



CLARK COUNTY
WASHINGTON

COMMUNITY DEVELOPMENT

Wetland and Habitat Review Determination Report

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General Information

Project Name: DSHS 48-Bed Behavioral Health Community
Case Number(s): WHR-2021-00035
Description: Proposal of new behavioral health services campus comprised of 3 one-story 16,600 SF buildings, and one maintenance building of 1144 SF, with associated site development of parking, landscaping and utilities. Intent of project is to fully avoid all wetlands and their buffers and to cause no impacts to them.
Parcel Number(s): 195925000
Site Address(es): 16015 NE 50TH AVE, VANCOUVER, WA 98686

Applicant:	Address
Christine Phillips	BCRA 2106 Pacific Ave, Suite 300 Tacoma, WA 98402

Contacts:	Email Address	Phone
Larry Covey	coveylg@dshs.wa.gov	Work - (360) 664-6181

Property Owner:	Address
BROCKMANN ROBERT E ETAL	6223 Nugget Ct SW, WA, TUMWATER, 98512

Responsible Staff:	Email	Phone
Watt, Lance	lance.watt@clark.wa.gov	(564) 397-5601

Scope of Determination

Wetland Determination	Y
Habitat Determination	N
Type S Ordinary High Water Mark Determination	N

Context of Determination

wetland determination to review a wetland delineation prepared by PBS Engineering and Environmental for a future behavioral health service campus.

Analysis

Category Subcategory	Findings
Wetland Determination General	Clark County GIS indicates multiple wetland indicators on the subject parcel. First there are modeled National Wetland Inventory wetlands in the northeastern corner of the parcel which are identified as a seasonally flooded

	<p>palustrine scrub/shrub wetland. There are also mapped hydric soils which bisect the southwestern two-thirds of the parcel, continuing offsite to the south and west. Analysis of historic aerial imagery also suggests potential wetland signatures throughout the parcel. The applicant has provided a wetland delineation prepared by PBS Engineering and Environmental dated December 24, 2020 and revised April 16, 2021, the latter of which indicates four (4) Category III depressional wetlands and one Category IV depressional wetland onsite. County Wetland/Habitat Review staff conducted a site visit with PBS on March 5, 2021 and noted the presence of additional wetlands onsite. Staff visited the site again with the PBS on April 5, 2021 to confirm the location of additionally delineated wetlands (five total onsite).</p> <p>Wetland A is a Category III depressional wetland with emergent vegetation which seasonally holds water which can attract waterfowl; it was shown in the April 2021 delineation report with a habitat score of 5. This wetland is located in the central portion of the parcel. County Wetland/Habitat Review staff would recommend one minor change to question D6.1, noting that flooding occurs in a sub-basin immediately down gradient of the unit, versus further down gradient. This would change the score to 2 points versus one which would rate the Value Section of Hydrologic functions as High versus Moderate. This would raise the overall score for the wetland to 19 points which still rates as a Category III wetland (the revised sheet is attached). With a habitat score of 5 points this wetland has a low habitat score. There were areas of standing water during the first site visit which had waterfowl onsite. This wetland would be regulated by the County Wetland Protection Ordinance.</p>
<p>Wetland Determination General</p>	<p>There is one offsite wetland to the northeast which was not accounted for in the delineation report. This wetland was identified as part of a review in 2017 a couple of parcels to the north of the subject parcel. As part of that review it was identified as a Category III slope wetland with forested and emergent vegetation. In order to rate the wetland, the entire wetland unit needed to be identified. At that time, County Wetland/Habitat Review staff did not have access to the offsite portions of the wetland, so the boundary shown with question marks offsite is approximate based off of aerial indicators in historic aerial imagery. It's rating as a Category III wetland with a habitat score of 5 is consistent with the surrounding wetlands. A small portion of this wetland's buffer extends into the far northeastern portion of the parcel.</p> <p>Per the Wetland Protection Ordinance (Table 40.450.030-1</p>

	<p>and 2), a Category III wetland with a Habitat Score of 4 or 5 points is afforded the protection of a Low Intensity Use wetland buffer of 40 feet in order to protect water quality and habitat functions. The Moderate Intensity Use buffer is 60 feet while a High Intensity Use is 80 feet. The minimum buffer width at its narrowest point shall not be less than the low intensity use water quality buffer width contained in Table 40.450.030-2; 40 feet for a Category III wetland. Per the Wetland Protection Ordinance (Table 40.450.030-4), wetland buffers are established based on the type of development which might occur. A state-run behavioral health complex is considered a High Intensity Use per Table 40.450.030-4.</p>
<p>Wetland Determination General</p>	<p>Wetland B was rated as a Category IV depressional wetland with emergent vegetation which seasonally holds water which occurs on the east central portion of the parcel, largely associated with a low swale like topographical feature; it was shown in the April 2021 delineation report with a habitat score of 5. After reviewing the wetland rating form, County Wetland/Habitat Review staff would recommend some changes as follows. First, on question D5.2, the area directly to the east was utilized for grazing animals, and the area within 150 feet of the wetland which was grazed appeared to exceed 10%. As such, County Wetland/Habitat Review staff would rate this as one point versus 0. This would change the overall score for Landscape Potential within the Hydrologic Functions to 1 point which rates as Moderate versus Low. On question D6.1, County Wetland/Habitat Review staff again note that flooding occurs in a sub-basin immediately down gradient of the unit, versus further down gradient. This would change the score to 2 points versus one which would rate the Value Section of Hydrologic functions as High versus Moderate. For question H3.0, County Wetland/Habitat Review staff noted that there are oak woodland just offsite to the east off of NE 159th Street near the existing residence. This area is considered urbanizing per the Washington Department of Fish and Wildlife Oregon oak guidelines and thus individual oaks may be recognized as Oregon white oak woodland and receive protection per the Clark County Habitat Ordinance. The oaks did not appear to have their dripline overhang onto the subject parcel. Due to this designation, County Wetland/Habitat Review staff would alter the wetland rating form rating for Habitat question D:3.1 to 1 points versus 0 since the oaks are within 100 meters of the wetland. This changes the overall habitat score to 5 points. With the above listed changes, the overall wetland rating changes to 18 points, which is a Category III wetland (the revised sheet is attached). With a habitat score of 5 points this wetland has a low habitat</p>

	<p>score. There were areas of shallow standing water during the first site visit. This wetland would be regulated by the County Wetland Protection Ordinance.</p> <p>Wetland C is a Category III depressional wetland with forested and scrub/shrub vegetation which seasonally holds water; it was shown in the April 2021 delineation report with a habitat score of 5. This wetland is located in the northeastern portion of the parcel and continues offsite to the north. County Wetland/Habitat Review staff would recommend one minor change to question D6.1, noting that flooding occurs in a sub-basin immediately down gradient of the unit, versus further down gradient. This would change the score to 2 points versus one which would rate the Value Section of Hydrologic functions as High versus Moderate. This would raise the overall score for the wetland to 18 points which still rates as a Category III wetland (the revised sheet is attached). With a habitat score of 5 points this wetland has a low habitat score. There were areas of standing water during the first and second site visits. This wetland would be regulated by the County Wetland Protection Ordinance.</p>
<p>Wetland Determination General</p>	<p>Wetland D is a Category III depressional wetland with emergent vegetation which seasonally holds water; it was shown in the April 2021 delineation report with a habitat score of 4 points. This wetland is located in the southern portion of the parcel, just southwest of Wetland B. County Wetland/Habitat Review staff would recommend one minor change to question D6.1, noting that flooding occurs in a sub-basin immediately down gradient of the unit, versus further down gradient. This would change the score to 2 points versus one which would rate the Value Section of Hydrologic functions as High versus Moderate. This would raise the overall score for the wetland to 18 points which still rates as a Category III wetland (the revised sheet is attached). With a habitat score of 4 points this wetland has a low habitat score. There were areas of standing water during the first site visit. This wetland exists near NE 159th Street, but is separated from the road by a berm and does not have hydrologic connectivity to the roadside ditch. This wetland is outside of the jurisdictional buffers for Wetlands A, B, and E. Due to the small size of the wetland (less than 2,500 square feet), its being rated as a Category III wetland, and removed from any other regulatory buffers, this wetland is considered exempt per CCC04.450.010.C.2.a. This wetland would not be regulated by the County Wetland Protection Ordinance but is shown on the map for reference.</p> <p>Wetland E is a Category III depressional wetland with emergent vegetation which seasonally holds water; it was</p>

	<p>shown in the April 2021 delineation report with a habitat score of 5 points. This wetland is located in the southern portion of the parcel, just south of Wetland A. County Wetland/Habitat Review staff would recommend the following changes to the wetland rating form. First, on question D2.2, it appears that NE 159th Street and the driveways across the street would represent greater than 10% area within 150 feet which could generate pollutants. As such, County Wetland/Habitat Review staff would rate this as 1 point versus 0. This brings the overall score for Landscape Potential within the Water Quality section to 1 point which rates as Moderate versus Low. This would similarly affect the rating for question D5.2 which County Wetland/Habitat Review staff would rate at 1 point versus 0. This brings the overall score for Landscape Potential within the Hydrologic Function section to 1 point which rates as Moderate versus Low. County Wetland/Habitat Review staff would recommend one minor change to question D6.1, noting that flooding occurs in a sub-basin immediately down gradient of the unit, versus further down gradient. This would change the score to 2 points versus one which would rate the Value Section of Hydrologic functions as High versus Moderate. With the above listed changes this would raise the overall score for the wetland to 19 points which still rates as a Category III wetland (the revised sheet is attached). With a habitat score of 5 points this wetland has a low habitat score. There were areas of standing water during the first site visit. This wetland exists near NE 159th Street, but is separated from the road by a berm and does not have hydrologic connectivity to the roadside ditch. This wetland is outside of the jurisdictional buffers for Wetlands A, B, and E. Due to the small size of the wetland (less than 2,500 square feet), its being rated as a Category III wetland, and removed from any other regulatory buffers, this wetland is considered exempt per CCC04.450.010.C.2.a. This wetland would not be regulated by the County Wetland Protection Ordinance but is shown on the map for reference.</p>
<p>Avoidance and Minimization General</p>	<p>The Wetland Protection Ordinance follows a hierarchy of impacts with the first being avoidance of all impacts within a wetland or wetland buffer, if possible. A wetland permit may be avoided if the applicant shows that all development is clearly separated from the wetlands and wetland buffers.</p> <ul style="list-style-type: none"> 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.

In the event that avoidance is not possible, County staff shall determine if the proposed development meets the Avoidance and Minimization criteria identified in the Wetland Protection Ordinance. The applicant shall provide documentation that the any impacts have been minimized. For minimization, impacts to the wetland buffer are preferred to direct wetland impacts; impacts to the outer portion of the buffer are preferred to impacts in the inner portion of the buffer. Any unavoidable adverse wetland or wetland buffer impacts shall require a wetland permit/fees with applicable mitigation. Impacts within the water quality buffer or those wetland buffer impacts which cannot be mitigated on site may be considered indirect wetland impacts (CCC 40.450.040.D.5) and would be mitigated at the appropriate wetland mitigation ratios (Table 40.450.040-3). Indirect wetland impacts shall be limited to one quarter acre.

Any forthcoming engineering, stormwater, building, or land use plans shall indicate the location of the wetland and wetland buffers as shown in the attached map in order to help ascertain impacts. The description in the application noted the applicant desired to avoid all wetland and wetland buffers onsite.

Stormwater facilities are discussed under section C.4 of the Wetland Protection Ordinance (CCC 40.450.040.C.4). Stormwater dispersion facilities that comply with the standards of Chapter 40.385 shall be allowed in all wetland buffers per the Wetland Protection Ordinance provided the outfalls comply with the standards of subsection C.4.b of the wetland protection ordinance. Enhancement of wetland buffer vegetation to meet dispersion requirements may also be considered as buffer enhancement for the purpose of meeting the buffer averaging or buffer reduction standards. Other stormwater facilities are only allowed in buffers of wetlands with low habitat function (less than 5 points on the habitat section of the rating form), provided that 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. Any proposed stormwater impacts to wetlands and wetland buffers should be accounted for and indicated on future plans.

The Department of Ecology and the U.S. Army Corps of Engineers regulate wetland impacts at the state and federal levels, respectively through the 401 water quality certification process and/or a 404 Clean Water permit. Typically these agencies are involved in projects with over

Determination

Issued: 5/5/2021

This determination is binding on the County for 3 years and is subject to appeal within 14 days of the date it is issued OR within the applicable appeal period of any decision which relies on this determination.

Refer to the attached Determination Map and assessment forms.

Appeal Rights

This Type I decision may be appealed by the applicant, or any other Party of Record, to the County Hearing Examiner. The appeal fee is \$1,166.

Appeals must be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington 98668 within fourteen (14) calendar days from the date the notice of final land use decision is mailed to the applicant. Detailed instructions for filing an appeal are available at the Permit Services Center or online at:

<https://www.clark.wa.gov/sites/all/files/community-development/land-use/appeals-motions.pdf>

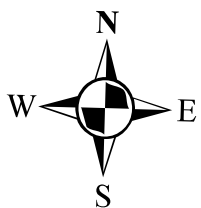
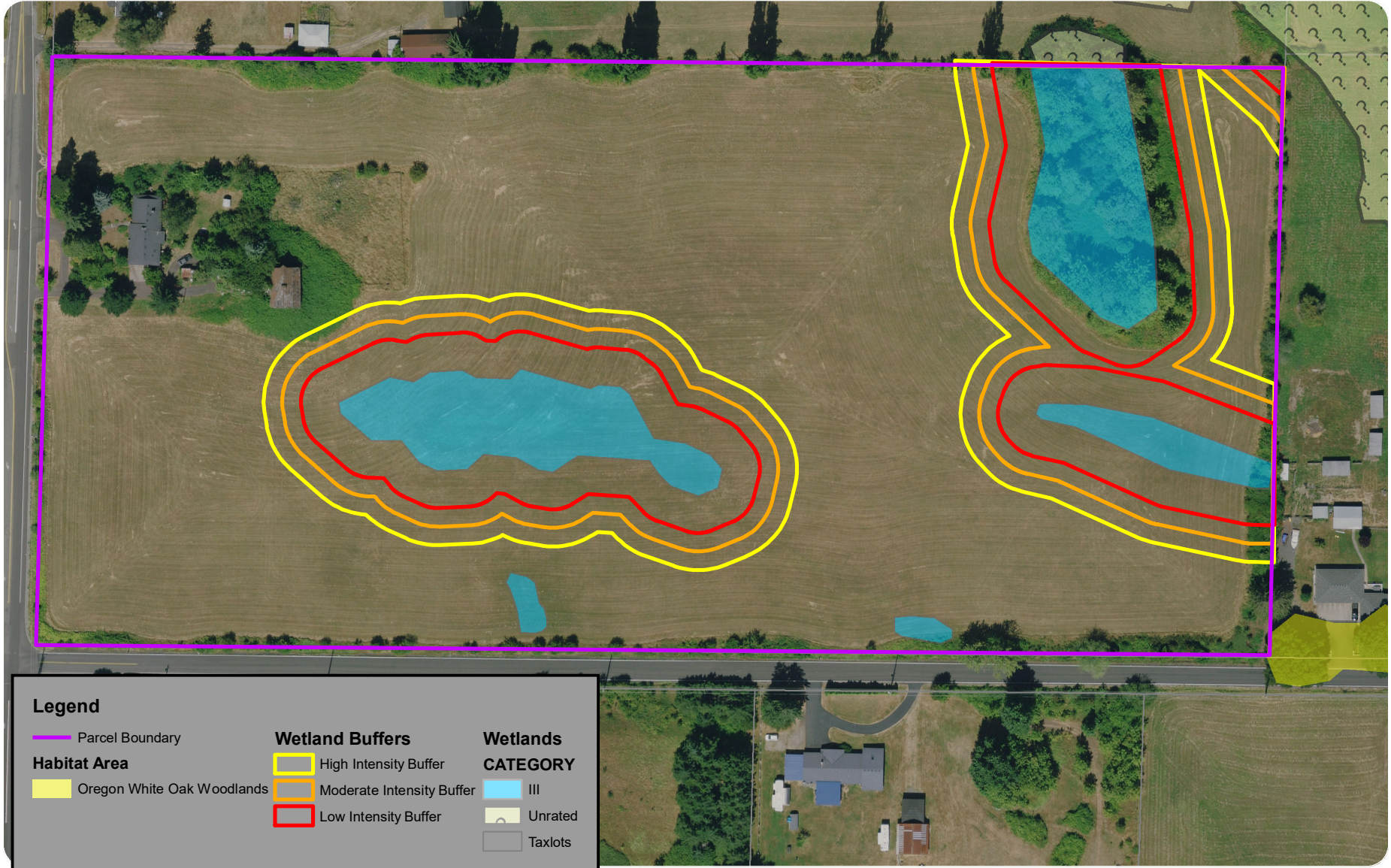
Appeals must be received at the Permit Services Center by 3:00PM.

Note: The Responsible Official reserves the right to provide additional analysis and findings or fact regarding this decision, if appealed.

The case file for this decision can be reviewed at:
**Public Service Center
Community Development
Department**

1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (564) 397-2375

A copy of the Clark County Code is also available at:
<http://www.codepublishing.com/WA/ClarkCounty/>



DSHS determination
WHR-2021-00035

Drawn By:
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5/4/2021