



**RIDGEFIELD CITY COUNCIL
MEETING AGENDA**

**Thursday, April 30, 2026
RACC - Columbia Assembly Room
510 Pioneer Street, Ridgefield, WA 98642**

- I. STUDY SESSION - 4:00 P.M.**
 - 1. Critical Area Ordinance Updates and Comprehensive Plan Environment Element -
Claire Lust, Community Development Director**
- II. ADJOURN**



Ridgefield Critical Area Code Update

Ridgefield City Council Work Session – April 30, 2026

REGULATORY BACKGROUND

The Growth Management Act (GMA) requires local jurisdictions to adopt regulations to protect and manage critical areas. ([RCW 36.70.A.050\(1\)](#)) Critical areas are: (a) wetlands, (b) areas with a critical recharging effect on aquifers used for potable water (CARA), (c) fish and wildlife habitat conservation areas (including rivers, lakes and streams), (d) frequently flooded areas, and (e) geologically hazardous areas.¹ ([RCW 36.70.A.030.12](#))

The City of Ridgefield regulates development in or near four of the critical areas via [Chapter 18.280](#) of the Ridgefield Development Code. Ridgefield regulates development in or near frequently flooded areas via [Chapter 18.750](#). The city regulates Shorelines of the State under its [Shoreline Master Program](#) (SMP) last updated in 2021.

Washington's Growth Management Act (GMA, [RCW 36.70A](#)) requires cities and counties to review and update their critical areas policies and regulations about every ten years. Generally, jurisdictions that fully plan under the GMA update these critical area regulations in conjunction with their comprehensive plan's periodic revision. Ridgefield last fully updated Chapter 18.280 in July 2013. Since that time, there have been changes in legislation and regulation, updates to best available science, and changes in local policies or development patterns. To remain in compliance with current scientific knowledge and regulatory standards, the city should finish its next periodic update to the critical area regulations by June 30, 2026.

The Washington State Department of Commerce (Commerce) provides technical support to help jurisdictions navigate the complex web of statute, regulations, science, and compliance. Commerce encourages the public to review current technical and practical guidance via its [Critical Areas Protection webpage](#). This website can direct readers toward definitions of key words and phrases, the [Critical Area Handbook](#), examples of ordinances other jurisdictions adopted, and training programs.

During the development review process city staff use Clark County's [MapsOnline](#) GIS system to identify potential critical areas. For example, [this link](#) will direct the reader to property information about Abrams Park and [this link](#) will help you explore critical areas associated with the park. The same is possible for any property within the UGA. The city also relies on several agency mapping systems including:

- Washington State DFW [Priority Habitat](#) Interactive Mapping Tool
- Washington State DNR [Forest Practices](#) Application Mapping Tool
- Washington State Department of Health [Source Water Assessment](#) Program (SWAP) mapping tools.

¹ "Fish and wildlife habitat conservation areas" do not include artificial features or constructs such as irrigation facilities that are maintained by a port district or an irrigation district or company. RCW 36.70A.030(12) Fn 1.

- Ridgefield [Shoreline Management Program](#) maps

TASKS

The primary goals of the critical area regulation update are to review [updated state agency guidance](#), seek guidance from agencies and stakeholders, and propose potential amendments to the city’s critical area regulations.

Completed Tasks

To date, the update process has completed the following tasks:

- Completed the Department of Commerce Critical Area Update Checklist (on file);
- Reviewed current Best Available Science (BAS) literature and agency guidance (see BAS Literature Review memorandum);
- Reviewed the city’s policies related to critical areas including the 2016 Comprehensive Plan, the 2021 Shoreline Master Program (SMP), and the proposed Climate and Resiliency polices;
- Conducted interviews with Stakeholders including the Washington State Departments of Ecology, Fish and Wildlife, Health, and Natural Resources, Clark County Natural Resource Manager, and representatives from MAJ Development and Pacific Lifestyle Homes (see final Stakeholder memorandum);
- Consulted with city staff including Community Development, Public Works and Parks and Recreation;
- Conducted two work sessions and one public hearing with the Planning Commission;
- Drafted amendments to Chapter 18.280 (on file);
- Submitted the Notice of Intent to Adopt and required supporting documents with the Department of Commerce (mandatory 60-day comment period, on file); and
- Submitted the required SEPA Non-project Action checklist and supporting documents (on file).

Remaining tasks include:

- City Council work session (April 30, 2026)
- SEPA comment period ends (May 11, 2026)
- City Council First Reading (May 28, 2026)
- Commerce 60-day comment period ends (June 13, 2026)
- City Council 2nd reading (June 25, 2026)
- File the Notice of Adoption and adopted ordinance with Commerce (by July 3, 2026)

AGENCY GUIDANCE AND KEY ISSUES

A. Agency Guidance.

Several key guidance issues came to the forefront during the review of the Commerce Checklist and BAS literature and the Stakeholder interviews with state agency representatives.

- Avoidance,
- Buffer widths,
- Mitigation sequencing, and
- Critical Aquifer Recharge Areas (CARAs).

B. Internal Guidance.

The Stakeholder interviews, conversations with city staff and the review of current and proposed Comprehensive Plan policies revealed a few other important topics:

- Comprehensive Plan policies favoring enhancement of critical areas over simple mitigation,
- BAS/Enhancement - city compromise regarding buffer widths,
- Mitigation within the city preferred, and
- Third Party Review - Create a mechanism to resolve disagreements about the nature of critical areas during development review.

C. Minor Changes

Finally, the proposed amendments address several technical or administrative issues:

- Adding or clarifying definitions,
- Deleting dead-letter subsections,
- Stressing that impacts to potable water sources are not allowed,
- Updating references to RCWs and WACs, and current BAS literature, and
- Minor non-substantive text changes.

A. Agency Guidance

The consulting team conducted helpful interviews with Stakeholders including representatives from the Washington State departments of Ecology, Fish and Wildlife, Health, and Natural Resources. The agencies will issue formal comments during the mandatory 60-day review period. During the interviews and in subsequent correspondence, the agency representatives stressed the following issues.

Avoidance

Ecology and Fish and Wildlife stressed the importance of avoiding impacts to wetlands, riparian areas and priority habitats stating that jurisdictions should evaluate avoidance options before allowing impacts to critical areas and compensatory mitigation.

Consequently, the Planning Commission recommended that we emphasize the preference for in the purpose section of RDC 18.280.010.D *“The city strongly encourages avoiding adverse impacts to critical areas and their buffers.”* To strengthen this approach, we recommended adding language in the application submittal section (18.280.050.B) and in the approval criteria (18.280.060) clarifying that that a development proposal must include a robust discussion about whether avoidance is feasible or not.

Buffer widths

Ecology has changed its BAS guidance for habitat values and for buffer widths for Category II and Category III wetlands. The most noticeable impact will be felt in Category III wetlands because locally they are more plentiful than Category II wetlands. (See discussion about a proposed compromise in the Internal Guidance section below.)

Habitat rating system Table 18.280.150-2 (current value strikeout and new value underlined)

Level of Function	Final Habitat Score in Rating System
High	8—9
Moderate	5 —7
Low	3— 4 <u>5</u>

Category II wetland buffer Table 18.280.150-4 (current value strikeout and new value underlined)

Wetland Characteristics	Land Use Intensity	Buffer Width (in feet)
High habitat function	High	200-300
	Moderate	150-225
	Low	100
Moderate habitat function	High	100
	Moderate	75
	Low	50
Low habitat function	High	100-90
	Moderate	65-100
	Low	35-150

Category III wetland buffer Table 18.280.150-5

Wetland Characteristics	Land Use Intensity	Buffer Width (in feet)
Moderate habitat function	High	100-150
	Moderate	75-110
	Low	50-100
Low habitat function	High	80
	Moderate	60
	Low	40

Fish and Wildlife dramatically increased BAS-based guidance for riparian management zones (RMZs) based on a new methodology for determining appropriate buffer widths – Site Potential Tree Height at 200 years (SPTH₂₀₀). The result of the new agency guidance will increase the buffer width for several stream classes. (See discussion below regarding the proposed compromise between the new and old BAS.)

Proposed Table 18.280.110-1

Site Class	Type S and F Waters (feet)	Type Np Waters (feet)	Type Ns Waters (feet)
<u>II</u>	<u>235</u>	<u>155</u>	<u>100</u>
<u>III</u>	<u>205</u>	<u>135</u>	<u>100</u>
<u>IV</u>	<u>165</u>	<u>105</u>	<u>100</u>
<u>V</u>	<u>150</u>	<u>100</u>	<u>100</u>

Current Table 18.280.110-1

<u>Fish and Wildlife Habitat Conservation Areas—DNR Stream Typing System</u>	<u>Minimum Riparian Buffer Width</u>
<u>Type S - Shorelines of the state</u>	<u>150 feet</u>
<u>Type F - Fish-bearing streams (>5 feet wide)</u>	<u>150 feet</u>
<u>Type F - Fish-bearing streams (<5 feet wide)</u>	<u>125 feet</u>
<u>Type Np and Ns — Perennial or seasonal streams with high mass wasting potential</u>	<u>100 feet</u>
<u>Type Np and Ns — Perennial or seasonal streams with low mass wasting potential</u>	<u>50 feet*</u>

*WDFW no longer recommends any stream buffer be less than 100 feet.

Mitigation sequencing

Both Ecology and Fish and Wildlife stressed the importance of emphasizing and adhering to the WAC rules for SEPA mitigation sequencing. If an applicant demonstrates that avoidance is not feasible, then mitigation may occur according to the sequence below. This is not a significant departure from the city’s standard mitigation practice – but it does require an applicant to address each of the sequence steps. (See discussion below regarding enhancement.)

18.280.150.C.4. Mitigation Sequencing. The following are the steps in the mitigation sequence according to the implementing rules of SEPA (Chapter 197-11-768 WAC). Applicants shall demonstrate that they have taken these actions:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action;
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments;
and
- f. Monitoring the impact and taking appropriate corrective measures

Regarding compensation for impacts to critical areas, Subsection 18.280.060.E requires an applicant to address the following question in the development application narrative:

- E. Compensation. Does the proposal adequately compensate for the impact by replacing, enhancing, or providing substitute resources or environments?
 - 1. Section 18.280.010 found that management of critical areas is necessary to implement the city’s Comprehensive Plan and to provide a variety of valuable and beneficial biological and physical functions that benefit the city and its residents. Therefore, compensatory mitigation should occur within the city’s corporate limits when feasible.
 - 2. Twenty five percent (25%) of compensatory mitigation shall occur on the project site, or, if it is not possible to achieve 25% compensatory mitigation on-site, then compensatory mitigation off-site within the city limits is permissible.
 - 3. The city shall authorize wetland or habitat mitigation bank credits only after the applicant has demonstrated that any form of compensatory mitigation is not feasible on-site or elsewhere within the city limits.

Critical Aquifer Recharge Areas (CARAs)

New Section 18.280.140, CARA, entirely replaces the current 18.280.140. A CARA, by definition, includes Sole Source Aquifers (SSAs). The entire city limits of Ridgefield sit atop the Troutdale SSA, Therefore, technically all lands within the city limits are a CARA. A representative of the Washington Department of Health suggested that the city could designate the city limits a CARA. This creates an opportunity to streamline CARA development review in most of the city which could be designated a CARA II, the lower form of CARA classification.

Those areas associated with one-year ground water time of travel to public wellheads could be designated as CARA I, the highest form of CARA protection. Section 18.280.140.D clarifies and expands what activities are exempt from CARA review. Section 18.280.140.E, Prohibited uses, is partially a carryover from the current code. Subsection F is similar to the current Performance standards section but the new section clarifies that working on your personal vehicle at your home does not require CARA review.

Subsection G clarifies when a hydrogeological assessment is needed – primarily for activity within a CARA I, a wellhead protection area. Subsection H updates the state WACs relating to hazardous activities which might affect potable groundwater.

B. Internal Guidance

The Stakeholder interviews, conversations with city staff and the review of current and proposed Comprehensive Plan policies revealed a few other important topics:

- Current Comprehensive Plan policies favor enhancement of critical areas over simple mitigation;
- BAS-based compromise proposed regarding buffer widths; and
- Creating a mechanism to resolve disagreements about the nature of critical areas during development review.

Comprehensive Plan Policies

The current version of Ridgefield’s Comprehensive Plan (2016)) contains several policies in Chapter 6, Environment, which are directly applicable to several proposed amendments to Chapter 18.280. For example,

EN-1 Environmental protection - Protect, sustain, and provide for healthy and diverse ecosystems.

EN-3 Restoration and enhancement - Promote and facilitate ecosystem restoration and enhancement. (Emphasis added.)

EN-5 Habitat - Protect riparian areas, wetlands, and other fish and wildlife habitat. Link fish and wildlife habitat areas to form contiguous networks. Support sustainable fish and wildlife populations. (Emphasis added.)

Envision Ridgefield 2045, Draft Climate and Resiliency Policies propose several new plan policies that relate to protection and management of critical areas including:

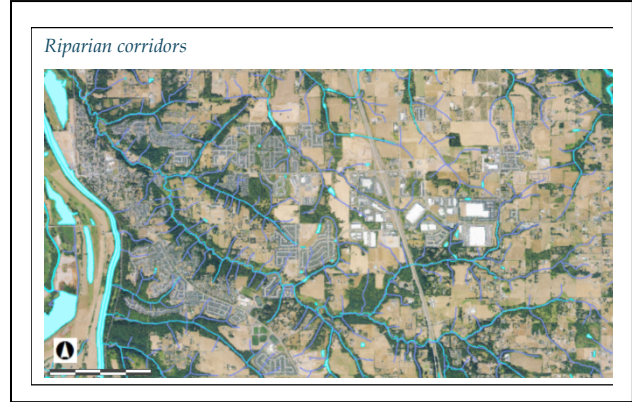
Goal 7.3 Protect and restore green spaces and habitat to be resilient to natural hazards and provide refuge for people and wildlife during extreme weather.

Policy 7.3.1 Implement actions identified in stream restoration and salmon recovery plans to improve the climate resilience of streams and watersheds, such as Gee Creek and Lake River, to the effects of extreme heat.

Policy 7.3.3 Identify opportunities to expand habitat protection and improve habitat quality and connectivity through invasive species management and enhancing the resilience of open spaces and habitat areas to natural hazards. (Emphasis added.)

Policy 7.3.4 Protect and restore wetlands, wetland corridors, and floodplains to provide biological and hydrological connectivity that fosters resilience to flood risk and extreme weather events. (Emphasis added.)

Proposed Envision Ridgefield 2045 policies 7.3.3 and 7.3.4 align very well with current policy EN-3, Restoration and Enhancement. Together they direct the city to take proactive measures to expand and enhance the functions and values of critical areas, particularly wetland and riparian areas and buffers. These policies, when read together direct the city to foster the protection or creation of biological and hydrological networks within the city. Gee Creek, Allen Creek, McCormick Creek and Lake River are natural candidates for a network of biological corridors that connect the uplands to Lake River and to the Ridgefield National Wildlife Refuge.



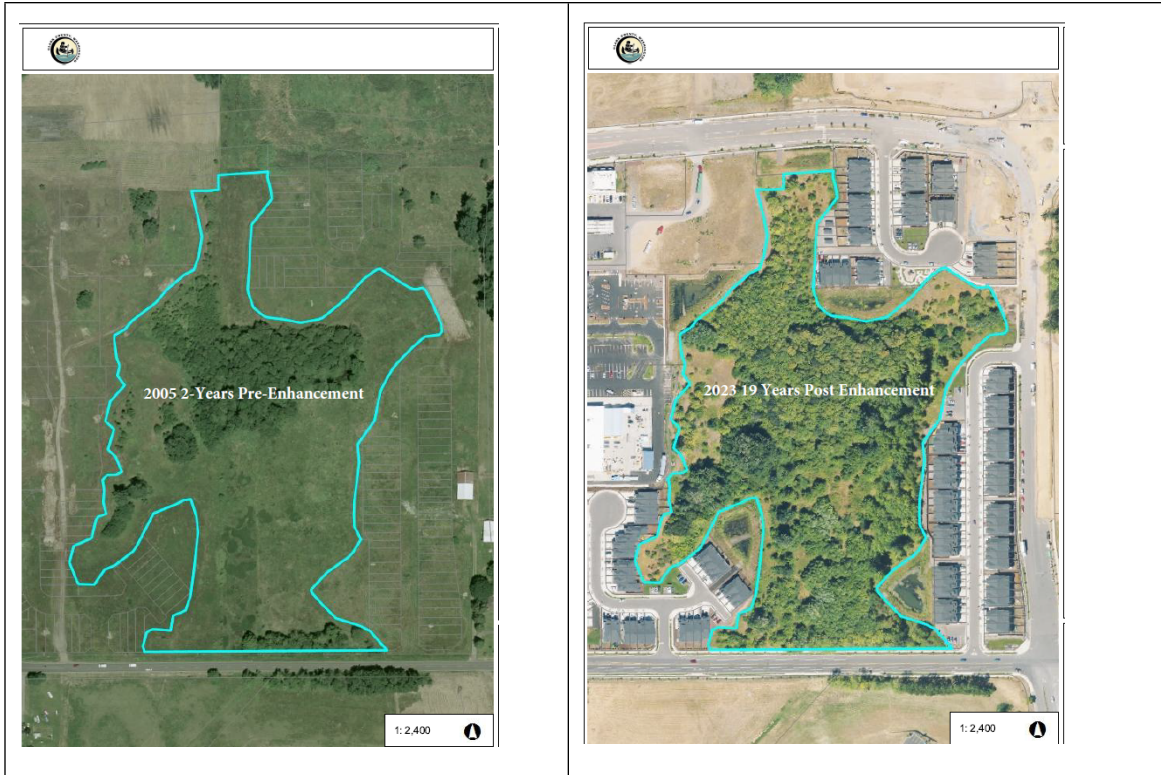
BAS/Enhancement - City compromise regarding buffer widths

Adopting the recommended agency guidance regarding riparian SPTH₂₀₀ buffers and larger wetland buffers could reduce the amount of land that is available for development. The current riparian and wetland buffers protect critical areas and buffers, require mitigation for impacts (often off-site), and implement the city’s growth policies and natural resource policies..

BAS recognizes the value of purchasing mitigation credits at off-site wetland and habitat mitigation banks. A consequence of purchasing mitigation bank credits is that a development might impact critical areas within the city limits but does little to enhance the natural resources within the city.

Enhancement is a word that currently appears in Chapter 18.280 more than 20 times. Proposed Table 18.280.110-3 provides strategies to enhance critical areas beyond purchasing mitigation bank credits. However, over the past ten years, development prefers the purchase of off-site mitigation bank credits over on-site enhancement.

Enhancement, when managed well, does have noticeable benefits locally. Below are two aerial photographs for property located east of the Tractor Supply development. The 2005 photo shows the property pre-enhancement (the initial planting occurred in 2007). Pre-enhancement the site is primarily open grassland. The 2023 shows the property 19 years after post enhancement planting and management. Post enhancement the site is primarily forest/scrub/shrub which increases the wetland functions and values.



To balance potentially conflicting interests regarding riparian areas, avoidance/enhancement/BAS-based SPTH₂₀₀, the Planning Commission endorsed a strategy of compromise. The city would adopt the new SPTH₂₀₀ buffer widths as the standard approach which an applicant could choose to implement. However, an applicant could elect to follow an optional alternative strategy. The city could allow an applicant to employ the 2016 buffers (retained in the updated 18.280) SO LONG AS the developer enhances the critical areas and buffers to equal or better the critical area functions and values the new riparian buffers would require. An applicant would have to generate a critical area report that clearly demonstrates the steps they would take to achieve an equal critical area function and value. See proposed Fish and Wildlife sections 18.280.110.B.2 and 18.280.110.D.2.c.

An enhancement alternative could also be an option for wetland buffers but it has not been developed in the Draft amendments to 18.280.150..

Mitigation within the city preferred

During the Stakeholder interviews both agency representatives and members of the development community recognized the viability of the off-site mitigation bank option but expressed an interest in finding ways to improve the functions and values of resources locally.

The Planning Commission recognized this opportunity for enhancement as well and recommended that the RDC 18.280.010, Purposes, strengthen the city interest in enhancement:

- D. The city strongly encourages avoiding adverse impacts to critical areas and their buffers.
- E. If avoidance is not feasible, the city may permit impacts in critical areas or their buffers to the extent that mitigation measures implement the goals and policies of Chapter 6, Environment, of the Ridgefield Comprehensive Plan, by restoring or enhancing critical areas and their buffers within the Ridgefield City limits. To implement the goal of restoring or enhancing critical areas and their buffers within the city limits, the following guidelines shall inform the critical area permitting process:

1. The city may require a project to install a minimum of 25% of the required mitigation on the project site, if on-site mitigation is feasible;
2. If full or partial on-site mitigation is not feasible, the city may require the applicant to mitigate project impacts on city-owned or city-controlled property within the city limits;

The city of West Linn, Oregon adopted a [similar approach](#) (CDC 32.090.B) to favor local mitigation. Camas, Washington encourages enhancement of larger areas ([CMC 16.51.190](#)).

Third Party Review

During the Stakeholder interviews a representative of a residential developer suggested that projects can run into lengthy and costly delays when the developer's critical area report and an agency's response to that report differ. The developer suggested that there should be a mechanism to resolve such disagreements in a timely manner. The developer said they would be willing to pay for said dispute resolution. A 3rd party peer reviewer, selected by the city, would use their professional interpretations of applicable BAS guidelines and city regulations to offer an opinion.. The Planning Commission endorsed the idea but suggested that the city should administratively establish a cap on the cost of the 3rd party review.

The result of this conversation is in section 18.280.050.D, Submittal requirements:

D. Critical areas report, 3rd Party Review

2. When the community development director or designee determines that 3rd party independent review of one or more critical area reports is necessary to implement the purpose and requirements of this chapter, the city may hire a professional consultant, qualified in the subject matter at issue, whose fee shall be paid by the applicant, to review and comment on the applicant's critical area report. The community development director, after reviewing all reports, may thereafter adopt findings to resolve the dispute.

C. Minor Changes

There are a few proposed technical changes that do not fall neatly into the categories above. For example,

- Definitions. See proposed definitions relating to CARAs, Critical Areas, the term 'feasible/feasibility,' Geotechnical report, Isolated wetland, Qualified professional, and Well-head protection zone, a
 - Regulatory flexibility, RDC 18.280.020.D, deletes the sentences which Ecology violated the BAS guidance. *Regulatory Flexibility. This chapter is to be administered with flexibility and attention to site-specific characteristics. This chapter is not intended to make a property in the city unusable by denying its owner reasonable economic use of the property or to prevent the provision of public facilities and services necessary to support existing or planned development. ~~When property that is identified as being within a critical area or the proposed buffers has been used by the property owner for domestic uses such as lawns, buildings and similar uses other than being left in its natural state that land shall not be considered as critical as intended by this code. These areas shall also be exempt from the critical area permitting process.~~*
 - The DNR request that a geotechnical report by authored by a certified geologist, licensed in the State of Washington. (RDC 18.280.130.C.1.v.)
 - Multiple citations the Department of Heath requested that clarify the impacts to potable drinking water are not permitted.
 - Exemptions. Section 18.280.030B.
5. Landscape maintenance including application of pesticides, herbicides, fungicides or fertilizers consistent with product labels and accepted horticultural practices, such as those recommended by the Washington State University Extension Service, within the boundaries of an existing lawn, garden or landscaped area and not associated with development; excluding removal of native trees or use of

pesticides, herbicides, fungicides or fertilizers applied within fifty feet of a jurisdictional wetland or stream, or within a wellhead one year time of travel zone.

6. Clearing of noxious weeds using hand-held, electric or non-motorized equipment, or walk-behind motorized equipment that does not cause compaction. A copy of the Clark County Weed Management Department list of noxious weeds is available from the community development director or designee.
22. Ecology revised its guidance regarding when an isolated wetland is exempt from obtaining a critical area permit.

There are other minor non-substantive changes regarding deleting dead-letter subsections, updating references to RCWs and WACs and to current BAS literature, and wordsmithing.

-- end --

Ridgefield Critical Area Code Update: Stakeholder Interviews

Clark County Community Development Department

Brent Davis, Manager of Wetland and Habitat Review

564.397.5855, WetlandHabitatReview@clark.wa.gov

December 17, 2025.

RDC 18.280, Critical areas.

Clark County adopted amendments to Critical Areas elements of Title 40 in the fall of 2024.

Mr. Davis did not offer specific observations about the Ridgefield Critical Area code, RDC 18.280, but offered the following observations:

- He is not aware of any local city that has adopted Clark County's critical area regulations by reference.
- The County adopted the WDFW's STHP₂₀₀ guidance about riparian buffers. However, the County allows buffer reduction if the reduction is associated with buffer enhancement. Buffer averaging is not allowed. Mr. Davis said that WDFW accepted the County's position.
- The County follows the wetland mitigation sequencing and encourages Avoidance first but does allow compensatory mitigation.
- The County follows WA Ecology guidance regarding Indirect Impacts.
- Regarding off-site mitigation versus on-site mitigation, the County supports the purchase of wetland and habitat bank credits but looks at each case individually and tries to select the options that have an ecologically superior solution.
- The County merged the separate Wetland and Habitat chapters into one chapter to improve internal ordinance consistency.

-End-

WA Department of Natural Resource, Washington Geological Survey (WGS)

Tricia Sears, Geologic Planning Liaison

360.628.2867, tricia.sears@dnr.wa.gov

December 23, 2025

RDC 18.280.130, Geologic hazards.

Ms. Sears provided the following materials prior to and after the video conference:

- [Quick Reference – Preparing for Landslide Hazards: A Land Use Guide for Oregon Communities](#)
- [Preparing for Landslide Hazards: A Land Use Guide for Oregon Communities](#)
- Qualified professional definitions and other code provisions include Bellevue, Kirkland, Burien, and Issaquah.
- Comments on RDC 18.280 in track changes.

The consultants posed several questions to Ms. Sears:

1. *Is there a BAS threshold for Landscape hazards based on slope? Some jurisdictions use a threshold of 15%, or 25%, or 40%. **RESPONSE:** Landslides are not classified based on slope alone. Slides older than 150 years are classified as ‘pre-historic’. Ms. Sears recommended that we review the DNR “Quick Reference“ publication above and the “Natural Hazards Mitigation Plan” publication She suggested we should consider language relating to Post wildfire debris flows as part of our critical area or climate resiliency planning efforts.*
2. *The city code relies on a 1975 study as well as Clark County MapsOnline for guidance on landslide mapping. Are there more current mapping tools the city should use? **RESPONSE:** The 1975 study is still valid. Add reference to MapsOnline to the code. Also, reference the [WDNR Geologic Information Portal](#).*
3. *RDC 18.280.130 references special considerations for “Critical Facilities.” Should RDC 18.280 and 18.280.130 be more robust regarding Critical Facilities? **RESPONSE:** Yes, consider how some of the communities mentioned above have addressed Critical Facilities in Landslide Hazard areas.*
4. *The city and state agencies require buffer areas for wetlands and riparian areas. Some jurisdictions establish buffers for geologic hazards that range from 15 feet, 25 feet and 40 feet. Is there a BAS-based standard for buffers for geologic hazards? **RESPONSE:** There is not a ‘one size’ geologic base-line buffer. However, base-line buffers are not*

discouraged. Site specific studies, prepared by qualified professionals, licensed in Washington, are an important tool for establishing buffers for geologic hazards. The city could establish a base-line geologic buffer but allow the standard to be altered as a result of a site specific professional study.

5. *Mitigation. RDC 18.280 establishes mitigation standards for wetlands and habitat areas. Is there a BAS standard we should consider for mitigation and monitoring impacts to geologic hazards?* **RESPONSE:** Look at the Bellview, Black Diamond and other codes referenced in her reply email to us.

Other comments:

- Add an Applicability Section defining each regulated critical area.
- Be consistent regarding how we label qualifications for producing geologic reports. Be consistent. Define “qualified professional” and require that they be licensed in the State of Washington.
- Ms. Sears is willing to review the city’s amendments to RDC 18.280.

-End-

WA Department of Natural Resources

Brittney Salter, Planning Lead

December 29, 2025

RDC 18.180.110, Fish and Wildlife Habitat conservation areas.

Stream Buffers. The Ridgefield buffers are “not the worst” she has reviewed. However, WDNR believes that a 50-foot buffer for a Type Np/Ns stream with low mass wasting is not supported by BAS. Ridgefield should amend table 18.280.110-1 to increase the minimum riparian buffer for a Type Np/Ns stream with low mass wasting to 100 feet. Buffer averaging or reduction cannot allow a buffer as small as 50 feet.

Mitigation. WDNR requires a development to demonstrate sequencing, i.e., an applicant must clearly demonstrate that avoidance is not possible before proposing other strategies such as mitigation. WDNR recommends that the city and the mitigation sequencing standards to RDC 18.280.110.

Functional Isolation. WDNR asks that the city requires an applicant to consult with WDNR staff about claims of ‘functional isolation.’ (Ridgefield could make this a standard requirement in the pre-application conference notes.) The WDNR team will conduct a site visit to verify the claim of functional isolation.

Stream versus ditch versus underground stream. The current language defining stream, ditch, and underground stream, is based on language provided by the WA Dept. of Commerce. WDNR is revising the definitions and has prepared a draft statement which they will send to the city for review and consideration.

Bats. The WDNR mapping Priority Habitat Species (PHS) mapping tool provides very general polygons regarding the possible location of non-riparian species such as bats. If a consultant has questions about the precise location of such a species, WDNR has site specific sighting maps which are available on a case-by-case basis.

Site Specific Tree Height at 200 feet (SPTH₂₀₀). Several jurisdictions in the Puget Sound region are not adopting the SPTH₂₀₀ guidance. Clark County has done so. WDNR does not support any riparian buffer less than 100 feet from the Ordinary High Water Mark (OHWM). However,

WDNR does support the larger buffers in table 18.280.110-1. WDNR will support 100-foot and wider buffers that are less than the SPTH₂₀₀ guidance especially if the city adopts language that imposes the 100, 120 and 150 foot buffers plus enhancement based on SPTH₂₀₀.

Oregon white oak trees. Ridgefield has single Oregon white oak trees or small clusters of white oaks but does not have clusters as large as one acre or more. WDNR will support protection of individual Oregon white oak trees and will offer mitigation guidance . However, WDNR does not suggest specific ratios for mitigation because of site specific factors such as size of parcel, maturity of the trees, and more.

WDNR will send the city additional guidance materials after the New Year. (The consultants sent the interview notes to Ms. Salter for review and comment in February 2026. Those minor changes are incorporated in this memo.)

-End-

Office of Drinking Water, Environmental Public Health Division

WA Department of Health

Deborah Johnson, Wellhead Protection Program Coordinator

December 29, 2025

RDC 18.280.140, Critical aquifer recharge areas (CARAs).

Ms. Johnson sent the city's consulting team a detailed review of RDC 18.280 in Track changes format. The entire Ridgefield UGA is categorized as a CARA 1. The interview covered in detail each edit and comment Ms. Johnson provided. The highlights of the comments and conversation follow.

General comments

- 18.280.010, Purpose, The city does not have critical area jurisdiction on lands outside the UGA prior to annexation. Review section A.
- 18.280.020.A, General provisions. The “no net loss” GMA requirement does not fit neatly with drinking water concerns – one cannot mitigation contamination similar to mitigating an impact to a wetland.
- 18.280.020.B, Relationship to other regulations. Be clear that when the Shoreline Master Program (SMP) and critical areas intersect, the SMP controls.
- 18.280.020.D, Regulatory flexibility. DOH suggests that the city remove the exemption for property in in buffers used for domestic uses. (This has been an issue recently with development projects.)
- 18.280.020.F, Warning and disclaimer of liability. Keep this language as is.
- 18.280.030, Applicability. Add language specifying the type of critical areas chapter 18 regulates. Amend subsection A.4 to clarify that when two or more critical areas intersect on a property more than one critical area set of regulations may apply, not just the most restrictive.
- 18.280.030.B.5, Exemptions. Tie the landscaping exemption to product labels on CARAs.
- 18.280.040.F, Approval, Critical area markers and signs. Signs and markers are not required or useful for CARAs (because the entire city of Ridgefield is categorized as a CARA 1).
- 18.280.040.I, Building setbacks. A 5-foot building setback in a CARA is not applicable.

- 18.280.050.A, Submittal requirements. Clearly define “qualified professional.’ Be sure to include ‘licensed’ in the state of Washington. Consider adding a section authorizing independent 3rd party review paid for by the applicant.
- 18.280.050, Mitigation Plan. Mitigation plans do not apply to CARAs.
- 18.280.060.C, Compensatory mitigation. The mitigation sequencing does not apply to CARAs – a city cannot allow impacts to public drinking water and mitigate such impacts.
- 18.280.060.D, No net loss. No net loss does not apply to CARAs.
- 18.280.080.B.6, Minor exemptions, Degradation. The city cannot permit a project to degrade drinking water.
- 18.280.090.A.2.f, Reasonable use, mitigation. The city cannot allow a reasonable use exemption to mitigate for adverse impacts to drinking water.
- 18.280.090.B.2.d, Public agency and utility exemptions. The city cannot allow a public agency or utility to mitigate for adverse impacts to drinking water.

18.2480.140, Critical aquifer recharge area (CARAs)

- 18.280.140.A, Designation. If the entire UGA is classified as a CARA, why not say so. The CARA 1 classification is based on the ground water coming from a single Sole Source Aquifer. In addition to a city-wide CARA designation, the city could designate Well-head protection areas for CARA II protection.
- 18.280.140.A.1, Wellhead protection areas. The WAC 246-290-135. Citation is out of date, see WAC 365-190-030(23).
- 18.280.140.A.2, Sole source aquifers. The code could designate the entire UGA as a Sole Source Aquifer (SSA). See, <https://experience.arcgis.com/experience/1bfab371d71e4b868fc9ae7df62a16fe>.
- 18.280.140.A.3, Susceptible groundwater management areas. Does the city have any? Note this differs somewhat from WAC 365-190-100(4)(b)(ii): “Areas established for special protection pursuant to a groundwater management program, chapters [90.44](#), [90.48](#), and [90.54](#) RCW, and chapters [173-100](#) and [173-200](#) WAC.”
- 18.280.140.B, Rating CARAs. The city does not rate aquifers. Do not use the old Ecology rating system. The city might eliminate this subsection.
- 18.280.140.C, Mapping CARAs. Identify where the city CARA maps are: MapsOnline, WA Dept, of Health Source Water Protection (SWAP) mapping tools.

- 18.280.140.E.1, Additional report requirements. DOH suggests that a ‘qualified professional’ as applied to CARAs, is “*someone who is a currently licensed Washington State geologist holding a current specialty license in hydrogeology. A general practice geologist or PE, or one whose specialty lies in another area, may or may not have appropriate background to perform this work. (See Ch. 18.220 RCW & Ch. 308-15 WAC, generally, & specifically WAC 308-15-053 & -055.)*”
- 18.280.140.E.2.d, Hydrological assessment, Injection wells. “*Prohibiting injection wells other than OSS is likely to conflict with stormwater handling, as injection devices are typically used with ponds. Has the City adopted the WWA stormwater manual? You might need to work with PW to determine/address any conflicts.*”
- 18.280.140.E.3, Level one hydrogeological assessment. The 1,300 foot standard for current data analysis is arbitrary and not supported in the RDC.
- 18.280.140.E, Level one hydrogeological assessment. General discussion. If the entire city is a CARA the city could waive the level one hydrogeological assessment **IF** wellhead protection areas are not impacted by the development. It is up to each jurisdiction. Note that medical waste is managed within its own waste stream regulations and usually does not impact CARAs.
- 18.280.140.F, CARA performance standards. DOH suggests deleting the sentence “The proposed activity must comply with the water source protection requirements and recommendations of the U.S. Environmental Protection Agency, Washington State Department of Health, and the Clark County Health District.” DOH says, “*Source water protection is not a performance measure for land uses, it is a planning requirement applicable to public water purveyors. The SWP provisions of the federal Safe Drinking Water Act are embodied in [WAC 246-290-135](#); but this would apply only to the City in its role as a water purveyor, for managing its wells, sanitary control areas & developing/implementing a wellhead protection program. It does not, however, apply directly to land-use actions within the WHPA.*”
- 18.280.F.1.c.ii, Underground storage tanks. The city allows underground storage of stormwater.
- 18.280.140.G, Statutes and regulations table. Check to be sure citations are current particularly related to injection wells and septic systems.
- 18.280.140.H.23, Prohibited uses in CARAs, underground injection well classes. EPA’s classification system has changed, & these subclasses are no longer in use. Review

which types of wells the City intends to prohibit & synchronize with earlier prohibition & stormwater issues in comments.

- 18.280.140.H.3.d, Mining. Storage and processing of radioactive waste is not mining. It should probably have its own category. It is problematic to prohibit across the board as it impacts medical/dental facilities, which are low-level generators (x-rays). DOH suggests language developed by City of Leavenworth: “Storage, processing, or disposal of radioactive substances, except for medical equipment or materials that are used within a medical facility, and medical waste as defined in RCW [70.99.020](#) that is generated within a medical facility and held for proper disposal.”
- 18.280.170, Definitions.
 - Critical aquifer recharge area means areas designated by WAC 365-190-080(2).” However, the WAC does not designate critical areas; the local jurisdiction does. Clarify the language
 - Critical Aquifer Recharge Area I is the land area overlying the aquifer in which it will take a maximum of five years for the groundwater to reach any public water source well within the City. Add a definition.
 - Critical Aquifer Recharge Area II is the land area overlying the aquifer in which it will take over five years to reach any public water source well within the city. Add a definition.
- Relationship of Critical Aquifer Recharge Areas to Wellhead Protection Zones ([WAC 246-290-404\(298\)](#)). The Washington State Department of Health requires a city to delineate public wellhead protection zones based on the time it takes groundwater to travel to a public drinking water supply well.
- Why does chapter 18.280 have a discrete definition section? See also 18.280.170 definitions for qualified professional and for wellhead protection area. Should **all** definitions be included in Chapter 18.100, Definitions?

** ** *

In a follow-up email dated January 8, 2026, Ms. Johnson provided the following suggestions regarding defining the entire city limits as a CARA based on its character as a Sole Source Aquifer (SSA).

- Bainbridge Island – Bainbridge Island Aquifer System SSA
<https://www.codepublishing.com/WA/BainbridgeIsland/html/BainbridgeIsland16/BainbridgeIsland1620.html#16.20.100>

“In accordance with WAC [365-190-100](#), the entirety of Bainbridge Island is classified as an aquifer recharge area to preserve the volume of recharge available to the aquifer system and to protect groundwater from contamination.”

- Oak Harbor – Bainbridge Island Aquifer System SSA

<https://www.codepublishing.com/WA/OakHarbor/#!/OakHarbor20/OakHarbor2032.html#20.32>

“The approximate location and extent of CARAs are shown on the city’s adopted critical areas maps. These maps are to be used as a reference for the city, project applicants and property owners and may be superseded by new data.” (but then the map shows the whole city-

see <https://oakharbor.gov/DocumentCenter/View/473/Aquifer-Recharge-Areas-PDF>)

- University Place – Central Pierce County Aquifer Area SSA

<https://www.codepublishing.com/WA/UniversityPlace/#!/UniversityPlace17/UniversityPlace1720.html#17.20>

“The entire City is located within an aquifer recharge area as defined by Clover/Chambers Creek Aquifer Basin Boundary, the 10-year wellhead protection areas as identified by TPCHD and the DRASTIC zones that are rated 180 and above.”

- Spokane Valley – Spokane Valley-Rathdrum Prairie Aquifer Area SSA

<https://www.codepublishing.com/WA/SpokaneValley/#!/SpokaneValley21/SpokaneValley2140.html#21.40.060>

“Due to the geologic conditions within the SVRP aquifer, the entire City is identified as a high susceptibility CARA area.”

The consulting team re-wrote the CARA section based on this interview and sent it to Ms. Johnson for review and comment in January 2026. The proposed new CARA section reflects Ms. Johnson’s critique of the new CARA code. She will provide formal comments during the 60-day comment period.

-End-

Washington Department of Ecology (ECY)

Emily Atkins, Critical Areas Coordinator, eatk461@ecy.wa.gov

Casey Vaughn, Wetland/Shoreline Specialist, cvau461@ecy.wa.gov

Maria Sandercock, Section Manager, SW Regional Office, MARI461@ecy.wa.gov

December 31, 2025

Topics of Conversation: (See extensive Ecology comments below.)

Publications: Wetlands should be regulated based on the following Ecology publications:

[Wetland Guidance for Critical Area Ordinance Updates, October 2022,](#)

[Wetlands in Washington State - Volume 2: Guidance for Protecting and Managing Wetlands](#)

- Habitat scores: Update city rating system based on 2018 recommendations
- Prior Converted Wetlands: Ecology to provide the team with recommendations
- Buffers. Casey Vaughn to send city team his markups relating to Category II wetland buffers, Buffer segments - buffer reductions cannot be less than 75%.
- Mitigation: Mitigation ratio for Category I wetland should be 4:1
- Exemptions. Ecology recommends that the City amend the exemption language to reflect size and 'Other Factors' which they will send to us.
- Wetland banks. Ecology still approves off-site mitigation in approved wetland banks but would not object to the city requiring a percentage of the mitigation efforts to occur on-site in the city.
- Additional review. Ecology offered to review our draft amendments prior to the mandatory 60-day comment period during which the comments must be more formal. Emily Atkins emailed detailed comments on January 21, 2026. (See below.)

** ** *

On December 31, 2025, Casey Vaughn provided follow-up comments regarding the current Ridgefield CAO:

1. Table 18.280.150-4: Category 2 buffers are currently smaller than Ecology recommendations. Example: High habitat function and high land use intensity currently requires a 200 ft buffer. Ecology guidance recommends a 300 ft buffer.
2. 18.280.150(iii): *"Buffer Width Averaging. The community development director or designee may allow buffer width averaging in accordance with an approved critical area report on a case-by-case basis. Buffer width averaging shall not be used in combination with buffer width reduction or a minor exception on the same buffer segment to reduce the minimum buffer width below that specified in this chapter. Averaging of buffer*

widths may only be allowed where a qualified professional wetland scientist demonstrates that:(A)Such averaging will not reduce wetland functions or functional performance; and(B)The wetland varies in sensitivity due to existing physical characteristics or the character of the buffer varies in slope, soils, or vegetation, and the wetland would benefit from a wider buffer in places and would not be adversely impacted by a narrower buffer in other places; and(C)The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer; and(D)The buffer width is reduced by no more than fifty percent of the standard width and at no point to less than twenty-five feet.”

- a. I stated in the meeting that I did not see a reduction limit but I am now seeing that the buffer cannot be reduced more than 50% of the standard width or less than 25 feet. Ecology guidance recommends no less than 75% of the standard buffer width should be reduced.

18.280.150(iv): Buffer Width Reduction

- a. I would recommend having some type of standard with this parameter. Typically, I have seen CAO's have BMP's that can be done in order to reduce the land use intensity and therefore reduce the buffer. This one appears to be more of a blanket approval for any wetland buffer reduction though I am not sure I have seen this used. Emily may have additional guidance or examples from Ecology.
4. 18.280.15(iv)(D): “Buffer width reduction shall not be used in combination with buffer width averaging on the same buffer segment but can be used in combination with the same wetland resource.”
 - a. I would recommend removing the term “buffer segment” and removing the last part of the statement that two buffer reductions can be used on the same wetland resource. Ecology recommends that double buffer reduction should not be allowed and this is a way to reduce a buffer twice on the same wetland through combination.
 5. Table 18.280.150-7: Mitigation Ratios
 - a. Category 1 wetland, based on scores or functions, mitigation ratios for reestablishment or creation are 3:1. Ecology's current guidance recommends 4:1.
 6. 18.280.030(22): Exemptions for wetlands under 5,000 square feet (see image below for exact text).
 - a. I commented in the meeting that since Ridgefield does have many of these small, category 3 or 4 wetlands in old agricultural fields that the City may want to consider changing this exemption. Now knowing that exempting these wetlands only means that they do not have to show avoidance and minimization changes my concern. I included it here since I already had it written down.

Thanks for the meeting today. I want to reiterate that I like the idea of some mitigation being required within the City of Ridgefield but I am unsure what that looks like.

** **

On January 21, 2026 Emily Adkins' detailed comments.

18.280.030 *Applicability and exemptions.*

B. *Exemptions.*

4. *Emergencies. Ecology recommends establishing a to limit to complete the emergency work – perhaps 6 months to one year, as determined by the community development director.*

22. *Wetland less than 5,000 S.F.*

The city should amend this section based on Ecology's published recommendations (Publication 22-06-014 Appendix A. Sample Wetland Regulations Page A-6 October 2022) to reduce the area of exempted wetlands from 5,000 S.F. to 4,000 S.F.

Exemptions and Allowed Uses in Wetlands

040.A. Wetlands that meet the following criteria are not subject to the avoidance and minimization requirements of the mitigation sequence (Chapter 070.A.1 and 070.A.2) in accordance with the following provisions, and they may be filled if the impacts are fully mitigated based on the remaining actions in Chapter 070.A.3 through 6. Impacts should be mitigated through the purchase of credits from a mitigation bank or in-lieu fee program, if available, consistent with the terms and conditions of the bank or program. In order to verify whether the following criteria are met, it is essential that a critical area report for wetlands meeting the requirements in Chapter 060 be submitted.

All Category IV wetlands less than 4,000 square feet that:

1. Are located in the areas covered by the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (U.S. Army Corps of Engineers, 2010),
2. Are not associated with riparian areas or their buffers,
3. Are not associated with shorelines of the state or their associated buffers ,
4. Are not part of a wetland mosaic,

5. Do not score 6 or more points for habitat function based on the Washington State Wetland Rating System for [Western] Washington: 2014 Update (Ecology Publication [#14-06-029]), or as revised by Ecology), and
6. Do not contain a Priority Habitat or a Priority Area for a Priority Species identified by the Washington Department of Fish and Wildlife and do not contain state or federally listed species or their critical habitat or species of local importance identified in the [City/County] code [if there is a locally adopted regulation]
7. Wetlands less than 1,000 square feet that meet the above criteria are exempt from the buffer provisions contained in this Chapter.

Mitigation sequencing: Clarify that the city's mitigation sequencing in RDC 18.280.060 follows Ecology's guidance.

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
6. Monitoring the impact and taking appropriate corrective measures.

18.280.110 *Fish and wildlife habitat conservation areas.*

D.2. – *Performance standards, subsection e, Buffer reduction*

Ecology recommends removing the term "Buffer segment" and eliminating the statement that two buffer reductions cannot be used on the same wetland resource. Double buffer reduction should not be allowed.

Consultant Response. Ecology may not fully understand how the city uses reductions on buffer segments. For most projects buffer reduction is not necessary for the entire wetland buffer, only a portion of the buffer. Currently, either averaging or reduction (typically with enhancement) can be used to a reduce a segment of the buffer. The

current code states that buffer averaging and buffer reduction cannot be used on the same segment, but averaging can be used on one segment of the buffer and reduction on another.

18.280.150 – Wetlands

A.3. Wetland ratings.

Ecology recommends that the city amend the publication citation to: "Washington State Wetland Rating System For Western Washington: 2014 Update, Version 2.0, Ecology publication # 23-06-009, or as revised and approved by Ecology.

B. *Additional critical area reports.* Amend the publication citation to: "Washington State Wetland Rating System For Western Washington: 2014 Update, Version 2.0, Ecology publication # 23-06-009, or as revised and approved by Ecology.

C. *Performance standards, General requirements.*

1.a.ii. *Trails and wildlife viewing structures.*

Regarding trails in buffers. The consultants suggest that the city look at its trail plan to make sure it can approve trails based on Ecology's recommendation. With the number of wetlands associated with streams in the city, approving trails only on the outer 25% could be a problem.

2.a. *Wetland buffers.*

a. *Standard buffer widths.*

Ecology recommends amending the publication citation. The consultants recommend removing the Ecology publication citation and state that buffer widths are based on wetland category, level of impacts from adjacent land uses, and wetland functions or special characteristics of the wetland that need to be protected.

Tables 18.280.150 – through 4, Land use intensities, ratings, and buffer widths.

Ecology recommends several changes to buffer widths which will increase buffer widths for Category II and III wetlands.

C.2.b.ii(F) *Functionally isolated wetlands.*

Ecology highly recommends expanding the language on functionally disconnected buffer areas to be clearer on when functionally isolated applies. Ecology suggests:

“Functionally disconnected buffer area. Buffers may exclude areas that are functionally and effectively disconnected from the wetland by an existing public or private road or legally established development as determined by the Administrator.

Functionally and effectively disconnected means that the road or other significant development blocks the protective measures provided by the buffer. Significant developments shall include built public infrastructure such as roads and railroads, and private development such as homes or commercial structures. The Administrator shall evaluate whether the interruptions will affect the entirety of the buffer. Individual structures may not fully interrupt buffer functions. In such cases, the allowable buffer exclusion should be limited in scope to just the buffer that is affected. Where questions exist regarding whether a development functionally disconnects the buffer or the extent of that impact, the administrator may require a critical area report to analyze and document the buffer functionality.”

Consultant's Response. The consultants suggest that examples of minor developments that do not fully block buffer functions include trails, minor accessory structures, paths, and driveways serving a single residence. Significant developments that are unquestionably a complete barrier to the functions of the buffer area include built public infrastructure such as paved roads and railroads, and private developments such as houses or commercial structures. Critical area analysis should evaluate whether the interruption will affect the entirety of the buffer. (See, Individual Publication 22-06-014 Wetlands Guidance for CAO Updates, Page 25 October 2022.)

18.280.150.C.2.b.iii. *Buffer width averaging.*

The city currently allows a buffer width to be reduced by no more than fifty percent of the standard width and at no point to less than twenty-five feet. Ecology states that BAS allows no more than 25% or less than 75% of a buffer may be averaged.

18.280.150.C.2.b.iv. *Buffer width reduction.*

Ecology recommends removing buffer width reduction but suggests that if the city retains the option, the city should adopt standards for when and how buffer reduction may be allowed.

Consultant's Response. The consultants suggest that if the city retains buffer reduction option, it should require enhancement of the buffer.

18.280.150.C.5. *Mitigation actions.*

Ecology recommends amending the mitigation action table to reflect current guidance for “Compensation ratios for unavoidable permanent impacts to wetlands with special

characteristics (for Western Washington), publication #22-06-014, page E2. (See attached table.)

18.280.170 – Definitions.

“Isolated wetlands.”

Ecology recommends adopting the current definition of an isolated wetland to: “Non-federally regulated wetland: A wetland that is not jurisdictional under the federal Clean Water Act. Sometimes referred to as “isolated wetlands,” these wetlands remain regulated under state and local laws and rules, whether or not they are protected by federal law.”

“Qualified professional.”

Ecology recommends replacing the definition of a qualified professional for habitats and wetlands to focus more specifically on wetland qualifications.

“Wetland rating system.”

Ecology recommends amending the definition to reflect the currently effective publication: #22-06-009, or as revised and approved by Ecology.

The consultants agree with the suggested changes to the definitions.

--End--

MAJ Development

Michael A Jenkins, Owner, mikej@majdevelopment.com

January 23, 2026

- Mr. Jenkins has developed several projects in Ridgefield. Generally, he is pleased with his ability to navigate the substance of the city's critical area code and is pleased with the staff's administration of the review process.
- As a developer, Mr. Jenkins looks for ways to maximize the usability of the land he purchases. Critical area buffers diminish the amount of buildable land available so it is important that: (1) the rules are clear, and (2) there is flexibility built into the code. The consultants he hires are normally able to navigate the Ridgefield code successfully.
- Property sellers do not always understand how critical areas and buffers sometimes diminish the price of the land they hope to sell.
- The conversation included a discussion of Best Available Science and BAS requirements leading to agency recommendations regarding SPTH₂₀₀ and wetland buffers. Mr. Jenkins acknowledged the BAS mandate but said the code needs flexibility and room for compromise. He supports the idea of keeping some of the current riparian and wetland buffers if there are opportunities to enhance the buffers so that they support the functions and values of the more rigorous buffers.
- Mr. Jenkins would support adopting the County critical area code if the County code would facilitate more development.

--End--

Samantha Zimmer

Director of Land Acquisition and Development

Pacific Lifestyle Homes, SamanthaZ@buildplh.com

February 3, 2026

Ms. Zimer oversees three land development teams for the company and is familiar with local critical area codes in SW Washinton and Oregon. She finds most Washington critical area codes to be more restrictive and less flexible than Oregon codes. She said that, on the whole, the Ridgefield critical area system is clearer and better managed than some others.

The key issue regarding critical areas for her company, and she says for many developers, is that the code is clear, that it provides certainty, and that it provides for flexibility when there is a difference of opinion about whether an area qualifies as a critical area. She cited examples where a jurisdiction in SW Washington recently adopted new critical area regulations related to classification of ditches as fish bearing that are too restrictive and inflexible. She suggested that regulations need to have an avenue for appeal of a determination when qualified professionals disagree whether a land feature qualifies as a critical area.

Key subject matter takeaways form the conversation are:

- Rare Plant list. The rare plant list should be updated. For example, *carex densa* (Dense Sedge) is a plant native to SW Washington and Oregon that the State of Washington lists as a rare and sensitive plant. Yet the plant is sold commercially by many local nurseries.
- Third party review. If the private qualified biologist and an agency representative disagree about the character of a possible critical resource, the city should have mechanism for resolving the disagreement. The mechanism should clearly articulate a process to initiate third party review, a timeline for review (e.g., 4 weeks), and standards upon which the city can base a decision. Ms. Zimmer suggested that if the city instituted and managed a third party review process, the developer would likely be willing to fund the review and abide by the decision.
- SPTH₂₀₀. Ms. Zimmer believes that the city's proposed compromise regarding SPTH₂₀₀ is reasonable. That is, the city maintains the current riparian buffers AND adopts the SPTH₂₀₀ guidance. The current buffer width would be enforced, and not reducible, if

the developer agrees to enhance the lower buffer to a degree that matches the SPTH₂₀₀ functions and values.

- Wetland buffers. If the city increases the buffer width for lower classified wetland as recommended by Ecology, could the city create an enhancement scenario akin to the proposed riparian buffer compromise that would allow a lesser buffer width if the developer enhances that buffer?
- Avoidance first. State agencies recommend that local jurisdictions stress demonstrating avoidance prior to allowing mitigation. Ms. Zimmer suggested that any test for measuring whether avoidance is feasible should include a financial factor. The difficulty is in creating a metric that can measure feasibility. She suggested that she would give that question additional thought and send us suggestions if possible.
- On-site or local mitigation. Ms. Zimmer said she does not think that the development community opposes on-site mitigation in some form. A problem with on-site mitigation is that some sites are simply too small to accommodate on-site mitigation that actually works. If 'feasible,' a percentage of the mitigation could be based upon the total developable area of the site. In the alternative, the city could provide local open space or park areas where mitigation could occur. If the costs for on-site versus off-site mitigation are similar, she thought most developers would appreciate the opportunity to provide some mitigation within the city.
- Buffer reduction. Ecology is discouraging buffer reduction and buffer averaging on the same wetland. Ms. Zimmer said that in some cases both are necessary to make a project successful.
- Oregon white oak trees. Ms. Zimmer said that protecting Oregon white oak trees and incorporating them into a development in Ridgefield has not been too challenging.

-- End --

Critical Areas, RDC 18.280: Matrix of proposed amendments and reason for the change (Thematic)

March 24, 2026

Code Section	Proposed Amendment
Definitions	Several definitions are proposed. Some of the proposed definitions change the description of existing definitions. For example, several state agency representatives suggested that we more carefully define “qualified professional” and adopt agency language defining “Avoidance” and “CARA.” Some new definitions are the result of amending substantive code sections. For example, “Wellhead protection area” and “Enhancement” are concepts that take on more meaning in the proposed amendments.
18.100.110-A and 18.280.170 – New Definitions	<p data-bbox="558 565 1892 643"><u>New definition.</u> Avoidance. Avoidance means the act of refraining from committing an act such as refraining from adversely impacting critical areas.</p> <p data-bbox="558 683 1892 789"><u>New definition.</u> Enhancement means an increase or improvement in quality or extent of the functions and values of critical areas or their buffers. (See Ridgefield Comprehensive Plan, Policy EN-3, Restoration and enhancement. “Promote and facilitate ecosystem restoration and enhancement.”)</p> <p data-bbox="558 789 1892 902"><u>New Definition.</u> Wellhead protection area (WHPA)" means protective areas associated with public drinking water sources established by water systems and approved or assigned by the state department of health. WAC 365-190-030(23).</p>
18.280.030 – Applicability and exemptions	A.1. Link critical area terms to the Definition section.
18.280.030 – Exemptions	B.4.b. Minor syntax change.
18.280.050 – Submittal requirements	<p data-bbox="558 1024 1892 1068">A. Add reference to the definition of a ‘qualified professional.’</p> <p data-bbox="558 1068 1892 1102">B.1. Tie the need for a ‘Critical Area Report’ to the definitions for critical areas in 18.280.015.A.</p>
18.280.170 - Definitions	Qualified professional. Amends language regarding licensing and qualifications recommended by several state agencies.
Purposes and Procedures	Many of the changes proposed in this section are the result of conversations with agency representatives; the item is marked (AGENCY – identify the agency). There are a few changes that are the result of existing city practices or policies that, as a result of development review issues, we suggest should be corrected. These changes are marked (CITY) which are explained briefly. STAKEHOLDERS proposed some changes.
18.280.010 - Purposes	A. Clarify that Chapter 18.280 applies to land within the city limits, not the UGA. (AGENCY - Health)

	D. <u>New section</u> . The city strongly encourages avoiding adverse impacts to critical areas and their buffers. The degradation of potable groundwater quality is strictly prohibited. (AGENCY – Ecology and Health)
	E. <u>New section</u> . If the city permits impacts to critical areas the city may require mitigation to occur on the project site or on city-owned or controlled lands within the city limits. (CITY – this new purpose section supports the policy of encouraging some of the required mitigation to on site or within the city. It helps implement the Comprehensive Plan policy ENF-3 that encourages enhancement of critical areas.)
18.280.015 – Critical Areas	<u>New section</u> . Identify the five types of critical areas chapter 18.280 covers and tie the lit to the RCW and to the definition section of 18.280. (AGENCY – Health)
18.280.020 – General Provisions, No Net Loss	A. Identify critical areas no net loss applies to. No net loss of critical area function does not apply to wellhead protection areas because adverse impacts to potable drinking water are not acceptable. (AGENCY-Health)
18.280.020 – Relationship to other regulations	B. Clarify that when Chapter 18.280 and the city’s Shoreline Master Program (SMP) overlap, the SMP governs. Clarify that when regulations in chapter 18.280 are in conflict with other regulations in the RDC, the regulation which provides the greater protection of a critical area control. Insert Washington State Pollution Control Act. (AGENCY – Health)
18.280.020 – Regulatory flexibility	D. Delete the last two sentences which exempt domestic use site conditions from the critical area review process. The section is in conflict with state agency recommendations regarding Best Available Science (BAS) because it provided an exemption to BAS without a scientific basis. (CITY & AGENCY – Ecology pointed out that these sentences allow circumvention of BAS requirements. Also, the city experienced some issue wherein an applicant attempted to eliminate a required buffer to a wetland altogether.
18.280.030 – Exemptions	A.5 Increase area of buffer where harmful chemicals are prohibited from 25-feet to 50 feet. (AGENCY – Health suggested to better safeguard drinking water)
	B.6. Allow use of walk-behind motorized equipment for vegetation removal that does not cause ground compaction. (STAKEHOLDER – use of this type of equipment is an agency recognized standard. Requiring hand removal greatly increases time required to maintain a buffer.)
	B.7. Exempt application of pesticides, fungicides and herbicides beyond 50 feet of a critical area, other than a wellhead protection area, when applied by an applicator licensed in the State of Washington and subject to a city-issued permit. (AGENCY – Health suggested clarifying where such materials could safely be used, particularly if used according to the label instructions.)
	B.22 Adopt Ecology’s BAS recommendations for exempting wetlands 4,000 S.F. or smaller from critical area review. (AGENCY – Ecology’s new BAS recommendation for small wetlands. Change from 5,000 s.f. to 4,000 s.f.)

<p>18.280.040 – Approval Process</p>	<p>A.2.b. Add WA Department of Health to list of agencies to consult for scientific opinions. (AGENCY – Health request)</p>
	<p>A.5. Minor text change. (CITY)</p>
	<p>B.1.b. Clarify that application of pesticides within a wellhead one year time of travel zone may require a critical area permit. (Health and CITY – Health is concerned that chemicals can enter the groundwater supply too quickly. The city suggests using the 1-year time of travel as a metric.)</p>
	<p>F.1. Exclude wellhead one year time of travel zone from requiring a critical area marker. (Health – did not see the value in such signs as the zone of travel is not a regular polygon.)</p>
	<p>F.3. Allow community development director to modify standards for critical area and buffer markers. (CITY – provide the CD director with discretion to allow signage location based on characteristics of the buffer.)</p>
	<p>I. Eliminate requirement for a 5-foot building or structure setback from a wellhead one-year time of travel zone. (HEALTH – suggested that the 5-foot standard was not meaningful and could prohibit public works from constructing needed well and pump structures.</p>
	<p>J.1.b. Increase the required financial security from 110% to 125%. (AGENCY – multiple – suggested the higher value is a more widely used practice.</p>
<p>18.280.050 – Submittal requirements</p>	<p>B.6. A written response outlining how a project will avoid probable impacts to critical areas and buffers and will cause no net loss of critical area functions and values. (AGENCY – Ecology & WDFW – the agencies suggest that Avoidance is the first step best practice supporting BAS. Procedurally, staff at the pre-app stage would instruct the applicant to provide written and/or visual evidence of how they first tried to avoid impacts on critical areas. The city may require an internal alternatives analysis to determine if the avoidance criteria have been met. At the development review stage, an application that does propose to impact critical areas but which does not include an analysis of avoidance would be technically incomplete.</p> <p>B.7. If the written response demonstrates that avoidance is not feasible, the application must include a rationale for minimizing impacts that cannot be avoided.</p>
	<p>C. Other Reports. Clarify that a critical area report may be required for critical areas that are listed in 18.280. (AGENCY – Health – alert potential applicants what types of critical; area reports might be necessary.)</p>
	<p>D.2. Critical; area report review. Allow third party review of critical area report if the applicant and a reviewing agency disagree about the scope, nature, findings, and recommendations of a critical area. Applicant shall pay for third party review. The community development director is authorized to make findings resolving the disagreement. (STAKEHOLDER – This would establish a city-based mechanism to potentially resolve disputes between an applicant and a regulatory agency about critical area management. The Stakeholder believed that this would provide both flexibility regarding mitigation measures and certainty</p>

	<p><i>that there would be a final decision within a specific timeframe. Staff would set and administrative, rather than code based, cap on the cost of third party review.)</i></p> <p><i>E. Mitigation plans. Mitigation plans do not apply to wellhead protection areas because the city prohibits adverse impacts to public drinking water. (HEALTH – clarifies when mitigation plans are appropriate.)</i></p> <p><i>Title. Add “Avoid, minimize, compensate, no net loss.” (AGENCY – Ecology and Health – a housekeeping change that puts these actions under one heading.)</i></p>
18.280.060 – Approval criteria	<p><i>A.1 Avoidance. Prior to the city authorizing minimization of impacts or compensatory compensation, the applicant shall demonstrate that Avoidance is not feasible. (AGENCY – Ecology – Affirms the policy that an applicant must first consider Avoidance. To implement this policy, staff could develop a methodology that includes metrics to evaluate feasibility such as size of the project area, amount and type of impacts, cost to the applicant, and consistency with relevant Comprehensive Plan policies.)</i></p> <p><i>C. Compensatory mitigation does not apply to wellhead protection areas because wellhead area may not be adversely impacted. (AGENCY – Health – Continues the theme throughout the chapter that the city cannot approve a permit that degrades public drinking water sources.)</i></p> <p><i>C.1. Compensatory mitigation should occur within the city’s corporate limits and UGA when feasible. (CITY – this helps to implement the new policy purpose to improve the functions and values of critical areas within the city if possible.)</i></p> <p><i>C.2. Twenty five percent (25%) of compensatory mitigation shall occur on the project site, or, if it is not possible to achieve 25% compensatory mitigation on-site, then compensatory mitigation elsewhere within the city limits is preferred over off-site mitigation banks. (CITY – to implement the new policy that some mitigation should be a direct benefit to the city’s environment, an applicant would first have to consider whether 25% of the required mitigation could be achieved on-site.)</i></p> <p><i>C.3. The city shall authorize wetland or habitat mitigation bank credits only after the applicant has demonstrated that any form of compensatory mitigation is not feasible on-site or elsewhere within the city limits. (CITY - These approval criteria establish a process for evaluating the possibility of on-site mitigation, in-city mitigation, and offsite mitigation.)</i></p> <p><i>D. No net loss does not apply to impacts on public drinking water sources. Impacts on public drinking water sources are not permitted. (AGENCY – Health.)</i></p>
18.280.080 – Minor exceptions	<p><i>A. clarify that the process for reviewing a request for a minor exception is governed by RDC 18.350 – Adjustments. (CITY – clarifies which regulatory process the staff will use to evaluate a request to modify compliance with a standard – RDC 18.350 is the long-standing procedure process.</i></p>

	<p>B.6. The city may not grant a minor exception that would allow impacts to public drinking water. (AGENCY - Health – similar policy stated in a different subsection.)</p>
<p>18.280.090 – Reasonable use and public utility exceptions</p>	<p>B. Public utilities may not receive a minor exception that would allow adverse impacts to public drinking water. (AGENCY - Health – similar policy stated in a different subsection.)</p>
<p>18.280.110 – Fish and Wildlife habitat conservation areas</p>	<p>B. Fish and Wildlife Habitat Conservation Areas and Riparian Buffers. This section adopts the WDFW Site Specific Tree Height 200 (SPTH₂₀₀) recommendations as the base line for establishing riparian buffers which will result in wider buffers for non-fish bearing streams. As an alternative, the section allows an applicant to use the current buffer widths if they enhance the buffer to equal the anticipated functions and values of the SPTH₂₀₀ guidance. (AGENCY – WDFW and CITY – This section demonstrates the city’s willingness to adopt the new BAS recommendation regarding riparian buffers. It also acknowledges that the current BAS riparian buffers may be used IF the applicant enhances to functions and values of the buffers. WDFW staff did not object outright to the proposal.)</p> <p>Table 18.280.110-1 . Increase the minimum buffer width for Type Np and Ns – Perennial or seasonal streams with low mass wasting potential from 50 feet to 100 feet based on WDFW guidelines. New Table 18.280.110-1b establishes an alternative minimum buffer width based on current riparian buffer width. New Table. Table 18.280.110-3 provides examples of techniques that might be used to enhance an alternative buffer in addition to additional plants and materials. (AGENCY – WDFW and CITY – The changes to buffers widths to these smaller streams is based on recent agency BAS. Again, the City proposes a compromise measure that an applicant may use IF the applicant enhances the stream buffers.)</p> <p>D.2.e. Performance standards – buffer reduction. WDFW strongly disfavors using double buffer adjustments. As an alternative, this section provides: Buffer width reduction shall not be used in combination with buffer width averaging on the same buffer segment of a multi-segment riparian buffer but can be used in combination with the same wetland resource. For example, the lineal distance of a buffer segment, if eligible for buffer reduction, is not eligible for buffer averaging. Double reduction of a segment of a buffer is not allowed. However, one segment of a buffer may be reduced and a separate segment of a buffer may be averaged. (AGENCY – WDFW – The regulatory agency recommends adopting the updated BAS. The city offers a compromise that is based on its practice of allowing buffer adjustment in some circumstances but accepts that ‘double’ reductions are not allowed.)</p>

<p>18.280.130 – Geologic Hazards</p>	<p>A. Designation, Landslide hazards. (AGENCY – DNR – <i>The current ordinance does not adequately recognize that landslides are also geologic hazards.</i>)</p> <p>A.1.b. Identifies the Washington State Department of Natural Resources Geologic Information Portal as a technical resource. (AGENCY – DNR – <i>The subsection points the user to the WDNR’s very useful web mapping portal.</i>)</p> <p>B.1. Information requirements, Critical area report. The geotechnical report must be authored by a geologist licensed in the State of Washington and must also address public safety. (AGENCY – DNR – <i>Two separate points: (1) require that the qualified professional be licensed in Washington and (2) ensure that a geotechnical critical area report also considers public safety as a criterion for evaluating slope stability.</i>)</p> <p>C. Performance standards.</p> <p>C.1.a.v. Repeats need for a report authored by a qualified professional licensed in the State of Washington. (AGENCY – DNR – <i>that the qualified professional consultant be licensed in the State of Washington is a significant concern for WDNR staff.</i>)</p>
<p>18.280.140 – Critical aquifer recharge areas (CARAs)</p>	<p>Repeal and replace the section. (CITY and AGENCY -Health – <i>The two driving forces behind a repeal and re-write of the CARA section are: (1) Protect the city’s public drinking water sources and (2) clarify and streamline the CARA review process within the city. The new Section will:</i></p> <p><i>Designate the entire city limits as a CARA II [the least restrictive CARA] because the entire city limits are within the Troutdale Sole Source Aquifer; exempt many uses, residential use [not mixed use] from CARA review; establish CARA I protection around wellheads and one-year time of travel zones for groundwater movement; limits uses that could degrade public drinking water within the one-year zone; establish the requirements for a criteria for CARA critical area report. The last section updates reference to the WAC and RCW provisions relating to clean water.)</i></p>
<p>18.280.150 - Wetlands</p>	<p>A. Written evidence prepared by a qualified ecologist or biologist addressing the proposed buffer width reduction and demonstrating how the reduced buffer will enhance the functions and values of the adjacent wetland <u>to the level and intensity of the wider buffer</u>. (AGENCY and CITY – Ecology and City – <i>The agency provided guidance on the nature of a qualified professional and the city linked buffer reduction to the new enhancement policy.</i>)</p> <p>A.2. Reference change to identify the most current wetland rating guidance. (AGENCY – Ecology – <i>based on Ecology’s most recent BAS rating metrics.</i>)</p> <p>B. Reference change to identify the most current wetland rating guidance. (AGENCY – Ecology – <i>based on Ecology’s most recent BAS rating metrics.</i>)</p>

	<p>C. Performance standards.</p> <p>1. C.1.a.ii. Trails and wildlife viewing structures that have no impact on water quality and are located in the outer 25% of the wetland buffer may be permitted. Trails and walkways should be generally parallel to the perimeter of the wetland and located to avoid removal of significant mature trees. They should be limited to pervious surfaces and designed for pedestrian use only. (AGENCY – Ecology – <i>The agency, based on BAS, seeks to reduce uses allowed within wetland buffers and limit them to the outer 25% of the buffer. This might have an impact on the city’s trail plans. The Parks and Recreation Manager suggests that if the city amends RDC 18.280.150.C.1, it should also consider amending the Engineering Standards Vol. 3 to reference the new code, specifically in Chapter 2 - Trails. (https://ridgefieldwa.us/DocumentCenter/View/3061/2025-Engineering-Standards-Volume-3-PDF)</i>)</p>
	<p>C.2. Wetland buffers. The buffer widths in the table assume that the buffer is fully vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided. (AGENCY – Ecology – <i>Amends the section to conform to current Ecology guidance.</i>)</p>
	<p>C.2.a. Deletes reference to outdated Ecology publication (AGENCY – Ecology – <i>Minor reference change.</i>)</p>
	<p>Table 18.280.150-1: Land Use Intensities. Deletes outdated classification and adopts current Ecology land use classification matrix. (AGENCY – Ecology – <i>The result of the revised rating system elevates the classification of some types of uses. The table is more expansive and now provides more examples to refer to. This will be addressed on a case-by-case basis during development review.</i>)</p>
	<p>Table 18.280.150-2: Rating System. Adopts current Ecology habitat rating levels. (AGENCY – Ecology – <i>The result of the revised rating system might increase the habitat score for some wetlands which might increase when classification and buffer width. It will be resolved on a case-by-case basis during development review.</i>)</p>
	<p>Tables 18.280.150 – 4 and 5. Adopts current Ecology buffer width increases for Category II and III wetlands. (AGENCY – Ecology – <i>The Upgrade is based on current BAS recommendations. In the undeveloped areas of the Ridgefield Junction, most, though not all, wetlands are classified as Category III or IV. Because of the changes to the habitat rating system, the recommended buffers for Category III wetlands might increase. Consequently, the city proposes an alternative option that is based on a lower buffer width IF enhancement is provided.</i>)</p>

	C.2.b.ii(F). Adopts Ecology’s current definition of a functionally isolated wetland which differs from the city’s current definition. (AGENCY – Ecology – <i>Functionally isolated wetlands often occur when a portion of a wetland is cut off from the main body by a road, building or other impervious surface. The impact of this change is unknown. The applicant’s professional critical area report may raise this issue which the city staff and regulatory agencies will consider.</i>)
	C.2.b.iv. Buffer Reduction. Allows the community development director to reduce a wetland buffer by no more than 25% of the required width and prohibits using both buffer averaging and buffer reduction on the same buffer. (AGENCY – Ecology – <i>Limiting the reduction of a buffers to no more than 25% might reduce a project’s amount of buildable land.</i>)
	New section. C.4. Mitigation sequencing. Adopts Ecology’s mitigation sequencing matrix. (AGENCY – Ecology – <i>The city currently follows the Ecology mitigation sequencing. This amendment brings the issue to the forefront of the mitigation conversation. Avoidance is the lead mitigation measure which is consistent with the discussion of Avoidance in other sections of the chapter.</i>)
	C.6. Mitigation action. Authorize certain types of mitigation actions permissible after an applicant demonstrates that avoidance is not feasible. (AGENCY – Ecology – <i>The sequencing of mitigation actions after avoidance is not substantially different from current city practices. The questions of whether Avoidance is feasible will be based on the metrics recommended in 18.280.050.B.6, Submittal requirements.</i>)
	<ul style="list-style-type: none"> • New Table 18.280.150-7 Strategies for avoiding or reducing impacts to wetlands and buffers. • Table 18.280.150-8 Mitigation ratios. Adjusts mitigation ratios based on current Ecology guidelines. (AGENCY – Ecology – <i>Not considered a significant change.</i>)
No Changes	
	18.280.070 – Density transfer, 18.280.100 – Unauthorized critical areas alterations and enforcement, 18.280.120 – Frequently flooded areas and 18.280.160 – Appeal procedures

Agenda

Ridgefield City
Council

Critical Areas
Update

April 30, 2026

Critical Areas Work Session -
Proposed Amendments to
RDC 18.280



Central GMA Directions

- Designate and protect critical areas
- No net loss of ecosystem functions and values
- Best available science (BAS) foundation
- Support viable, connected populations over the long term
- Give special consideration to anadromous fisheries

Proposed Amendment - Basis

- Department of Commerce Critical Area Checklist
- Review of Best Available Science Literature
- Stakeholder Interviews & follow-up
- Review of Comprehensive Plan Policies
- Review of Ridgefield Shoreline Master Program
- Planning Commission Work Sessions and Public Hearing
- Consultation with City Staff: Planning, Engineering, Parks

Record to Date

- BAS Literature Review
- Commerce Checklist
- Stakeholder interviews
- Staff and Consultant's Memoranda
- Planning Commission Work Sessions (January and March)
- Draft – Proposed Amendments to RDC 18.280
- Planning Commission Public Hearing
- 4/14/26 sent draft Ord. and Amendments to Dept. of Commerce
- SEPA DNS sent April 20, 2026 – 21-day comment period

Comprehensive Plan Policies - 2016

CHAPTER 6, ENVIRONMENT - City

EN-1 Environmental protection - Protect, sustain, and provide for healthy and diverse ecosystems.

EN-3 Restoration and enhancement - Promote and facilitate ecosystem restoration and enhancement. (Emphasis added.)

EN-5 Habitat - Protect riparian areas, wetlands, and other fish and wildlife habitat. Link fish and wildlife habitat areas to form contiguous networks. Support sustainable fish and wildlife populations. (Emphasis added.)

*Note: Orange names: **City – Agency – Stakeholder** denotes genesis of recommendation.*

Comprehensive Plan Policies

Envision Ridgefield 2045

Goal 7.3 Protect and restore green spaces and habitat to be resilient to natural hazards and provide refuge for people and wildlife during extreme weather.

Policy 7.3.1 Implement actions identified in stream restoration and salmon recovery plans to improve the climate resilience of streams and watersheds, such as Gee Creek and Lake River, to the effects of extreme heat.

Policy 7.3.3 Identify opportunities to expand habitat protection and improve habitat quality and connectivity through invasive species management and enhancing the resilience of open spaces and habitat areas to natural hazards. (Emphasis added.)

Policy 7.3.4 Protect and restore wetlands, wetland corridors, and floodplains to provide biological and hydrological connectivity that fosters resilience to flood risk and extreme weather events. (Emphasis added.)

Proposed Changes to RDC 18.280

No Changes

- 18.280.070 – Density transfer,
- 18.280.100 - Unauthorized critical areas alterations and enforcement,
- 18.280.120 – Frequently flooded areas, and
- 18.280.160 – Appeal procedures

Substantive Changes

- 18.280.110 – Fish and Wildlife Areas (Avoidance, Buffer widths, Local mitigation)
- 18.280.140 – CARA (Repeal and replace)
- 18.280.150 – Wetland (Avoidance, Buffer widths, Local mitigation,)

Other Changes

- 18.280.130 – Geohazards and slopes
- 18.280.170 – 3rd party review

Major Themes

Avoidance. **Ecology** - An applicant must demonstrate how they attempted to avoid impacts to critical areas before they propose mitigation.

Buffers. **WDFW & Ecology** Adopt new BAS buffers but create an option for the property owner to use today's narrower buffer widths if they enhance the buffer.

Mitigation. **City & Stakeholder** - (1) Performing some of the required mitigation on site is a priority. If that is not feasible, (2) mitigate within the city, then (3) purchase balance of mitigation credits at an off-site mitigation bank.

3rd Party Review. **Stakeholder** - Create a mechanism for the city to resolve disputes between an owner/applicant and an agency's interpretation of the city code.

CARA. **Health & City** - Repeal and Replace Critical Area Aquifer Recharge Area section.

Avoidance

Ecology & WDFW - encourage avoidance prior to allowing mitigation

- 18.280.010, Purpose - New Section. D. The city strongly encourages avoiding adverse impacts to critical areas and their buffers. The degradation of potable groundwater quality is strictly prohibited.
- 18.280.030.B.22 - Exempts functionally isolated wetlands 4,000 S.F. or less from avoidance/mitigation requirements.
- 18.280.050 – Submittal requirements. D.6 & D.7– Address avoidance in application narrative
- 18.280.060.A & B, Approval criteria – Staff to evaluate feasibility of avoidance efforts
- 18.280.140.G.2.a.v, CARA – describe BMPs used to avoid impacts to CARA
- 18.280.150.C.a.ii, Wetlands – Avoid removing significant mature trees when constructing trails and wildlife viewing areas.
- 18.280.150.C.2.iv, Wetland buffer reduction – Describe why avoidance is not possible prior to reducing a buffer
- 18.280.150.C.2.iv.F, Strategies for avoiding impacts
- 18.280.150.C.3.a&b, Mitigation Sequence – Discuss feasibility of avoidance

Buffers

Agency Recommendation

- 18.280.010.D, Purpose – Avoiding impacts to buffers is a priority
- 18.280.020.A, General provisions – No net loss of buffer function and values
- 18.280.030.B.22, Exemptions – exempts functionally isolated buffers from review
- 18.280.040.F.3, Critical area markers and signs – Buffers may be marked or signed
- 18.280.060, Approval criteria – Add no-net loss of buffer function and values as review element
- 18.280.110.B.1&2, **WDFW** Fish and wildlife buffers – describes SPTH₂₀₀ buffer
- 18.280.110.D.2.c – e, **City** - Smaller riparian buffer as an alternative to SPTH₂₀₀
- 18.280.150.B.2, Wetland buffers – **Ecology** condition of buffer assumes fully vegetated
- 18.280.150.F.2.a.ii(F), Functionally isolated wetlands – May exclude functionally isolated wetland buffer from permitting
- 18.280.150.F.2.iv, **Ecology** - Buffer width reduction is disfavored, allow up to 25% of the width if avoidance is not feasible
- Table 18.280.150-7 – New table, Strategies for avoiding or reducing impacts to wetlands and buffers

Mitigation

- 18.280.010, Purpose – **City** - New Section - E. If the city permits impacts to critical areas the city may require mitigation to occur on the project site or on city-owned or controlled lands within the city limits.
- 18.280.030.B.22, Exemptions – **Ecology** - Exempts functionally isolated wetlands & buffers from mitigation standards
- 18.280.050,E, Submittal requirements – **Health** - Mitigation plans are not required for impacts to drinking water sources because impacts are not allowed
- 18.280.060.E & F, Approval criteria – Priority established: **City** - (1) 25% of required mitigation should occur on site, (2) then in city, (3) balance in mitigation bank credits
- 18.280.150.C.4, **Ecology's** Avoidance – then follow mitigation sequencing protocol
- Table 18.280.150-8 – **Ecology** new mitigation ratios
- 18.280.170.D,b & c, Definitions – **Ecology** - Qualified wetland professional must have experience preparing and implementing mitigation plans

3rd Party Review

18.280.050.D.2, Critical area reports, - New section, City –

When the community development director or designee determines that 3rd party independent review of one or more critical area reports is necessary to implement the purpose and requirements of this chapter, the city may hire a professional consultant, qualified in the subject matter at issue, whose fee shall be paid by the applicant, to review and comment on the applicant's critical area report. The community development director, after review of all reports, may thereafter adopt findings to resolve the dispute.

(The city would internally establish a cap on the maximum fee for the 3rd party consultant.)

CARA

18.280.140 - Repeal and replace the section. **Health & City**

The two driving forces behind a repeal and re-write of the CARA section are:

- (1) Protect the city's public drinking water sources, and
- (2) Clarify and streamline the CARA review process within the city.

The new section will:

- Designate the entire city limits as a CARA II [the least restrictive CARA] because the entire city limits are within the Troutdale Sole Source Aquifer;
- Exempt many uses, including residential use [not mixed use] from CARA review;
- Establish CARA I protection around wellheads and one-year time of travel zones for groundwater movement;
- Limit uses that could degrade public drinking water within the one-year zone;
- Establish the requirements for a criteria for CARA critical area report.
- The last section updates reference to the WAC and RCW provisions relating to clean water.

Lesser Changes

18.100.110 – Definitions – Agencies & City

- Avoidance means the act of refraining from committing an act such as refraining from adversely impacting critical areas.
- Enhancement means an increase or improvement in quality or extent of the functions and values of critical areas or their buffers.
- Wellhead protection area (WHPA) means protective areas associated with public drinking water sources established by water systems and approved or assigned by the state department of health. WAC 365-190-030(23).
- Changes to administrative sections relating to process, exemptions, definitions
- Impacts to drinking water are not allowed and cannot be mitigated
- Allow the use of hand operated mechanical tools to remove non-native plants from critical areas and buffers

Lesser Changes

18.280.170 – Definitions. **Agencies** Amends language regarding licensing and qualifications recommended by several state agencies

18.280.030 – Applicability and exemptions.

A.1. Link critical area terms to the Definition section.

18.280.030.4.b – Exemptions – Minor syntax change. (~~to~~on)

18.280.050 – Submittal requirements.

A. Add reference to the definition of a ‘qualified professional.’

B.1. Tie the need for a ‘Critical Area Report’ to the definitions for critical areas in 18.280.015.A.

Purposes & Procedures

18.280.010 – Purposes. **Health** -

A. Clarify that Chapter 18.280 applies to land within the city limits, not the UGA.

18.280.015 – Critical Areas – **Ecology & Health**

New section. Identify the five types of critical areas chapter 18.280 covers and tie to RCW and to the definition section of 18.280.

18.280.020 – General Provisions, No Net Loss.

A. Identify critical areas no net loss applies to. No net loss of critical area function does not apply to wellhead protection areas because adverse impacts to potable drinking water are not acceptable.

Proposed Amendments – Purposes & Procedures

18.280.020 – Relationship to other regulations

B. When 18.280 and the city's Shoreline Master Program (SMP) overlap, the SMP governs. When regulations in 18.280 conflict with other regulations in the RDC, the regulation which provides the greater protection of a critical area controls.

18.280.020 – Regulatory flexibility. **City and Ecology** - Delete the last two sentences which exempt domestic use site conditions from the critical area review process.

D. Regulatory Flexibility. *This chapter is to be administered with flexibility and attention to site-specific characteristics. This chapter is not intended to make a property in the city unusable by denying its owner reasonable economic use of the property or to prevent the provision of public facilities and services necessary to support existing or planned development.* ~~When property that is identified as being within a critical area or the proposed buffers has been used by the property owner for domestic uses such as lawns, buildings and similar uses other than being left in its natural state that land shall not be considered as critical as intended by this code. These areas shall also be exempt from the critical area permitting process.~~

Exemptions

18.280.030 – Exemptions

A.5 Increase area of buffer where harmful chemicals are prohibited from 25-feet to 50 feet. **Health**

B.6. Allow use of walk-behind motorized equipment for vegetation removal that does not cause ground compaction. **Stakeholder**

B.7. Exempt application of pesticides, fungicides and herbicides beyond 50 feet of a critical area, other than a wellhead protection area, when applied by an applicator licensed in the State of Washington and subject to a city-issued permit. **Health**

Approval Process

18.280.040 – Approval Process

A.2.b. Add WA Department of **Health** to list of agencies to consult for scientific opinions.

A.5. Minor text change. “... a permit is required, and...”

B.1.b. Clarify that application of pesticides within a wellhead one year time of travel zone may require a critical area permit. **Health**

F.1. Exclude wellhead one year time of travel zone from requiring a critical area marker.

F.3. Allow community development director to modify standards for critical area and buffer markers.

I. Eliminate requirement for a 5-foot building or structure setback from a wellhead one-year time of travel zone.

J.1.b. Increase the required financial security from 110% to 125%.

Permit Submittals

Title. Add “Avoid, minimize, compensate, no net loss.”

18.280.050 – Submittal requirements

B.6. Require a written response re how a project will avoid impacts to critical areas and buffers and will cause no net loss of critical area functions and values. (*Ecology & WDFW suggest that Avoidance is the first best practice step.*) At the pre-app stage staff would advise the applicant to provide evidence of how they first tried to avoid impacts on critical areas. The city may require an internal alternatives analysis to determine if the avoidance criteria have been met. At the development review stage, an application that does proposes to impact critical areas but which does not include an analysis of avoidance would be technically incomplete.

B.7. If the written response demonstrates that avoidance is not feasible, the application must include a rationale for minimizing impacts that cannot be avoided. **Agencies**

C. Other Reports. Clarify that a critical area report may be required for critical areas that are listed in 18.280.

Procedures

18.280.080 – Minor exceptions

- A. Clarify that the process for reviewing a request for a minor exception is governed by RDC 18.350 – Adjustments.
- B. B.6. The city may not grant a minor exception that would allow impacts to public drinking water. **Health**
- C. 18.280.090 – Reasonable use and public utility exceptions
- D. Public utilities may not receive a minor exception that would allow adverse impacts to public drinking water.

18.280.050.D.2. - Critical area report review. **Stakeholder** - Allow 3rd party review of a critical area report if the applicant and a reviewing agency disagree about the scope, nature, findings, and recommendations of a critical area. Applicant shall pay for 3rd party review. The community development director is authorized to make findings resolving the disagreement.

Geologic Hazards

18.280.130 WDNR

A. Designation, Landslide hazards. (Add word 'Landslides')

B.1. Information requirements, Critical area report. The geotechnical report must be authored by a geologist licensed in the State of Washington and must also address public safety.

C. Performance standards.

DC.1.a.v. Repeats need for a report authored by a qualified professional licensed in the State of Washington.

Proposed Amendments - Procedures

18.280.060 – Approval criteria - Agencies

A.1 Avoidance. Prior to the city authorizing minimization of impacts the applicant shall demonstrate that Avoidance is not feasible.

C. Compensatory mitigation does not apply to wellhead protection areas.

C.1. Compensatory mitigation should occur within the city's corporate limits and UGA when feasible.

C.2. 25% of compensatory mitigation should occur on the project site - if not possible , then mitigation should occur within the city limits.

C.3. The city will authorize wetland or habitat mitigation bank credits only after the applicant has demonstrated that mitigation is not feasible on-site or elsewhere within the city limits.

D. No net loss does not apply to impacts on public drinking water sources. Impacts on public drinking water sources are not permitted.

Fish and Wildlife Habitat Conservation Areas

18.280.110 Fish and Wildlife Habitat Conservation Areas and Riparian Buffers

B. **City** - Adopt the WDFW Site Potential Tree Height 200 (SPTH₂₀₀) as the base line for establishing riparian buffers - resulting in wider buffers for non-fish bearing streams.

- Table 18.280.110-1. Increase the minimum buffer widths based on **WDFW guidelines**.
- **Compromise**, an applicant may use the current buffer widths **IF** they enhance the buffer to equal the anticipated functions and values of the SPTH₂₀₀ guidance. See New Table 18.280.110-1b
- New Table. Table 18.280.110-3 provides examples of techniques that might be used to enhance buffer.

D.2.e. Performance standards – buffer reduction. **WDFW strongly disfavors** using double buffer width adjustments. **Compromise** - buffer reduction may not be used in with buffer averaging on the same buffer segment but can be used in combination with the same stream. One segment of a buffer may be reduced and a separate segment of a buffer may be averaged.

Wetlands

Ecology

- A. Written evidence, prepared by a qualified ecologist or biologist, must demonstrate how the reduced buffer will enhance the functions and values of the adjacent wetland to the level and intensity of the wider buffer.
- A.2. Reference change to identify the most current wetland rating guidance.
- B. Reference change to identify the most current wetland rating guidance.
- C. Performance standards.
 - C.1.a.ii. Trails and wildlife viewing structures that have no impact on water quality and are located in the outer 25% of the wetland buffer may be permitted. Trails and walkways should be generally parallel to the perimeter of the wetland and located to avoid removal of significant mature trees. They should be limited to pervious surfaces and designed for pedestrian use only.

Wetlands

Ecology

C.2. Wetland buffers. The buffer widths in the table assume that the buffer is fully vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

C.2.a. Deletes reference to outdated Ecology publication

Table 18.280.150-1: Land Use Intensities. Deletes outdated classification and adopts current Ecology land use classification matrix.

Table 18.280.150-2: Rating System. Adopts current Ecology habitat rating levels.

Tables 18.280.150 – 4 and 5. Adopts current Ecology buffer width increases for Category II and III wetlands.

Wetlands

Ecology

C.2.b.ii(F). Adopts Ecology's current definition of a functionally isolated wetland which differs from the city's current definition.

C.2.b.iv. Buffer Reduction. Allows the community development director to reduce a wetland buffer by no more than 25% of the required width and prohibits using both buffer averaging and buffer reduction on the same buffer segment.

New section. C.4. Mitigation sequencing. Adopts Ecology's mitigation sequencing matrix.

C.6. Mitigation action. Authorize certain types of mitigation actions permissible after an applicant demonstrates that avoidance is not feasible.

New Table 18.280.150-7 Strategies for avoiding or reducing impacts to wetlands and buffers.

Amend Table 18.280.150-8 Mitigation ratios. Adjusts mitigation ratios based on current Ecology guidelines.

Next Steps

- April 14 – Sent Draft Amendment package to the Department of Commerce for the 60-day Review
- April 20 through May 11 - SEPA Non-Project Action public comment period
- April 30 – City Council Work Session
- May – City Council 1st Reading
- June 13 – 60-day comment period ends
- June 25 – City Council 2nd reading and Adoption
- June 30, 2026 – Send final report and ordinance to the Department of Commerce

Q & A