site to ensure that required test forms showing proper interface with the control system are completed and signals calibrated for consistent readings. In this procedure, we will meet the functional startup and testing requirements.

Instrument List (per 40 90 00 supplement-1- analytical parameters)

TAG	DESCRIPTION
AE/AIT-10	Raw Water Turbidimeter, low range, w/ SC200
AE/AIT-203	Settled Water Turbidimeter, low range, w/ SC200
AE/AIT-261	Filter 1Turbidimeter, low range, w/ SC200
AE/AIT-262	Filter 2 Turbidimeter, low range, w/ SC200
AE/AIT-311	Fiished Water pH Analyzer
AE/AIT-312	Finished Water Free Chlorine Analyzer
AE/AIT-313	Finished Water Fluoride Analyzer
AE/AIT-314	Finished Water Turbidimeter, low range, w/ SC200
AE/AIT-632	Domestic Water Free Chlorine Analyzer
	First year reagents
	Second year reagents (prev listed under expendables)
	Analytical Instruments per spec: \$ 57.298

Analytical Instruments per spec: \$ 57,298

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Project Specific Exclusions:

Section 40 90 00 contains specifications for process hand valves and pressure gages that are not directly related to the control system and are <u>not</u> included in this proposal. Our scope of supply is focused on devices that are directly wired to the control system. Unless the device is specifically listed in this proposal, it is excluded from the scope of supply.

Standard Inclusions:

- Award based on a supply purchase order.
- Equipment is factory tested and shipped FOB factory with freight allowed, common carrier, destination.
- Shop Drawings, instruction manuals and software documentation via electronic media.
- Submittal Documentation per specifications
- Field Engineering Services for technical support of installation questions, start-up, and acceptance testing of equipment supplied by this quotation. S&B is a designer and supplier of control system equipment, providing technical support and engineering services to review installation of our equipment, commission and attest to its compliance with the project specifications.
- Quote is valid for sixty days from date of bid

Standard Exclusions:

Unless specifically included as a line item in this quotation's scope of supply the following are excluded from our scope of deliverables:

- Installation costs and any associated permits
- Stamped seismic calculations for Seismic Zone compliance for devices not listed above
- Arc Flash studies and/or labeling
- Short Circuit and circuit breaker trip coordination studies
- 3rd party circuit breaker certification testing and certification
- Piping, tubing, valves, fittings between the instruments and the process
- Process appurtenances: Pumps, pressure gauges, manifolds, bushings, thermowells, diaphragms, annular seals, purge assemblies, stilling wells, valves, pump overtemp sensors, pump moisture sensors, or solenoids that are not an integral part of the listed scope.
- Conduit, wire or cable external to the control system panels listed in this scope
- Mounting brackets, stanchions, supports, pads that are not integral to the control system panels or process instruments listed in this scope.
- Liquidated damages (available upon request and definition of scope)
- Subcontract (available for additional cost). This includes costs associated with certified payroll submission, EEO reports, completion of Affidavit of Wages paid.
- Bonding (service available for additional fee)
- Credit Card payment (service available for additional fee)

All pricing is based on the January 12, 2015 set of plans and specifications provided by CH2M. Our attached set of block diagram drawings dated January 20, 2015 provides details into the control system design that we propose. Testing, coordination meetings and training conforms to specification requirements. These hours represent a reasonable time needed for the Engineer and Owner to gain

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confidence with the System Integrator. Due to our long term relationship, we may mutually agree that less meetings and less training are required. Since we bill for progress, in the meetings and training sub-tasks, any unused time and preparation will not be invoiced.

We look forward to the opportunity to work on this important project and will contribute to making this successful by delivering the highest quality of materials and startup services according to the agreed schedule. Please feel free to contact us regarding any questions that you may have regarding our quotation.

Price quoted is net fob factory with freight allowed to jobsite. The control panels are fully tested at our facility in Bellevue prior to shipment to jobsite. Delivery of the longest lead system components are estimated at twelve weeks after receipt of order and submittal approval. Field start-up services will be performed by our Field Application Engineer. Terms are net 30 days with interest of 1-1/2% per month charged for overdue invoices. Progress payments shall be made for work completed and/or equipment shipped to jobsite. Reference attached copy of our Form 977 – General Terms and Conditions.

Yours truly,

Zur Stel

Randall T. Stead President S&B Inc. City of Camas

Mayor

Date



S&B inc. 13200 SE 30th St., Bellevue, Washington 98005 (425) 644-1700 FAX (425) 746-9312

GENERAL TERMS AND CONDITIONS - INSTRUMENT/CONTROL SYSTEMS

1. SCOPE

These terms and conditions apply to the sale of all instrument/control (I/C) systems assembled by S&B Inc. (Seller) and any inconsistent terms and conditions in Purchaser's purchase order are not binding on Seller, unless accepted, or these terms and conditions are modified by an authorized S&B Inc. representative.

2. ACCEPTANCE

Purchase orders received from Purchaser do not bind Seller unless accepted by an Officer of Seller, either by acknowledgment, written acceptance, promise to ship, or shipment of the I/C systems communicated to Purchaser. Acceptance is expressly made conditional on Purchaser's assent to Seller's Material Terms and Conditions, which are additional to or different from Purchaser's terms, unless Seller agrees otherwise in writing.

3. PRICE AND PAYMENT

Unless otherwise specified, quoted selling prices are FOB Seller's factory or its supplier's shipping point, with freight allowed to destination and are subject to change if not accepted within 30 days from the quotation date. The quotation may be withdrawn at any time prior to acceptance or extended beyond 30 days. Invoices are due and payable NET 30 days, unless otherwise specified, at the company offices at 13200 S.E. 30th Street, Bellevue, WA. 98005. Late payment of invoices is subject to interest. Invoices shall be rendered according to the following schedule.

Benchmark	% of Total Price
Upon notice from Seller that all drawings have been submitted for approval.	20%
Upon notice from Seller that the instrument system is ready for factory tests.	Additional 50%
Upon notice from Seller that the instrument system has been shipped or that factory tests are complete	Additional 25%
and equipment is being held for convenience of customer.	
Upon notice of acceptance from Purchaser or 180 days from notice of shipment, whichever occurs first.	Final 5%

If Purchaser defaults in any payment when due, Seller may at its option, and in addition to its remedies under the U.C.C. without incurring any liability thereof to Purchaser or Purchaser's customers, declare all payments for work completed immediately due and payable with maximum legal interest thereon from due date and stop all further work and shipments until all past due payments have been made and/or require that any further deliveries be paid for prior to shipment.

4. ITEMS INCLUDED

The price quoted includes only the I/C system specified, and does not include actual installation, accessory or associated materials such as wiring, piping, etc., not specifically included. Equipment prices quoted include installation information and start-up assistance provided by the Seller's field engineer or technician. Such services will be provided in a mutually agreeable manner and time. Seller will provide, upon request, at Seller's established current rates, an experienced Project Engineer or Service Technician to provide on-site superintendence of the equipment installation. Responsibility for proper operation of equipment, if not installed by Seller or installed in accordance with Seller's instructions, rests entirely with Purchaser.

5. TAXES

Any federal, state or local sales, or use or other taxes applicable to this transaction are not included in the price quoted, and unless a valid certificate of exemption is provided, any such tax shall be added to the price and is for the Purchaser's account.

6. SHIPMENTS AND DELIVERY

Any shipment or delivery dates recited herein represent Seller's best estimate. No liability, direct or indirect, is assumed by Seller for failure to ship or deliver on such dates. In any event, delivery dates are based upon the effective date of the contract and prompt receipt by Seller of all necessary information and instructions from Purchaser, including approved submittal drawings. Seller shall have the right to make partial shipments, and invoices covering the same shall be due and payable by Purchaser in accordance with the payment terms hereof.

In the event that the I/C system specified herein is to be shipped outside the United States, Purchaser shall obtain all necessary import licenses and permits required to clear the shipment for entry into the foreign country and pay all duties, tolls and imports.

If Purchaser requests postponement of shipments or causes a delay in shipment, the entire purchase price shall be due and payable upon notice from Seller that the I/C system is ready for shipment, and thereafter any storage, or other charge Seller incurs, shall be for Purchaser's account, including interest on any unpaid balance at the maximum legal rate. All claims for damage, delay or storage for FOB Seller's plant shall be made directly against the carrier of the Purchaser. When shipments are FOB destination, Purchaser shall inspect the I/C system shipped and notify Seller of any damage or shortage within 5 days of receipt. Failure to notify Seller shall constitute acceptance of Purchaser, relieving Seller of any liability for shipping damages or shortages.

7. RISK OF LOSS AND SECURITY INTEREST

Unless shipments of I/C systems are made FOB destination, all risk of loss or damage shall pass to the Purchaser upon delivery to a carrier for shipment. Purchaser shall protect and maintain Seller's title, including adequate insurance for Seller's benefit, and right of repossession to the I/C system specified herein or in any change order until the full purchase price has been paid in full and will not encumber or permit others to encumber such systems by any security instruments.

Purchaser acknowledges that as security for payment of the purchase price, Seller will retain and Purchaser has granted, a security interest in all I/C systems sold to Purchaser. Seller shall have all of its rights and remedies as a Seller and a secured party under the U.C.C. or other appropriate law. No waiver by Seller or any default shall constitute a waiver of any subsequent or further default. Seller may retain as liquidated damages any partial payments made and may peaceably repossess the equipment from the Purchaser's premises without prejudice to any further claims it may have. In the event legal action be brought to enforce the provisions of any order accepted by it, Seller shall be entitled to recover its court costs and reasonable attorney fees.

8. WARRANTY

Seller warrants that for a period of one year after test and acceptance by the Purchaser, or 18 months from date of shipment, whichever occurs first, all products assembled by Seller shall be free from defects in material and workmanship. Seller will at its sole option either repay the purchase price, or repair or replace at a location to be designated by it, any product defects, which develop within such period under normal and proper use, provided it receives prompt written notice of claimed warranty period. This warranty shall not apply to any products altered or repaired outside Seller's factory or with other than Seller's replacement parts, unless such repair was authorized in writing by Seller, or to products or parts subject to misuse, abuse, neglect or accident or damaged by improper installation or application. In no event shall Seller be liable for normal wear and tear, nor for any incidental or consequential damages due to inoperability of its products. The foregoing are Seller's sole warranties and guarantees, and all express or implied warranties, including all implied warranties or merchantability and fitness for a particular purpose, which exceed the above obligation, are hereby disclaimed by Seller.

9. CANCELLATION, SUSPENSION AND DELAYS

After acceptance by Seller, this contract shall not be subject to cancellation, suspension or delay. Orders may be cancelled only with Seller's written consent and upon payment of reasonable cancellation charges, which shall include all costs incurred and work done pursuant to the contract to date of cancellation, suspension or a delay plus reasonable overhead and profit. Additionally, all risks incident to and charges related to storage and/or resumption of work, at Seller's plant or elsewhere, shall be for Purchaser's sole account.

10. LIMITATION OF LIABILITY

Seller shall not be responsible or liable in any way for any failure to perform due to Acts of God, fire or flood, serious explosions or accidents, foreign or United States embargoes, war or riots, serious shortages, unavailability or significant price increases in commodities, materials or components, labor disputes, interruption of transportation, loss of essential production services, acts of any U.S. or foreign governmental authority, or by any other event beyond the reasonable control of Seller or its subcontractors. Seller shall not be liable to Purchaser for any incidental or consequential damages for any reason whatsoever.

11. CHANGES AND BACKCHARGES

Any changes in or any additions to the scope of work herein described or initiated by the Purchaser or resulting from any circumstances beyond Seller's control shall be for the account of and paid by the Purchaser. Written change orders shall initiate changes, and shall be considered as individual modifications and shall not delay payment to the Seller for the original order.

Seller will not approve or accept returns or backcharges for labor, materials or other costs incurred by Purchaser or others in modification or adjustment, service or repair of Seller furnished materials unless such return or backcharges are pursuant to Seller's warranty and have been authorized in writing by an Officer of Seller or by assigned purchase order or work requisition.

12. PROPRIETARY INFORMATION

All information furnished by Seller is submitted solely for Purchaser's consideration in connection with this job and shall be not be used by Purchaser nor disclosed to any third party without Seller's written consent.

13. DRAWINGS AND DESIGN

All drawings, descriptive matter, etc. submitted with this proposal are merely intended to give a general idea of the equipment described and a set of drawings may be supplied for approval after acceptance. Seller reserves the right to change or modify the design and construction of any equipment in order to incorporate improvements or to substitute material equal to or superior to that originally specified, and upon request, will assist with suggestions without liability for any resulting loss or damage to Purchaser.

14. SOFTWARE AND LICENSE AGREEMENT

All software is provided under a non-transferable, non-exclusive license for its use. The purchaser, and if different, the end-user, shall be required to sign Seller's End-User License Agreement upon accepting Seller's software documentation and using the software provided. All software and documentation are copyrighted by Seller and contain valuable trade secrets. No copies of this software or documentation may be made except as authorized under the terms of the license agreement except as required by law. The software and documentation are warranted against functional defects found during a period of one year after delivery. Seller's sole obligation shall be to correct any such defect in a manner chosen by Seller in its sole discretion. Seller shall have no liability for any lost profits or direct, indirect, incidental, consequential, or other damages arising from use of the software and documentation or any associated hardware.

15. NON-ASSIGNMENT

Purchaser shall not assign this contract, nor any interest herein or rights hereunder, without the written consent of Seller and any attempted assignment shall be voidable at Seller's sole option.

16. ENTIRE AGREEMENT

The contract expresses the entire agreement between the parties hereto and supersedes any previous communications, representations or agreements, whether oral or written, and is not subject to modification except by a writing signed by an authorized Officer of each party.

17. GOVERNING LAW

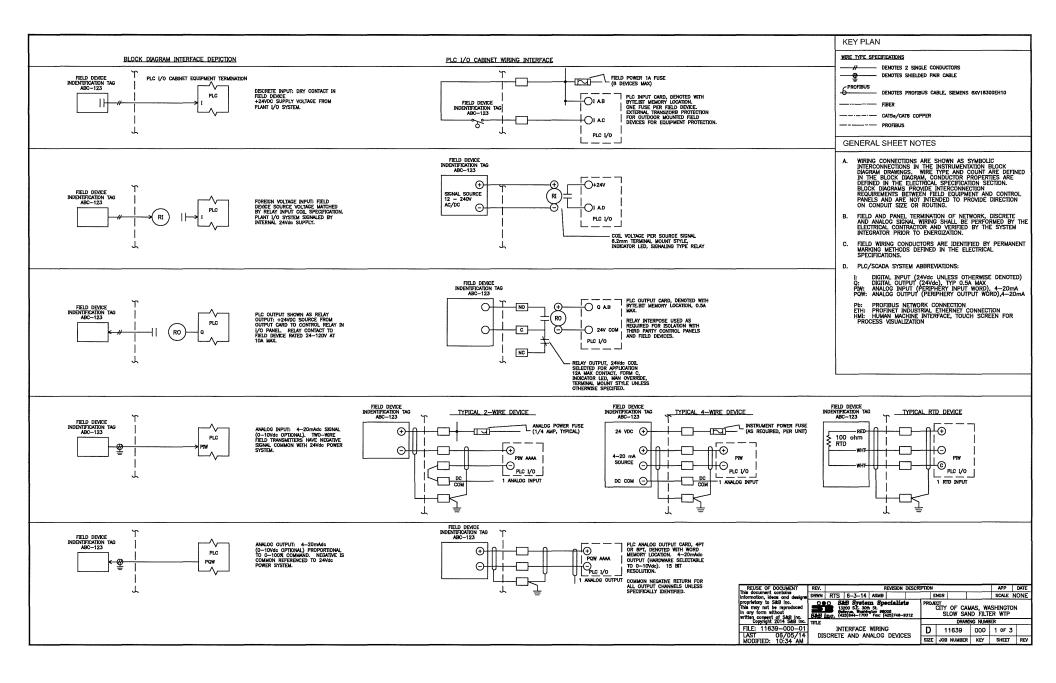
The contract shall be interpreted and governed by the laws of the State of Washington, including but not limited to any dispute, controversy or claim arising out of the contract.

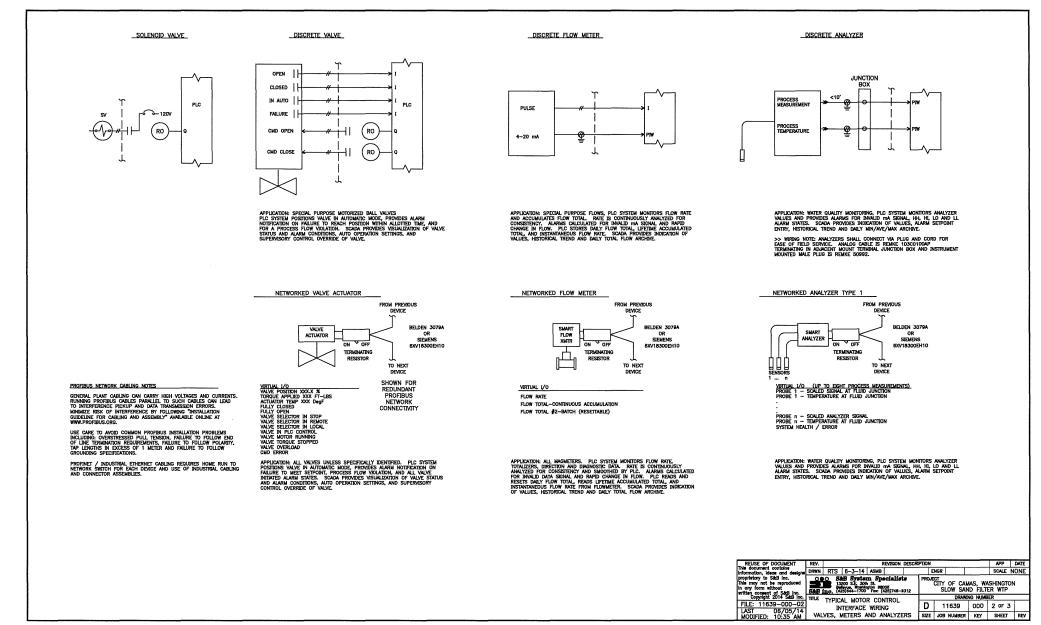
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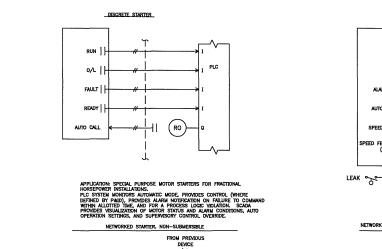
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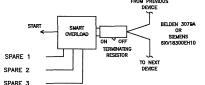
Mayor

Date





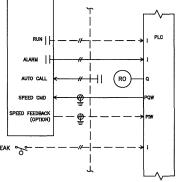




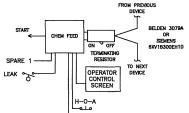
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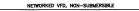
NETWORKED CHEMICAL FEEDER AND VFD CONTROLLED DIAPHRAGM CHEM PUMPS

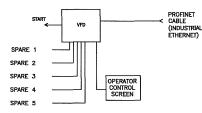


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IN AUTO / IN HAND	SPEED FEEDBACK					
CALL	SPEED COMMAND					
RUNNING	FLOW RATE - CURRENT					
ANTI-CAVITATE	FLOW TOTAL					
DIAPHRAGM BREAK/LEAK	DC LINK VOLTAGE (VFD TYP					
SENSOR FAULT	MOTOR HP (VFD TYPE)					
LOW LIQUED / RUN DRY	MOTOR VOLTS (VFD TYPE)					
OVERLOAD-MOTOR OVERLOAD	MOTOR AMPS (VFD TYPE)					
CALIBRATE MODE	MOTOR TORQUE (VFD TYPE)					

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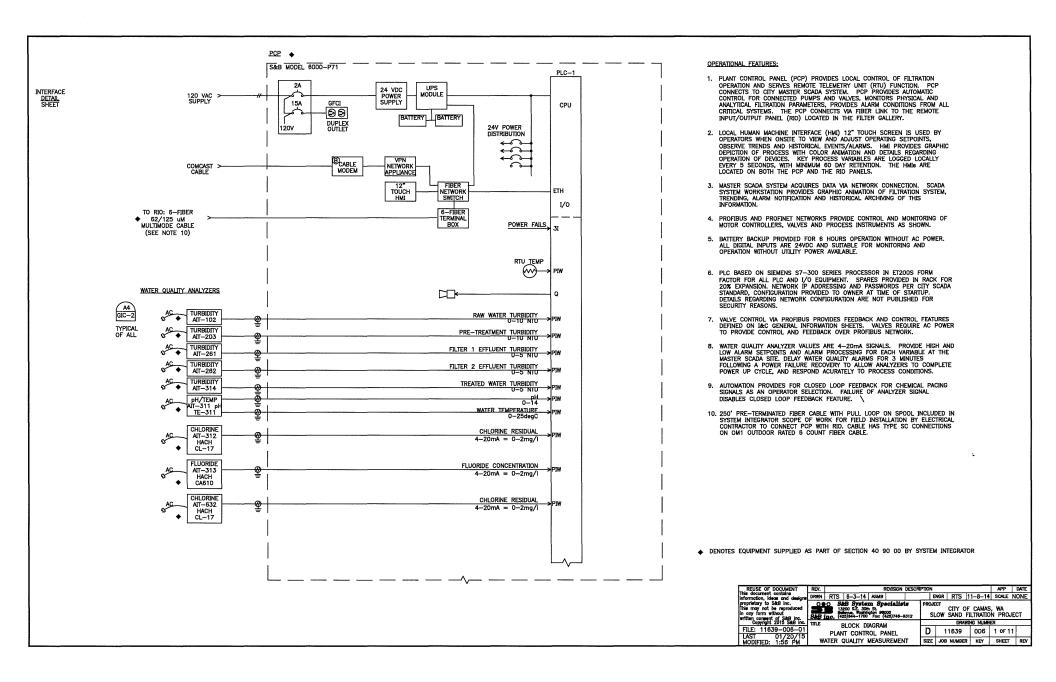


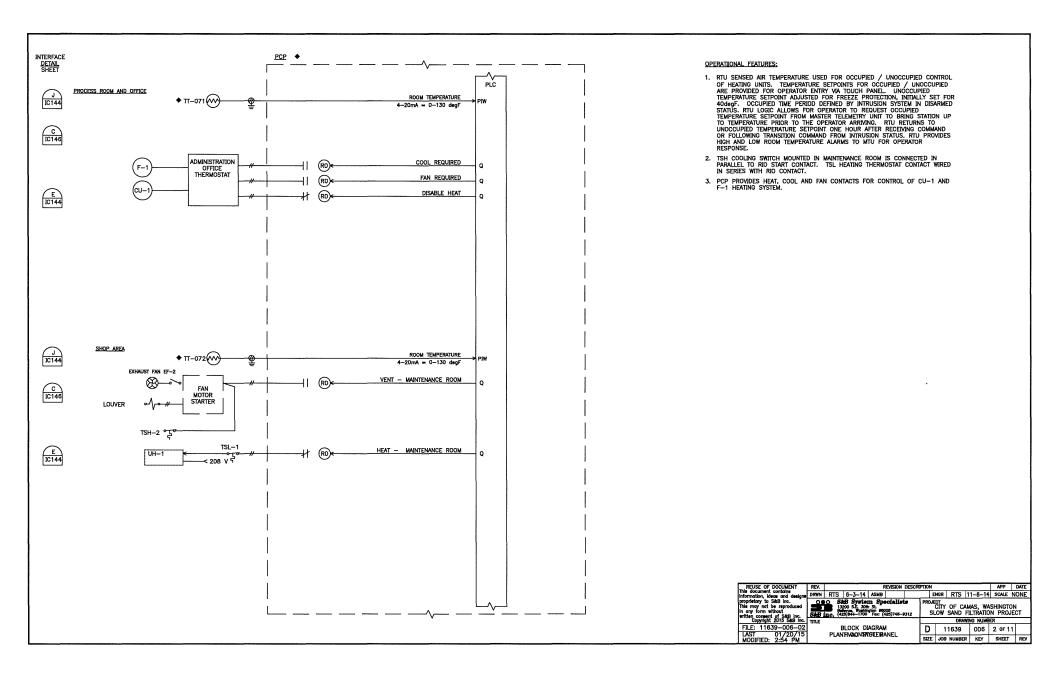


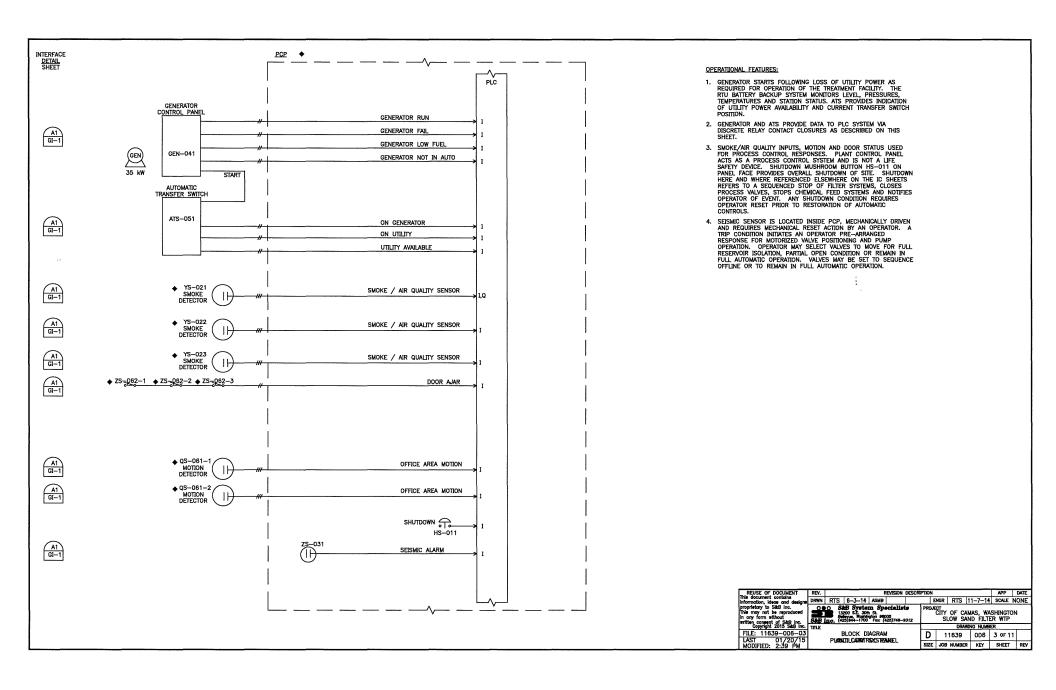
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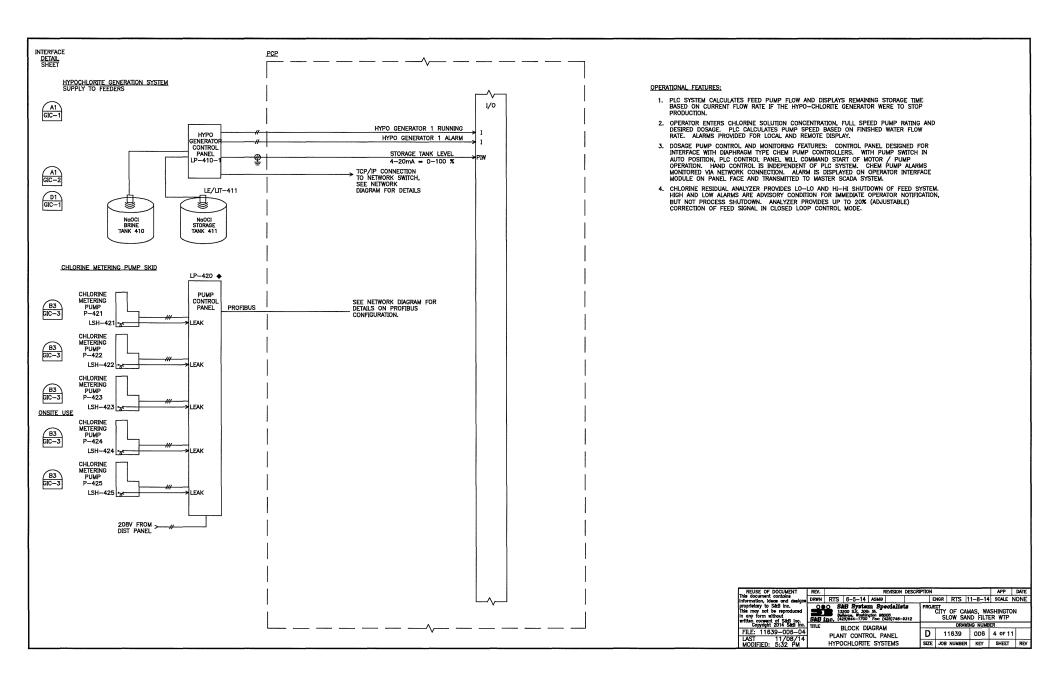
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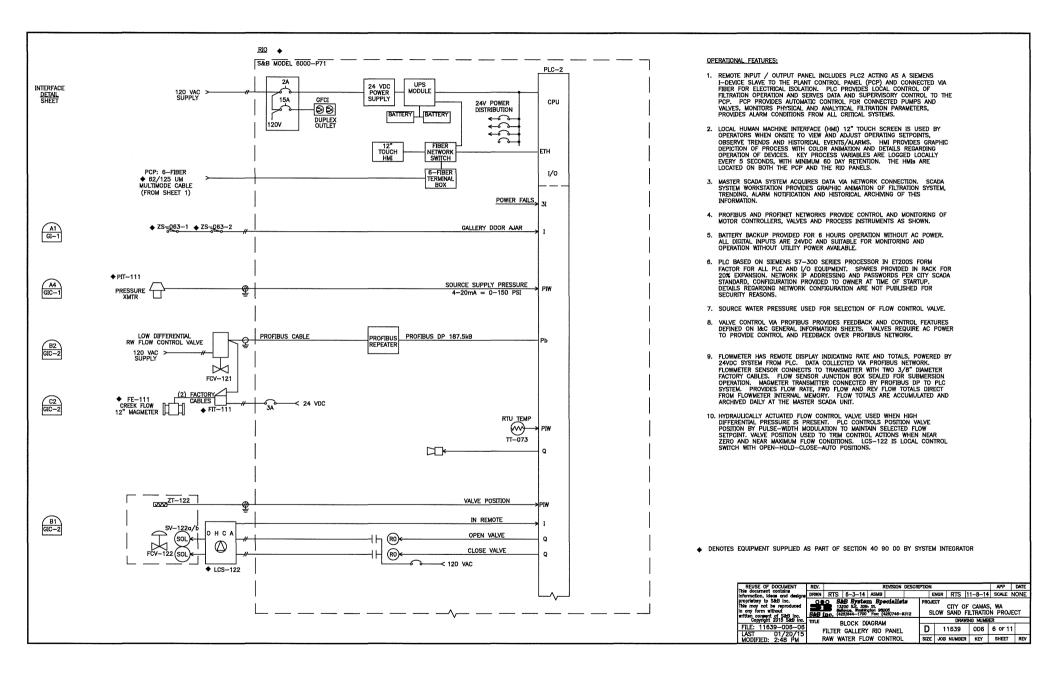
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This may not be reproduced in any form without written consent of S&B inc. Copyright 2014 S&B inc.	948	13200 S.E. 30th St.				PROJECT CITY OF CAMAS, WASHINGTON SLOW SAND FILTER WTP					
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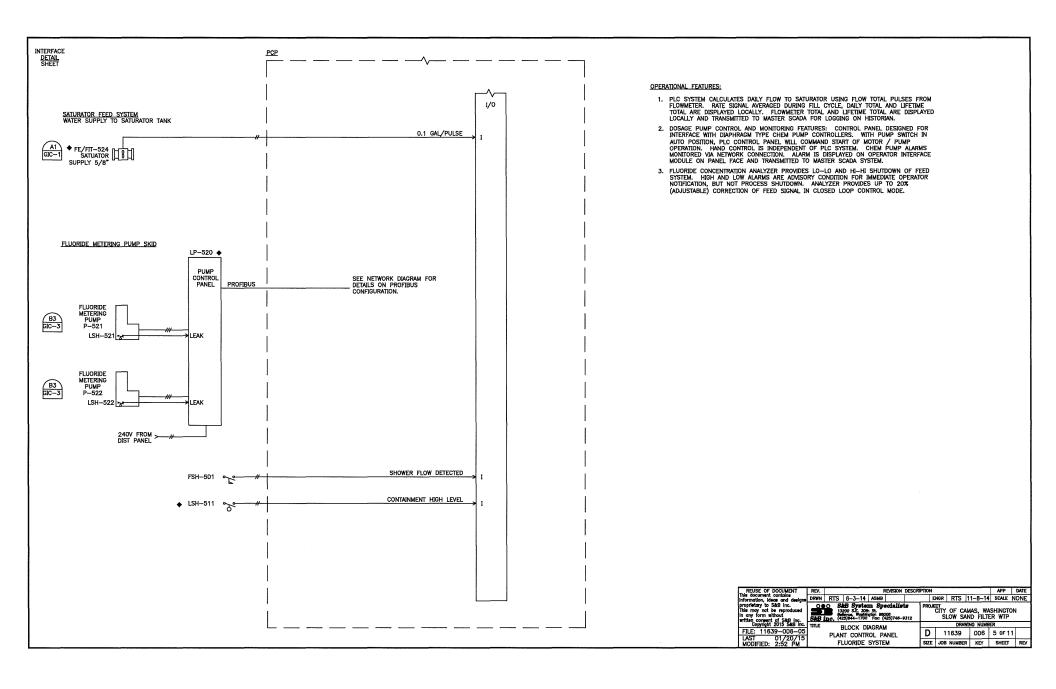


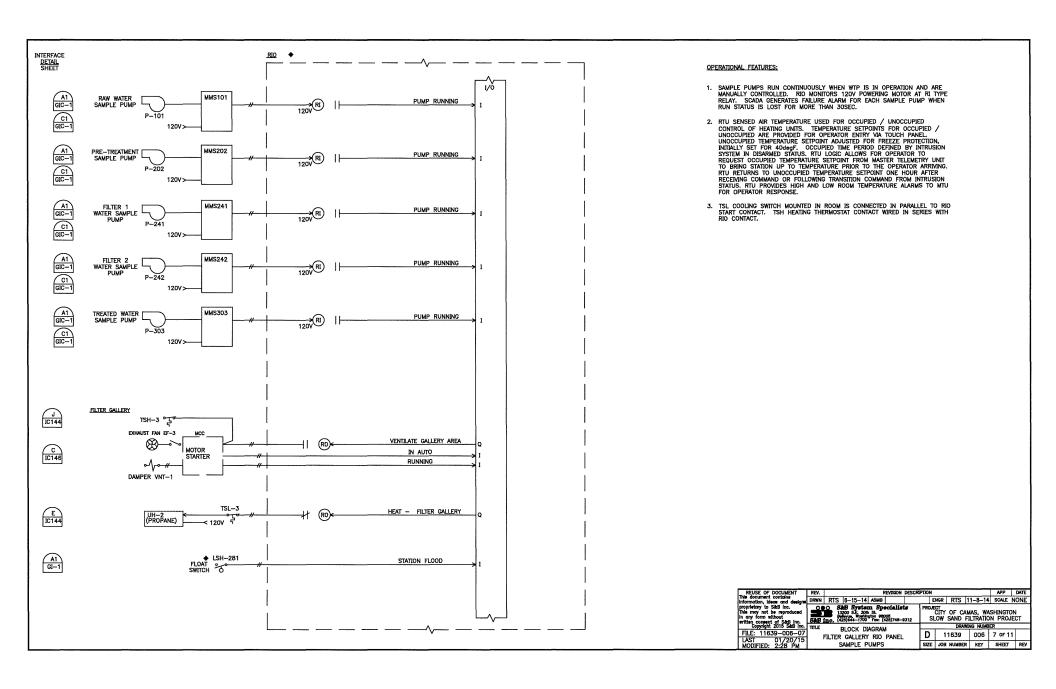


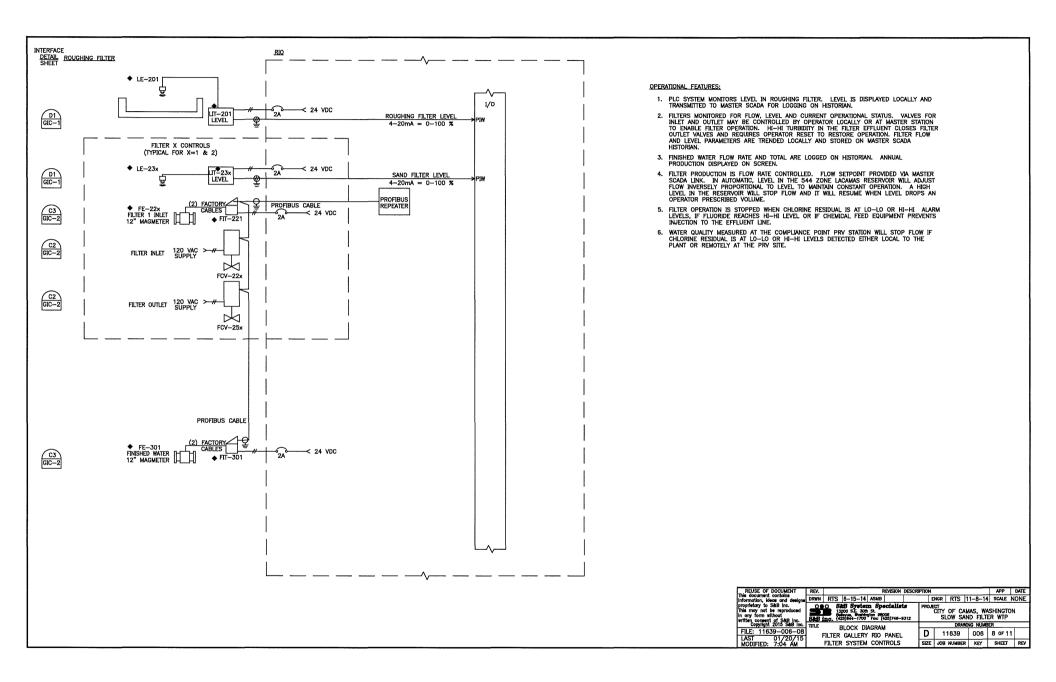


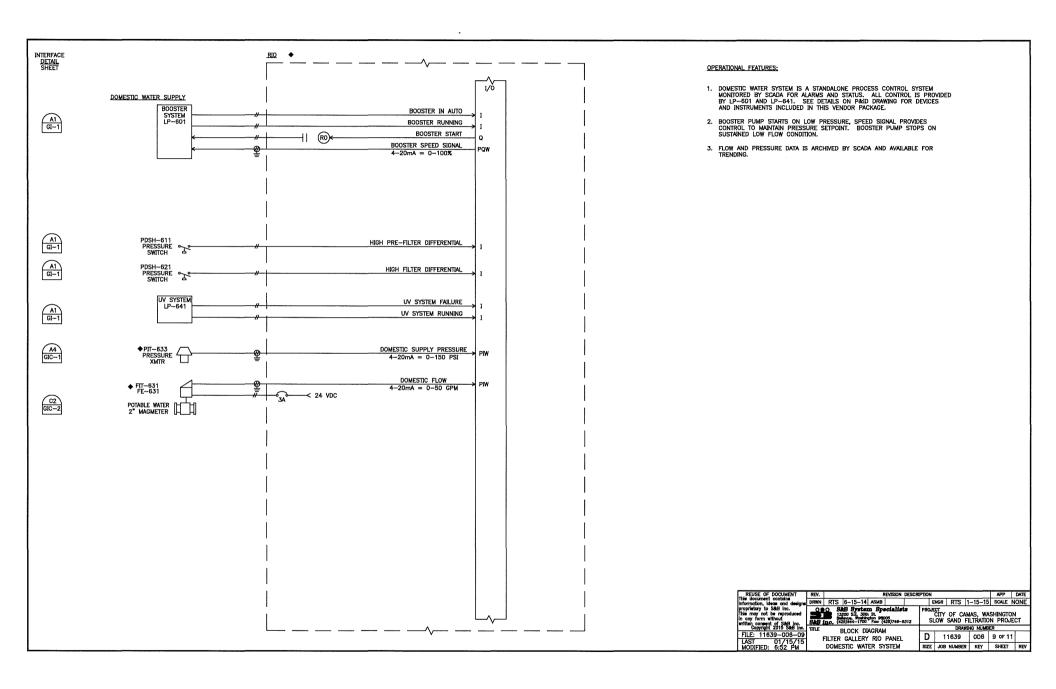


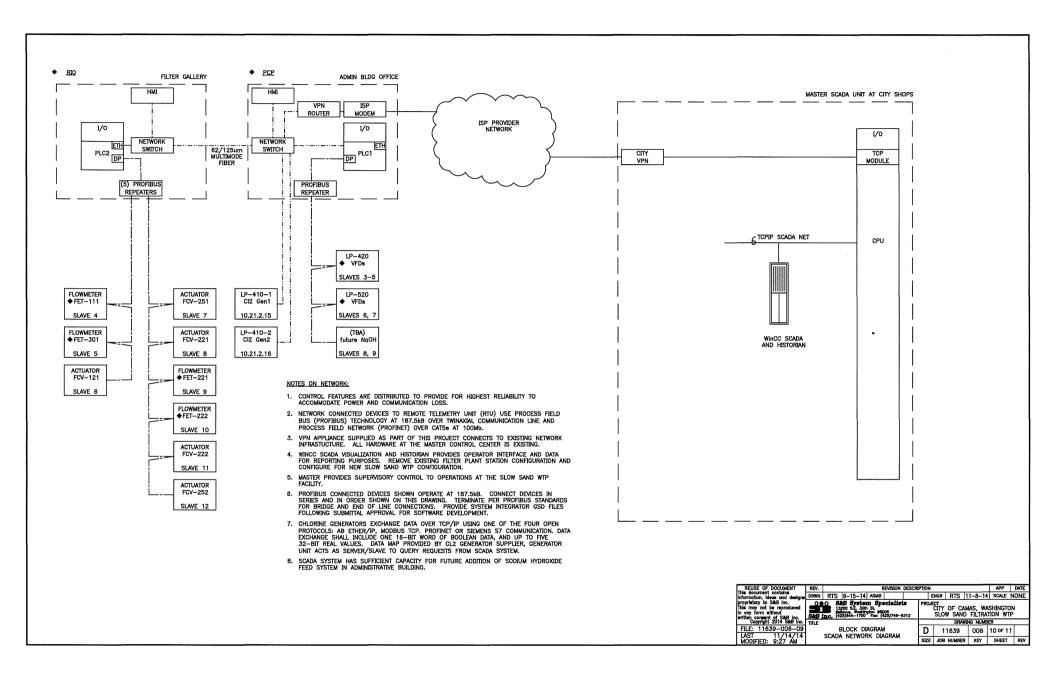


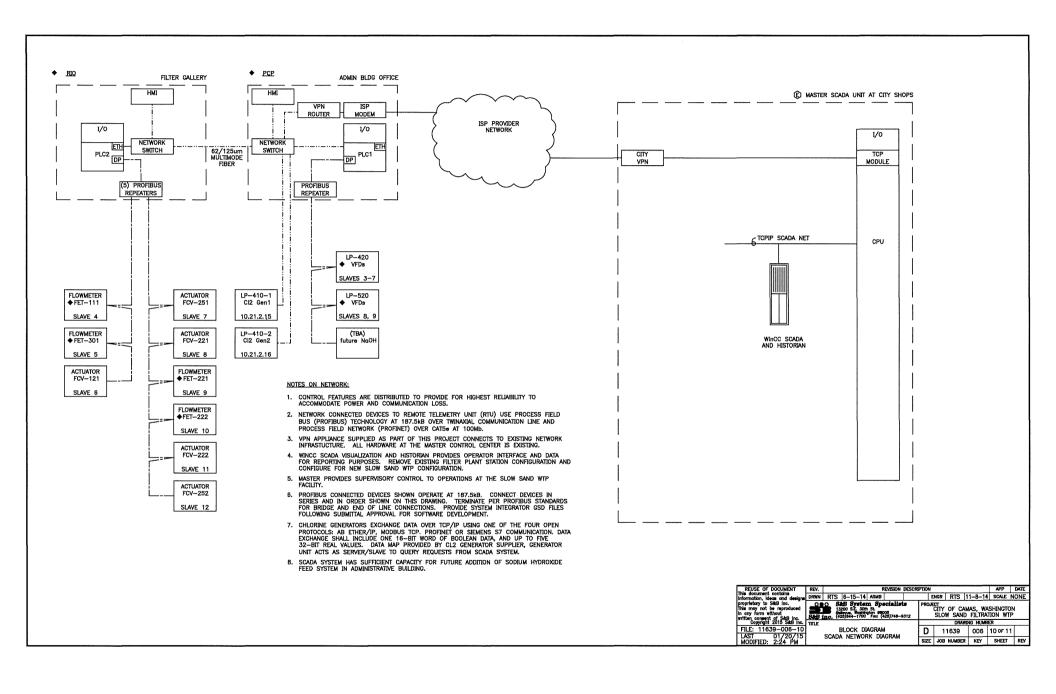


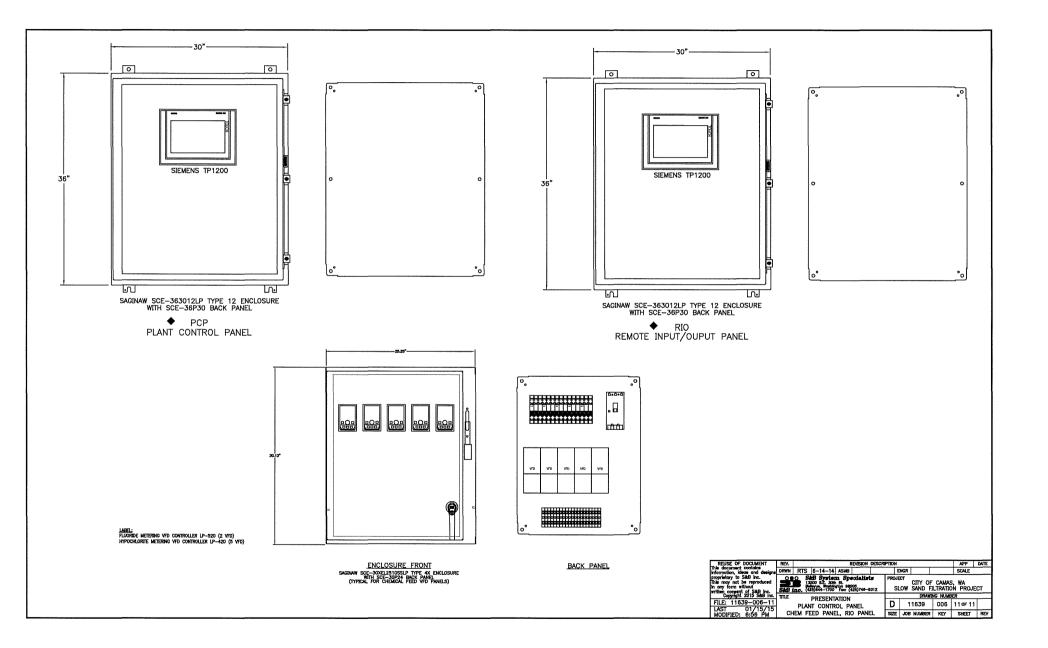


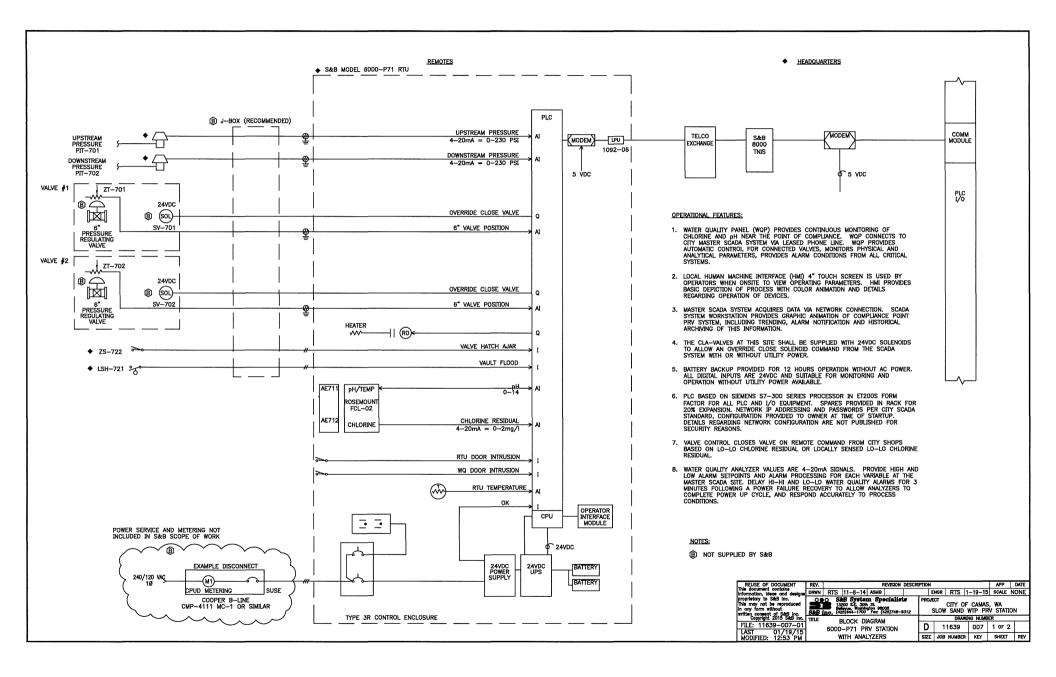


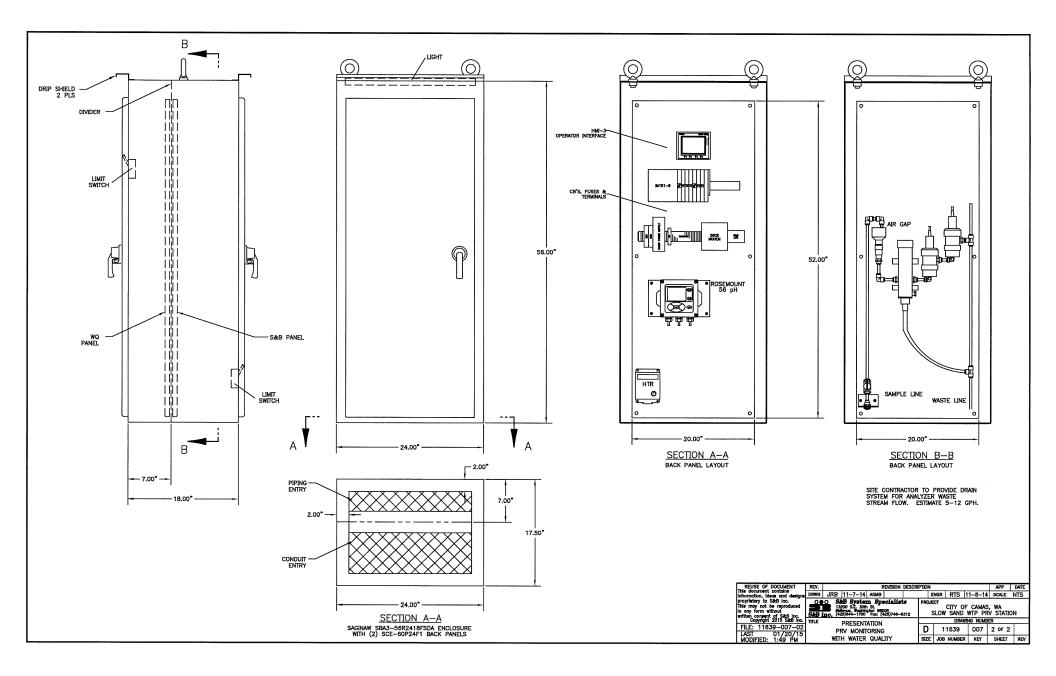












CITY OF CAMAS PROJECT NO. WS-741 2014 STEP/STEF Tank Pumping		PAY PERIOD: 1/1/2015 - 2/28/2015		AAA Septic Service PO Box 1668 Brush Prairie, WA 98606 (360) 687-8960							
			ORIGINAL CON	TRACT AMOUNT:	\$67,662.48						
ITEM NO.	DESCRIPTION	UNIT	ORIGINAL QUANTITY	UNIT PRICE	CONTRACT TOTAL	QUANTITY PREVIOUS	TOTAL PREVIOUS	QUANTITY THIS EST.	TOTAL THIS EST.	QUANTITY TO DATE	TOTAL TO DATE
SANITA	RY SEWER										
1	Residential STEP & STEF Tank Pumping	EA	504	\$116.89	\$58,912.56	444.00	\$51,899.16	59.00	\$6,896.51	503.00	\$58,795.67
2	EMERGENCY Residential STEP & STEF Tank Pumping	EA	15	\$116.89	\$1,753.35	5.00	\$584.45	1.00	\$116.89	6.00	\$701.34
3	Commercial STEP and STEF Tank Pumping	1000 Gal	15	\$116.89	\$1,753.35	15.00	\$1,753.35	0.00	\$0.00	15.00	\$1,753.35
	SUBTOTAL: Sanitary Sales Tax (8.4%): Total:				\$62,419.26 \$5,243.22 \$67,662.48		\$54,236.96 \$4,555.90 \$58,792.86		\$7,013.40 \$589.13 \$7,602.53		\$61,250.36 \$5,145.03 \$66,395.39
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SAN. AC	CT. NUMBER: 424.00.535.811.48	SAN. THIS	PAY EST:	\$7,251.86							
F.I.	120			$C \sim$	110)			10/0	. 1	1

Project Engineer Alage 2 ·23-15 Date

Farm Waley on 2/34/13 Amontal 2/23/2015 Contractor Date Project Manager Date Date

INVUICE SU	MMARY	PD Badertscher Const LL 5317 NE 316th CT Camas, WA 98607		_C
Date: Bill To:	2/12/2015 City of Camas 616 NE 4th Avenue Camas, WA 98607		Invoice: 3161190 Final Payment: Retainag	je
For Services	Rendered On: P-899 Fallen Leaf ADA Ramp			
1. Contract			15,011.23	
2. Approved Change Orders			19,023.70	
		Total Due	\$34,034.93	
3. Payment	1		8,919.15	
4. Payment 2			4,047.12	
4. Payment	L.		.,==	
4. Payment 5. Payment			20,015.23	
5. Payment				
5. Payment	3		20,015.23	

P D BADERTSCHER CONST LLC 5317 NE 316TH CT CAMAS, WA 98607

Contractor Licenses WA - PDBADBC942RG OR - CCB#190193

Bill To

CITY OF CAMAS PUBLIC WORKS DEPARTMENTS P O BOX 1055 CAMAS WA 98607

Invoice

	Invoice #	Date
	3161190	12/23/2014
tainage	ent-Re:	Final Payme

Terms

Due on receipt

Description	Amount
PROJECT NO. P-899 FINAL INVOICE	
TOTAL AFTER CHANGE ORDER 2	34,034.93
PAYMENT 1: RECEIVED 9-15-14	-8,919.15
PAYMENT 2: RECEIVED 10-6-14 Sales Tax 300.00, 213.400.00	-4,047,12 0.00
payment 3 pd 20,015,23 or 12/3 / check#124384 Final payment - Retainage #1,053.43	

Thank you for your business.

T	otal	
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E-mail

pat@concreterus.com

Web Site

www.concreterus.com

Phone #	Fax #
360-798-8771	360-834-2597

<u>COUNCIL APPOINTMENTS - 2015</u> Effective January - 2015

<u>Camas/Washougal Chamber of</u> <u>Commerce:</u> Melissa Smith – Liaison Bonnie Carter - Alternate

Design Review Committee: Melissa Smith

<u>Finance Committee:</u> Don Chaney Tim Hazen Shannon Turk

Economic Development Strategy

Committee for Economic Incentives: Mayor Scott Higgins Greg Anderson Tim Hazen

<u>Georgia Pacific Mill Advisory</u> <u>Committee:</u> Steve Hogan Mayor Scott Higgins - Alternate

<u>Library Board:</u> Bonnie Carter - Liaison Shannon Turk - Alternate

<u>Mayor Pro-Tem – 1 year term:</u> Greg Anderson (1-year term expires 12/31/16)

<u>Mosquito Control Board – 2 Year Term:</u> Citizen Linda Dietzman (2-year term expires 12/31/16)

<u>Community Center Development</u> <u>Committee (CCDC):</u> Shannon Turk - Liaison Bonnie Carter – Alternate Parks and Recreation Commission: Tim Hazen - Liaison Melissa Smith - Alternate

<u>Fire/Emergency Medical Services (EMS)</u> <u>Partnership:</u> Mayor Scott Higgins Greg Anderson

<u>Planning Commission:</u> Shannon Turk – Liaison Tim Hazen - Alternate

Shoreline Management Review Committee: Don Chaney

Sister City Committee: Shannon Turk - Liaison Mayor Scott Higgins - Alternate

<u>C-Tran – 2-Year Term:</u> Greg Anderson - Liaison Scott Higgins - Alternate

<u>Community Development Block Grant</u> (CDBG): Mayor Scott Higgins

<u>Columbia River Economic Development</u> <u>Council (CREDC):</u> Mayor Scott Higgins

<u>Clark Regional Emergency Services</u> <u>Agency (CRESA) – Small Cities:</u> Don Chaney, Camas

Camas Youth Advisory Council: Mayor Scott Higgins

Regional Transportation Council (RTC): Melissa Smith, Chairman 2015 Council Appointments Page 2

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Lower Columbia Fish Recovery Board:
Mayor Jim Irish – LaCenter
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<u>Camas-Washougal Economic</u> <u>Development Association (CWEDA):</u> Mayor Scott Higgins Steve Hogan – Alternate Pete Capell

Port of Camas-Washougal: Mayor Scott Higgins

Lodging Tax Advisory Committee: Shannon Turk

East County Ambulance Advisory Board:

Greg Anderson - Liaison Don Chaney - Alternate

<u>School/City:</u> Mayor Scott Higgins Don Chaney

Downtown Camas Association: Steve Hogan – Liaison Greg Anderson – Alternate

Fire Joint Policy Advisory Committee (JPAC):

Greg Anderson Don Chaney Shannon Turk

APPOINTMENT INFORMATION FOR COUNCIL MEETING (3/2/15)

Board of Adjustment:

Reappoint Jeff Groff for a 5-year term expiring December 31, 2019.

Planning Commission:

Reappoint Jim Short, Frank Hood, and Lloyd Goodlett for 3-year terms expiring December 31, 2017.

Parks and Recreation Commission:

Reappoint Cassi Marshall and Steve Lorenz for 3-year terms expiring December 31, 2017; and appoint Sean Vergillo for a 3-year term expiring December 31, 2017.

Civil Service Commission:

Reappoint Tanis Knight for a 6-year term expiring December 31, 2020

G:\Admin\Admin\Mayor Appointments\2015 Appointments



STAFF REPORT AMENDMENTS TO CMC CHAPTER 18.23 PLANNED RESIDENTIAL DEVELOPMENT (PRD) File #CMC14-05 February 11, 2015

To: Mayor Higgins City Council

Applicant:Randy Printz, LanderholmOwner:Green Mountain, LLC

Staff: Sarah Fox, Senior Planner on behalf of the Planning Commission

Agency Compliance: Notice of the public hearing before the Planning Commission was published in the Camas Post Record on January 13, 2015 (publication no. 526907). Public notice for City Council meeting will be sent as required when scheduled.

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Summary	1
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Findings	3
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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 proposed 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."

At the Planning Commission public hearing on January 21, 2015, alternative amendments to the applicant's proposal were presented by Staff. The following discussion supports the concept of incorporating limited commercial uses within a PRD project, based on the recommendations forwarded by the Commissioners.

DISCUSSION

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 "flexible" purpose of the code; however the construction of the applicant's amendments created other complications within the code (e.g. use of term "Urban Village"), and these concerns were discussed at length at the Planning Commission hearing on January 21, 2015.

The following amendments were forwarded by the Planning Commission with collaboration from the applicant. The amendments are intended to maintain the flexibility of the PRD code, and provide for limited commercial uses.

Proposed amendments as forwarded by the Planning Commission¹

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 <u>primary</u> 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 <u>Section 18.23.030(A)</u> of this chapter. <u>Secondary components include parks and recreational amenities, accessory uses, and limited commercial uses as provided in this Chapter.</u>

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<u>. Where residentially zoned land is</u> contiguous to lands <u>planned and zoned</u> for commercial uses, the City, may subject to a Development Agreement, provide for the inclusion of the commercial area into the PRD <u>master plan</u> 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 <u>Chapter 18.07.040</u> 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 <u>residential</u> 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

¹ Note that the blue and underlined text indicates the amendments that occurred at the public hearing on January 21, 2015, with the collaboration of the applicant.

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 <u>the residential portion of a PRD shall be in accordance with CMC Sections 18.23.040</u> and <u>18.23.050</u>
- 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 support the amendments as forwarded by the Planning Commission. The proposed amendments are also consistent with the requirements for approval of a zoning change. In this case, it will apply to the entire city, not a single site.

CMC§18.07.010(D) Site Specific Rezones

1. The use or change in zoning requested shall be in conformity with the adopted comprehensive plan, the provisions of this title, and the public interest.

FINDINGS: The proposed amendments to Title 18 Zoning, specifically to Chapter 18.23 Planned Residential Developments are consistent with the flexible purpose of that chapter. Also, the requirement for City Council approval of a development agreement, if commercial uses are proposed, will better protect the public interest.

2. The proposed zone change shall be compatible with the existing established development pattern of the surrounding area in terms of lot sizes, densities and uses.

FINDINGS: The compatibility of established neighborhoods would be a major consideration for approval of the project, as stated in the proposed text of the amendment; "the inclusion of the commercial area into the PRD" must be "for the purposes of establishing continuity community design, pedestrian and commercial circulation, streetscape standards and design, and effective transitions between commercial and residential uses." The current requirements for compatibility, which is referenced throughout the PRD chapter, have been retained as well.

RECOMMENDATION

That City Council reviews the proposed amendments, conducts a public hearing, deliberates, and approves the amendments to CMC Chapter 18.23 Planned Residential Development.

Further that upon approval, that Council directs the City Attorney to prepare an ordinance for adoption.

ATTACHED:

- Applicant's Narrative
- Email from Randy Printz to Sarah Fox regarding staff proposed amendments (1/15/2015)



Randall B. Printz

805 Broadway Street Suite 1000 PO Box 1086 Vancouver, WA 98666 T: (360) 816-2524 T: (503) 283-3393 F: (360) 816-2529 E: randy.printz@landerholm.com

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 Page 2

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 Bourguin GREM15-000001 - Document in ProLaw

Exhibit 1 (ZC14-01) Green Mtn

From:	Randall B. Printz <randy.printz@landerholm.com></randy.printz@landerholm.com>
Sent:	Friday, January 16, 2015 5:39 PM
To: ⁻	Sarah Fox
Cc:	Phil Bourquin
Subject:	Fwd: Attached Draft Language for PRD code
Attachments:	image001.jpg
Follow Up Flag:	Follow up
Flag Status:	Flagged

Here are the cements I sent to Phil on the text amendment. Let me know if you have any questions.

Sent from my iPhone

Begin forwarded message:

From: "Randall B. Printz" <<u>randy.printz@landerholm.com</u>> Date: January 15, 2015 at 4:30:31 PM PST To: Phil Bourquin <<u>PBourquin@cityofcamas.us</u>> Subject: RE: Attached Draft Language for PRD code

Phil, sorry to not get back to you sooner, been in meetings all day. I am fine with the language that you are proposing. One question or clarification, the PRD code as currently written doesn't expressly provide for a use in one zone within the PRD to be placed on another portion of the PRD that may have different zoning. For example, in a normal PRD situation, where you had MF and single family zoning, or even different single family zones within the PRD, we move those collectively permitted uses all over the PRD regardless of the underlying zoning. That is one of primary mechanisms to achieve the desired design result. There is nothing in the current code that expressly allows that, but that certainly is the intent of the PRD code and certainly the practice in Camas and other jurisdictions. I don't know if we want/need to add anything to the proposed amendments that expressly provides for that, but I would not want to have the issue come up with respect to any of our zones during the PRD hearing. In any event, just food for thought.

One other small point, fire, police and library have at one time or another indicated a desire to at least explore the possibility of locating a public facility on the GM property. I know those uses are typically considered commercial uses, but it might be a good idea in section 020 to add the term public facilities to the list of secondary uses.

Thanks.

From: Phil Bourquin [mailto:PBourquin@cityofcamas.us] Sent: Thursday, January 15, 2015 10:12 AM To: Randall B. Printz Subject: Attached Draft Language for PRD code

Randy - See attached. I will try to call to discuss shortly.

Phil Bourquin Community Development Director Ph. 360.817.1562 ext. 4254 Email: <u>pbourquin@cityofcamas.us</u>



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

To:Bryan Beel, Chair
Planning CommissionPublic Hearing: January 21, 2015Applicant:Randy Printz, LanderholmOwner: Green Mountain, LLCStaff:Phil Bourquin, Community Development Director
Robert Maul, Planning Manager
Sarah Fox, Senior PlannerStaff: 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, multifamily 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 <u>primary</u> 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 <u>Section 18.23.030(A)</u> of this chapter. <u>Secondary components include parks and recreational amenities</u>, accessory uses, and <u>limited commercial uses as provided in this Chapter</u>.

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 <u>Section-Chapter 18.07.040</u> 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 <u>residential</u> 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 <u>the residential portion of a PRD shall be in accordance with CMC Sections 18.23.040</u> and <u>18.23.050</u>
- 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.



STAFF REPORT LIMITED AMENDMENT TO THE CAMAS SHORELINE MASTER PROGRAM WETLAND REGULATIONS File #MC 15-02 February 11, 2015

To: Mayor Higgins City Council

From: Sarah Fox, Senior Planner, on behalf of the Planning Commission

<u>Compliance with state agencies</u>: Notice of the public hearing before Planning Commission was published in the Camas Post Record on January 13, 2015 (publication no. 526907). Notice will be published for the public hearing before City Council once it is scheduled.

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, <u>2014 Updates to the Washington State Wetland Rating Systems (Attachment B)</u>, 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.

Planning Commission held a public hearing on January 21, 2015, and forwarded a recommendation of approval as presented. No changes to the document were requested.

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 City Council reviews the proposed amendments, conducts a public hearing, deliberates, and approves the limited amendments to the Camas Shoreline Master Program.

Further, that upon approval, Council directs the City Attorney to prepare an ordinance for adoption.

ATTACHED:

- A. Proposed limited amendments to the Camas Shoreline Master Program
- B. Ecology 2014 Update Memo
- C. Email correspondences between the Department of Ecology and Sarah Fox

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 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 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 <u>Washington State Wetlands</u> <u>Rating System for Western Washington</u>-2014 Update, (Revised, Ecology publication No. 14-06-029, October 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 conservation value;

ii. Bogs;

iii. Mature and old growth forested wetlands larger than one acre;

iv. Wetlands that perform many functions well, as indicated by scoring twenty-three points or more 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 with a moderately high level of functions, as indicated by scoring twenty and twenty-two points 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 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 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 approved federal wetland delineation manual and applicable regional supplements.

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
4 points or less	See Table 16.53.040-1	See Table 16.53.040-1	See Table 16.53.040-1
5	70	105	140
6	90	135	180
7	110	165	220
8	130	195	260
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
4 points or less	See Table 16.53.040-1	See Table 16.53.040-1	See Table 16.53.040-1
5	60	90	120
6	65	100	135
26	70	105	140
7	75	110	150
8	130	195	260
9	150	225	300

Table 16.53.040-4 Land Use Intensity Matrix ¹						
	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

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 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:

. 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 witigation 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	In Addition to Standard Mitigation		As the Only Means of Mitigation		
Function of	Full and	Reduced and/or	Full and	Reduced and/or	
Wetland to be	Functioning Buffer	Degraded Buffer	Functioning Buffer	Degraded Buffer	
Replaced			_	-	
Low (3-4 points)	10:1	14:1	20:1	30:1	
Moderate (5-7 points)	13:1	17:1	30:1	40:1	
High (8-9 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.

a. Wetland Mitigation 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.

b. 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. c. Compensatory mitigation credits may be issued for 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 onsite 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 onsite 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 crosssectional 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 prearranged 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 prepermit 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 <u>score conversion tables</u>).
- 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 (<u>Calculating Credits and Debits for Compensatory Mitigation in Wetlands</u>) 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:

- 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 <u>Ecology's wetlands information email listserv</u> 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.

> <u>View Presentation only</u> (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 <u>Wetlands in Washington State Volume 2: Guidance for</u> <u>Protecting and Managing Wetlands</u> (2005 guidance).
- Wetlands and CAO Updates: Guidance for Small Cities
- <u>Wetland Mitigation in Washington State, Part 1: Agency Policies and</u> <u>Guidance</u> (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

		-			
2004	Western WA	2014	2004	Eastern WA	2014
<u>></u> 70	Category I	23-27	<u>></u> 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 category scores

Tables for converting function scores

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

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

More Information

For more information, contact:

- <u>Amy Yahnke</u>, Senior Ecologist, (360) 407-6527
- The <u>regional wetland specialist</u> for your area.

ATTACHMENT C – Correspondence 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 ≤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
<u>></u> 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
<u>></u> 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
<u><</u> 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. Bunten 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: Bunten, 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: Bunten, 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.

2 At least ¾ 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.

² 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) <u>Subject: RE: CAO Update</u>

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 Wetlands/Shorelands Specialist Shorelands and Environmental Assistance Program WA Department of Ecology | Southwest Regional Office | 360-407-7273 300 Desmond Drive SE, Lacey, WA 98503 | PO Box 47775 Olympia, WA 98504-7775

This communication is a public record and may be subject to disclosure per RCW 42.56.

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

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

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 WA Department of Ecology | Southwest Regional Office | 360-407-7273

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 editionsapproved 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 delineation manual and applicable regional supplements 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 <u>Washington State Wetlands</u> <u>Rating System for Western Washington-2014 Update</u>, (<u>Revised</u>, Ecology publication No. <u>04-06-02514-06-029</u>, <u>August 2004October 2014</u>) 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, <u>Department of Natural Resources</u> <u>4(DNR)</u> as wetlands with high <u>quality wetlandsconservation value</u>;

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 between 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 fiftybetween 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 onfewer 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 <u>approved federal Ww</u>etlands <u>Delineation delineation</u> <u>Manual</u>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 <u>approved federal Ww</u>etlands <u>d</u>Delineation <u>m</u>Manual <u>and applicable regional supplements</u>, 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	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Rating Form			
19-4 points or less	See Table 16. 60<u>53</u>.040-1	See Table 16. 60<u>53</u>.040-1	See Table 16. 60<u>53</u>.040-1
20	60 ft.	75 ft.	100 ft.
21 5	70	85<u>105</u>	100<u>140</u>
22	80	95	120
23 6	90	105 135	140<u>180</u>
2 4	100	115	160
25<u>7</u>	110	125 165	180 220
26	120	135	200
27<u>8</u>	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

Habitat Score in the Rating Low Intensity Use Moderate Intensity Use High Intensity Use							
Form	Low Intensity Ose	Moderate intensity ose	Then intensity Ose				
20-4 points or less	See Table 16. 60<u>53</u>.040-1	See Table 16. 60<u>53</u>.040-1	See Table 16. 60<u>53</u>.040-1				
21	4 5 ft.	65 ft.	90 ft.				
22	50	70	100				
23	55	80	110				
24 <u>5</u>	60	90	120				
25<u>6</u>	65 ft.	100 ft.	130 ft.<u>135</u>				
26	70	105	140				
27 points or greater	75 ft.	110 ft.	150 ft.				
<u>8</u>	<u>130</u>	<u>195</u>	<u>260</u>				
<u>9</u>	<u>150</u>	225	<u>300</u>				

Table 16.53.040-3 Buffers Required to Protect Habitat Functions in Category III Wetlands
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Table 16.53.040-4 Land Use Intensity Matrix ¹								
	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:

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	In Addition to Standard Mitigati		As the Only Means of Mitigation	
Function of	Full and	Reduced and/or	Full and	Reduced and/or
Wetland to be	Functioning Buffer	Degraded Buffer	Functioning Buffer	Degraded Buffer
Replaced				
Low (< 20<u>3-4</u> points)	10:1	14:1	20:1	30:1
Moderate (20 — 30<u>5-</u>	13:1	17:1	30:1	40:1
<u>7</u> points)				
High (>30<u>8-9</u> 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 BankingBanks.

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.

<u>ii. Replacement ratios for projects using bank credits shall be</u> <u>consistent with replacement ratios specified in the certified bank instrument.</u>

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 eredits.

b. Cumulative Effects FundIn-Lieu Fee. To aid in the implementation of offsite 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:

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

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

<u>iii.</u> 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. <u>Compensatory mitigation credits may be issued for</u>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 onsite 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 onsite 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 crosssectional 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 prearranged 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 prepermit 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.

Sarah Fox

From:	Bunten, Donna (ECY) <dbun461@ecy.wa.gov></dbun461@ecy.wa.gov>
Sent:	Thursday, February 26, 2015 9:45 AM
To:	Sarah Fox
Cc:	Rothwell, Rebecca; Van Zwalenburg, Kim (ECY)
Subject:	Minor edits to your Appendix C to SMP (expedited review version)
Importance:	High
Follow Up Flag:	Follow up
Flag Status:	Flagged

Hi, Sarah, Rebecca caught an omission in your text:

The Category II description should read "between twenty and twenty-two points..."

Somewhere between the text I reviewed in November and this latest version, the "between" was omitted.

Also, in Table 16.53.040-3 (Buffers Required to Protect Habitat Functions in Category III Wetlands), the row for 26 habitat points was left in. It should have been deleted, and was in the November version.

I apologize for not bringing these to your attention during the expedited review process.

Donna J. Bunten

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



STAFF REPORT Final Plat for Seventh Avenue Townhomes

File No. FP14-08 (Related Files: SUB06-10, MinMod15-02, and DR14-05) February 11, 2015

- TO: Mayor Higgins City Council
- FROM: Wes Heigh, Project Manager Sarah Fox, Senior Planner
- LOCATION: 722 NW 7th Avenue also described as Tax Parcel numbers 085169-000, 085136-000, and 08140-000.
- OWNER: Doug Campbell, Seventh Avenue Townhomes, LLC

APPLICABLE LAW: The application was submitted on November 5, 2014, and the applicable codes are those codes that were in effect at the date of application. Camas Municipal Code Chapters (CMC): Title 18 Zoning (not exclusively): CMC Chapter 17.21 Procedures for Public Improvements; and CMC Chapter 18.55 Administration and Procedures; and RCW Chapter 58.17.

BACKGROUND INFORMATION

•	11 Lots (Size range: 2,100 to 7,432 sq. ft.)	•	Total area: 0.83 acres
•	Zoning: Multi-family residential (MF-18)	•	Recreational open space: 0.015 acres

Seventh Avenue Townhomes Subdivision (SUB06-10) was granted preliminary plat approval for 12 new townhome lots, and lot line adjustments to an existing single family home on a separate lot. A minor modification decision was issued on February 3, 2015, that reduced the subdivision to 11 lots (File #MinMod15-02). No decisions have been issued for design review; however a Design Review Committee meeting is scheduled for February 24, 2015.

Staff found that the application met the requirements of Final Plat approval in accordance with CMC§17.21.060. This staff report addresses compliance with the conditions of approval of SUB06-10, MinMod15-02, and the criteria for final plat approval.

Condit	tions of Approval for SUB06-10	Findings
1.	Stormwater treatment and control facilities shall be designed in accordance with the 1992 Puget Sound Stormwater Manual design guidelines. Final stormwater calculations shall be submitted at the time of final construction plan submittal.	Designed as required and approval granted.
2.	All construction plans will be prepared in accordance with City of Camas standards. The plans will be prepared by a licensed civil engineer in Washington State and submitted to the City for review and approval.	Complies
3.	Underground (natural gas, CATV, power, street light and telephone) utility plans shall be submitted to the City for	Complies

	review and approval prior to approval of the construction plans.	
4.	The applicant will be required to purchase all permanent traffic control signs, street name signs, street lighting and traffic control markings and barriers for the improved subdivision. The City will supply the list of required signs, markings and barriers at the time paving is scheduled.	Installed as required.
5.	A 3% construction plan review and inspection fee shall be required for this development. The fee will be based on an engineer's estimate or construction bid. The specific estimate will be submitted to the City for review and approval. The fee will be paid prior to the construction plans being signed and released to the applicant. Under no circumstances will the applicant be allowed to begin construction prior to approval of the construction plans.	Fees paid as required.
6.	Any entrance structures or signs proposed or required for this project shall be reviewed and approved by the City. All designs will be in accordance with applicable City codes. The maintenance of the entrance structure will be the responsibility of the homeowners.	No entrance structures or signs have been submitted for review
7.	A homeowner's association (HOA) will be required for this development. The applicant will be required to furnish a copy of the final C.C. & R.'s for the development to the City for review.	CC&R's are approved.
8.	Building permits shall not be issued until this subdivision is deemed substantially complete and the final plat is recorded and approved by the Planning, Engineering, Building and Fire Departments.	Will comply
9.	The applicant shall remove all temporary erosion prevention and sediment control measures from the site at the end of the two-year warranty period, unless otherwise directed by the Public Works Director.	Will comply
10.	Final plat and final as-built construction drawing submittals shall meet the requirements of the CMC 17.11.060, CMC 17.01.050 and the Camas Design Standards Manual for engineering as-built submittals.	Will comply
	In the event that any item of archaeological interest is uncovered during the course of a permitted ground disturbing action or activity, all ground disturbing activities shall immediately cease and the applicant shall notify the Public Works Department and OAHP.	Complied
Plan	ning:	
12.	Prior to final plat approval the applicant will provide building envelopes that do not encroach into the required driveway length of 18-feet.	Setbacks reflect this requirement along with notes on the plat for attached and individual units.
13.	Final grading plans shall show a flat front yard of Lots 1-4 to the sidewalk grade of NW 7^{th} Avenue; however, the fill or	Grading of site complies with

	e delayed until the building construc ed by the design review process.	tion condition.
installed prior to f maintenance and or	gation along the private roads shal final plat approval and provisions replacement of plantings is required u mits are issued. Appropriate provis o the city engineer.	for certificate of occupancy for each until lot per Planning Manager.
Design Review in acc shall be required to	nhomes and rowhouses are subject cordance with §18.19CMC. The applic receive Design Review approval prio ding plans for review.	cant scheduled for 2/24/15
Engineering:		
the City of Camas to the necessary sev easement granting a	enter into a Developers Agreement of o specify each party's responsibilities wer realignment design, installat and relinquishment and other associa encement of any site improvements.	for ion, Recorded #442567AGR
17. The applicant shall re water and sanitary so	ecord access and utility easements for ewer systems within the private road cceptable to the City at the time of t	way
or landscaping (such serves the same fun paved pedestrian pa south to NW 6th A CC&R's for the main to the City; or reloc	rovide fencing consistent with 18.17. as a thick hedge) that equally or be ction as determined by design review ath from the interior private roadw wenue and adequate provisions in tenance of this tract that are accept cate the proposed stormwater facilit requirements of CMC 17.19.030(F)(6)	etter noted on the plat. w, a vays the able y in
•	drainage for stormwater runoff from drainage system.	roof Plat note 8 concerns Lots 5 and 6 only
material placed on	Is shall be placed on building lots. An lots must be engineered structural front or rear setback to a maximum	fill,
(CMC) 15.32 for any shall submit an erosid accordance with CM	all comply with Camas Municipal Code land disturbing activity. The applicant on prevention sediment control plan i C 15.32 for any land disturbing activity or more or adds 5000 square feet or surface.	n
Plat Notes were Conditions 22	2 – 26	Plat notes are consistent with conditions.

SEPA Mitigation Measures:	
27. An Erosion Control Plan consistent with City requirements to include compliance with the Stormwater Management Manual for Western Washington, February 2005 shall be prepared and submitted for review and approval, and implemented prior to any earth disturbing activities. Additional erosion control measures shall be implemented consistent with best available practices as necessary to control erosion. From May 1 to September 30, no soils shall remain exposed and unworked for more than 7 days. Soil stabilization measures must be appropriate for the time of year, site conditions, estimated duration of use, and potential water quality impacts that stabilization agents may have on downstream waters.	Complied
28. Fugitive emissions associated with construction must be controlled at the excavation site, during transportation of excavated material, and at any disposal site.	Complied
29. Surface water treatment and conveyance systems shall be designed in accordance with the 1992 Puget Sound Stormwater Manual or as revised. Stormwater runoff shall be treated for quality and controlled in quantity prior to discharge.	Complied
30. Storm water treatment and control facilities shall be designed in accordance with the 1992 Puget Sound Storm Water Manual design guidelines (or as revised). Final storm water calculations shall be submitted at the time of final construction plan submittal.	Complied
31. To help minimize noise impacts to the adjacent residential neighborhoods, equipment shall be properly muffled and construction regarding site improvements shall be confined from 8:00 a.m. to 7:00 p.m., Monday through Friday; 8:00 a.m. to 5:00 p.m. on Saturday, excluding city observed holidays and Sundays.	In compliance
Conditions of approval for MinMod15-02	
1. Lot 11 must provide a building setback of twenty feet from SE 6 th Avenue, or ten-foot landscape tract or easement, or a combination of both to achieve twenty-feet of depth between the residential building and the traffic arterial.	Lot 11 setbacks comply and are reflected on final plat
2. No sight-obscuring obstructions higher than 42" (sheds or solid masonry walls) may be constructed within the twenty-feet of landscaped area (or combination as described at Condition 1) between the arterial and the structure setback at Lot 11. Chain-link, wrought-iron, or other fencing style that provides visibility may be approved by the Design Review Commission to be up to six feet in height.	Will comply

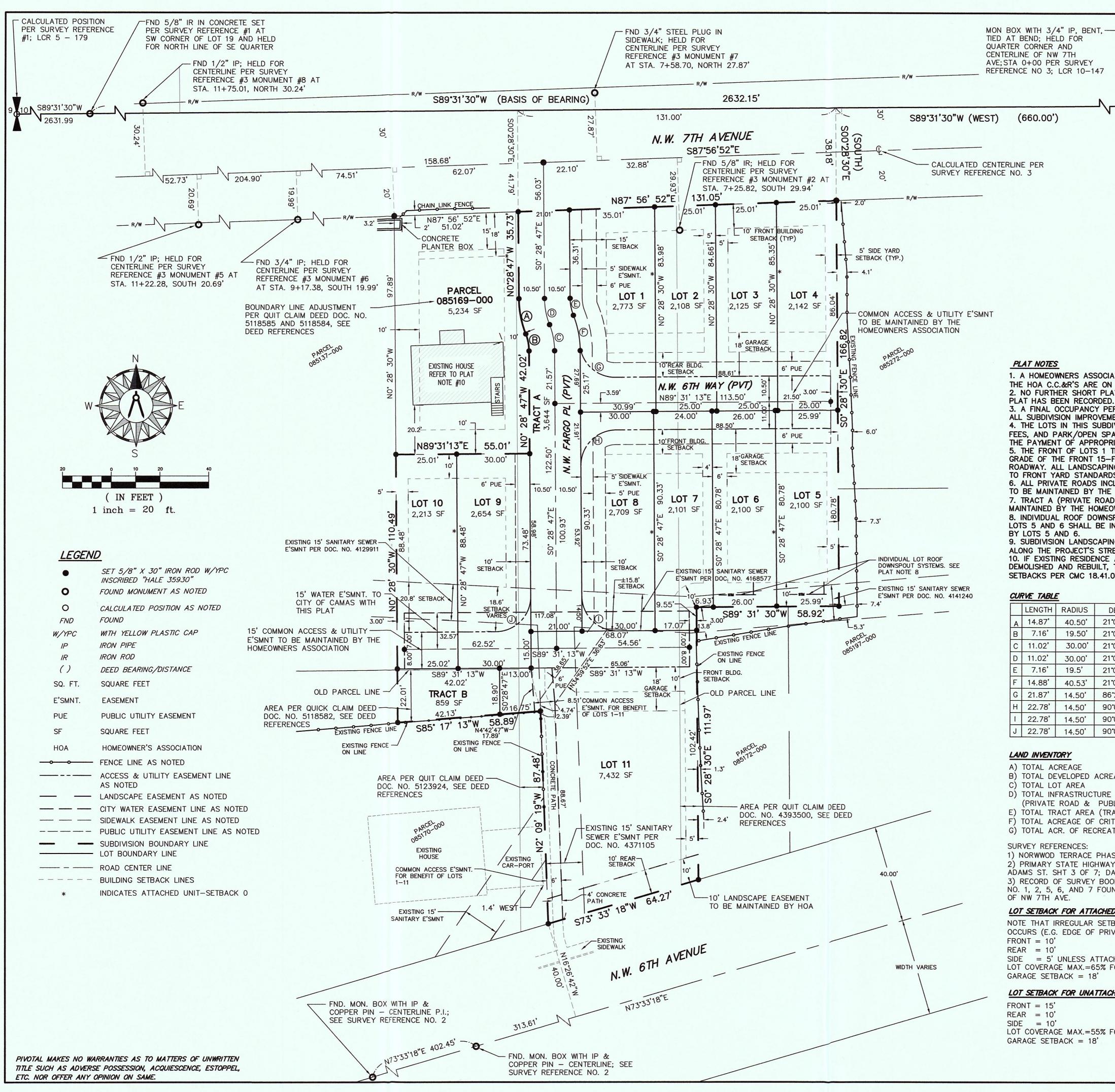
Final Plat Criteria for Approval (CMC 17.21.060-C)

- 1. That the proposed final plat bears the required certificates and statements of approval;
- That the title insurance report furnished by the developer/owner confirms the title of the land, and the proposed subdivision is vested in the name of the owner(s) whose signature(s) appears on the plat certificate;
- 3. That the facilities and improvements required to be provided by the developer/owner have been completed or, alternatively, that the developer/owner has submitted with the proposed final plat an improvement bond or other security in conformance with CMC 17.21.040;
- 4. That the plat is certified as accurate by the land surveyor responsible for the plat;
- 5. That the plat is in substantial conformance with the approved preliminary plat; and
- 6. That the plat meets the requirements of Chapter 58.17 RCW and other applicable state and local laws which were in effect at the time of preliminary plat approval.

Findings: The submitted plat meets the requirements of CMC 17.21.060-C, is consistent with the applicable conditions of approval, and with the applicable state and local regulations.

Recommendation

Staff recommends that Council **APPROVE** the final plat of Seventh Avenue Townhomes (File #FP14-08) as submitted.



PLAT NOTES

(660.00')

1. A HOMEOWNERS ASSOCIATION (HOA) IS REQUIRED FOR THIS DEVELOPMENT. COPIES OF THE HOA C.C.&R'S ARE ON FILE WITH THE CITY OF CAMAS. 2. NO FURTHER SHORT PLATTING OR SUBDIVIDING WILL BE PERMITTED ONCE THE FINAL PLAT HAS BEEN RECORDED. 3. A FINAL OCCUPANCY PERMIT WILL NOT BE ISSUED BY THE BUILDING DEPARTMENT UNTILL ALL SUBDIVISION IMPROVEMENTS ARE COMPLETED AND ACCEPTED BY THE CITY. 4. THE LOTS IN THIS SUBDIVISION ARE SUBJECT TO TRAFFIC IMPACT FEES, SCHOOL IMPACT FEES. AND PARK/OPEN SPACE IMPACT FEES. EACH NEW DWELLING WILL BE SUBJECT TO THE PAYMENT OF APPROPRIATE IMPACT FEES AT THE TIME OF BUILDING PERMIT ISSUANCE. 5. THE FRONT OF LOTS 1 THROUGH 4 SHALL BE NW 7TH AVENUE AND THE RESULTING GRADE OF THE FRONT 15-FEET OF THESE LOTS SHALL GENERALLY MATCH THAT OF THE ROADWAY. ALL LANDSCAPING STANDARDS TO INCLUDE HEIGHT OF FENCING SHALL CONFORM TO FRONT YARD STANDARDS. 6. ALL PRIVATE ROADS INCLUDING CURBS, SIDEWALKS, AND STORMWATER FACILITIES ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. 7. TRACT A (PRIVATE ROAD) AND TRACT B (ADDITIONAL PARKING) ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. 8. INDIVIDUAL ROOF DOWNSPOUT DRAINAGE SYSTEM CONSISTING OF 6" PERF PIPES FOR LOTS 5 AND 6 SHALL BE INSTALLED AT TIME OF BUILDING CONSTRUCTION, AND MAINTAINED

BY LOTS 5 AND 6. 9. SUBDIVISION LANDSCAPING SHALL BE MAINTAINED PER APPROVED LANDSCAPING PLAN ALONG THE PROJECT'S STREET FRONTAGE. 10. IF EXISTING RESIDENCE AT PARCEL #85169-000 IS ALTERED, REPAIRED, EXTENDED OR DEMOLISHED AND REBUILT, THEN SUCH MODIFICATIONS MUST CONFORM TO THE REQUIRED SETBACKS PER CMC 18.41.070(A).

CURVE TABLE

_		-			
	LENGTH	RADIUS	DELTA	CHORD BRNG.	CHORD DIST.
A	14.87'	40.50'	21°02'23"	N10°59'58"W	14.79'
В	7.16'	19.50'	21°02'23"	N10°59'58"W	7.12'
С	11.02'	30.00'	21°02'23"	N10°59'58"W	10.95'
D	11.02'	30.00'	21°02'23"	N10°59'58"W	10.96'
E	7.16'	19.5'	21°02'23"	N10°59'58"W	7.12'
F	14.88'	40.53'	21°02'23"	N10°59'58"W	14.80'
G	21.87'	14.50'	86°25'42"	S47°15'56"E	19.86'
Н	22.78'	14.50'	90'00'00"	S44°31'13"W	20.51'
1	22.78'	14.50'	90'00'00"	S45°28'47"E	20.51'
J	22.78'	14.50'	90'00'00"	N44°31'13"E	20.51'

LAND INVENTORY

A) TOTAL ACREAGE

B) TOTAL DEVELOPED ACREAGE

C) TOTAL LOT AREA D) TOTAL INFRASTRUCTURE ACREAGE

(PRIVATE ROAD & PUBLIC E'SMNTS)

E) TOTAL TRACT AREA (TRACTS A & B)

F) TOTAL ACREAGE OF CRITICAL AREAS G) TOTAL ACR. OF RECREATIONAL OPEN SPACE (PATH) 0.015 AC.

SURVEY REFERENCES:

1) NORWWOD TERRACE PHASE 2 PLAT BOOK J, PAGE 443 2) PRIMARY STATE HIGHWAY NO. 8 CAMAS: LOGAN ST. TO ADAMS ST. SHT 3 OF 7; DATED: OCT. 16, 1962 3) RECORD OF SURVEY BOOK 49, PAGE 54; MONUMENTS NO. 1, 2, 5, 6, AND 7 FOUND AND HELD FOR CENTERLINE OF NW 7TH AVE.

LOT SETBACK FOR ATTACHED

NOTE THAT IRREGULAR SETBACKS ARE LABELED WHERE IT OCCURS (E.G. EDGE OF PRIVATE ROAD, UTILITY EASEMENT, ETC.) FRONT = 10'REAR = 10'

SIDE = 5' UNLESS ATTACHED, THEN 0 LOT COVERAGE MAX.=65% FOR ATTACHED RESIDENTS GARAGE SETBACK = 18'

LOT SETBACK FOR UNATTACHED (SINGLE) RESIDENCES FRONT = 15'

REAR = 10'SIDE = 10'

LOT COVERAGE MAX.=55% FOR ATTACHED RESIDENTS GARAGE SETBACK = 18'

7TH AVENUE TOWNHOMES A SUBDIVISION IN A PORTION OF THE NE 1/4 OF THE SE 1/4 OF SECTION 10, T1N, R3E, W. M. CITY OF CAMAS CLARK COUNTY, WA FINAL ORDER SUB #06-10 DATED DECEMBER 22. 2006

CITY MAYOR: APPROVED AND ACCEPTED BY:

MAYOR, CITY OF CAMAS

DATE

DATE

DATE

DATE

DATE

CITY FINANCE DIRECTOR: THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS ON THIS PROPERTY, AND THAT ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY THAT IS DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE ARE PAID

ATTESTED BY: CITY FINANCE DIRETOR

CITY COMMUNITY DEVELOPMENT DEPARTMENT:

APPROVED BY: DIRECTOR OR DESIGNEE

CITY ENGINEER:

BEEN SUBMITTED FOR CITY RECORDS.

A) ALL IMPROVEMENTS HAVE BEEN INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THIS TITLE AND WITH THE PRELIMINARY PLAT APPROVAL; B) ALL IMPROVEMENTS MEET CURRENT PUBLIC WORKS DRAWING STANDARDS FOR ROAD, UTILITY AND DRAINAGE CONSTRUCTION PLANS: C) ORIGINAL AND REPRODUCIBLE MYLAR OR ELECTRONIC RECORDS IN A FORMAT APPROVED BY THE PUBLIC WORKS DIRECTOR OR DESIGNEE AND CERTIFIED BY THE DESIGNING ENGINEER AS BEING "AS CONSTRUCTED" HAVE

0.803	AC.
0.803	AC.
0.699	AC.
0.277	AC.
0.103	AC.
0.000	AC.
	0.803 0.803 0.699 0.277 0.103 0.000

APPROVED BY:_ CITY OF CAMAS ENGINEER DATE

FIRE DEPARTMENT APPROVED BY:

CITY OF CAMAS FIRE CHIEF OR DESIGNEE DATE

CLARK COUNTY ASSESSOR:

THIS PLAT MEETS THE REQUIREMENTS OF RCW 58.17.170, LAWS OF WASHINGTON 1961, TO BE KNOWN AS ______ 7TH AVENUE TOWNHOMES

____CLARK COUNTY, WASHINGTON

CLARK COUNTY ASSESSOR

PLAT NO.

CLARK COUNTY AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____,

CLARK COUNTY AUDITOR

AUDITOR'S FILE NUMBER

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS PLAT AS SHOWN IS A TRUE RETURN FROM THE FIELD AND THAT THE DELINEATION IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

STEPHEN C. HALE, PLS # 35930



1101 SE Tech Center Drive Suite 185 Vancouver, WA 98683

ph. (360) 882-4268 fax (360) 882-4266

NARRATIVE

and the second

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE TAX PARCELS 085169-000, 085136-000, AND 085140-000 AT THE REQUEST OF THE OWNER DOUGLAS F. CAMPBELL. THIS PLATTING IS TO ESTABLISH A 12-LOT TOWNHOME SUBDIVISION AS APPROVED IN CITY OF CAMAS FINAL ORDER NUMBER SUB #06-10, DATED DECEMBER 22, 2006. THE BOUNDARY LINES WERE ESTABLISHED PER DEEDS AS COMMENCING FROM THE FOUND NE CORNER OF THE SE QUARTER OF SECTION 10 AND ALONG THE NORTH LINE OF SAID SE QUARTER AS SHOWN HEREON. ADDITIONAL BOUNDARIES WHERE TRACED PER RECORDED QUICK CLAIM DEEDS (BOUNDARY LINE ADJUSTMENTS) AS NOTED HEREON. THE PLATTED BOUNDARY AREA = 34,962 SQ. FT.

BASIS OF BEARING BASIS OF BEARING IS PER THE FOUND AND HELD MONUMENTS AS SHOWN HEREON FOR THE

NORTH LINE OF THE SE QUARTER OF SECTION 10 PER RECORD OF SURVEY BOOK 44, PAGE

SURVEY PROCEDURE A FIELD TRAVERSE WAS PERFORMED USING A TRIMBLE S6 ROBOTIC TOTAL STATION. THE CLOSURE WAS EQUAL TO OR EXCEEDED THE REQUIREMENTS OF WAC 332-130-090. ALL CORNERS NOTED AS FOUND WERE VISITED IN JANUARY 2014.

DEED REFERENCES QUICK CLAIM DEEDS: GRANTEE - DOUGLASS F. CAMPBELL, AF NO: 5117230 DATED 10/24/14; AF NO: 4393500, DATED 11/07/07; AF NO: 0589234, DATED 04/07/06: AF NO: 4393500, DATED 11/7/07; AF NO: 5118585, DATED 11/5/14; AF NO: 5118584, DATED 11/5/14; AF NO: 5118582, DATED 10/24/14; GRANTEE - DONALD I. & CANDIE M. ESSEN, AF NO: 5123924, DATED 11/26/14.

SUBDIVISION GUARANTEE/CERTIFICATE: NUMBER 612826271, ISSUED BY: FIDELITY NATIONAL TITLE INSURANCE COMPANY; EFFECTIVE DATE: JUNE 20, 2014 AT 8:00 AM.

ORDINANCE NO. 15-006

AN ORDINANCE adopting a new Section 13.04.020 of the Camas Municipal Code, relating to the abandonment of utility services.

THE COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

Section I

A new Section 13.04.020 of the Camas Municipal Code is hereby adopted to provide as follows:

CMC 13.04.020: Abandonment of Utility Services.

If an active utility account is not kept current under the City's utility billing practices, and water service relating to said account has been disconnected for a period of five years, it shall be considered abandoned, and all billing for services shall be discontinued. Any system capacity attributed to such connection shall revert to the City, and subsequent customers shall pay the current applicable system development charge to re-establish the connection.

Section II

This ordinance shall take force and be in effect five (5) days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this _____ day of

_____, 2015.

SIGNED:_____

Mayor

SIGNED:_____

Clerk

APPROVED as to form:

City Attorney