

CRITICAL AREAS PERMIT APPLICATION AUTHORIZATION

(A copy of this letter must be submitted for each property owner involved)

I, _____ attest under the laws of the State of Washington as follows;

1. I am the owner of the property that is the subject of the application.

2. I have not appointed anyone, *or*

3. I have appointed _____ to act as my agent regarding this application.

4. All statements, answers, and information submitted with this application are true and correct to the best of my knowledge and belief.

5. I agree to hold the City of Enumclaw harmless as to any claim (including costs, expenses and attorney's fees incurred in the investigation of such claim) which may be made by any person, including the undersigned, and filed against the City of Enumclaw, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as part of this application.

6. I hereby grant permission for representatives of the City of Enumclaw and any other Federal, State, or local unit of government with regulatory authority over the project to enter onto my property to inspect the property, take photographs, and post public notices as required in connection with review of this application and for compliance with the terms and conditions of permits and approvals issued for the project.

SIGNATURE

PRINTED NAME

DATE

ADDRESS

CRITICAL AREAS PERMIT APPLICATION CONCURRENT APPLICATIONS

Please indicate whether you are submitting one or more concurrent applications with this application by checking one or more of the boxes below:

**Type I Applications
(administrative decisions
made by the city which are
not subject to environmental
review under the State
Environmental Policy Act
[SEPA]):**

- Administrative Use Permit
- Boundary Line
Adjustment/Lot Line
Elimination
- Building Permit
- Land Disturbing Activity
Permit

**Type II Applications
(administrative
decisions made by the
city which include
threshold
determinations under
SEPA):**

- Administrative
Use Permit
- Building Permit-
SEPA Non-exempt
- Land Disturbing
Activity Permit
- Floodplain
Development
Permit

**Type III Applications (quasi-
judicial final decisions
made by the hearing
examiner following a
recommendation by staff:**

- Conditional Use Permit
- Variance

**Type IV Applications (quasi-
judicial decisions made by
the city council following a
recommendation by the
hearing examiner):**

- Rezone (site-specific)

OTHERS - as may apply:

SHORELINE EXEMPT

SHORELINE

SUBSTANTIAL DEVELOPMENT

PERMIT

SEPA

CRITICAL AREAS PERMIT APPLICATION SUBMITTAL CHECKLIST (required)

Any requirements that are not applicable on this checklist indicate N/A and explain why they are not applicable.

DIGITAL MATERIALS, PLANS & GRAPHICS

Provide documents and plans in PDF format; civil drawings in PDF and DWG format for all submitted materials. Include an Etransmittal of Autocad files(s) of all plans (if applicable).

Submit to permits@ci.enumclaw.wa.us.

*For files (ex: civil/stormwater sets) over 25 MB, please request a Sharefile link from permit staff.

**All information must be accurate and current. This information will be used for public noticing, determinations, and reports.

APPLICATION FEES - Make checks payable to the City of Enumclaw

All application fees, including, but not limited to: Critical areas application fee, environmental review (SEPA) fee(s), public notification costs and all other related fees. Some fees will not be invoiced until actual costs are known. Link to current fee schedule can be found @ <http://www.cityofenumclaw.net/219/Planning-Permit-Applications-Information>.

CHECK CRITICAL AREAS TYPE(S) AFFECTED BY PROJECT

- _____ wetlands
- _____ frequently flooded areas
- _____ aquifer recharge areas
- _____ geologically hazardous areas
- _____ fish and wildlife habitat conservation areas

MATERIALS *Refer to Information about critical areas on pages following checklist*

A. **APPLICATION FORM** Provide a **completed** application form signed by the property owner(s) and/or applicant with this completed Application Submittal Checklist.

B. **LETTER OF AUTHORIZATION** Provide letter of authorization to act contained with this application packet inclusive of all required signatures.

C. **CONCURRENT APPLICATIONS FORM** Check applications that are being submitted concurrent with the short subdivision application, including SEPA environmental checklist review, if required.

D. **COPY OF PROPERTY TITLE OR DEED DOCUMENT** Showing current ownership.

E. **PROJECT PROPOSAL NARRATIVE** Provide concise, detailed proposal description.

- F. **SEPA ENVIRONMENTAL CHECKLIST (if applicable)** For projects that are subject to SEPA under state law or if on lands covered by water, include a **detailed, completed** SEPA application and checklist together with supporting documentation, plans, and information addressing potential or known environmental impacts resulting from the proposal.

- G. **CRITICAL AREAS DELINEATION** The Critical area boundary, classification, and establishment of required buffers shall be determined through a field investigation by a qualified critical areas professional (consultant) at the applicant's expense. All wetland delineations will be completed in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual (WDOE Publication No. 96-94); or in accordance with future revised delineation manuals required by federal and state agencies.

- H. **CRITICAL AREAS REPORT** Addressing compliance with EMC 19.02 (Critical Areas Regulations) prepared by a qualified consultant as defined by EMC 19.02 Appendix D: "a person with training and experience in the scientific discipline, and who is a qualified scientific expert with expertise in streams, wetlands or lakes subject matter in accordance with WAC [365-195-905](#)(4).

- I. **MITIGATION PLAN** Mitigation will be required if the project impacts critical areas and buffers. When mitigation is required, the application shall submit a mitigation plan for approval by the administrator. The mitigation plan must meet the City's mitigation requirements (EMC 19.02.250 – Critical area impact mitigation).

SUMMARY INFORMATION – CRITICAL AREAS

Critical Areas Delineation

The Critical area boundary, classification, and establishment of required buffers shall be determined through a field investigation by a qualified critical areas professional (consultant) at the applicant's expense.

- If the consultant is hired by the applicant, the Community Development Director (administrator) will verify and may possibly adjust the boundary. If the applicant contests the adjusted boundary, the administrator will hire his/her own consultant to render a final delineation at the applicant's expense.
- The applicant may request that the administrator perform the delineation, in which case the administrator will hire a consultant to do so. The applicant will be billed for the consultant's costs.

All wetland delineations will be completed in accordance with the U.S. Army Corps of Engineers Wetland Delineation Manual (WDOE Publication No. 96-94); or in accordance with future revised delineation manuals required by federal and state agencies.

Critical Areas Report

The Critical Areas Report must be prepared by a qualified professional with expertise in the critical area of concern. A qualified professional must have obtained a Bachelor of Science degree in hydrology, soil science, botany, ecology, or a related field from an accredited college or university or who has equivalent educational training and professional experience related to the subject of habitat or species. Also includes fluvial morphologist if stream relocation is involved. Geologists are included as those professionals who hold an active license from the State of Washington Geology Board.

The critical areas professional will be retained by the applicant to develop the Critical Areas Report, as well as other related project activities such as critical area site delineation; analysis and evaluation; site restoration and/or enhancement; and site development plan or project design. The Community Development Director may request a qualification statement for any consultant providing professional services to an applicant.

Critical Areas Report Content

At a minimum, the Critical Areas Report shall include the following information:

1. A general description of the subject site and adjoining properties, including current uses, vegetative cover (indicate dominant vs. other species), animals observed on or likely to use the site, hydrology (water sheet flow, streams, ditches, ponds, etc.), and existing easements.
2. Name and contact information for all adjacent property owners.
3. Site plan(s) or map(s) at a scale no smaller than 1" to 40' showing the entire subject property and relevant portions of adjacent properties. The site plan(s) or map(s) must show:
 - a. Date, scale and north arrow
 - b. All critical area boundaries and their buffers identified and delineated within and in close proximity to the proposed project (*See attached information re. critical area boundary.*)
 - c. Existing and proposed site (and adjacent property) topography and drainage features (i.e., ditches, streams, culverts, pipelines, etc.)
 - d. All significant trees, which includes all conifers with a six-inch dbh or greater and all deciduous trees with an eight-inch or greater dbh

- e. The location, length, depth and width of all existing and proposed structures, utilities, roadways, easements and other site improvements within and adjacent to critical areas and their buffers. The exact sites for all proposed activities must be shown.
 - f. Elevations of the site and adjacent lands within the critical areas and buffer at contour intervals of no greater than two feet
 - g. The proposed storm water management plan
4. Typical cross-section views of the critical area to scale
 5. A study of flood, erosion, or other hazards at the site, and the effect of any protective measures that might be taken to reduce such hazards
 6. A discussion of the ecological aesthetic, economic, or other values of the critical areas. Include information on the methodology used to identify, delineate, and survey critical areas described in the report
 7. The purpose(s) of the project and an explanation why the proposed activity cannot be located at other sites, including an explanation of how (if) the proposed activity is dependant upon critical areas
 8. A description of site development alternatives and an evaluation of the alternatives vis-à-vis any proposed critical area alterations. Include a rationale for not avoiding or minimizing impacts to critical areas identified within the project site.
 9. Specifications for all regulated activities including amounts and methods

Mitigation Plan

Mitigation will be required if the project impacts critical areas and buffers. When mitigation is required, the application shall submit a mitigation plan for approval by the administrator. The mitigation plan must meet the City's mitigation requirements (EMC 19.02.250 – Critical area impact mitigation).

Mitigation Plan Content

At a minimum, the mitigation plan shall include the following sections and information:

- A. Baseline Information (*based on a wetland example*). A written assessment and accompanying maps drawn to an appropriate scale of the:
 1. Impacted wetland including, at a minimum, a wetland delineation; existing wetland acreage; vegetative, faunal, and hydrologic characteristics; soil and substrate conditions; topographic elevations; existing and proposed adjacent site conditions; buffers; and ownership.
 2. Impacted wetland functions and values. These shall be described using the system approved the administrator.
 3. Compensation site, if different from the impacted wetland site, including at a minimum: existing acreage; vegetative, faunal and hydrologic conditions; relationship within watershed and to existing water bodies; soil and substrate conditions; topographic elevations; existing and proposed adjacent site conditions; buffers; and ownership.
- B. Environmental Goals and Objectives. The mitigation plan shall include a written report identifying environmental goals and objectives of the compensation proposed and including:
 1. A description of the anticipated impacts to the critical areas and the mitigating actions proposed and the purposes of the compensation measures, including the site selection criteria; identification of compensation goals; identification of resource functions; and dates for beginning

and completion of site compensation construction activities. The goals and objectives shall be related to the functions and values of the impacted critical area.

2. A review of the best available science supporting the proposed mitigation and a description of the report author's experience to date in restoring or creating the type of critical area proposed.
3. An analysis of the likelihood of success of the compensation project duplicating the original wetland shall be provided based on the experiences of comparable projects, if any.
4. An analysis of the likelihood of persistence of the created or restored wetland shall be provided based on such factors as surface and ground water supply and flow patterns, dynamics of the wetland ecosystem, sediment or pollutant influx and/or erosion, periodic flooding and drought, etc., presence of invasive flora or fauna, potential human or animal disturbance, and previous comparable projects, if any.

C. Performance Standards. The mitigation plan shall include measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained and whether or not the requirements of this chapter have been 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.

D. Detailed Construction Plans. The mitigation plan submitted to the administrator for review and approval shall include written specifications and descriptions of the mitigation proposed, such as:

1. The proposed construction sequence, timing, and duration.
2. Grading and excavation details.
3. Erosion and sediment control features needed for wetland construction and long-term survival.
4. A planting plan specifying plant species, quantities, locations, sizes, spacing and density; source of plant materials, propagules, or seeds; water and nutrient requirements for planting; planting instructions and, where appropriate, measures to protect plants from predation.
5. Specification of substrate stockpiling techniques and soil augmentation instructions.
6. Specifications for supplemental irrigation systems and a description of conditions that warrant supplemental irrigation.
7. Descriptions of water control and water level maintenance practices needed to achieve the necessary hydrocycle/hydroperiod characteristics, etc..
8. Measures required for protecting and maintaining plants until they are established, including staking of tree species for a period of five years.

These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps prepared by a professional licensed surveyor (PLS) licensed in the state of Washington showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques of anticipated final outcome. The plan shall provide for elevations which are appropriate for the desired habitat type(s).

E. Monitoring Program. A program outlining the approach for monitoring construction of the compensation project and for assessing a completed project shall be provided. Monitoring may include, but is not limited to, one or more of the following:

1. Establishing vegetation plots to track changes in plant species composition and density over time.

2. Using photo stations to evaluate vegetation community response;
3. Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals).
4. Measuring base flow rates and storm water runoff to model and evaluate water quality predictions, if appropriate.
5. Measuring sedimentation rates, if applicable.
6. Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity.

A protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the compensation project. The plan will identify the applicant's responsibility for completing an "as-built" survey of the mitigation site after the planting has been completed. A monitoring report documenting milestones, successes, problems, maintenance activities, and contingency actions of the compensation project shall be submitted to the administrator annually, at a minimum, no later than November 15th each year. The first year's mitigation monitoring report will include a copy of the "as-built" survey.

The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than three to five years.

F. Contingency Plan. The mitigation plan shall include identification of potential courses of action and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

G. Demonstration of Competence. A demonstration of financial resources, administrative, supervisory, and technical competence and scientific expertise of sufficient standing to successfully execute the compensation project shall be provided. A compensation project manager shall be named and the qualifications of each team member involved in preparing the mitigation plan and implementing and supervising the project shall be provided, including educational background and areas of expertise, training and experience with comparable projects.

H. Financial Guarantees. The mitigation plan shall include financial guarantees, as determined by the administrator, to ensure that the mitigation plan is fully implemented. Financial guarantees ensuring fulfillment of the compensation project, monitoring program, and any contingency measures shall be posted at the time of critical areas permit approval, and shall be paid prior to initiating any activities within the critical areas of buffer. Please refer to Enumclaw Municipal Code 19.02.180.B (Financial Guarantees) for detail on how these fees are to be determined and handled.