

Naomi Hansen

From: Rothwell, Rebecca (ECY) <rebs461@ECY.WA.GOV>
Sent: Monday, October 02, 2017 4:12 PM
To: Todd Boulanger
Subject: La Center Riverside Estates wetlands

Todd:

I have briefly reviewed the Castle-Rose Environmental Critical Areas Report of 10-5-16, the Cascadia Ecological Services preliminary wetland assessment of 8-13-15, and the Bluhm Associates 9-27-2010 plat sheets that show wetlands as identified by Ecological Land Services. The following comments are preliminary rather than exhaustive.

1. It is unclear whether Mr. Smith, of Castle-Rose, has been trained in wetland delineation. He lists "USACE Wetland Regulatory Assistance Program, Wetland Training (2005)" on his Statement of Qualifications. I do not believe this is the same as wetland delineation training but have been unable to confirm this. The wetland delineation training is offered by the USACE and is typically called "Wetland Delineation Training" or "Reg IV Training."
2. I did not see a graphic included with the Castle-Rose report showing the location of delineation test plots on the subject parcels. Without this, I am unable to determine whether the properties were thoroughly evaluated for the presence of wetlands. I am also unable to determine whether paired plots were used to determine the location of the wetland boundaries.
3. I have not reviewed the wetland rating in detail, but I noted that it did not include the required graphics. Wetland ratings are not complete without the required graphics. Also, Section 3.7 identifies a scoring method that has been superseded by the 2014 wetland rating system. It appears that Mr. Smith has not been trained in the wetland ratings system.
4. Castle-Rose asserts that the pond on parcel #986028825 would not be regulated because it was excavated from uplands. I do not see clear, convincing evidence in his report that demonstrates that the pond was excavated from uplands. The burden of proof is on the applicant to demonstrate this. Further, these properties are outside the jurisdiction of the Shoreline Management Act.
5. The Cascadia delineation was conducted in August of 2015, during a time of severe drought. Ecology's website has [recommendations for wetland delineations during a drought year](#). Delineations done during a drought year should be done using the methods in Chapter 5 of the regional delineation supplements. The Cascadia report does not mention whether these methods were used. Ideally delineations should be done in the early part of the growing season, although this is not always possible.
6. Because wetlands were identified by ELS prior to the Cascadia and Castle-Rose site evaluations, it is important to show whether Cascadia or Castle-Rose examined these areas of previously identified wetlands to determine their current status.
7. It appears from the Castle-Rose report that vegetation on the site was disturbed at the time of analysis. It may be necessary to curtail mowing and allow plants to grow enough so that they can be accurately identified. The report states that Himalayan blackberry is a FACU species; however, its indicator status is FAC. This could have a bearing on the hydrophytic vegetation analysis. Also, areas with managed plant communities (e.g., crops), are addressed in Chapter 5, section 4(e), of the WMVC Regional Supplement.

8. If fill is proposed for any of the on-site wetlands, the Corps of Engineers will need to make a determination on whether the wetlands are jurisdictional under the Clean Water Act.



It appears that Castle-Rose is the current consultant. I would recommend asking Castle-Rose to supply the missing information before proceeding. I am available for a brief site visit to verify wetland boundaries, but it is important that the site be thoroughly evaluated for the presence of wetlands prior to my coming out.

Please let me know if you have any questions.

Rebecca Rothwell

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

Jason Smith

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Environmental Services

Planning & Permitting
Assessment & Analysis
Project Management

June 22, 2017

Tim Wines
PLS Engineering
1014 Franklin Street, Atrium Suite
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Re: City of La Center REVIEW FOR TECHNICALLY COMPLETE STATUS: Riverside Estates Subdivision (2017-007-SUB) June 06, 2017 (Critical Areas Comments)

This letter presents Castle-Rose Environmental responses to Critical Areas Comments (pp 3 and 4):

- We recommend that Castle Rose Environmental double-check the scoring on the submitted wetland rating data forms.
 - After review, the wetland rating score of 26 (15) was confirmed. The score of 26 is taken from the Wetland Rating Forms for Habitat Functions, Water Quality Functions and Hydrologic Functions forms. The score of "15" presented on the Rating Summary form is calculated from the Rating Forms scores.
 - Table 5 incorrectly repeats D 4.0 and the score of 0 instead of "D 6.0. Are the hydrologic functions provided by the site valuable to society?" with a similar score of 0.

The 2014 wetland rating system has the potential for a maximum of 9 points for a habitat score. I'm not sure where the 26 comes from.

The fact that the mitigation plan was "proposed" is not relevant. Most mitigation plans are "proposed" in the early stages, and they go through revisions based on agency and local gov't feedback. What's relevant is the delineation report.

I don't have this update or the original 2005 delineation, so I don't know whether this area was examined for the 2005 delineation.

Fork Estates 2010 survey by Bluhm and Associates submitted to Clark County (book 651) shows multiple wetlands and recommended buffers in larger geographic areas than by the Castle Rose study. Please ask Castle Rose to address this difference between the 2010 recorded wetland and its 2016 report.

The three "Wetland Areas" shown on the Bluhm drawings for Parcel 98602883 were tentatively identified in 2008 or previously, and were demarcated on a proposed wetland mitigation plan by consultant Ecological Land Services (ELS) updated in 2009.

The wetlands shown by Bluhm and Associates on Parcel 986028830 do not exist:

1. 2005 Wetland Delineation by ELS identified a single wetland below the Ordinary High Water mark of the East Fork of the Lewis River. This (obvious) wetland was not separately evaluated by Castle-Rose Environmental (shoreline is no longer part of Parcel 986028830). The alleged Parcel 986028830 wetlands were added during ELS updates to the original delineation.
2. In 2015, Cascadia Ecological Services completed a preliminary wetland assessment for Parcels 986028830, 986028825, 986030201,

It is unclear whether Cascadia looked at this area. No graphic showing locations of test plots is included with the report. In addition, a "preliminary wetland assessment" is not equivalent to a wetland determination or delineation.

The ELS statement pertains to functions, not presence or absence of wetlands. Low-functioning wetlands are still wetlands. No graphics showing test plots in these areas were provided by CRE or Cascadia, so it is unclear whether they examined these areas.

986030202 and 986030206 and **did not identify any wetlands on Parcel 986028830.**

3. The proposed 2009 Wetland Mitigation Plan prepared by ELS identifies the Parcel 986028830 wetlands as Wetland A (northernmost), Wetland B (southernmost) and Wetland C (center). These wetlands are those shown on the Bluhm and Associates drawings. These are the descriptions given by ELS for the alleged wetlands A and B (C was not directly addressed in the proposed mitigation plan):

a. *"The low functions are due to the absence of vegetation diversity and structure, variability in hydroperiods, lack of interspersions of habitats, lack of special habitat features, and disturbance in the wetland buffers."*

i. **Such qualities support the absence of wetlands,** and many assumptions were made about hydrology and vegetation that do not meet current wetland delineation standards as reflected in the total absence of even possible wetlands in the 2015 and 2016 delineations by Cascadia and Castle-Rose.

- *One White Oak sapling was identified during review but complete information, i.e. size and location, was not provided in management plan. This information will assist evaluating if the proposed trail and berm construction impacts the White Oak and other plants in the wetland fringe / buffer.*
 - The Oregon White Oak sapling is part of the tree line shown in the GeoCam report for ISG00087.jpg (group of trees in the center of the photo).



We trust this addresses your project requirements. Should you have any questions, please do not hesitate to contact this office.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "J. Smith".

Jason Smith
Project Manager

DEPRESSIONAL AND FLATS WETLANDS		
Water Quality Functions - Indicators that the site functions to improve water quality		
D 1.0. Does the site have the potential to improve water quality?		
D 1.1. <u>Characteristics of surface water outflows from the wetland:</u> Wetland is a depression or flat depression (QUESTION 7 on key) with no surface water leaving it (no outlet). Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet. Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch.	points = 3 points = 2 points = 1 points = 1	3
D 1.2. <u>The soil 2 in below the surface (or duff layer) is true clay or true organic (use NRCS definitions).</u> Yes = 4 No = 0		0
D 1.3. <u>Characteristics and distribution of persistent plants</u> (Emergent, Scrub-shrub, and/or Forested Cowardin classes): Wetland has persistent, ungrazed, plants > 95% of area Wetland has persistent, ungrazed, plants > 1/2 of area Wetland has persistent, ungrazed plants > 1/10 of area Wetland has persistent, ungrazed plants < 1/10 of area	points = 5 points = 3 points = 1 points = 0	3 5
D 1.4. <u>Characteristics of seasonal ponding or inundation:</u> <i>This is the area that is ponded for at least 2 months. See description in manual.</i> Area seasonally ponded is > 1/2 total area of wetland Area seasonally ponded is > 1/4 total area of wetland Area seasonally ponded is < 1/4 total area of wetland	points = 4 points = 2 points = 0	4 ?
Total for D 1		10 12?

H1.1 says only 1 Cowardin class, so that equals 100%, for 5 points here.

H1.2 says permanent ponding only. Need to clarify, and graphics are required.

Rating of Site Potential If score is: 12-16 = H x 6-11 = M 0-5 = L Record the rating on the first page

D 2.0. Does the landscape have the potential to support the water quality function of the site?		
D 2.1. Does the wetland unit receive stormwater discharges?	Yes = 1 No = 0	0
D 2.2. Is > 10% of the area within 150 ft of the wetland in land uses that generate pollutants?	Yes = 1 No = 0	0
D 2.3. Are there septic systems within 250 ft of the wetland?	Yes = 1 No = 0	1
D 2.4. Are there other sources of pollutants coming into the wetland that are not listed in questions D 2.1-D 2.3? Source _____	Yes = 1 No = 0	0
Total for D 2		1

Rating of Landscape Potential If score is: 3 or 4 = H x 1 or 2 = M 0 = L Record the rating on the first page

D 3.0. Is the water quality improvement provided by the site valuable to society?		
D 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list?	Yes = 1 No = 0	0
D 3.2. Is the wetland in a basin or sub-basin where an aquatic resource is on the 303(d) list?	Yes = 1 No = 0	1
D 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality (answer YES if there is a TMDL for the basin in which the unit is found)?	Yes = 2 No = 0	0 1
Total for D 3		1 2

There is a TMDL in development, which also triggers one point for this question. Graphics are required.

Rating of Value If score is: 2-4 = H x 1 = M 0 = L Record the rating on the first page

DEPRESSIONAL AND FLATS WETLANDS

Hydrologic Functions - Indicators that the site functions to reduce flooding and stream degradation

D 4.0. Does the site have the potential to reduce flooding and erosion?			
D 4.1. Characteristics of surface water outflows from the wetland:			
Wetland is a depression or flat depression with no surface water leaving it (no outlet)	points = 4	4	
Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet	points = 2		
Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch	points = 1		
Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing	points = 0		
D 4.2. Depth of storage during wet periods: Estimate the height of ponding above the bottom of the outlet. For wetlands with no outlet, measure from the surface of permanent water or if dry, the deepest part.			
Marks of ponding are 3 ft or more above the surface or bottom of outlet	points = 7	3	
Marks of ponding between 2 ft to < 3 ft from surface or bottom of outlet	points = 5		
Marks are at least 0.5 ft to < 2 ft from surface or bottom of outlet	points = 3		
The wetland is a "headwater" wetland	points = 3		
Wetland is flat but has small depressions on the surface that trap water	points = 1		
Marks of ponding less than 0.5 ft (6 in)	points = 0		
D 4.3. Contribution of the wetland to storage in the watershed: Estimate the ratio of the area of upstream basin contributing surface water to the wetland to the area of the wetland unit itself.			
The area of the basin is less than 10 times the area of the unit	points = 5	0	
The area of the basin is 10 to 100 times the area of the unit	points = 3		
The area of the basin is more than 100 times the area of the unit	points = 0		
Entire wetland is in the Flats class	points = 5		
Total for D 4		Add the points in the boxes above	7

Graphics required. Will need to verify boundary of contributing basin.

Rating of Site Potential If score is: 12-16 = H X 6-11 = M 0-5 = L Record the rating on the first page

D 5.0. Does the landscape have the potential to support hydrologic functions of the site?		
D 5.1. Does the wetland receive stormwater discharges?	Yes = 1 No = 0	0
D 5.2. Is >10% of the area within 150 ft of the wetland in land uses that generate excess runoff?	Yes = 1 No = 0	0
D 5.3. Is more than 25% of the contributing basin of the wetland covered with intensive human land uses (residential at >1 residence/ac, urban, commercial, agriculture, etc.)?	Yes = 1 No = 0	0
Total for D 5		0

Graphics required for 5.2 and 5.3. Will need to verify boundary of contributing basin.

Rating of Landscape Potential If score is: 3 = H 1 or 2 = M 0 = L Record the rating on the first page

D 6.0. Are the hydrologic functions provided by the site valuable to society?		
D 6.1. The unit is in a landscape that has flooding problems. Choose the description that best matches conditions around the wetland unit being rated. Do not add points. Choose the highest score if more than one condition is met.		
The wetland captures surface water that would otherwise flow down-gradient into areas where flooding has damaged human or natural resources (e.g., housing, agriculture, etc.)	points = 2	0
• Flooding occurs in a sub-basin that is immediately adjacent to the wetland	points = 1	
• Surface flooding problems are in a sub-basin immediately adjacent to the wetland	points = 1	
Flooding from groundwater is an issue in the sub-basin immediately adjacent to the wetland	points = 1	
The existing or potential outflow from the wetland is restricted by a barrier (e.g., dike, levee, berm, etc.) that prevents water stored by the wetland from reaching areas where it would otherwise be beneficial	points = 0	
There are no problems with flooding downstream of the wetland.	points = 0	
D 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0
Total for D 6		0

Being thousands of feet from flood areas does not mean the wetland can't contribute to flood storage. Need more info for this question.

Rating of Value If score is: 2-4 = H 1 = M X 0 = L Record the rating on the first page

These questions apply to wetlands of all HGM classes.

HABITAT FUNCTIONS - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: *Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac or more than 10% of the unit if it is smaller than 2.5 ac. Add the number of structures checked.*

- Aquatic bed 4 structures or more: points = 4
 - Emergent 3 structures: points = 2
 - Scrub-shrub (areas where shrubs have > 30% cover) 2 structures: points = 1
 - Forested (areas where trees have > 30% cover) 1 structure: points = 0
- If the unit has a Forested class, check if:*
- The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/ground-cover) that each cover 20% within the Forested polygon

graphics required

1

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland or ¼ ac to count (*see text for descriptions of hydroperiods*).

- Permanently flooded or inundated 4 or more types present: points = 3
- Seasonally flooded or inundated 3 types present: points = 2
- Occasionally flooded or inundated 2 types present: points = 1
- Saturated only 1 type present: points = 0
- Permanently flowing stream or river in, or adjacent to
- Seasonally flowing stream in, or adjacent to
- Lake Fringe wetland** **2 points**
- Freshwater tidal wetland** **2 points**

Need to differentiate between seasonal and permanent ponding. This says only permanent, but D1.4 says there's also seasonal. Graphics are required.

0

H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft².

Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canadian thistle

- If you counted: > 19 species points = 2
- 5 - 19 species points = 1
- < 5 species points = 0

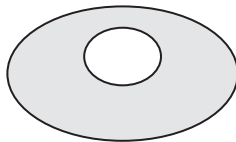
1

H 1.4. Interspersion of habitats

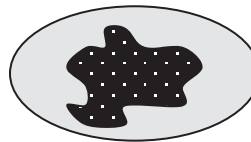
Decide from the diagrams below whether interspersion among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. *If you have four or more plant classes or three classes and open water, the rating is always high.*



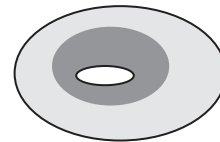
None = 0 points



Low = 1 point

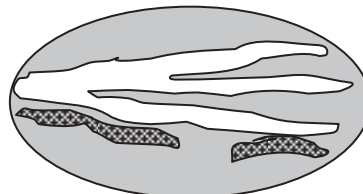
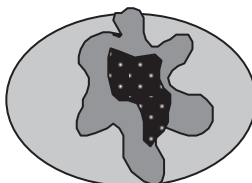
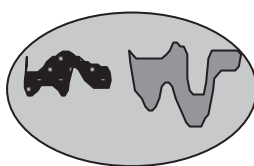


Moderate = 2 points



2

All three diagrams in this row are **HIGH** = 3points



0

If there's only one Cowardin class, interspersion is "none."

<p>H 1.5. Special habitat features:</p> <p>Check the habitat features that are present in the wetland. <i>The number of checks is the number of points.</i></p> <p><input type="checkbox"/> Large, downed, woody debris within the wetland (> 4 in diameter and 6 ft long).</p> <p><input type="checkbox"/> Standing snags (dbh > 4 in) within the wetland</p> <p><input type="checkbox"/> Undercut banks are present for at least 6.6 ft (2 m) and/or overhanging plants extends at least 3.3 ft (1 m) over a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m)</p> <p><input type="checkbox"/> Stable steep banks of fine material that might be used by beaver or muskrat for denning (> 30 degree slope) OR signs of recent beaver activity are present (<i>cut shrubs or trees that have not yet weathered where wood is exposed</i>)</p> <p><input type="checkbox"/> At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (<i>structures for egg-laying by amphibians</i>)</p> <p><input type="checkbox"/> Invasive plants cover less than 25% of the wetland area in every stratum of plants (<i>see H 1.1 for list of strata</i>)</p>		
Total for H 1	Add the points in the boxes above	5

Rating of Site Potential If score is: 15-18 = H 7-14 = M X 0-6 = L *Record the rating on the first page*

<p>H 2.0. Does the landscape have the potential to support the habitat functions of the site?</p>		
<p>H 2.1. Accessible habitat (include <i>only habitat that directly abuts wetland unit</i>).</p> <p>Calculate: % undisturbed habitat <input type="text"/> + [(% moderate and low intensity land uses)/2] <input type="text"/> = <input type="text"/> %</p> <p>If total accessible habitat is:</p> <p>> 1/3 (33.3%) of 1 km Polygon points = 3</p> <p>20-33% of 1 km Polygon points = 2</p> <p>10-19% of 1 km Polygon points = 1</p> <p>< 10% of 1 km Polygon points = 0</p>		<p>1</p>
<p>Graphics and calculations are required for section H2.0.</p>		
<p>H 2.2. Undisturbed habitat in 1 km Polygon around the wetland.</p> <p>Calculate: % undisturbed habitat <input type="text"/> + [(% moderate and low intensity land uses)/2] <input type="text"/> = <input type="text"/> %</p> <p>Undisturbed habitat > 50% of Polygon points = 3</p> <p>Undisturbed habitat 10-50% and in 1-3 patches points = 2</p> <p>Undisturbed habitat 10-50% and > 3 patches points = 1</p> <p>Undisturbed habitat < 10% of 1 km Polygon points = 0</p>		<p>1</p>
<p>H 2.3. Land use intensity in 1 km Polygon: If</p> <p>> 50% of 1 km Polygon is high intensity land use points = (- 2)</p> <p>≤ 50% of 1 km Polygon is high intensity points = 0</p>		<p>0</p>
Total for H 2	Add the points in the boxes above	2

Rating of Landscape Potential If score is: 4-6 = H X 1-3 = M < 1 = L *Record the rating on the first page*

<p>H 3.0. Is the habitat provided by the site valuable to society?</p>		
<p>H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? <i>Choose only the highest score that applies to the wetland being rated.</i></p> <p>Site meets ANY of the following criteria: points = 2</p> <p>— It has 3 or more priority habitats within 100 m (see next page)</p> <p>— It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists)</p> <p>— It is mapped as a location for an individual WDFW priority species</p> <p>— It is a Wetland of High Conservation Value as determined by the Department of Natural Resources</p> <p>— It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan</p> <p>Site has 1 or 2 priority habitats (listed on next page) within 100 m oak points = 1</p> <p>Site does not meet any of the criteria above points = 0</p>		<p>0</p> <p>1</p>

Rating of Value If score is: 2 = H 1 = M X 0 = L *Record the rating on the first page*