CASTLE ROCK PLANNING COMMISSION

Regular Meeting: Tuesday, January 20, 2026
6:00 PM

Location
Castle Rock Senior Center
222 Second Ave SW
Castle Rock, WA 98611

AGENDA

To join this meeting from your computer, tablet or smartphone: https://meet.goto.com/216918261
To join this meeting using your phone: +1 (224) 501-3412 **Access Code:** 216-918-261 (Press *6 to speak)
New to GoToMeeting? Get the app now and be ready: https://global.gotomeeting.com/install/216918261

1. CALL TO ORDER

a. Roll Call

2. CITIZEN COMMENTS

3. REPORTS

4. CONSENT AGENDA

a. Approval of Minutes — October 21, 2025 Planning Commission Regular Meeting & Continued Public Hearings

5. OLD BUSINESS

a. Critical Areas Ordinance (CAO) - Key Changes Discussion

6. NEW BUSINESS

7. ADJOURNMENT

UPCOMING MEETINGS:
February 17, 2026
March 17, 2026
April 21, 2026

Non-Discrimination Statement: This institution is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at https://www.ascr.usda.gov/sites/default/files/Complain_combined_6_8_12_508_0.pdf or at any USDA office, or call 866.632.9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to USDA, Office of the Assistant Secretary for Civil Rights, 1400 Independence Ave, SW, Stop 9410, Washington, DC 20250-9410 or email to program.intake@usda.gov or by fax (202) 690-7442.

Title VI: The City of Castle Rock ensures compliance with Title VI of the Civil Rights Act of 1964 and American Disabilities Act of 1990 by prohibiting discrimination against any person on the basis of race, color, national origin, sex or disabilities in the provision of benefits and services from its federal assisted programs and activities. If you need special accommodations to participate in this meeting, please contact Karlene Akesson at 360.274.8181 by 9:00 a.m. three days prior to the meeting.

Planning Commission may add and take action on other items not listed on this Agenda.

CASTLE ROCK Planning Commission **Planning Commission Regular Meeting & Continued Public Hearings**
October 21, 2025

1. CALL TO ORDER

Commissioner Matt Rasmussen called the regular meeting to order at 6:00 PM.

a. Roll Call

Members present: Commissioners Matt Rasmussen, Richard Skreen, Ryane Olin, David VanCamp, Robert Frazier, Boyd Owen, and Frank Lovejoy
Staff present: Contracted Planner Rachel Granrath, Secretary Karlene Akesson

2. INTRODUCTIONS

a. Commissioner Boyd Owen

Newly appointed Commissioner Boyd Owen introduced himself.

b. Commissioner Frank Lovejoy

Newly appointed Commissioner Frank Lovejoy introduced himself.

3. NEW BUSINESS

a. Nominate and Elect a Planning Commissioner Chairperson

Commissioner Richard Skreen nominated Commissioner Matt Rasmussen for the Chairperson position. Commissioner Ryane Olin seconded the motion. There were no other nominees or volunteers for the Chairperson position.
The Commissioners voted to elect Matt Rasmussen as Chairperson. Motion carried by roll call vote. Commissioners Richard Skreen, Ryane Olin, David VanCamp, Robert Frazier, Boyd Owen, and Frank Lovejoy voted 'Aye'. Commissioner Rasmussen abstained from voting.

b. Nominate and Elect a Planning Commission Vice Chairperson

Commissioner Richard Skreen nominated Commissioner Ryane Olin for the Vice Chairperson position. Commissioner Frank Lovejoy seconded the motion. There were no other nominees or volunteers for the Vice Chairperson position.
The Commissioners voted to elect Ryane Olin as Vice Chairperson. Motion carried by roll call vote. Commissioners Richard Skreen, David VanCamp, Roert Frazier, Boyd Owen, and Frank Lovejoy voted Aye. Commissioner Ryane Olin abstained from voting.

4. CITIZEN COMMENTS

There were no comments.

5. REPORTS

Planner Rachel Granrath gave a verbal report.
Commissioner Matt Rasmussen closed the Planning Commission Regular Meeting at 6:06 PM.

6. CONTINUED PUBLIC HEARING - ZONING TEXT AMENDMENT MOBILE FOOD VENDOR CODE

Commissioner Matt Rasmussen reopened the Continued Public Hearing for the Zoning Text Amendment Mobile Food Vendor Code at 6:07 PM.

a.
Open the Public Hearing for the Mobile Food Vendor Code
Statement of Topic
Staff Presentation
Public Testimony
Planning Commission Questions & Discussion
Close the Public Hearing
Open the Regular Meeting
Decision or Recommendation

Commissioner Matt Rasmussen stated the topic.
Planner Rachel Granrath presented.
Commissioner Matt Rasmussen opened the floor to public testimony. No testimony was given.
The Planning Commissioners asked questions & discussed the ordinance.

Commissioner Matt Rasmussen closed the Public Hearing for the Zoning Text Amendment Mobile Food Venor Code at 6:12 pm.

Commissioner Matt Rasmussen reopened the Planning Commission Regular Meeting at 6:13 PM.

Commissioner Ryane Olin motioned, seconded by David VanCamp, to recommend City Council approve the Zoning Text Amendment Mobile Food Vendor Code as written. Motion carried by roll call vote. Commissioners Matt Rasmussen, Ryane Olin, Richard Skreen, David VanCamp, Robert Frazier, Boyd Owen, and Frank Lovejoy voted 'Aye'.

Commissioner Matt Rasmussen closed the Planning Commission Regular Meeting at 6:15 PM.

7. CONTINUED PUBLIC HEARING - CITYWIDE REZONE AND COMPREHENSIVE PLAN MAP AMENDMENT

Commissioner Matt Rasmussen reopened the Continued Public Hearing for the Citywide Rezone & Comprehensive Plan Map Amendment at 6:15 PM.

a.
Open the Public Hearing for the Citywide Zoning Map and Comprehnsive Plan Map Amendments
Statement of Topic
Staff Presentation
Public Testimony
Planning Commission Questions & Discussion
Close the Public Hearing
Open the Regular Meeting
Decision or Recommendation

Commissioner Matt Rasmussen stated the topic.
Planner Rachel Granrath presented.
Commissioner Matt Rasmussen opened the floor to public testimony. No testimony was given.
The Planning Commissioners asked questions & discussed the ordinance.

Commissioner Matt Rasmussen closed the Public Hearing for the Citywide Rezone and Comprehensive Plan Map Amendment at 6:28 pm.

Commissioner Matt Rasmussen reopened the Planning Commission Regular Meeting at 6:28 pm.

Commissioner Richard Skreen motioned, seconded by Commissioner Frank Lovejoy to recommend City Council approve the Citywide Rezone and Comprehensive Plan Map Amendment as submitted. Motion carried by roll call vote. Commissioners Matt Rasmussen, Richard Skreen, David VanCamp, Robert Frazier, Boyd Owen, and Frank Lovejoy voted 'Aye'. Commissioner Ryane Olin abstained.

8. CONSENT AGENDA

a. Approval of Minutes — June 17, 2025 Planning Commission Regular Meeting and Public Hearings, July 29, 2025 Planning Commission Special Meeting and Public Hearings, September 16, 2025 Planning Commission Regular Meeting and Public Hearings

Commissioner David VanCamp motioned, seconded by Commissioner Ryane Olin, to approve the June 17, 2025; July 29, 2025; and September 16, 2025, Planning Commission Meeting Minutes as presented. Motion carried by roll call vote. Commissioners Matt Rasmussen, Ryane Olin, Richard Skreen, David VanCamp, Robert Frazier, Boyd Owen, and Frank Lovejoy voted 'Aye'.

9. OLD BUSINESS

10. ADJOURNMENT

Commissioner Richard Skreen motioned, seconded by Commissioner David VanCamp, to adjourn the regular meeting. All were in favor.
There being no further business, Commissioner Matt Rasmussen adjourned the regular meeting at 6:32 PM.

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Karlene Akesson, Secretary

Kimley»Horn

MEMORANDUM

To: City of Castle Rock, Planning Commission

From: Rachel Granrath, Contract Planner
Kimley-Horn and Associates, Inc.

Date: January 20, 2026

Subject: Critical Areas Ordinance (CAO) – Key Changes Discussion

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OVERVIEW

The City of Castle Rock is required to update its Critical Areas Ordinance (CAO) in accordance with the Growth Management Act (GMA). This update must be adopted no later than June 2025 to remain compliant with state regulations.

Kimley-Horn is leading the organization and drafting of the updated ordinance. A key component of this effort is ensuring compliance with Best Available Science (BAS). To support this work, this effort includes assistance and assessment from Ecological Land Services (ELS), a team of local planners and biologists with extensive experience updating Critical Areas Ordinances based on local conditions and current BAS, including their most recent update for the City of Toledo. As part of this update, ELS has provided initial recommendations for wetland and riparian buffer standards, which are detailed in Exhibit A, attached to this memo.

The intent of the January Planning Commission discussion is to review the most significant proposed changes to Castle Rock's existing code and to provide direction on the update. While changes to buffer standards will impact properties containing critical areas, the City must determine whether to adopt the recommendations from state agencies, such as the Washington Department of Fish and Wildlife (WDFW), or to deviate from them. The State has indicated that the buffer standards outlined in the ELS memo represent Best Available Science. If a jurisdiction deviates from these standards, there is a potential risk that the CAO could be challenged, either on a site-specific application or citywide.

With this context in mind, the Planning Commission is asked to review the attached materials in advance of the meeting and be prepared to provide input on the following topics.

PLANNING COMMISSION DISCUSSION ITEMS

- Wetland Buffers – Simplified buffer standards as presented in the ELS memo
- Riparian Buffers (WDFW 2024 Best Available Science) – Increased buffer standards compared to current Castle Rock requirements
- Any other items from Planning Commission members

EXHIBITS

- **Exhibit A**: Castle Rock CAO Update: ELS Recommendations for Wetland and Riparian Buffers
- **Exhibit B**: Full Riparian Tables
- **Exhibit C:** 12.10.25_GBCAOCompTable
- **Exhibit D:** Analysis of Buffer Changes_12.11.25
- **Exhibit E:** CAO Buffer Comparisons

Exhibit A

Castle Rock CAO Updates:

ELS Recommendations for Wetland and Riparian Buffers

Ecological Land Services

January 15, 2026

Kimley-Horn
Attention: Rachel Granrath
601 W 1st Avenue, Suite 1400
Spokane, WA 99201

Re: City of Castle Rock CAO Update | Recommendations for Wetland and Riparian Buffers

Ms. Granrath:

Ecological Land Services, Inc. (ELS) is preparing this memorandum to outline the recommended changes for wetland and riparian buffers during the City of Castle Rock Critical Areas Ordinance (CAO) Update process. Recommendations prepared by ELS are consistent with Best Available Science (BAS) and are based off a review of the *City of Castle Rock Critical Areas Ordinance Manual – Standard Specifications & Drawings (Draft Date August 11, 2021)*(Castle Rock Standards Document). Please note, this memorandum is only highlighting the most significant changes associated with the recommended updates to Castle Rock CAO. A more complete discussion and review of recommended changes to the current Castle Rock CAO can be found in the documents listed below:

- *12.10.25_GBCAOCompTable,*
- *Analysis of Buffer Changes_12.11.25, and*
- *CAO Buffer Comparisons*

WETLAND BUFFERS

The wetland buffer widths outlined in ELS Table 1 from the Castle Rock Standards Document are generally consistent with BAS (Attachments). Overall, changes to wetland buffer widths should not be required, however, the simplification of the tables detailing standard wetland buffers is recommended. A copy of these tables are included as ELS Table 2 in the Attachments to this memo for ease of reference.

In addition to the adoption of more simplified wetland buffer tables, updating wetland buffer reduction and averaging language similar to what is shown in the Toledo CAO is also recommended. These updates will allow Castle Rock to utilize the alternative methods listed below that were not included in the Castle Rock Standards Document, to further reduce overall wetland buffer widths:

- Functional isolation of wetland buffers when existing impervious surfaces or vertical separation (i.e. steep slopes, retaining walls, etc.) are present allows the buffer to terminate at their boundary.
- Reducing the land use intensity associated with the impact (i.e. reduction from high intensity to moderate intensity, etc.), which would result in a smaller buffer.

There are also some additional restrictions that will need to be implemented which are based on Ecology's more recent guidance (ELS Table 2), which were not in place when the Castle Rock Standards Document was originally drafted. These include the following:

- Wetland buffer averaging cannot be combined with wetland buffer reduction on the same wetland.
- Wetland buffer reduction will require the development of a relatively undisturbed habitat corridor.

The restrictive measure listed above for habitat corridors, which are required to reduce land use intensity impacts, would make the use of wetland buffer averaging preferable to buffer reduction for the City in most cases.

RIPARIAN BUFFERS

Currently, Washington Department of Fish and Wildlife's (WDFW) 2024 BAS document strongly recommends Site Potential Tree Height (SPTH) methodology for determining riparian buffers. Because the Castle Rock Standards Document was written prior to WDFW's adoption of SPTH, it did not reflect the riparian buffers, averaging, and buffer reduction methods currently recommended by WDFW. ELS Table 3, in the attachments to this memo, outlines the buffers, averaging, and reductions allowed by both the Castle Rock Standards Document and by SPTH.

Overall, the use of SPTH will likely result in larger riparian buffers than those outlined in the current Castle Rock Standards Document even when the maximum extent of buffer averaging, and/or reduction are applied. However, we have developed similar language for the use of functional isolation (mentioned above under Wetlands) for riparian buffer areas, which was not available in the Castle Rock Standards document. This functional isolation method provides another way to reduce riparian buffer widths which allows for greater modification ability than buffer averaging and reduction alone. Functional isolation of riparian buffers can also be paired with buffer averaging or reduction methods for a combined reduction. Even though SPTH buffers are likely to result in larger buffers than Castle Rock Standards Document, ELS recommends that Castle Rock adopt the use of SPTH to avoid the risks of being non-compliant with BAS. A detailed discussion of the risks associated with deviating from BAS is outlined in the letter, *Adoption of Best Available Science (BAS) in Critical Areas Ordinance Updates (ELS December 8, 2025.*
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ELS biologists can be available on an as-needed basis to participate in more detailed discussions regarding the recommended changes to Castle Rock CAOs and compliance with BAS.

Sincerely,

Gabby Bender
Biologist IV

Karey Naglich
Professional Biologist

ATTACHMENTS

Wetland Buffer Tables from the current Castle Rock Standards Document (ELS Table 1)

Table 3: Buffers Required to Protect Water Quality Functions

Wetland Rating	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I	50 ft.	75 ft.	100 ft.
Category II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

Buffer widths in Table 3 apply to all Category IV wetlands regardless of habitat score and all other wetlands with habitat scores of three to four points on the rating form. *Source: Cowlitz County Code Section 19.15.120 Wetlands*

Table 4: Buffers Required to Protect Habitat Functions

Page 11 of 44

DRAFT DATE: Wednesday, August 11, 2021

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I Bogs			
Not Applicable	125 ft.	190 ft.	250 ft.
Category I or II Wetlands			
5 points	60 ft.	90 ft.	120 ft.
6 points	90 ft.	130 ft.	180 ft.
7 points	130 ft.	195 ft.	260 ft.
8-9 points	150 ft.	225 ft.	300 ft.
Category III Wetlands			
5 points	60 ft.	90 ft.	120 ft.
6 points or greater	75 ft.	110 ft.	150 ft.

Source: Cowlitz County Code Section 19.15.120 Wetlands

Wetland Buffer Tables from Recently Adopted Toledo CAO (ELS Table 2)

Table 2. Buffers Required to Protect Habitat Functions in Category I, II, and III Wetlands

	Land Use Intensity		
Habitat Score in the Rating Form	**Low**	**Moderate**	**High**
8 or 9 points	150 ft.	225 ft.	300 ft.[1]
Wetland of high conservation value with a habitat score of 7 points or less	125 ft.	190 ft.	250 ft.
6 or 7 points	75 ft.	110 ft.	150 ft.
5 points or less	See Table 3	See Table 3	See Table 3

Table 3. Buffers Required to Protect Water Quality Functions

	Land Use Intensity		
Wetland Rating	**Low**	**Moderate**	**High**
Category I or II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

Standard Riparian Buffers, Averaging, and Reduction Allowed Comparison (SPTH Site Class II examples only) (ELS Table 3)

Stream type	Standard buffers allowed by Castle Rock Standards Document	Standard buffers allowed by SPTH (Site Class II only)	SPTH Buffer reduction allowed	Buffer reduction allowed Castle Rock Standards Document	SPTH Buffer averaging allowed	Buffer averaging allowed Castle Rock Standards Document
F	150-100	235	176	50-75	--[1]	65-98
N	50	155	116	35	78	33
Ns	50	100	50	35	50	33

[1] Buffer averaging cannot extend beyond the width 235 feet unless warranted by soil type

Exhibit B

Full Riparian Tables

Standard Riparian Buffers, Averaging, and Reduction Allowed by the Castle Rock Standards Document

Stream Type	Standard RHA Width (feet)	Buffer Averaging Allowed under Castle Rock Standards Document[1] (feet)	Buffer Reduction Allowed under Castle Rock Standards Document[2] (feet)
Type S Water	See SMP	--	--
Type F Water, channel width greater than 20 feet	150	97.5	75
Type F water, channel width less than or equal to 20 feet	100	65	50
Type Np Water	50	32.5	35
Type Np Water	50	32.5	35

Standard Riparian Buffers, Averaging, and Reduction Allowed using SPTH and BAS Supported Modification Mechanisms

Site Class	Type F Waters (feet)	Buffer Averaging[3] Allowances Under SPTH (Type F/feet)	Buffer Reduction Allowances Under SPTH (Type F/feet)	Type Np Waters	Buffer Averaging Allowances Under SPTH (Type Np/feet)	Buffer Reduction Allowances Under SPTH (Type Np/feet)	Type Ns Waters	Buffer Averaging Allowances Under SPTH (Type Ns/feet)	Buffer Reduction Allowances Under SPTH (Type Ns/feet)
II	235	--[4]	176.25	155	77.5	116.25	100	50	50
III	205	175[5]	153.75	135	67.5	101.25	100	50	50
IV	165	95[6]	123.75	105	52.5	78.75	100	50	50
V	150	75	112.5	100	50	75.00	100	50	50

[1] At no point along the shoreline may the buffer be reduced by more than 35% of the standard buffer applicable for the designation

[2] The Buffer Shall not be reduced to less than 50 percent of the standard buffers. A 35 foot buffer cannot be decreased. Note: It appears as though a habitat enhancement plan may be required to allow buffer reduction, possible missing information from Castle Rock Standards Document.

[3] All averaged buffers must have the same area or greater area as contained within the standard buffer width

[4] Buffer averaging cannot extend beyond the width of 235 feet unless warranted by soil type

[5] At it's narrowest point averaged in buffers can not be averaged to less than 175 feet because averaged out locations cannot extend beyond the width of 235 feet unless warranted by soil type

[6] At it's narrowest point averaged in buffers can not be averaged to less than 95 feet because averaged out locations cannot extend beyond the width of 235 feet unless warranted by soil type

Exhibit C

12.10.25 GBCAO

Comp Table

Review of the *City of Castle Rock Critical Areas Ordinance Manual*			
Topic[1]	Analysis/Notes[2]	ELS Recommendations	Refence in Toledo CAO[3]
Page 5, Wetlands, Guidelines for Preparing Wetlands Report	This section outlines the guidelines for preparing wetland assessment reports.	ELS recommends updating this section to be more consistent with the portions of the Toledo CAO which outline the requirements for wetland assessment reports	SECTION 22 – WETLAND ASSESSMENT, CHAPTER 22.01 WETLAND ASSESSMENT
Page 7 of 44, Standards for Classifying and Protecting Wetlands (B).	This section identifies the Ecology publication *Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Version 1)* as best available science to be followed in the establishment of buffers to protect wetland functions and values.	ELS recommends updating this section of code to identify the updated version of this guidance which is Ecology Publication #21-06-003 titled *Wetland Mitigation in Washington State Part 1: Agency Polices and Guidance (Version 2)*	N/A
Page 8 of 44, Standards for Classifying and Protecting Wetlands(C), Wetland Buffer Modification	Section (C)(1)-(2) identifies the conditions which allow wetland buffer averaging to be permitting	ELS recommends adding to either section (C)(1) or section (C)(2) that buffer averaging cannot be paired with buffer reduction methodology (i.e. land use intensity reduction) on the same wetland. This recommendation shall ensure consistency with best available science.	20.11 – BUFFER WIDTH AVERAGING (1)(c)
Page 9-10, Standards for Classifying and Protecting Wetlands (I)	This section appears to outline the requirements for reducing the width of wetland buffers up to 25%. See subsections 1-3.	ELS recommends updating this section. Best available science as established by the Washington State Department of Ecology continues to allow wetland buffer modifications and reduction of up to 25% of	20.10 – BUFFER WIDTH REDUCTION (1)-(4)

[1] Topic will reference the section, numerical or lettering based identifier, and page number of the topic of review.
[2] Analysis/notes will provide more detail in why the topic is being addressed.
[3] If there is an applicable reference in the newly adopted Toledo CAO that can be looked at as an example ELS will provide a code reference/citation which can be referred to.

		the standard buffer width but new BAS standards require compliance with a more comprehensive list of measures to reduce impacts from land use and the development of corridors. ELS also recommends adding options to reduce wetland buffers by reducing the proposed land use intensity.	
Page 10, Standards for Classifying and Protecting Wetlands, Table 1: Land use level of impact	Land use intensity table	ELS recommends minor updates to the table to ensure consistency with best available science.	20.08 – LAND USE INTENSITY AND DETERMINATION OF BUFFER WIDTH, *Table 1. Land Use Intensity Table*
Page 11, Standards for Classifying and Protecting Wetlands, Table 1: Cowlitz County Mitigation Ratios	Mitigation Ratio Table	Recommendation #1: ELS recommends re-numbering this table as Table 2, there appears to be a typo with two Table 1's included in the Castle Rock Standard document.	N/A
		Recommendation #2: While the ratios in this table look good ELS recommends adding ratios for preservation. Suggest also removing Category I bog mitigation ratios from this table as this is not a common special condition encountered in wetlands.	20.12 – COMPENSATORY MITIGATION, *Table 5. Permittee Responsible Mitigation Ratios*
Page 12, Standards for Classifying and Protecting Wetlands, Table 4: Buffers Required	Wetland Buffer Establishment Table to protect habitat functions	Recommendation #1: Remove all rows which identify a habitat score of 5 points. A habitat score of 5 points would warrant use of Table 3 rather than Table 4.	20.12 – COMPENSATORY MITIGATION, *Table 2. Buffers Required to Protect Habitat Functions in Category I, II, and III Wetlands.*
		Recommendation #2: Remove the rows for Category I Bog as this is not a common special condition found in wetlands.	

to Protect Habitat Functions		Recommendation #3: Remove references to all wetland categories from the table, at this stage in determining the appropriate buffer width the habitat score and the land use intensity define the buffer width rather than the category. See how the Toledo CAO formats this table.	
Pages 12-13, Standard for Classifying and Protecting Wetlands, Table 5: Required Measures to Minimize Impacts to Wetlands	Table identifying measures to reduce land use intensity impacts to wetlands.	ELS recommends comparing this table to what is included in Toledo code (see reference/citation in next column) and updating accordingly. This table should be included in the code sections which address wetland buffer reduction and land use intensity reduction.	20.11 – BUFFER WIDTH REDUCTION*, Table 4. Measures to Reduce Impacts from Land Use*
Page 13, Standards for Classifying and Protecting Wetlands (B)(1)	This section states that proposed development activities with adverse impacts on wetlands may be required to provide compensatory mitigation, and (1) details the source of permittee responsible mitigation ratios	Recommendation #1: ELS recommends removing the language outlined in (B) which states that proposed development activities that may have an adverse impact on wetlands may be required to provide compensatory mitigation. ELS also recommends removing the subsequent paragraph which describes how replacement ratios are determined. For replacement ratios unless a mitigation bank or in-lieu fee program is being used the permittee responsible mitigation table should be referenced.	20.10 – COMPENSATORY MITIGATION (1)-(7)

		Recommendation #2: (B)(1) discussed the origin of mitigation ratios and also states that mitigation shall confirm to the provisions of this manual and Castle Rock Code Sections 18.10. Castle Rock Code Section 18.10 is substantially different than the contents of the Castle Rock Critical Areas Ordinance Manual (https://ecode360.com/46129191). Conformity with both the CAO manual from Castle Rock and Chapter 18.10 is not feasible. Due to substantial differences between these two documents referenced ELS recommends re-writing all sections which refer to compensatory mitigation in Chapter 18.10 and the Castle Rock Critical Areas Ordinance Manual to more closely resemble the Compensatory mitigation section of Toledo's updated critical areas ordinances.	
Page 13, Standards for Classifying and Protecting Wetlands (2)	This code section discusses the city allowing adjustment of mitigation ratios when a combination of mitigation approaches is proposed.	ELS recommends deleting this section because adjustment of allowed permittee responsible mitigation ratios when a combination of approaches are proposed cannot be determined by the City. Best available science recommends using tables provided by Ecology when combined mitigation is provided. See Table 6B-2 from Ecology Publication #21-06-003.	See Table 6B-2 from Ecology Publication #21-06-003.

Page 14, Standards for Classifying and Protecting Wetlands (3)	This section states that mitigation provisions shall have adequate buffers to ensure wetland protection and sustainability.	ELS recommends deleting this section and re-writing a compensatory mitigation section to more closely resemble the compensatory mitigation section of Toledo's updated critical areas ordinances.	20.12 – COMPENSATORY MITGATION (1)-(7); and, 20.13- STANDARD MITIGATION REQUIREMENTS
Page 14, Standard for Classifying and Protecting Wetlands (4)	This section outlines the requirements for mitigation, maintenance, and monitoring reports.	ELS recommends deleting this section and replacing it with a more detailed section discussing the requirements of wetland assessment reports, wetland mitigation plans.	SECTION 22: WETLAND ASSESSMENT, 20.01 WETLAND ASSESSMENT (1)-(3); and, SECTION 23: WETLAND MITIGATION PLAN, 23.01 WETLAND MITIGATION PLAN (1)- (2)
Page 14, Standards for Classifying and Protecting Wetlands (L)	This section (L)(1)-(L)(5) provides a general description of mitigation plan requirements		

Page 15-16, Standards for Classifying and Protecting Wetlands (M)	This section details when it may be permissible to utilize wetland mitigation banks for compensatory mitigation	ELS recommends deleting this section and instead authoring a new code section similar to the Toledo CAO compensatory mitigation section for wetlands. The use of wetland mitigation banks is the Corps preferred form of mitigation due to the possibility of failure with permittee responsible sites.	20.12 – COMPENSATORY MITIGATION
Page 19-20, Fish and Wildlife Habitat Conservation, Guidelines for Fish and Wildlife Habitat Conservation Reports	There are two section 1's on this page which define two different report types. A "Fish and Wildlife Habitat Conservation Report" and a "Habitat Assessment"	ELS recommends establishing consistency in the naming of reports associated with critical areas permits for impacts to Fish and Wildlife Habitat Conservation Areas. See the referenced Toledo CAO code section in the next column.	24.15 -FISH AND WILDLIFE HABITAT MANAGEMENT PLAN
Page 21, Standards for Classifying and Protecting Fish and Wildlife Habitat, Table 2: Minimum Recommended Widths of Riparian Habitats	Table 2 details recommended riparian buffer widths	Recommendation #1: ELS recommends adopting riparian buffer widths determined based on Site Potential Tree Height (SPTH) methodology to ensure consistency with best available science. See the referenced Toledo CAO code section in the next column. Recommendation #2: ELS recommends establishing consistency in the naming of riparian buffers. Stick with one standard terminology whether that be riparian buffers, riparian management zones (this is WDFW's preferred methodology), riparian habitat areas, etc.	24.04 – RIPARIAN MANAGEMENT ZONES (RMZ)

Page 21, Standards for Classifying and Protecting Fish and Wildlife Habitat, (A)-(D)	This section (A)-(D) details riparian buffer modification mechanisms such as buffer averaging, buffer reduction, buffer increase, etc.	ELS recommends ensuring that all buffer modification discussion is updated to ensure modification takes into account SPTH methodology which is considered best available science. See the referenced Toledo CAO code sections in the next column	24.05 – FUNCTIONALLY ISOLATED RIPARIAN MANAGEMENT ZONES (RMZ); 24.06 – INCREASED RIPARIAN HABITAT AREA WIDTHS; 24.07 – DECREASED BUFFER WIDTHS; 24.08 RMZ WIDTH AVERAGING
Page 23, Standards for Classifying and Protecting Fish and Wildlife Habitat (2)	This section details actions when compensatory mitigation is required for impacts to fish and wildlife habitat conservation areas.	ELS recommends removing/revising this section so that it provides more detail. See the referenced Toledo CAO code sections in the next column.	24.09 – MITIGATION SEQUENCING; 24.10 – MITIGATION OF ADVERSE IMPACTS; 24.11 – PREFERRED LOCATIONS OF PERMITTEE RESPONSIBLE MITIGATION
Pages 23-31 (highlighted in yellow), Standards for Classifying and Protecting Fish and Wildlife Habitat (F)-(J)	See recommendations in next column	All sections highlighted in yellow from page 23-31 ELS recommends removing or revising. Rather than including highly specific information ELS recommends establishing more general information to define the purpose of fish and wildlife habitat conservation areas, how fish and wildlife habitat conservation areas are designated, what development/performance standards may apply, designation of locally important habitats, classification and mapping of fish and wildlife habitat conservation areas, and addressing inconsistencies between conditions on the ground and jurisdictional mapping. See the referenced Toledo CAO code sections in the next column.	24.01 – PURPOSE; 24.02 – DESGINATION, 24.03 – DEVELOPMENT AND HABITAT CLASSIFICATION PERFORMANCE STANDARDS; 24.12 – DESIGNATION OF LOCALLY IMPORTANT HABITAT; 24.13 CLASSIFICATION AND MAPPING OF FISH AND WILDLIFE HABITAT CONSERVATION AREAS; 24.14 INCONSISTENCIES BETWEEN CONDITIONS ON GROUND AND MAPPING

Exhibit D

Analysis of Buffer Changes

12.11.25

This document highlights the differences between Castle Rock's current CAO and the recommended changes in order to be consistent with Best Available Science (BAS):

Wetland Buffers and Buffer Modification Mechanisms:

Based on ELS's review of the *City of Castle Rock Critical Areas Ordinance Manual (Draft Date August 11, 2021)*, which will be referred to as the Castle Rock Standards Document throughout this analysis, wetland buffer widths will generally remain unchanged aside from some minor changes to buffers required to protect water quality functions which will simplify buffers allocated to wetlands scoring 6-7 points for habitat functions. See below the wetland buffer tables from the Castle Rock Standards document compared to the buffers ELS recommends adopting:

Wetland Buffer Tables Currently in the Castle Rock Standards Document:

Table 3: Buffers Required to Protect Water Quality Functions

Wetland Rating	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I	50 ft.	75 ft.	100 ft.
Category II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

Buffer widths in Table 3 apply to all Category IV wetlands regardless of habitat score and all other wetlands with habitat scores of three to four points on the rating form. *Source: Cowlitz County Code Section 19.15.120 Wetlands*

Table 4: Buffers Required to Protect Habitat Functions

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DRAFT DATE: Wednesday, August 11, 2021

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I Bogs			
Not Applicable	125 ft.	190 ft.	250 ft.
Category I or II Wetlands			
5 points	60 ft.	90 ft.	120 ft.
6 points	90 ft.	130 ft.	180 ft.
7 points	130 ft.	195 ft.	260 ft.
8-9 points	150 ft.	225 ft.	300 ft.
Category III Wetlands			
5 points	60 ft.	90 ft.	120 ft.
6 points or greater	75 ft.	110 ft.	150 ft.

Source: Cowlitz County Code Section 19.15.120 Wetlands

Wetland Buffer Tables ELS Recommends Adopting:

Table 2. Buffers Required to Protect Habitat Functions in Category I, II, and III Wetlands

	Land Use Intensity		
Habitat Score in the Rating Form	**Low**	**Moderate**	**High**
8 or 9 points	150 ft.	225 ft.	300 ft.[1]
Wetland of high conservation value with a habitat score of 7 points or less	125 ft.	190 ft.	250 ft.
6 or 7 points	75 ft.	110 ft.	150 ft.
5 points or less	See Table 3	See Table 3	See Table 3

Table 3. Buffers Required to Protect Water Quality Functions

	Land Use Intensity		
Wetland Rating	**Low**	**Moderate**	**High**
Category I or II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

Notable Changes to Wetland Buffer Modification Mechanisms:

While the buffers shown in the Castle Rock Standards document do not have substantial changes recommended ELS's recommended updates to Castle Rock CAO which are consistent with BAS will result in some note worthy changes to wetland buffer averaging and wetland buffer reduction mechanisms.

- Wetland buffer averaging will no longer be able to be paired with other wetland buffer modification mechanisms
- Reduction of wetland buffers by up to 25% will require compliance with a more comprehensive list of measures to reduce land use intensity impacts than what is shown currently in the Castle Rock Standards document, in addition to the development of a relatively undisturbed habitat corridor.
    - The Department of Ecology requirement to develop a habitat corridor for wetland buffer reduction may make the use of wetland buffer averaging the more commonly used modality for modification of wetland buffers.
- Recommended code updates will also allow reduction from high land use intensity to moderate land use intensity in some cases

Riparian Buffers and Riparian Buffer Modification Mechanisms:

ELS's recommended updates to the Fish and Wildlife Habitat Conservation Areas portions of Castle Rock's CAO will result in more significant changes in buffer widths. Currently BAS supports use of Site Potential Tree Height (SPTH) to determine the appropriate width of riparian buffers. Currently the Castle Rock Standards Document recommends the following riparian buffer widths:

Current riparian buffer widths recommended by Castle Rock Standards Document:

Table 19.15.130-B. Riparian Habitat Areas Stream Type Required RHA Widths

Stream	RHA Width (ft.)[a]
Type S water	See SMP
Type F water, channel width greater than 20 feet	150
Type F water, channel width less than or equal to 20 feet	100
Type Np water	50
Type Ns water	50

[a] RHA widths shall be measured horizontally from the ordinary high water mark *Source: Cowlitz County Code Section 19.15.130 Fish and Wildlife Habitat Conservation Areas*

- The Castle Rock Standards document states the city may permit riparian buffer averaging by up to 35%, however, when buffer averaging is utilized no other buffer modification mechanisms can be used. If buffer averaging is used in accordance with the Castle Rock Standards Document Type a 150 foot buffer can be reduced to 97.5 feet when hardship or specific circumstances allow such averaging.
- The Castle Rock Standards document also allows riparian buffer reduction (different than averaging) of up to 50% of the standard buffer width when it can be demonstrated that no loss of functions of values will occur.
    - Note the Castle Rock Standards Document states "…the following table identifies potential buffer reductions with accompanying riparian habitat enhancement." But no table is provided in the Standards document.
    - Buffers cannot be smaller than 35 feet
- Note: It should be noted that if Castle Rock is looking at the recently adopted Chehalis CAO's for guidance on updates that Chehalis's updated code does not include riparian buffer averaging or modification mechanisms.

Buffer Averaging and Reduction Allowed by the Castle Rock Standards Document

Stream Type	Standard RHA Width (feet)	Buffer Averaging Allowed under Castle Rock Standards Document[1] (feet)	Buffer Reduction Allowed under Castle Rock Standards Document[2] (feet)
Type S Water	See SMP	--	--
Type F Water, channel width greater than 20 feet	150	97.5	75
Type F water, channel width less than or equal to 20 feet	100	65	50
Type Np Water	50	32.5	35
Type Np Water	50	32.5	35

Site Potential Tree Height Buffers and Modification Mechanisms:

The following are the standard buffer widths which may apply to streams using site potential tree height methodology:

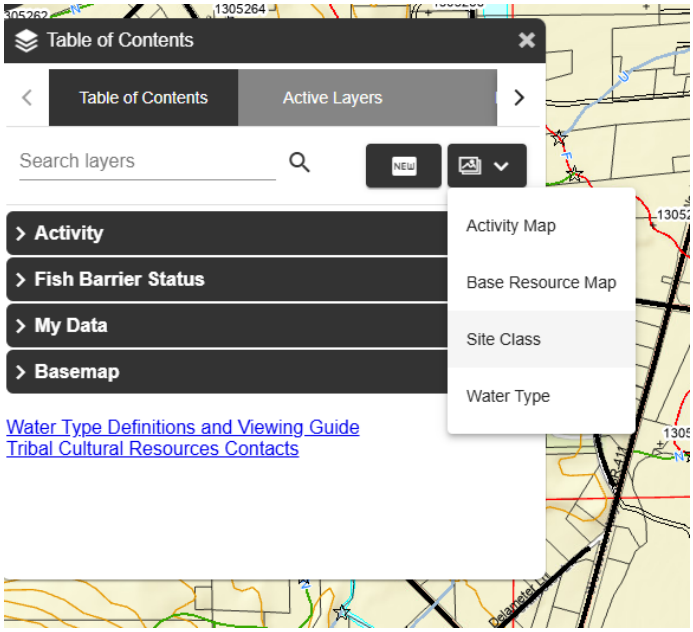
Table 2. Riparian Management Zone Widths – Average 200 Year Site Potential Tree Height

Site Class[1]	Type F Waters[2]	Type Np Waters	Type Ns Waters[2]
II	235	155	100
III	205	135	100
IV	165	105	100
V	150	100	100

- Buffers for shorelines would continue to be determined by the local SMP
- Site class data can be found at the WDNR Forest Practice Application Mapping Tool website: https://fpamt.dnr.wa.gov/
    - Using the dropdown menu shown in the screen grab below select “Site Class” to determine the applicable soil site class adjacent to your stream.

[1] At no point along the shoreline may the buffer be reduced by more than 35% of the standard buffer applicable for the designation

[2] The Buffer Shall not be reduced to less than 50 percent of the standard buffers. A 35 foot buffer cannot be decreased. Note: It appears as though a habitat enhancement plan may be required to allow buffer reduction, possible missing information from Castle Rock Standards Document.



- If a site class is shown as RA or MCF then buffers for Site Class V soils would apply.

Although from an initial view these buffers seem significantly larger than those shown in the Castle Rock Standards Document there are several allowable buffer modification mechanisms. Since Site Class II (2) soils are most prevalent in Castle Rock city limits examples regarding modifications will focus on Site Class II buffer widths.

- Functional Isolation: riparian buffers can be isolated (i.e. excluded from FWHCA's) when permanent continuous public or private roadways, structures, or other impervious surfaces, or that are vertically separated (percentage greater than 30 percent slope) are at least one hundred (100) feet from the buffer/OHWM. When functional isolation applies the maximum buffer width will be 100 feet.
- Decreased Buffer Widths: Riparian buffers can be reduced by up to 25% for Type F and Np streams and by up to 50% for Type Ns waters when it can be demonstrated by a qualified professional that that no net loss of functions and values will occur or when reduction is necessary to allow for reasonable use of the property.
    - For Type F waters on Class II soils buffers can be reduced down to 176.25 feet
    - For Type Np waters on Class II soils buffers can be reduced down to 116.25 feet
    - For Type Ns waters on Class II soils buffers can be reduced down to 50 feet
- Buffer Averaging: riparian buffer averaging of up to 50% of the standard buffer width can occur under all of the following conditions:
    - When the total area of the buffer increases or remains unchanged following averaging
    - Averaging cannot be combined with reduction
    - When there is no net loss of functions and values
    - When averaging does not extend beyond the width of 235 feet unless warranted by soil type
    - And, when buffer averaging locations are protected in perpetuity under a conservation covenant

Buffer Averaging and Reduction Allowed by Site Potential Tree Height

Site Class	Type F Waters (feet)	Buffer Averaging[3] Allowances Under SPTH (Type F/feet)	Buffer Reduction Allowances Under SPTH (Type F/feet)	Type Np Waters	Buffer Averaging Allowances Under SPTH (Type Np/feet)	Buffer Reduction Allowances Under SPTH (Type Np/feet)	Type Ns Waters	Buffer Averaging Allowances Under SPTH (Type Ns/feet)	Buffer Reduction Allowances Under SPTH (Type Ns/feet)
II	235	--[4]	176.25	155	77.5	116.25	100	50	50
III	205	175[5]	153.75	135	67.5	101.25	100	50	50
IV	165	95[6]	123.75	105	52.5	78.75	100	50	50
V	150	75	112.5	100	50	75.00	100	50	50

[3] All averaged buffers must have the same area or greater area as contained within the standard buffer width
[4] Buffer averaging cannot extend beyond the width of 235 feet unless warranted by stream type
[5] At it's narrowest point averaged in buffers can not be averaged to less than 175 feet because averaged out locations cannot extend beyond the width of 235 feet unless warranted by soil type
[6] At it's narrowest point averaged in buffers can not be averaged to less than 95 feet because averaged out locations cannot extend beyond the width of 235 feet unless warranted by soil type

Exhibit E

CAO Buffer Comparisons

Table 2. Riparian Management Zone Widths – Average 200 Year Site Potential Tree Height

Site Class[1]	Type F Waters[2]	Type Np Waters	Type Ns Waters[2]
II	235	155	100
III	205	135	100
IV	165	105	100
V	150	100	100

24.07 DECREASED BUFFER WIDTHS.

(1) The administrator may also allow an RMZ buffer width to be reduced when all of the following can be demonstrated:
  (a) The buffer reduction is supported by one or more of the following justifications:
    (i) The smaller buffer, in conjunction with site design and buffer enhancement, will provide equal or better habitat and pollution removal functions than the larger buffer, as demonstrated by a fish and wildlife habitat management plan pursuant to Section 24.15.
    (ii) The buffer reduction is necessary to allow reasonable use of the property and the remaining buffer is enhanced in accordance with a fish and wildlife habitat management plan pursuant to Section 24.15; and,
  (b) The need for buffer width reduction is not due to the property owners' actions;
  (c) There are no feasible alternatives to the site design that could be accomplished without buffer reduction.
  (d) The standard buffers listed in Table 2 are not reduced by more than twenty-five (25) percent for Type F and NP waters, and fifty (50) percent for Type Ns waters, except as allowed in Section 24.08.

From CP Standards Document

Table 19.15.130-B. Riparian Habitat Areas Stream Type Required RHA Width

Stream	RHA Width (ft.)[a]
Type S water	See SMP
Type F water, channel width greater than 20 feet	150
Type F water, channel width less than or equal to 20 feet	100
Type Np water	50
Type Ns water	50

A widths shall be measured horizontally from the ordinary high water mark *Source:*

From Chehalis (reviewed by WDFW)

1. Type S Water, all waters inventoried as "shorelines of the state" under the jurisdiction of the Shoreline Management Act, except associated wetlands, which shall be regulated in accordance with Chapter 17.23 CMC: 150 feet.

2. Type F-A Water, segments of natural waters other than Type S Waters which are greater than 10 feet in width: 150 feet.

3. Type F-B Water, segments of natural waters other than Type S Waters which are less than 10 feet in width: 100 feet.

4. Type Np Water, segments of natural waters that are perennial nonfish habitat streams: 75 feet.

5. Type Ns Water, segments of natural waters within defined channels that are seasonal, nonfish habitat streams: 50 feet.

Lewis County Code

17.38.420 Designation.

The following locations are designated as fish and wildlife habitat conservation areas:

Table 17.38-6

	Regulated Area
Aquatic Priority Habitat	Areas extending outward from the ordinary high water mark on each side of a stream to the following distances[1,2]: (a) ~~DNR~~ Type F waters (defined by WAC 222-16-030, as amended), 150 feet[3]; (b) ~~DNR~~ Type Np and Ns waters (defined by WAC 222-16-030, as amended), 100~~75~~ feet.

[1] Numbers shown within the table represent required "buffers." Aquatic habitat buffers may be modified per the standards in LCC 17.38.430.

[2] Type S streams, and lakes and ponds over 20 acres in size in Lewis County are regulated under the shoreline master program.

[3] Projects along Type F streams, which are less than 10 feet in width, may reduce their required buffer to 100 feet, when a qualified professional submits a report that details the width of the stream as it travels through the project site.

(1) The buffer widths in the table above assume the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer does not meet vegetative buffer standards, is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer must either be densely planted to create the appropriate native plant community or be widened by 33 percent to ensure that the buffer provides adequate functions to protect the stream.

Todd Johnson, met with Lewis County and Chehalis and discussed buffers – and revised buffers from previous conversations – code to be less than WDFW

Adopting BAS – legally sound and less concerned issues because BAS is adopted and supported codes

BAS change and impact to Castle Rock

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