



**PACIFIC CITY COUNCIL AGENDA**  
**Council Chambers - City Hall, 100 3<sup>rd</sup> Ave. SE**

**November 2, 2015**  
**Monday**

**Workshop**  
**6:30 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL OF COUNCIL MEMBERS**
- 3. ADDITIONS TO/APPROVAL OF AGENDA**
- 4. DISCUSSION ITEMS**

- (3)        **A. AB 15-147: Resolution No. 2015-294:** Authorizing the execution of an Interagency Agreement with Administrative Office of the Courts for interpreter reimbursement. (5 min.)  
(Kelly Rydberg)
- (17)       **B. AB 15-148: Resolution No. 2015-295:** Authorizing the execution of an Interlocal Agreement with the City of Sumner for Improvements to Stewart Road Corridor (Final Segment) (10 min.)  
(Lance Newkirk)
- (33)       **C. AB 15-149: Resolution No. 2015-296:** Authorizing the execution of an Agreement for Storm Drainage Cleaning and Video Inspection Services. (10 min.)  
(Lance Newkirk)
- (65)       **D. AB 15-150: Resolution No. 2015-297:** Authorizing the surplus of vehicles equipment that has been or is in need of being replaced. (10 min.)  
(Lance Newkirk)
- (69)       **E. AB 15-151: Discussion:** Department of Commerce Grant – Community Capital Facilities (10 min.)  
(Lance Newkirk)
- (81)       **F. AB 15-152: Ordinance No. 2015-1912:** Adopting proposed Comprehensive Plan changes to Chapter 3, Natural Environment Element, and Chapter 8, Transportation Element. (10 min.)  
(Jack Dodge)

- (257)            **G. AB 15-153: Ordinance No. 2015-1913**-Amending Pacific Municipal Code Chapter 2.97 requiring the City Council to establish public records rules per RCW 42.56.040. (5 min.)  
(Amy Stevenson-Ness)
- (260)            **H. AB 15-154: Resolution No. 2015-299:** Adopting Public Records Act Rules pursuant to Pacific Municipal Code Chapter 2.97. (5 min.)  
(Amy Stevenson-Ness)

**5. ADJOURN**

***Council may add other items not listed on this agenda unless specific notification period is required.***

Please turn off cell phones during meeting and hold your questions for staff until the meeting has been adjourned.

Meeting materials are available on the City's website at: [www.pacificwa.gov](http://www.pacificwa.gov) or by contacting the City Clerk's office at (253) 929-1105.



**TO:** Mayor Guier and City Council Members

**FROM:** Kelly Rydberg, Court Administrator

**MEETING DATE:** November 2, 2015

**SUBJECT:** Adoption of Resolution No. 2015-294, authorizing the Court Administrator to Execute Interagency Agreement with Administrative Office of the Courts for Interpreter reimbursement.

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**ATTACHMENTS:** Resolution 2015-294  
Interagency Agreement with Administrative Office of the Courts

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**Previous Council Review Date:** N/A

**Summary:** Every year the State of Washington's Administrative Office of the Courts (AOC) provides for recoupment of court interpreter expenses. The Pacific Municipal Court relies on these funds to help pay for interpreter services to assist non English speaking clientele. Municipal Court does charge defendants for interpreter service as allowed by RCW 2.43.040(3) and seeks reimbursement from the Administrative Office of the Courts (AOC) to assist in defraying these costs.

**Recommended Action:** Move forward to meeting on November 9, 2015 to adopt the resolution authorizing the Court Administrator to enter into an Interagency Agreement with AOC for Interpreter Services.

**Motion for Consideration:** I move adopt Resolution No. 15-294, authorizing the Court Administrator to execute an Interagency Agreement with Washington State Administrative Office of the Courts for Interpreter Services, incorporated herein as Exhibit A.

**Budget Impact:** If the Interagency Agreement is not entered into, the City will not receive reimbursement for interpreter billing up to \$3181.00 from the State.

**Alternatives:**

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2015-294**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC,  
WASHINGTON AUTHORIZING THE COURT ADMINISTRATOR TO  
EXECUTE AN INTERAGENCY AGREEMENT WITH WASHINGTON  
STATE ADMINISTRATIVE OFFICE OF THE COURTS FOR  
INTERPRETER EXPENSE REIMBURSEMENT**

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**WHEREAS**, the City of Pacific has received reimbursement for court interpreter expenses for the past six years; and

**WHEREAS**, the City of Pacific is required by Revised Code of Washington Chapter 2.43 to provide court interpreter services when needed to individuals appearing in its municipal Court;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Pacific, Washington as follows:

**Section 1.** The Court Administrator is authorized to execute an Interagency Agreement with the State of Washington Administrative Office of the Courts for Court Interpreter Expense reimbursement, incorporated herein as Exhibit A.

**Section 2.** This Resolution shall take effect and be in full force upon passage and signatures hereon.

**PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON  
THE 9<sup>TH</sup> DAY OF NOVEMBER 2015.**

CITY OF PACIFIC

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Leanne Guier, Mayor

ATTEST:

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Amy Stevenson-Ness, City Clerk

Approved as to Form

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Carol Morris, City Attorney

**INTERAGENCY AGREEMENT IAA16201  
BETWEEN  
STATE OF WASHINGTON  
ADMINISTRATIVE OFFICE OF THE COURTS  
AND  
PACIFIC MUNICIPAL COURT**

THIS AGREEMENT ("Agreement") is entered into by and between the Administrative Office of the Courts ("AOC") and Pacific Municipal Court ("Court"), for the purpose of distributing funds for court interpreter services expenses to the Pacific Municipal Court ("Court").

## 1. DEFINITIONS

For purposes of this contract, the following definitions shall apply:

- a) "Certified Interpreter" means an interpreter who is certified by the Administrative Office of the Courts, as defined in RCW 2.43.020 (4) or an interpreter certified by the Office of the Deaf and Hard of Hearing ("ODHH") pursuant to WAC 388-818-500, *et. seq.* The names and contact information of AOC-certified interpreters are found, and incorporated herein by reference, at [http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/](http://www.courts.wa.gov/programs_orgs/pos_interpret/). The names and contact information of ODHH-certified interpreters are found, and incorporated herein by reference, at <https://www.dshs.wa.gov/altsa/odhh/court-interpreting>
- b) "Registered Interpreter" means an interpreter who is registered by the Administrative Office of the Courts, as defined in RCW 2.43.020 (6). The names and contact information of registered interpreters are found, and incorporated herein by reference, at [http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/](http://www.courts.wa.gov/programs_orgs/pos_interpret/).
- c) "Qualified Interpreter" means a spoken language interpreter as defined in RCW 2.43.020 (2), or sign language interpreter as defined in RCW 2.42.110 (2).
- d) "Qualifying Event" means a court interpreted event meeting the criteria found in Exhibit A and incorporated herein by reference and for which reimbursement is sought by the Court.

## 2. PURPOSE

The purpose of this Agreement is to engage the services of the Court to improve the quality and availability of court interpreter services for Limited English Proficient ("LEP"), deaf, and hard of hearing persons in accordance with chapters 2.42 and 2.43 RCW.

- a) These funds are intended to address the Court's following needs:
  - Financial need - i.e., the gap between the Court's available financial resources and the costs to meet its need for certified, registered, and qualified interpreters; and
  - Interpreter need - i.e., the gap between the level of the LEP, deaf, and hard of hearing public's need for language access to the Court's (i.e., the level of interpreter need) and the available interpreter pool (in particular, certified, registered, and qualified interpreters in the Court's most frequently needed languages).

### 3. DESCRIPTION OF SERVICES TO BE PROVIDED

- a) The Court agrees to actively participate in the vision and structure for state funding of interpreter services, and to track and provide interpreter cost and usage data needed to demonstrate the impact of the funding. In particular, the Court agrees to submit electronically with each request for reimbursement, completed Interpreter Services Funding Data ("ISF Data") reflecting interpreter services and costs. The Court will submit ISF Data representing both Qualifying and non-qualifying Events.
- b) Electronic data shall be submitted quarterly following the schedule as outlined in Section 5c below and using the online application and instructions found, and incorporated herein by reference, at:  
<http://inside.courts.wa.gov/index.cfm?fa=controller.showPage&folder=courtInterpreter&file=interpreterStateFunding>.
- c) The Court will ensure that the interpreter funding is used for reimbursement of costs paid to certified, registered, and qualified interpreters for Qualifying Events pursuant to Exhibit A, which is incorporated herein by reference.
- d) The Court agrees to partner closely with the AOC Interpreter Program, the Interpreter Commission, and neighboring courts to identify and implement innovations and best and promising practices for providing interpreter services (e.g., innovations in scheduling of interpreters, sharing of translated resources, training of staff and judges), with a view to improving interpreter services and the service infrastructure statewide.
- e) The Court may elect to pay for interpreter services that are not in accordance with the provisions of Exhibit A as set forth; however, such payments will **not** be reimbursed.
- f) The Court agrees to submit a written report to the designated AOC Program Manager by June 30, 2016, using the template attached at Exhibit B. The report will, among other things, identify and describe innovations and best and promising practices for interpreter services which have been implemented by the Court since July 1, 2014.
- g) As a condition of receiving funding under this Agreement, the Court agrees to implement, maintain, and annually review an AOC-approved Language Assistance Plan (LAP) as reported in response to Section 10 of Exhibit B.

### 4. PERIOD OF PERFORMANCE

The execution of this Agreement shall constitute a ratification of an earlier verbal agreement between the parties that is now set forth in writing. Accordingly, the beginning date of performance under this Agreement is July 1, 2015, regardless of the date of execution and which shall end on June 30, 2016.

### 5. COMPENSATION

- a) The Court shall be reimbursed a maximum of \$3,181 for interpreter services costs incurred during the period of July 1, 2015 to June 30, 2016. No reimbursement shall be made under this Agreement for interpreting services provided after June 30, 2016.
- b) The Court shall receive payment for no more than 50 percent costs for interpreter services as set forth in Exhibit A, and incorporated herein.

- c) The Court shall not be reimbursed for interpreter services costs for Qualifying Events until properly-completed paper A-19 invoices and corresponding electronic ISF Data are received and approved by AOC, pursuant to the following schedule:
  - 1) Reflecting Qualifying and non-qualifying Events occurring between July 1, 2015 and September 30, 2015, must be received by the AOC no later than December 31, 2015.
  - 2) Reflecting Qualifying and non-qualifying Events occurring between October 1, 2015 and December 31, 2015, must be received by the AOC no later than March 1, 2016.
  - 3) Reflecting Qualifying and non-qualifying Events occurring between January 1, 2016 and March 30, 2016, must be received by the AOC no later than April 30, 2016.
  - 4) Reflecting Qualifying and non-qualifying Events occurring between April 1, 2016 and June 30, 2016, must be received by the AOC no later than July 31, 2016.
- d) If this agreement is terminated, the Court shall only receive payment for performance rendered or costs incurred in accordance with the terms of this agreement prior to the effective date of termination.

- e) The Court shall, submit its paper A-19 invoices quarterly to:

**AOC Financial Services**

PO Box 41170

Olympia, Washington 98504-1170

The ISF Data shall be submitted electronically to the AOC as described in Section 3b, above, and in conjunction with the quarterly invoice.

- f) Payment to the Court for approved and completed work will be made by warrant or account transfer by AOC within 30 days of receipt of a properly-completed paper invoice and the completed ISF Data.
- g) The Court shall maintain sufficient backup documentation of expenses under this Agreement.
- h) The AOC, in its sole discretion and upon notice, may initiate revenue sharing and reallocate funding among courts. If it appears the Court may not expend the maximum Agreement amount, the AOC may reduce the maximum Agreement amount. AOC may increase the maximum Agreement amount if additional funds become available through these revenue sharing provisions.

## **6. TREATMENT OF ASSETS AND PROPERTY**

The AOC shall be the owner of any and all fixed assets or personal property jointly or cooperatively, acquired, held, used, or disposed of pursuant to this Agreement.

## **7. RIGHTS IN DATA**

Unless otherwise provided, data which originates from this Agreement shall be “works for hire” as defined by the U.S. Copyright Act of 1976 and shall be owned by the AOC. Data shall include, but not be limited to, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and video and/or sound reproductions. Ownership includes the right to copyright, patent, register, and the ability to transfer these rights. In the event that any of the deliverables under this Agreement include material not included within the definition of “works for hire,” the Court hereby assigns such rights to the AOC as consideration for this Agreement.

Data which is delivered under this Agreement, but which does not originate therefrom, shall be transferred to the AOC with a nonexclusive, royalty-free, irrevocable license to publish, translate, reproduce, deliver, perform, dispose of, and to authorize others to do so; Provided, that such license shall be limited to the extent which the Court has a right to grant such a license. The Court shall advise the AOC, at the time of delivery of data furnished under this Agreement, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Agreement. The AOC shall receive prompt written notice of each notice or claim of copyright infringement received by the Court with respect to any data delivered under this Agreement. The AOC shall have the right to modify or remove any restrictive markings placed upon the data by the Court.

## **8. INDEPENDENT CAPACITY**

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

## **9. AGREEMENT ALTERATIONS AND AMENDMENTS**

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

## **10. RECORDS, DOCUMENTS, AND REPORTS**

The Court shall maintain books, records, documents and other evidence of accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. These records shall be subject at all reasonable times to inspection, review, or audit by personnel duly authorized by the AOC, the Office of the State Auditor, and federal officials so authorized by law, rule, regulation, or Agreement. The Court will retain all books, records, documents, and other material relevant to this Agreement for six years after settlement, and make them available for inspection by persons authorized under this provision.

## **11. RIGHT OF INSPECTION**

The Court shall provide right of access to its facilities to the AOC, or any of its officers, or to any other authorized agent or official of the state of Washington or the federal government at all reasonable times, in order to monitor and evaluate performance, compliance, and/or quality assurance under this Agreement.

## **12. DISPUTES**

Disputes arising under this Agreement shall be resolved by a panel consisting of one representative from the AOC, one representative from the Court, and a mutually agreed upon third party. The dispute panel shall thereafter decide the dispute with the majority prevailing. Neither party shall have recourse to the courts unless there is a showing of noncompliance or waiver of this section.

### **13. TERMINATION**

Either party may terminate this Agreement upon thirty (30) days written notice to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

### **14. GOVERNANCE**

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws.

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

- a) Applicable state and federal statutes and rules;
- b) This Agreement; and
- c) Any other provisions of the agreement, including materials incorporated by reference.

### **15. ASSIGNMENT**

The work to be provided under this Agreement, and any claim arising hereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

### **16. WAIVER**

A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a writing signed by an authorized representative of the party and attached to the original Agreement.

### **17. SEVERABILITY**

If any provision of this Agreement, or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision and to this end the provisions of this Agreement are declared to be severable.

**18. ENTIRE AGREEMENT**

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be considered to exist or to bind any of the parties to this agreement unless otherwise stated in this Agreement.

**19. AGREEMENT MANAGEMENT**

The program managers noted below shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Agreement:

AOC Program Manager	Court Program Manager
<b>Robert Lichtenberg</b> 1206 Quince Street SE PO Box 41170 Olympia, WA 98504-1170 robert.lichtenberg@courts.wa.gov (360) 350-5373	<b>Kelly Rydberg</b> Administrator 100 3rd Avenue SE Pacific, WA 98047 krydberg@ci.pacific.wa.us 253-929-1141

**AGREED:**

**Administrative Office of the Courts**

**Pacific Municipal Court**

\_\_\_\_\_  
*Signature* *Date*

\_\_\_\_\_  
*Signature* *Date*

**Callie Dietz**  
 \_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name*

**Administrator, AOC**  
 \_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Title*

**EXHIBIT A**  
**WASHINGTON STATE INTERPRETER SERVICES FUNDING**

**Funding Conditions and Payment Structure**

The Court Interpreter Reimbursement Program funding conditions and payment structure shall be as follows:

**1. General Funding Conditions**

The AOC will reimburse courts under this Agreement for the cost of interpreting services provided by persons appointed pursuant to RCW 2.43 who are AOC-credentialed in either certified or registered spoken languages, or by persons appointed pursuant to RCW 2.42 who are certified by the Office of the Deaf and Hard of Hearing (ODHH) under the applicable sections of WAC 388-818-500, *et.seq.* The reimbursement conditions are as follows:

**A. Spoken Language Interpreters**

**1) Certified and Registered Language Interpreters**

Compensation for interpreters currently credentialed by the AOC in the certified and registered language categories shall be reimbursed for actual compensation paid pursuant to the payment structure for those interpreters as outlined in this Exhibit A.

**2) Non-Credentialed Interpreters in Certified and Registered Language Categories**

When the AOC master interpreter list for certified or registered languages does not include any interpreters credentialed by the AOC in a certified or registered language, reimbursement will be provided for actual compensation paid pursuant to the payment structure as outlined in this Exhibit A, Section 2, (see "Payment Structure"), for those non-credentialed interpreters, providing that the interpreter is deemed qualified on the record by the Court pursuant to Chapter 2.43 RCW.

**3) Non-Credentialed Languages**

Compensation for interpreters for languages for which neither certification nor registration is offered will be reimbursed where the interpreter has been deemed qualified on the record pursuant to 2.43 RCW.

**B. Sign Language Interpreters**

Reimbursement shall be authorized for the services of ODHH-certified American Sign Language (ASL) interpreters as defined in Section 1.a of the Agreement and who are appointed pursuant to Chapter 2.42 RCW.

**C. Salaried Staff and Contract Interpreters**

Reimbursement will be provided for salaried staff or contracted interpreters meeting the Qualifying Event conditions for the payment of credentialed spoken and sign language interpreters, as referenced above.

**D. Remote Interpreting**

The AOC will reimburse local jurisdictions for using certified, registered, or otherwise qualified interpreters operating by telephone or videophone when providing court interpreting services for Limited English Proficiency (LEP) persons or persons who rely

on sign language for in-court proceedings and for services that are provided by the Court to the public outside of the courtroom.

## **E. Scope of Interpreter Funding**

Reimbursement payment under this Agreement will only be made to the Court when the cost portion otherwise payable by the Court is paid out of the budget (or budgets, in the case of multi-court collaborative applicants) of the Court responsible for full payment.

## **2. Payment Structure**

### **A. Hourly Rate**

#### **1) Rate for Spoken Language Interpreters**

Subject to the maximum compensation allowable under this contract, the AOC will reimburse the Court under this Agreement for 50 percent of the hourly cost and the hourly minimum charges for services provided under this Agreement by ODHH-certified or AOC-certified, registered, or otherwise court-qualified interpreters. The AOC will reimburse courts not to exceed \$25 an hour for interpreter hourly rates and hourly minimum charges.

#### **2) Rate for Sign Language Interpreters**

Subject to the maximum compensation allowable under this contract, the AOC will reimburse the Court under this Agreement for 50 percent of the hourly cost and the hourly minimum charges for services provided under this Agreement. The AOC will reimburse courts not to exceed \$25 an hour for interpreter hourly rates and hourly minimum charges.

#### **3) Salaried Interpreters**

Subject to the maximum compensation allowable under this contract, the AOC will reimburse the Court for 50 percent of the cost of staff interpreters meeting the funding conditions for staff interpreters and will reimburse only for their provision of interpreter services, up to a maximum total salary of \$60,000 plus 27 percent in benefits (i.e., state reimbursement will be authorized for up to \$30,000 of salary plus 13.5 percent in benefits).

#### **4) Contracted Interpreters**

Subject to the maximum compensation allowable under this contract, the cost of contracted interpreters who are paid on an hourly basis will be reimbursed under the same conditions as in 2.A(1)-(2), above, and 2.B. The cost of contract interpreters who are paid other than on an hourly basis (e.g., on a half-day or flat rate basis) will be only reimbursed for the actual number of hours of interpreting provided for each Qualifying Event.

#### **5) Telephone Interpreting Rate**

The AOC will reimburse local jurisdictions for up to 50 percent of the cost of using certified, registered, or otherwise qualified interpreters providing interpretation by telephone or videophone for LEP persons or persons who rely on sign language, up to a maximum of \$1.64 per minute (with no minimum service time).

#### **6) Hourly Minimum Rate Charges**

Where a minimum hourly rate charge up to \$50 an hour and no greater is imposed for no more than the first two hours, reimbursement will be paid for half of such

hourly minimum rate.

**7) Excess Charges**

Interpreter rates in excess of \$50 an hour or for hourly minimum rates exceeding the first two hours shall be the sole responsibility of the Court.

**8) Hourly Rounding**

Hourly compensation for services provided shall be charged and paid in 30 minute increments.

**B. Travel Time and Mileage**

The AOC will reimburse Courts for up to 50 percent of the cost of interpreter travel time or mileage when such charges are in accordance with this Exhibit A and reimbursed as identified below in *Interpreter Travel and Mileage Reimbursement*. In such event, travel time and mileage charges will only be reimbursed for interpreters meeting the funding conditions. The AOC reserves the right to limit travel reimbursement to reasonable travel, based on known availability and location of certified, registered, or otherwise qualified interpreters.

**INTERPRETER TRAVEL AND MILEAGE REIMBURSEMENT**

Interpreter mileage and/or travel time will be reimbursed as follows:

**1. MILEAGE**

Interpreter mileage will be reimbursed in accordance with the prevailing Office of Financial Management (OFM) Policy and Guidance rate. The Court will notify interpreters of any change in the OFM rate before it becomes effective.

Mileage will be reimbursed on a from “address of origin”<sup>77</sup> to “address of appointment”<sup>78</sup> basis. The Court and interpreter will negotiate reimbursement for mileage traveled from the “address of appointment” to “address of destination”<sup>79</sup> on a case-by-case basis. (NOTE: Courts are encouraged to have a consistent policy regarding the return trip.) In Eastern Washington, due to the scarcity of interpreters and vast distance for portal-to-portal travel, it is recommended that the Court reimburse the interpreter for mileage on an “address of appointment” to “address of destination” or roundtrip basis<sup>80</sup>.

Interpreter mileage related to an appointment is billable if a required party fails to appear. “Failure to appear” means a non-appearance by the LEP or deaf or hard of hearing client, attorneys, witnesses, or any necessary party to a hearing, thereby necessitating a cancellation or continuance of the hearing.

If the interpreter fails to appear, he/she will not be paid for mileage.

Mileage related to appointments that have been cancelled where the interpreter has received prior notice of the cancellation is not billable.

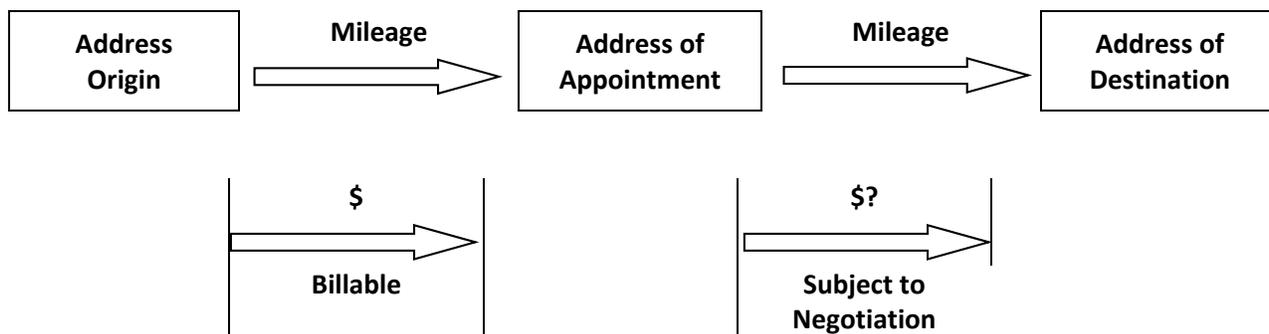
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<sup>77</sup> “Address of origin” means the interpreter’s home, office, or immediately previous appointment meeting place.

<sup>78</sup> “Address of appointment” means the courthouse or other location of the interpreter assignment.

<sup>79</sup> “Address of destination” means the interpreter’s home, office, or immediately next appointment meeting place.

<sup>80</sup> “Roundtrip” means from the interpreter’s home/office to the appointed meeting place, followed by the interpreter’s return to their home/office.



## 2. TRAVEL TIME

Travel time will be reimbursed on a from “address of origin” to “address of appointment” basis. The Court and interpreter will negotiate reimbursement for travel time from “the address of appointment” to “address of final destination” on a case-by-case basis at the time the appointment is requested. (NOTE: Courts are encouraged to have a consistent policy regarding the return trip.) In Eastern Washington, due to the scarcity of interpreters and vast distance for portal-to-portal travel, it is recommended that the Court reimburse the interpreter for travel time on an “address of appointment” to “address of destination” or roundtrip basis.

Interpreters must travel for either a minimum of sixteen (16) miles or for one-half hour in order to be eligible for travel time reimbursement. Exceptions to the sixteen (16) mile minimum requirement shall be made when the use of a ferry contributes to the one-half hour or more of travel time.

Travel time will be reimbursed at a rate of one half the hourly interpreter rate for each hour of travel. Example: Interpreter traveled four hours to an appointment and the hourly rate is \$50. One half of the hourly rate is \$25. The calculation would be  $4 \times \$25 = \$100$  for travel time.

Distance	Reimbursable
Origin Appointment 0 -15 Miles	Mileage Only
Origin Appointment 16+ Miles or half-hour travel*	Mileage or Travel Time* (but not both)

\*Travel Time can be claimed only when traveling time is half hour (30 minutes) or more.

Interpreter travel time related to an appointment is billable if a required party fails to appear. “Failure to appear” means a non-appearance by the LEP or deaf or hard of hearing client, attorneys, witnesses, or any necessary party to a hearing, thereby necessitating a cancellation or continuance of the hearing.

If the interpreter fails to appear, he/she will not be paid for travel.

Travel time related to appointments that have been cancelled where the interpreter has received prior notice of the cancellation is not billable.



## EXHIBIT B

### INTERPRETER REIMBURSEMENT PROGRAM COURT REPORT TEMPLATE

This information is to help evaluate the effectiveness of the court interpreter reimbursement program.

- The report should cover the period July 1, 2014 thru May 30, 2016.
- The report should include and answer the following and can be supplemented by other materials such as charts, spreadsheets, etc.
- The report should be returned no later than June 30, 2016 to Robert Lichtenberg at [Robert.lichtenberg@courts.wa.gov](mailto:Robert.lichtenberg@courts.wa.gov).
- The report should be no longer than three pages.

1. Name of Court
2. Contract Number
3. Name of Person Completing Report
4. Provide a general description of interpreting services provided by your court. The report should provide information other than that provided on the quarterly Interpreter Services Funding Data (ISF) reports. For example, include information on charging litigants, types of hearings interpreters were provided for, use of staff interpreters, interpreter scheduling practices, pool of interpreters, etc.
5. Describe any collaborative efforts with other courts including, why the collaboration was sought, the impact of these efforts, challenges, and why the efforts were initiated. For example, sometimes neighboring courts work with one another to improve interpreting services including combined scheduling, implementation of consistent payment policies, shared staff interpreters, or coordination of interpreter calendars.
6. Identify two or three greatest improvements made or promising practices realized by our court to improve interpreting services and/or to reduce expenses.
7. Identify any changes or improvements your court plans to implement in the future to improve interpreting services and/or to reduce expenses.
8. Identify any challenges or trends your court is experiencing with providing interpreting services.
9. Indicate if your court is regularly reviewing, monitoring, and updating your Language Access Plan.
  - a. If so, who is responsible for this and how often is this accomplished? When was it last reviewed and/or revised?
  - b. If not, will your court be doing so in the future? When? What have been the impediments for doing so?
10. What do you see as the most significant areas of remaining need to improving services?
11. Provide any additional information you would like us to know about your court's use of these funds and interpreter services in general.



October 8, 2015

Kelly Rydberg  
Pacific Municipal Court  
100 3rd Avenue SE  
Pacific, WA 98047

Dear Ms. Rydberg:

I am pleased to announce that your court is invited to continue participating in the state-funded interpreting reimbursement program for state fiscal year 2016 (July 1, 2015 – June 30, 2016). For some participating courts, there was a reduction in their contract amount for this fiscal period despite having experienced an increase in last year's interpreting costs. It is an unfortunate consequence of how the contract amount is calculated, which is based on each court's interpreting expenses for the previous two fiscal years as identified through submitted data.

We ask you to read the contract thoroughly, as we have made changes to it, especially as regards payment for ASL interpreting services. We also ask that you continue submitting the detailed data and invoices on a quarterly basis as outlined in the report. Additionally, we ask that you provide a report by June 30, 2016 highlighting your court's benefit or experiences as a result of participating in the interpreter reimbursement program, including but not limited to reporting on program improvements and challenges. A copy of your court's updated Language Access Plan should also accompany the report. This information assists us with crafting policies for the Court Interpreter Program, and provides us a better understand of the funding needs of participating courts. We found information contained in reports submitted by those in the reimbursement program quite instructive.

If you have any questions about the funding calculations or the program in general, please contact me at (360) 350-5373 or [Robert.lichtenberg@courts.wa.gov](mailto:Robert.lichtenberg@courts.wa.gov).

Sincerely,

A handwritten signature in black ink that reads "Robert W. Lichtenberg".

Robert Lichtenberg  
Language Access Program Coordinator



Agenda Bill No. 15-148

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** November 2, 2015  
**SUBJECT:** Interlocal Agreement with Sumner for Improvements to Stewart Road Corridor (Final Segment)

**ATTACHMENTS:**

- Resolution No. 2015-295
- Interlocal Agreement with Sumner

**Previous Council Review Date:** N/A

**Summary:** The Stewart Road Corridor is a regional transportation facility that provides cross-valley access from SR-167 to the North Lake Tapps area and other communities in the valley including Sumner, Auburn and Pacific, and local access to properties adjacent to the transportation facility. Sumner and Pacific are jointly planning a project to improve the Stewart Road Corridor from the east side of Valentine Avenue through and across the Stewart Bridge over the White (Stuck) River.

The Pacific Section contemplates improving Stewart Road to include, but is not limited to, a five lane asphalt roadway; concrete curbs, gutters and sidewalks/non-motorized trail; traffic control signing, traffic signals at Butte Avenue; channelization; required storm drainage facilities; upgrade of the crossing protection at the UPRR at-grade crossing; and the necessary rights of way to support these facilities and the anticipated roadway cross-section. The Sumner Section contemplates improving Stewart Bridge to consist of a four lane roadway, sidewalk on the south side and a multiuse trail on the north side of the bridge.

The staff believes that both cities should find it in the public interest to execute an interlocal agreement (ILA) to coordinate their efforts in a cooperative partnership to insure the orderly and consistent design, property acquisition, construction, maintenance, and use of the regional infrastructure and facilities as described in the ILA.

The Sumner City Council passed a resolution authorizing the execution of this ILA on October 19, 2015.

**Recommendation/Action:** Staff recommends Council approve Resolution No. 15- 295, to authorize the Mayor to execute an Interlocal Agreement (attached hereto as Exhibit A) with the City of Sumner for certain improvements to the Stewart Road Corridor.

**Motion for Consideration:** I move to approve Resolution No. 2015-0295, authorizing the Mayor to execute an Interlocal Agreement with the City of Sumner for certain improvements to the Stewart Road Corridor.

**Budget Impact:** Each Party is responsible for funding its respective portion of the Project. There is no current year budget impact. Future budget funding for this project will be approved by City Council. It is currently planned that Pacific will apply for grant funding spring 2016.

**Alternatives:** Do not enter into the agreement. Staff does not recommend this action.

**CITY OF PACIFIC  
WASHINGTON  
RESOLUTION. 2015-295**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC,  
WASHINGTON, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL  
AGREEMENT WITH CITY OF SUMNER FOR DESIGN, RIGHT-OF-WAY  
ACQUISITION AND CONSTRUCTION OF THE STEWART ROAD CORRIDOR  
IMPROVEMENTS (VALENTINE A VENUE THROUGH STEWART BRIDGE).**

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**WHEREAS**, the Stewart Road Corridor is a regional transportation facility that provides cross-valley access from SR-167 to the North Lake Tapps area and other communities in the Valley, including Sumner, Auburn and Pacific, and local access to properties adjacent to the transportation facility; and

**WHEREAS**, this project includes the design, right-of-way acquisition, construction, and maintenance of Stewart Road from the east side of Valentine Avenue to the easterly corporate limits of the City of Pacific and the reconstruction of the Stewart Bridge over the White (Stuck) River; and

**WHEREAS**, the cities of Sumner and Pacific find it in the public interest to coordinate their efforts in a cooperative partnership to insure the orderly and consistent construction, maintenance, and use of the regional infrastructure and facilities.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** That the Mayor is hereby authorized to execute the Interlocal Agreement, with the City of Sumner for design, right-of-way acquisition and construction of the Stewart Road Corridor Improvements, attached hereto as Exhibit A.

**Section 2.** This resolution shall take effect and be in full force upon passage and signature hereon.

**ADOPTED BY THE CITY COUNCIL THIS 9th DAY OF NOVEMBER, 2015.**

CITY OF PACIFIC

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LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

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AMY STEVENSON-NESS, CITY CLERK

**APPROVED AS TO FORM:**

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**CAROL MORRIS, CITY ATTORNEY**

# Exhibit A

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF SUMNER AND THE CITY OF PACIFIC FOR  
DESIGN, RIGHT-OF-WAY ACQUISITION AND CONSTRUCTION OF THE  
STEWART ROAD CORRIDOR IMPROVEMENTS  
(VALENTINE AVENUE THROUGH STEWART BRIDGE)**

**THIS AGREEMENT**, made pursuant to RCW Chapter 39.34, the Interlocal Cooperation Act, is entered into this day by and between the City of Sumner, a non-charter, code municipal corporation organized under the laws of the State of Washington located and doing business at 1104 Maple Street, Sumner, Washington 98390, (hereinafter, Sumner), and the City of Pacific, a non-charter, code municipal corporation, organized under the laws of the State of Washington, located and doing business at 100 3<sup>rd</sup> Avenue S.E., Pacific, Washington 98047, (hereinafter, Pacific), together referred to as the “Parties”, for the purpose of improving the Stewart Road Corridor; and

**WHEREAS**, Stewart Road Corridor is a regional transportation facility that provides cross-valley access from SR-167 to the North Lake Tapps area and other communities in the valley including Sumner, Auburn and Pacific, and local access to properties adjacent to the transportation facility; and

**WHEREAS**, the Parties are planning a project to improve the Stewart Road Corridor from the east side of Valentine Avenue through and across the Stewart Bridge over the White (Stuck) River, hereinafter the “Project”; and

**WHEREAS**, the work and regional infrastructure and facilities covered by this Agreement include the design, right-of-way acquisition, and construction of Stewart Road from the east side of Valentine Avenue to the easterly corporate limits of the City of Pacific which approximate the easterly side of Butte Avenue, hereinafter the “Pacific Section”, and the reconstruction of the Stewart Bridge over the White (Stuck) River, hereinafter the Sumner Section”; and

**WHEREAS**, the Pacific Section contemplates improving Stewart Road to include, but not be limited to, a five lane asphalt roadway; concrete curbs, gutters and sidewalks/non-motorized trail; traffic control signing, traffic signals at Butte Avenue; channelization; required storm drainage facilities; upgrade of the crossing protection at the UPRR at-grade crossing; and the necessary rights of way to support these facilities and the anticipated roadway cross-section; and

**WHEREAS**, a portion of Stewart Road from the west side of the SR 167 interchange through the intersection with Valentine Avenue is currently under construction; and

**WHEREAS**, the City of Sumner is currently engaged in the design, development and right of way acquisition phases for the replacement of the Stewart Bridge which is located immediately adjacent to the City of Pacific’s east city limit line; and

**WHEREAS**, the Sumner Section contemplates improving Stewart Bridge to consist of a four lane roadway, sidewalk on the south side and a multiuse trail on the north side of the bridge; and

**WHEREAS**, the Parties have determined that it is in the Parties best interest for Sumner to provide a lead entity role to see the project through design, right-of-way (ROW) acquisition, final design and construction administration of the construction contract for the Project in an effort to follow the Federal process and use the Certified Acceptance (CA) status that Sumner currently maintains with the Washington State Department of Transportation (WSDOT); and

**WHEREAS**, the Parties to this Agreement recognize the benefits of an improved transportation system along the Stewart Road Corridor and desire to cooperatively improve the Stewart Road Corridor within the corporate limits of the cities; and

**WHEREAS**, the Parties to this Agreement recognize the benefit of coordinating their respective portions of the Project for the purposes of guaranteeing continuity and compatibility between the respective portions as well as within the entire Stewart Road Corridor; and

**WHEREAS**, the City of Pacific has been setting aside City funds in anticipation of the need to fund or provide matching funds for possible future grants which would be used for funding completion of the preliminary engineering, right-of-way acquisition, and construction associated with the contemplated improvements; and

**WHEREAS**, the Parties to this Agreement find it in the public interest to coordinate their efforts in a cooperative partnership to insure the orderly and consistent construction, maintenance, and use of the regional infrastructure and facilities as stated herein.

## **W I T N E S S E T H**

**NOW, THEREFORE**, pursuant to Chapter 39.34 RCW, in consideration of the mutual benefits, terms, conditions, covenants and performance contained herein or attached and made part hereof, the parties hereto agree as follows:

### **1.0 INCORPORATION OF RECITALS**

Each of the recitals set forth above is incorporated into this Agreement as though fully set forth herein.

### **2.0 PURPOSE AND GOALS**

The purpose of this Agreement is to identify specific agreements and responsibilities in regard to jurisdiction, access, eminent domain, funding, design standards, bidding and awarding of contracts, project administration, maintenance, and use of the regional infrastructure and facilities to complete the Project.

The goals are to facilitate the Project improvements and achieve maximum cost savings for the benefit of the public.

### **3.0 ROLES AND RESPONSIBILITIES**

The Parties agree to the roles and responsibilities identified in this Section for each phase of the Project.

#### **3.1 ROLES**

The Parties have determined that it is in their best interest for Sumner to provide a lead role to see the project through design, ROW acquisition, final design and construction administration of the construction contract for the Project in an effort to follow the Federal process and use the Certified Acceptance (CA) status that Sumner currently maintains with the Washington State Department of Transportation (WSDOT).

Sumner shall be responsible for all Project coordination, including grant compliance and the coordination necessary with all affected agencies, as required.

Sumner shall assign a Project Manager (PM) from City staff, to manage the Project through design, ROW acquisition, and construction, however nothing herein prevents Sumner from hiring a consultant to be an outside project manager. Sumner shall keep Pacific advised of the Project status by providing Pacific with regular updates during all phases, summarizing project progress. Pacific shall appoint a contact person to receive status updates from Sumner.

Sumner shall determine and utilize its staff resources or professional services as necessary for implementation and completion of the Project. Sumner's time to manage the Project will be tracked by according to all tasks performed, to show the time spent on all tasks (not just those performed for Pacific) and shall keep non-Pacific related costs as non-billable to Pacific.

Pacific agrees to cooperate and actively participate as provided herein.

Pacific shall assign a contact person(s) to represent Pacific's interests for the life of the Project. Pacific's representative(s) shall: (1) participate in Project team meetings; (2) assist in the interview and selection of a consultant(s) for joint activities; (3) assist with obtaining applicable permits; (4) assist with Project success monitoring; (5) assist with contract administration for its portion of the Project. Each party shall maintain its Project records as required by state and federal auditing requirements and shall present its records for review to the other party or any state/federal entity as requested.

#### **3.2 PROJECT FUNDING**

Each Party is responsible for funding its respective portion of the Project. Grant funds will be pursued by each City for their respective project elements with support from the partner jurisdiction. If sufficient funds are not appropriated or allocated by the City Council of either of the Parties for payments associated with this Agreement for any future fiscal period, neither of the Parties will be obligated to make payments for services or amounts incurred after the end of the current fiscal period then in effect. No penalty or expense shall accrue to either of the Parties in the event this provision applies.

#### **3.3 ACCESS AND PERMITTING**

Sumner will require full rights and access to the Pacific Section to perform its responsibilities as identified in this Agreement. Therefore, Pacific grants a right-of-entry

to Sumner and its contractors acting on its behalf and behalf of the parties under this Agreement, to perform the work within the Pacific Section.

Sumner is responsible for applying for and obtaining all required permits for the Project. Each party shall be responsible for all permit fees or other costs associated with permit applications in their respective jurisdiction. Pacific will reimburse Sumner for permitting fees incurred for any permits required within the Pacific Section of the Project. The parties agree that Sumner shall be lead agency in the National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) permitting for the Project and Pacific shall provide said authorization if additional documentation beyond this Agreement is required.

Pacific, in coordination with Sumner as the overall Project Manager, will be responsible for coordinating the activities with Union Pacific Railroad, other stakeholders and agencies as it relates to the Project. Pacific shall be fully responsible for all costs associated with these activities.

The Parties recognize and agree that the Project covered by this Interlocal Agreement is a top priority. Each party shall notify the other party of any possible projects that may have an impact on the on the Project prior to committing to such projects. Pacific and Sumner will mutually agree that any new project in the Project area will not significantly impact the Project before awarding bids for the new project. Each party shall provide status of such projects on a monthly basis.

### **3.4 DESIGN**

Sumner shall be responsible for the completion of all design work in conformance with all applicable laws, regulations, local requirements, Washington State Department of Transportation (WSDOT), the Federal Highway Administration (FHWA) and industry standards, including but not limited to, the hiring of any design professionals as required by applicable law, design of the Project under Department of Ecology Storm Water Design Manual; the Washington State Department of Transportation (WSDOT) and the American Public Works Association (APWA), Washington State Chapter, Standard Specifications for Road, Bridge, and Municipal Construction, and Standard Plans (M21-01) for Road, Bridge and Municipal Construction and the Washington State Department of Transportation Construction Manual. Pacific Standards that are different from WSDOT and APWA Standards to maintain uniformity of infrastructure within Pacific, shall be incorporated into the design of the Project except where incorporation of such standards may result in loss of federal and state funding, however, Pacific understands there must also be continuity in design and facilities along the entire corridor which lies in several jurisdictions and therefore its requests will reflect this balance.

Design of Project components will be completed by a single design firm to reduce coordination efforts and costs unless having more than one firm will reduce the costs. Sumner will provide to Pacific the design firm's single point of contact. Sumner will provide to Pacific copies of all communications with the design firm.

Sumner will provide to Pacific copies of 30%, 60%, 90% and Final Project designs, specifications, plans and cost estimates within seven working days after each are submitted to Sumner by the design firm, for comment. Pacific will have fifteen (15)

working days after receipt of each design to provide written comments to Sumner for consideration. If Pacific fails to provide written comments to Sumner within the 15 working day time frame, Sumner may proceed ahead with the design of the Project as was submitted to Pacific.

### **3.5 RIGHT OF WAY ACQUISITION AND CONDEMNATION**

. As agent to Pacific, Sumner will perform all tasks associated with right of way acquisition including, but not limited to, obtaining title reports and appraisals, making offers, conducting negotiations, and preparing and executing closing documents. The administrative costs as well as the actual acquisition costs shall be included in the total costs for the acquisition.

Sumner will present all information relating to an individual right of way acquisition to Pacific no less than fourteen (14) working days before making an offer for right of way acquisition. Pacific shall have the final approval authority through the Pacific City Council regarding right-of-way acquisition activities associated with the Pacific Section of the Project, including authorization of condemnation actions. By adoption and approval of this Interlocal, the Pacific City council and Sumner City council recognizes that the failure to authorize acquisition activities, approve offers, and initiate condemnation proceedings will have a significant financial impact on both cities.

Sumner shall notify Pacific within seven days after learning of any encroachments in the rights-of-way within the Pacific section of the Project. Pacific shall work expeditiously to remove any encroachments in the rights of way within Pacific's jurisdiction such that the Project is not delayed.

Pacific agrees to actively participate and assist Sumner in securing rights-of-way within its city limits as set forth in this Agreement.

Sumner shall notify Pacific when property negotiations relating to property within Pacific are unsuccessful, and provide Pacific with a recommendation for condemnation of the property. The recommendation shall be forwarded to the Pacific City Attorney and the Pacific City Council for consideration of condemnation proceedings within 14 days of the date of notification by Sumner to Pacific of unsuccessful negotiation efforts. Pacific is responsible for processing and litigating any potential condemnation actions within the Pacific Section, including the price of the property, all related costs, and attorneys' fees.

Upon notification of unsuccessful property acquisitions within the Sumner section of the Project, the Sumner City Council shall consider condemnation proceedings within 14 days of the date of notification of unsuccessful negotiation efforts. Sumner is responsible for processing and litigating any potential condemnation actions within the Sumner section, including the price of the property, all related costs and attorneys' fees.

### **3.6 CONSTRUCTION**

Sumner shall be responsible for the bidding, contract award, and completion of construction work in full compliance with all laws, regulations, local requirements, industry standards and final design for the Project including, but not limited to, preparation of plans, specifications, bid documents, award, contractor payments, contract

administration, inspection, surveys, material testing, grant administration, providing as-builts, and project close-out.

Sumner is responsible for preparation and finalization of construction documents. Sumner will provide Pacific with the design firm's single point of contact and copies of all documents and communications. Sumner will include Pacific in all meetings with the construction team.

Construction bid and award for the Project will only commence after the Project is fully funded on both the Sumner and Pacific sections of the Project. This agreement will be amended prior to advertising and soliciting bids for the construction activities to address: Requirements of funding agencies, including but not limited to warranty if allowed by state and/or funding agencies, bonds, etc.; retaining a Construction Management (CM) firm; preparation of contract documents, preparation and authorization of contract amendments for CM changes in the scope of work; construction contract change orders; and cost overruns.

Pacific shall have the final approval authority regarding construction activities associated with the Pacific Section of the Project, including but not limited to, review and approval of contractor bids prior to the award of the contract, authorization of contract amendments for CM changes in the scope of work, review and approval of construction change orders and cost overruns in the Pacific section of the Project.

Sumner will immediately forward to Pacific any change orders, contractor claims or changed conditions that may have a fiscal impact on the Pacific Section of the Project. Pacific will have five (5) working days after receipt to provide written comments to Sumner relative to these change orders, contractor claims or changed conditions if the approval can be granted by Pacific staff and fourteen (14) working days if Pacific City Council approval is required.

At any time during construction and upon construction completion, Pacific shall inspect the work for the Pacific Section to determine if it complies with all laws, regulations, local requirements, industry standards and final design for the Project. Pacific shall notify Sumner in writing if the Pacific Section has passed inspection and is accepted. If the work in the Pacific Section does not pass inspection, then the parties shall work together to resolve the problem expeditiously.

### **3.7 MAINTENANCE**

Sumner shall require the construction contractor to post a two (2) year maintenance bond with the City of Pacific, if permitted by the funding agency, to commence after construction completion and acceptance of the work in the Pacific section. This maintenance bond shall be approved as to form by the Pacific City Attorney.

Upon expiration of this agreement, or the contractor maintenance bond, whichever is later, Pacific will assume full maintenance responsibility for the portion of the Project in the Pacific corporate limits.

### **4.0 PROJECT COSTS**

Sumner will be responsible for that portion of the Project costs associated with the

Sumner Section of the Project. Pacific will be responsible for that portion of the Project costs associated with the Pacific Section of the Project.

Project costs associated with common components of the Project will be shared as specified in grant(s) funding specific common project elements or will be split 75% Sumner, 25% Pacific. Common Project components include: Design project grant writing; stakeholder and agency coordination; environmental studies; right of way acquisition; construction document preparation; construction bid and award and contract administration contract administration; solicitation of consultants and/or bids. The parties agree that if specific improvements are required by one jurisdiction that increase costs above what is normally expected, that jurisdiction shall pay the additional costs.

Sumner shall identify and maintain records for all of its work and activities described in this Agreement in order to demonstrate that the Project costs are separated. Sumner's records for separate tasks relating to work conducted for the Sumner Section shall reflect such work as non-billable to Pacific.

Sumner will provide a Project budget and approximate monthly payment schedule to Pacific by August 15<sup>th</sup> of each fiscal year of the Project. Sumner agrees to provide an invoice to Pacific every month, showing the work performed for both Pacific and Sumner, requiring payment for Sumner's work performed on behalf of Pacific. Pacific agrees to make payment to Sumner within 60 calendar days, when properly invoiced by Sumner, for all Pacific costs and responsibilities as identified in this Agreement. If the City objects to all or any portion of any invoice, it shall notify Sumner within fifteen (15) days from the date of receipt and shall pay that portion of the invoice not in dispute. Thereafter, the parties agree to immediately make every effort to settle the disputed portion using the dispute resolution process in Section 17.

Project funding provided by other public or private sources shall be earmarked at the time of receipt as to which Section of the overall Project they shall be assigned and shall be used by that City as a portion of their otherwise obligated match to any governmental agency funds provided to the Project as a whole.

Grant funds obtained by Sumner shall be reserved for work within the Sumner Section and grant funds obtained by Pacific shall be reserved for work within the Pacific Section. Sumner shall only use grant funds obtained by Pacific for common components of the Project at the ratios provided in this Section and only upon prior written approval provided by Pacific.

Both parties shall keep cost records and accounts pertaining to this Agreement available for inspection by the other party and/or outside agencies for three (3) years after final payment unless a longer period is required by law. Copies shall be made available upon request.

Should additional costs be incurred due to delay of the Project, the party to whom the delay is attributed shall be responsible for all costs associated to the delay. If any additional delay costs cannot be attributed to a specific party, then any such cost will be apportioned at the ratio for common components of the Project as identified in this Section.

## **5.0 DURATION AND TERMINATION**

This Agreement shall continue until final completion of the Project, at which time it shall terminate. Completion shall be defined as the date that both parties shall have inspected and accepted the Project improvements in their respective jurisdictions. This Agreement may be terminated prior to final completion by either city's Council through Resolution prior to award of a construction contract for the Project, upon thirty (30) days advance written notice to the other city. Termination by Pacific or Sumner after award of a construction contract shall only be valid if both Parties agree to the termination. Costs associated with termination prior to final completion of the Project shall be divided as mutually agreed upon by the Parties. Under no circumstances will either of the Parties be reimbursed for services rendered after termination. There are no other written or expressed calendar termination dates associated with this Agreement.

## **6.0 HOLD HARMLESS AND INDEMNITY AGREEMENT**

Sumner shall defend, indemnify and hold Pacific, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including attorney fees, arising out of or resulting from the acts, errors or omissions of Sumner, its officers, officials, employees, agents and volunteers in the performance of this Agreement, except for injuries or damages caused by the sole negligence of Pacific.

Pacific shall defend, indemnify and hold Sumner, its officers, officials, employees, agents and volunteers harmless from any and all claims, injuries, damages, losses or suits, including attorney fees, arising out of or resulting from the acts, errors or omissions of Pacific, its officers, officials, employees, agents and volunteers in the performance of this Agreement, except for injuries or damages caused by the sole negligence of Sumner.

Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of Sumner and Pacific, their officers, officials, employees, agents and volunteers, the each party's liability hereunder shall be only to the extent of that party's negligence. The provisions of this section shall survive the expiration or termination of this Agreement.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES EACH PARTY'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY FOR THE PURPOSES OF THIS INDEMNIFICATION. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER.

**7.0 INSURANCE.** The Parties shall each procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by each party, its agents, representatives, or employees.

#### A. Minimum Scope of Insurance

Each party shall obtain insurance of the types described below:

1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.
2. Commercial General Liability insurance shall be written on ISO occurrence form CG 00 01 or a substitute form providing equivalent liability coverage and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury. The City shall be named by endorsement as an additional insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City.
3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

#### B. Minimum Amounts of Insurance

Each party shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.
4. Employer's Liability each accident \$1,000,000, Employer's Liability Disease each employee \$1,000,000, and Employer's Liability Disease – Policy Limit \$1,000,000.

#### C. Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Professional Liability and Commercial General Liability insurance:

1. Each party's insurance coverage shall be primary insurance. Any insurance, self-insurance, or insurance pool coverage maintained by each city shall be excess of the other city's insurance and shall not contribute with it.

2. Each city's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the other city.

## **8.0 NO THIRD PARTY BENEFICIARY**

The City of Sumner, by this Agreement, does not assume any contractual obligations to any person or entity other than the City of Pacific. The City of Pacific, by this Agreement, does not assume any contractual obligations to any person or entity other than the City of Sumner. There is no third party beneficiary to the Agreement.

## **9.0 NO SEPARATE ENTITY CREATED**

This Agreement does not create any separate legal or administrative entity. There shall be no joint financing or jointly acquired or held assets and the Agreement will terminate as described herein. This Agreement shall be administered by the Public Works Director for the City of Sumner and by the Public Works Manager or designee for the City of Pacific.

## **10.0 NON-DISCRIMINATION**

The Parties agree to take all steps necessary to comply with all federal, state, and City laws and policies regarding non-discrimination and equal employment opportunities. The Parties shall not discriminate in any employment action because of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, or the presence of any sensory, mental or physical handicap.

## **11.0 ASSIGNMENT**

Neither Party shall have the right to transfer or assign in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party.

## **12.0 WRITTEN NOTICE**

Unless notified to the contrary, any formal notice regarding changes or termination of this agreement shall be given by Sumner to Pacific shall be deemed properly given, if delivered, or mailed postage prepaid and addressed to:

City of Pacific Mayor  
City of Pacific City Hall  
100 3<sup>rd</sup> Avenue S.E.  
Pacific, WA 98047

Unless notified to the contrary, any formal notice regarding changes or termination of this agreement shall be given by Pacific to Sumner shall be deemed properly given, if delivered, or if mailed postage prepaid and addressed to:

City of Sumner Mayor  
City of Sumner City Hall  
1104 Maple Street  
Sumner, WA 984390

The name and address to which notices and communications shall be directed may be changed at any time, and from time to time, by either Sumner or Pacific giving notice thereof to the other party as herein provided.

### **13.0 WAIVER**

No waiver by either of the Parties to this Agreement of any term or condition of this Agreement shall be deemed or construed to constitute a waiver of any other term or condition or any subsequent breach, whether of the same or a different provision of this Agreement.

### **14.0 ENTIRE AGREEMENT**

This Agreement contains all of the agreements of the parties with respect to any matter covered or mentioned in this Agreement and no prior agreements between the parties shall be effective for any purpose.

### **15.0 AMENDMENT**

Provisions within this Agreement may be amended with the mutual consent of the Parties hereto. No waiver, additions to, or alteration of, the terms of this Agreement shall be valid unless made in writing, formally approved and executed by duly authorized agents of both Parties.

### **16.0 SEVERABILITY**

If any one or more of the provisions contained in this Agreement are held illegal, invalid, or unenforceable, the remaining provisions shall remain in full force and effect.

### **17.0 DISPUTE RESOLUTION**

This Agreement shall be governed by and construed in accordance with the laws of the state of Washington. The Parties agree that any controversy, dispute, claim, or breach of or relating to the Agreement on the part of either party shall be resolved by first attempting to negotiate a mutually satisfactory resolution to the Dispute without undue delay and within time periods established by Project specifications or contracts.

If for any reason of any default or breach on the part of either parties in the performance of any of the provisions of this Agreement and a legal action is initiated, the party not prevailing agrees to pay to the substantially prevailing party all reasonable costs and attorney fees and costs in connection therewith, including on appeal. It is hereby agreed that the venue of legal action brought under the terms of this Agreement shall be Pierce County, Washington.

### **18.0 FILING**

Copies of this Agreement shall be filed with the Pierce County Auditor after execution of the Agreement by both Parties.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF SUMNER

CITY OF PACIFIC

By: \_\_\_\_\_

David L. Enslow, Mayor

By: \_\_\_\_\_

Leanne Guier, Mayor

APPROVED BY SUMNER CITY COUNCIL MOTION ON \_\_\_\_\_, 2015.

APPROVED BY PACIFIC CITY COUNCIL MOTION ON \_\_\_\_\_, 2015.

ATTEST:

ATTEST:

\_\_\_\_\_

TERRI BERRY  
SUMNER CITY CLERK

\_\_\_\_\_

AMY STEVENSON-NESS  
PACIFIC CITY CLERK

Approved as to Form:

Approved as to Form:

\_\_\_\_\_

BRETT C. VINSON  
SUMNER CITY ATTORNEY

\_\_\_\_\_

CAROL MORRIS  
PACIFIC CITY ATTORNEY



Agenda Bill No. 15-149

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** November 2, 2015  
**SUBJECT:** Storm Drainage Cleaning and Video Inspection Services

**ATTACHMENTS:**

- Resolution 2015 – 296
- Limited Public Works Contract

**Previous Council Review Date:** N/A

**Summary:** The National Pollutant Discharge Elimination System (NPDES) permit requires the City to clean and inspect its storm drainage infrastructure on a schedule developed by the City. This requirement is referenced in Section S5.C.5.d.ii of the City’s NPDES permit. The proposed work includes cleaning and removing debris from storm drainage piping and catch basins, video inspecting cleaned pipe segments, legally disposing of the removed debris and providing an electronic and written report of piping and catch basins cleaned that includes pertinent infrastructure nomenclature and a record of any piping defects discovered.

Staff solicited proposals from three firms listed the on Municipal Research and Services Center (MRSC) small works roster. The Invitation to Bid (ITB) was issued on Thursday, October 22, 2015. Responses to the ITB are due by 4:00 p.m. Tuesday, November 3, 2015. The City received x responses and the apparent responsive low bidder is \_\_\_\_\_.

**Recommendation/Action:** Staff recommends Council approve Resolution No. 2015-296 for Storm Drainage Cleaning and Video Inspection Services with \_\_\_\_\_.

**Motion for Consideration:** Move to approve Resolution No. 2015-296,

**Budget Impact:** \$XX,xxx.00

**Alternatives:** Do not authorize the limited public works contract and risk non-compliance with the City’s NPDES permit. Staff does not recommend this alternative.

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2015 - 296**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, FOR STORM DRAINAGE CLEANING AND INSPECTION SERVICES AND AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH \_\_\_\_\_ FOR SAID SERVICES IN THE AMOUNT OF \$Xx,xxx.00.**

**WHEREAS**, the City of Pacific on October 22, 2015 solicited responses from three firms listed on the Municipal Research Services Center small works roster for Storm Drainage Cleaning and Video Inspection Services; and

**WHEREAS**, the City received a proposal from \_\_\_\_\_, dated XX, xx, 2015, to perform Storm Drainage Cleaning and Video Inspection Services; and

**WHEREAS**, \_\_\_\_\_ is the a low responsive bidder; and

**WHEREAS**, the City has reviewed the submitted proposal and has determined that it is in the best interest to enter into an agreement with \_\_\_\_\_ in an amount not to exceed \$Xx,xxx.00.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. The Pacific City Council hereby authorizes the Mayor to execute an Agreement for Storm Drainage Cleaning and Video Inspection Services in the amount of \$Xx,xxx.00.

Section 2. This Resolution shall take effect and be in full force upon passage and signatures hereon.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9th DAY OF November, 2015.

CITY OF PACIFIC

\_\_\_\_\_  
LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
AMY STEVENSON-NESS, CITY CLERK



# CITY OF PACIFIC LIMITED PUBLIC WORKS

## INVITATION TO BID

**BID DUE DATE & TIME:** Quotation is to be submitted to the City of Pacific no later than \_\_\_\_\_ on \_\_\_\_\_, 2015.

**NOTE:** Work stated is subject to the terms and conditions stipulated in the bid documents, including the scope of work attached hereto as Exhibit "A" to the form of Limited Public Works Contract.

**SUBMITTALS:** Submittals from minority, women, and disadvantaged business enterprises are encouraged pursuant to RCW 49.60 and RCW 39.19.060.

**THIS BID SUBMITTED BY:**

BIDDER NAME: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

**THE UNDERSIGNED** offers and agrees to furnish the goods or services on the date required at the price entered herein subject to the terms and conditions attached hereto.

**I CERTIFY** that the bid documents have been read and understood and that all of the conditions contained therein are acceptable, and further, to the best of my knowledge the information contained in this bid proposal is accurate and complete and that I have the legal authority to commit this firm to a contractual agreement.

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**BID ISSUE DATE:** \_\_\_\_\_

**DEPARTMENT:** Public Works

**SUMMARIZED SCOPE:** This Public Works project consists of performing **STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES** and other related miscellaneous items.

**Mail, Fax, Email, or Deliver** bids to the City of Pacific Public Works Engineering Department no later than the bid due date and time listed above. Late and /or incomplete submittals will be classified as non-responsive and will not be considered for project award.

**PUBLIC WORKS REQUIREMENTS:** The scope of work for this project constitutes a public work under State law. Bidders are cautioned to take into consideration statutory legal requirements, particularly, the payment of prevailing wages, submission of Payment and Performance Bonds (if required), reporting requirements for the use of Subcontractors, and sales tax implications in making a bid. The State of Washington prevailing wage rates applicable for this public works project, which is located in King County, may be found at the following website address of the Department of Labor and Industries: <https://fortress.wa.gov/lni/wagelookup/prvWagelookup.aspx>. Based on the bid submittal deadline for this project, the applicable effective date for prevailing wages for this project is October 1, 2015.

**FOR** technical information regarding this project, please contact the City Engineer, Jim Morgan, at (253) 929-1115.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
James Morgan  
City Engineer

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Lance Newkirk  
Public Works Manager

**PROJECT/ENG. ESTIMATE: \$20,000**

DISCUSSION ONLY

**The City hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunities to submit bids, and will not be discriminated against on the grounds of race, color, sex, handicap or national origin in consideration for an award in compliance with RCW 49.60 and RCW 39.19.060.**

**Issued By: City of Pacific, WA**

**CITY OF PACIFIC**  
**LIMITED PUBLIC WORKS<sup>1</sup>**  
**PROPOSAL**

**PROJECT: STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES**

**\*\* To ensure a responsible bid, please make sure Proposal is properly filled out, typed or in black ink, in its entirety, i.e. no blank spaces or lines. Items of work and materials to be provided, estimated quantities, units of measurement at the unit bid prices.\*\***

Item #	Items of Work / Materials to be Furnished	Est. Quantity	Unit	Unit Bid Price*	Total Price
<b>Bid items that include Washington State Sales Tax *</b>					
1	Mobilization	1	LS		
2	Traffic Control	1	LS		
3	Drainage Pipe Cleaning (various sizes)	9,000	LF		
4	Closed Circuit Television Video (CCTV) Pipe Inspection	9,000	LF		
5	Catch Basin Cleaning	160	EA		
6	Solids Debris Disposal	10	Ton		
7	Maintenance Report (written and electronic)	1	EA		
<b>Line A: Subtotal Bid Items that include Washington State Sales Tax</b>					<b>\$</b>
<b>Bid Items that do not include Washington State Sales Tax *</b>					
8					
<b>Line B: Subtotal Items that do not include Washington State Sales Tax</b>					<b>\$</b>
<b>Line C: Washington State Sales Tax 9.4% (applied to Line B only)</b>					<b>\$</b>
<b>Line D: Subtotal Lines B and C</b>					
<b>Grand Total (Total of Lines A and D)</b>					<b>\$</b>

Addendum No. \_\_\_\_\_ Date of Receipt \_\_\_\_\_ Addendum No. \_\_\_\_\_ Date of Receipt \_\_\_\_\_

**NOTE: Failure to acknowledge receipt of Addenda may be considered as an irregularity in the Bid Proposal and Owner reserves the right to determine whether the bid will be disqualified.**

Company Name \_\_\_\_\_

Signature of Authorized Official \_\_\_\_\_ Date \_\_\_\_\_

Print – Name \_\_\_\_\_

\* Note: Include Washington State Retail Sales Taxes in the unit bid prices for all work for building, repairing or improving streets, roads, etc.; including: non-motorized facilities, related storm drainage, and power for street lighting. See Section 1-07.2 for additional information.

<sup>1</sup> The Limited Public Works Process is described in RCW 39.04.155(3) and City of Pacific Resolution No. 2015-235.

**CITY OF PACIFIC**  
**LIMITED PUBLIC WORKS**  
**PROJECT: STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES**

**STATEMENT OF BIDDER'S QUALIFICATIONS / RESPONSIBILITY CRITERIA**

**BUSINESS INFORMATION**

Name of Firm:	
Address:	
Payment Address:	
Contact Phone #:	
Fax #:	
Contact Name:	

**LICENSE & REGISTRATION INFORMATION (RCW 39.04.10 Sec. 2)**

State of Washington Dept. of Licensing Contractors Registration Number:	
State of Washington Unified Business Identification ( UBI) Number:	
State of Washington Dept. of Employment Security Number:	
State of Washington Dept. of Labor & Industries Workers Compensation Acct. Number:	
Washington State Excise Tax Registration Number:	
Federal Tax ID Number:	
City of Pacific Business License Number:	

**INSURANCE AND BONDING**

Name of Insurance Company:	
Name of Insurance Agent:	
Insurance Mailing Address:	
Insurance Phone #:	
Insurance Fax #:	
Bonding Company ( If Applicable ):	

Name of Bond Agent:	
Bonding Company Address:	
Bonding Phone #:	

**OTHER**

Are you listed on any debarment lists:	<input type="checkbox"/> Y <input type="checkbox"/> N
Are you on the list of parties excluded from the Federal procurement / Non-Procurement programs	<input type="checkbox"/> Y <input type="checkbox"/> N

Signature	Title	Date
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DISCUSSION ONLY

**CITY OF PACIFIC  
LIMITED PUBLIC WORKS CONTRACT**

**THIS LIMITED PUBLIC WORKS CONTRACT** (this "Contract") is made this \_\_\_\_ day of \_\_\_\_, 20\_\_, by and between, the **CITY OF PACIFIC**, a municipal corporation ("City") and \_\_\_\_\_, a \_\_\_\_\_ corporation ("Contractor") (individually a "Party" and collectively the "Parties").

In consideration of the terms and conditions set forth in this Contract, the Parties agree as follows:

**Contractor Services.** The Contractor shall furnish at its own cost and expense all labor, tools, materials and equipment required to construct and complete in a good workmanlike manner, and to the satisfaction of the City, the public works project known as **STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES**.

1. \_\_\_\_\_ ("Project"). The Project is detailed in the Scope of Work, Exhibit A, and the following documents, which are attached hereto and incorporated herein by reference:

- Scope of Work (Exhibit A)
- Plans and Contract Drawings (Exhibit B)
- Selection of Retainage Option
- Payment and Performance Bonds (if not waived by City)
- Statement of Intent To Pay Prevailing Wages
- Affidavit of Wages Paid

2. **Notice to Proceed; Time of Completion.** The Contractor shall commence work within seven (7) days after the City issues a written Notice to Proceed, and shall complete the work within \_\_\_\_\_ calendar days from the City's issuance of the Notice to Proceed. The time of beginning, rate of progress and time of completion are essential conditions of this Contract.

3. **Payment.**

3.1 **Payment amount and procedures.** The City shall pay the Contractor for all work and services covered by this Contract in an amount that shall not exceed \_\_\_\_\_ Dollars (\$\_\_\_\_\_), including applicable sales tax. The payment amount shall exclude approved change orders, in accordance with the quantity and unit prices shown on the attached bid proposal. The Contractor shall submit monthly invoices for work and services performed in a previous calendar month in a format acceptable to the City. The City shall pay for the portion of the work described in the invoice that has been completed by Contractor and approved by the City. The City's payment shall not constitute a waiver of the City's right to final inspection and acceptance of the work.

3.2 **Defective or Unauthorized Work.** If during the course of the Contract, the work rendered does not meet the requirements set forth in the Contract, the Contractor shall correct or modify the required work to comply with the requirements of the Contract. The City shall have the right to withhold payment for such work until it meets the requirements of the Contract. If the Contractor is unable, for any reason, to satisfactorily complete any portion of the work, the City may complete the work by contract or otherwise, and the Contractor shall be

liable to the City for any additional costs incurred by the City. "Additional costs" means all reasonable costs incurred by the City, including legal costs and attorneys' fees, beyond the maximum contract price under this Contract. The City further reserves the right to deduct the cost to complete the work, including any additional costs, from any amounts due or to become due to the Contractor.

**3.3 Final Payment; Waiver of Claim.** Thirty (30) days after completion and final acceptance of the Project by the City as complying with the terms of this Contract, the City shall pay to the Contractor all sums due as provided by this Contract except those required to be withheld by law or agreed to in special contract provisions. THE CONTRACTOR'S ACCEPTANCE OF FINAL PAYMENT (EXCLUDING WITHHELD RETAINAGE) SHALL CONSTITUTE A WAIVER OF CLAIMS, EXCEPT THOSE PREVIOUSLY AND PROPERLY MADE AND IDENTIFIED BY THE CONTRACTOR AS UNSETTLED AT THE TIME REQUEST FOR FINAL PAYMENT IS MADE.

**3.4 Retainage.** The City shall hold back a retainage in the amount of five percent (5%) of any and all payments made to the Contractor for a period of sixty (60) days after the date of final acceptance, or until receipt of all necessary releases from the State Department of Revenue and the State Department of Labor and Industries, and until settlement of any liens filed under Chapter 60.28 RCW, whichever is later.

**4. Prevailing Wage.** The Contractor shall comply with and pay prevailing wages as required by Chapter 39.12 RCW, as it may be amended in the future. Prevailing rate shall be paid on public works and building service maintenance contracts, funded in part or in whole with Federal funds. Federal wage laws and regulations shall be applicable. No worker, laborer or mechanic employed in the performance of any part of this Contract shall be paid less than the prevailing rate of wage as determined by the Industrial Statistician of the Department of Labor and Industries for the State of Washington.

Prior to making any payment under this Contract, the Contractor must submit to the City an approved copy of the "Statement of Intent to Pay Prevailing Wages" from the Department of Labor and Industries. It is the Contractor's responsibility to obtain and file the Statement. The Contractor shall be responsible for all filing fees. Notice from Contractor and all subcontractors of intent to pay prevailing wages and prevailing wage rates for the Project must be posted for the benefit of the workers. Each invoice shall include a signed statement that prevailing wages have been paid by the Contractor and all subcontractors. Following the final acceptance of services rendered, Contractor shall submit a "Minimum Wage Affidavit" for themselves and any subcontractors.

In case any dispute arises as to what are the prevailing rates of wages for work of a similar nature and such dispute cannot be adjusted by the parties of interest, including labor and management representatives, the matter shall be referred for arbitration to the Director of the Department of Labor and Industries of the State and his/her decision therein shall be final and conclusive and binding on all parties involved in the dispute as provided for by RCW 39.12.060, as it may be amended in the future.

**5. Indemnification and Hold Harmless.** The Contractor shall protect, defend, indemnify and hold harmless the City, its officers, officials, employees, agents and volunteers from any and all claims, risks, injuries, damages, losses, suits, judgments, and attorney's fees or other expenses of any kind arising out of or in any way connected with the performance of this Contract, except for injuries and damages caused by the sole negligence of the City. The City's inspection or acceptance of any of the work shall not be grounds to avoid any of these covenants of indemnification.

Should a court of competent jurisdiction determine that this Contract is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Contractor and the City, its officers, officials, employees, agents and volunteers, the Contractor's liability under this section shall be only to the extent of the Contractor's negligence.

It is further specifically and expressly understood that the indemnification provided under this section constitutes the Contractor's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties.

The provisions of this section shall survive the expiration or termination of this Contract.

**6. Compliance with Laws** The Contractor shall comply with all federal, state and local laws and regulations applicable to the work done under this Contract. Any violation of the provisions of these applicable laws and regulations shall be considered a violation of a material provision of this Contract and shall be grounds for cancellation, termination or suspension of the Contract by the City, in whole or in part, and may result in ineligibility for further work for the City.

**7. Job Safety.**

**7.1 Work Site Safety.** Contractor shall take all necessary precaution for the safety of employees on the work site and shall comply with all applicable provisions of federal, state and local regulations, ordinances and codes. Contractor shall erect and properly maintain, at all times, as required by the conditions and progress of the work, all necessary safeguards for the protection of workers and the public and shall post danger signs warning against known and unusual hazards.

**7.2 Trench and Confined Space Safety.** All trenches shall be provided with adequate safety systems as required by Chapter 49.17 RCW and WAC 296-155-650 and 655. Contractor is responsible for providing the competent person and registered professional engineer required by WAC 296-155-650 and 655. All work conducted in a confined space shall comply with the provisions of chapter 296-62 WAC Part M.

**8. Utility Location.** Contractor is solely responsible for locating any underground utilities affected by the work and is deemed to be an "excavator" for the purposes of Chapter 19.122 RCW, as amended. Contractor shall be responsible for compliance with Chapter 19.122 RCW including utilization of the "one call" locator system, before commencing any excavation activities.

**9. Warranty and Guarantee.** Contractor shall warrant and guarantee the materials and work to be free of defects for a period of two (2) years after the City's final acceptance of the entire Project. Contractor shall be liable for any costs, losses, expenses or damages including consequential damages suffered by the City resulting from defects in the Contractor's work including, but not limited to, cost of materials and labor expended by the City in making emergency repairs and cost of engineering, inspection and supervision by the City. The Contractor shall hold the City harmless from any and all claims, which may be made against the City as a result of any defective work, and the Contractor shall defend any claims at its own expense. Where materials or procedures are not specified in the Contract, the City will rely on the professional judgment of the Contractor to make the appropriate selections.

**10. Correction of Defects** Contractor shall be responsible for correcting all defects in workmanship and/or materials discovered after the acceptance of this work. When corrections

of defects are made, Contractor shall be responsible for correcting all defects in workmanship and/or materials in the corrected work for one year after the acceptance of the corrections of the City. The Contractor shall start work to remedy such defects within seven (7) days of the City's mailed notice of discovery, and shall complete such work within a reasonable time agreed to by both parties. In emergencies where damage may result from delay or where loss of service may result, such corrections may be made by the City, in which case the Contractor shall pay all costs incurred by the City to perform the correction. In the event the Contractor does not accomplish corrections within the time specified, the correction work will be otherwise accomplished by the City and all costs of same shall be paid by the Contractor.

## **11. Change Order/Contract Modification.**

**11.1 Amendments.** This Contract, together with attachments and/or other addenda, represents the entire and integrated Contract between the parties hereto and supersedes all prior negotiations, representations, or agreements, either written or oral. This Contract may be amended, modified or added to only in writing, signed by the duly authorized representatives of both parties.

**11.2 Change orders.** The City may issue a written change order for any change in the work during the performance of this Contract. If the Contractor determines, for any reason, that a change order is necessary, the Contractor must submit a written change order request to the City within fourteen (14) calendar days of the date the Contractor knew or should have known of the facts and events giving rise to the requested change. If the City determines that the change increases or decreases the Contractor's costs or time for performance, the City will make an equitable adjustment. The City will attempt, in good faith, to reach agreement with the Contractor on all equitable adjustments. If the parties are unable to agree, the City will determine the equitable adjustment as it deems appropriate. The Contractor shall proceed with the change order work upon receiving the written change order. If the Contractor fails to require a change order within the time frame allowed, the Contractor waives its right to make any claim or submit subsequent change order requests for that portion of the work. If the Contractor disagrees with the equitable adjustment, the Contractor must complete the change order work; however, the Contractor may elect to protest the adjustment as provided below.

**11.3 Procedure and Protest by Contractor.** If the Contractor disagrees with anything required by a change order, another written order, or an oral order from the City, including any direction, instruction, interpretation, or determination by the City, the Contractor shall, within fourteen (14) calendar days, provide a signed written notice of protest to the City that states the date of the notice of the protest, the nature and circumstances that caused the protest, the provisions of the Contract that support the protest, the estimated dollar cost, if any, of the protested work and how the estimate was determined, and an analysis of the progress schedule showing the schedule change or disruption, if applicable. The Contractor shall keep complete records of extra costs and time incurred as a result of the protested work. The City shall have access to any of the Contractor's records needed to evaluate the protest. If the City determines that a protest is valid, the City will adjust the payment for work or time by an equitable adjustment.

**11.4 Failure to Protest or Follow Procedures Constitutes Waiver.** By not protesting or failing to follow procedures as this section provides, the Contractor waives any additional entitlement or claims for protested work, and accepts from the City any written or oral order (including directions, instructions, interpretations, and determinations).

**11.5 Contractor's Duty to Complete Protested Work.** In spite of any protest, the Contractor shall proceed to promptly complete work that the City has ordered.

**11.6 Contractor's Acceptance of Changes.** The Contractor accepts all requirements of a change order by: (1) endorsing the change order; (2) writing a separate acceptance; or (3) not protesting in the manner this section provides. A change order that is accepted by the Contractor as provided herein shall constitute full payment and final settlement of all claims for contract time and for direct, indirect, and consequential costs, including costs of delays related to any work, either covered or affected by the change.

**12. Claims.** The Contractor shall give written notice to the City of all claims other than change orders within thirty (30) days of the occurrence of events giving rise to the claim, but in no event later than the time of approval by the City for final payment. Any claim for damages, additional payment for any reason, or extension of time shall be conclusively deemed to have been waived by Contractor unless a timely written claim is made in strict accordance with the applicable provisions of this Contract. At a minimum, a Contractor's written claim must include the information required in Section 11.3 regarding protests.

FAILURE TO PROVIDE A COMPLETE, WRITTEN NOTIFICATION OF CLAIM IN THE TIME ALLOWED SHALL BE AN ABSOLUTE WAIVER OF ANY CLAIMS ARISING IN ANY WAY FROM THE FACTS OR EVENTS SURROUNDING THAT CLAIM.

The Contractor must, in any event, file any claim or bring any suit arising from or connected to this Contract within 120 calendar days from the date the work is completed. Contractor, upon making application for the final payment, shall be deemed to have waived its right to claim for any other damages for which application has not been made, unless such claim for final payment includes notice of additional claim and fully describes such claim.

**13. Contractor's Risk of Loss.** It is understood that the whole of the work under this Contract is to be done at the Contractor's risk, and that he/she has familiarized himself/herself with all existing conditions and other contingencies likely to affect the work, and has made his/her bid accordingly, and that Contractor shall assume the responsibility and risk of all loss or damage to materials or work which may arise from any cause whatsoever prior to completion.

**14. Insurance.** The Contractor shall procure and maintain for the duration of the Contract, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees or subcontractors.

A. **Minimum Scope of Insurance.** Contractor shall obtain insurance of the types described below:

1. **Automobile Liability** insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

1. **Commercial General Liability** insurance shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, independent contractors and personal injury and advertising injury, and liability assumed under an insured contract. The Commercial General Liability insurance shall be endorsed to provide the Aggregate per Project Endorsement ISO form CG 25 03 11 85, or substitute endorsements providing equivalent coverage. There shall be no endorsement or modification of the Commercial Liability insurance eliminating ~~for~~ liability arising from explosion, collapse or underground property damage. The City shall be named as an additional insured under the Contractor's Commercial General Liability insurance

policy with respect to the work performed for the City using ISO additional endorsement CG 20 10 01 and CG 20 37 10 01 Additional Insured Completed Operations or substitute endorsements providing equivalent coverage. The Contractor's Commercial General Liability policy shall include Waiver of Transfer of Rights of Recovery Against Others to Us endorsement (CG 24 04 05 09) or equivalent coverage.

2.

1. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington. The Contractor shall provide or purchase industrial insurance coverage prior to performing work under this contract, with Washington Stop gap Employer's Liability minimum limits of \$1,000,000 each accident, \$1,000,000 disease - each employee, \$1,000,000 disease - policy limit.

3.

B. Minimum Amounts of Insurance. Contractor shall maintain the following insurance limits:

1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.

2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 per project aggregate and a \$2,000,000 products-completed operation aggregate limit.

C. Other Insurance Provisions. The insurance policies are to contain, or be endorsed to contain, the following provisions for Automobile Liability, Commercial General Liability, and Builders Risk insurance:

1. The Contractor's insurance coverage shall be primary insurance as respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be in excess of the Contractor's insurance and shall not contribute with it.

2. The Contractor's insurance shall be endorsed to state that coverage shall not be cancelled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City.

D. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

E. Verification of Coverage. Contractor shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the Automobile Liability and Commercial General Liability insurance of the Contractor before commencement of the work.

F. Subcontractors. The Contractor shall include all subcontractors as insured under its policies or shall furnish separate certifications and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the same insurance requirements as stated herein for the Contractor.

The Contractor's insurance shall contain a clause stating that the coverage shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insured liability. The Contractor's insurance shall be primary insurance with

respect to the City, and the City shall be given thirty (30) days' prior written notice of any cancellation, suspension or material change in coverage.

The additional insured clause shall include the following: the City of Pacific, its elected officials, officers, employees, volunteers and agents.

**15. Payment and Performance Bonds** (City must check and initial above one of the following boxes.) The City  waives  does not waive the bond/surety provisions of this section pursuant to RCW 39.04.155(3). If the City waives these provisions then Contractor need not complete this section. If the City does not waive these provisions then Contractor shall provide the following:

Payment and Performance bonds shall be received by the City in the amount of 100% of the Contract price and no less. The bonds must be accepted by the City prior to the execution of the Contract, and shall be in a form approved by the City. The bonds shall be released thirty (30) days after the date of final acceptance of the work performed under this Contract and receipt of all necessary releases from the Department of Revenue and Department of Labor and Industries in settlement of any liens filed under Chapter 60.28 RCW, whichever is later.

**16. Termination.**

A. Termination without cause. This Agreement may be terminated by the City at any time for public convenience, for the Contractor's insolvency or bankruptcy, or the Contractor's assignment for the benefit of creditors.

B. Termination upon completion of the work. This Contract shall terminate upon satisfactory completion of the work described in the Scope of Work (Exhibit A) and final payment by the City.

C. Rights upon Termination.

1. Upon termination for any reason, all finished or unfinished reports or documents of the Contractor relating to this Contract shall be submitted to the City, and the Contractor shall be entitled to just and equitable compensation for any satisfactory work performed prior to the date of termination, not to exceed the total compensation in Section 3 of this Agreement (together with any approved Change Orders). Contractor shall not be entitled to any reallocation of cost, profit or overhead. Contractor shall not in any event be entitled to anticipated profit on work not performed because of such termination. Upon termination, the City may take over the work and prosecute the same to completion, by contract or otherwise.

2. Termination for Cause or Default. In the event this Contract is terminated by the City for cause, Contractor shall not be entitled to receive any further amounts due under this Contract up to the termination date, until the work specified in the Scope of Work (Exhibit A) is satisfactorily completed, as scheduled. At such time, if the unpaid balance of the amount to be paid under the Contract exceeds the expense incurred by the City in finishing the work, and all damages sustained by the City or which may be sustained by the City or which may be sustained by the reason of such refusal, neglect, failure or discontinuance of employment, such excess shall be paid by the City to the Contractor. If the City's expense and damages exceed the unpaid balance, Contractor and his surety shall be jointly and severally liable therefore to the City and shall pay such difference to the City. Such expense and damages shall include all legal costs incurred by the City to protect the rights and interests of the City under the Contract, provided such legal costs shall be reasonable.

**17. Attorney's Fees and Costs** If any legal proceeding is brought for the enforcement of this Contract, or because of a dispute, breach, default, or misrepresentation in connection with any of the provisions of this Contract, the prevailing party shall be entitled to recover from the other party, in addition to any other relief to which such party may be entitled, reasonable attorney's fees and other costs incurred in that action or proceeding.

**18. General Administration**. The Project Manager of the City shall have primary responsibility for the City under this Contract to oversee and approve all work performed as well as all financial invoices.

**19. Ownership of Documents** On payment to the Contractor by the City of all compensation due under this Contract, all finished or unfinished documents and material prepared by the Contractor with funds paid by the City under this Contract shall become the property of the City and shall be forwarded to the City upon its request. Any records, reports, information, data or other documents or materials given to or prepared or assembled by the Contractor under this Contract will be kept confidential and shall not be made available to any individual or organization by the Contractor without prior written approval of the City or by court order.

**20. Subletting or Assigning of Contracts** Neither the City nor the Contractor shall assign, transfer, or encumber any rights, duties or interests accruing from this Contract without the prior written consent of the other. If subcontract work is needed, prior to approval by the City, the Contractor must verify that their first tier subcontractors meet the bidder responsibility criteria as written in Chapter 39.04.350 RCW.

**21. Relationship of Parties** The parties intend that an independent contractor - client relationship will be created by this Contract. As Contractor is customarily engaged in an independently established trade which encompasses the specific service provided to the City hereunder, no agent, employee, representative or subcontractor of Contractor shall be or shall be deemed to be the employee, agent, representative or subcontractor of the City. None of the benefits provided by the City to its employees, including, but not limited to, compensation, insurance and unemployment insurance, are available from the City to the Contractor or his employees, agents, representatives or subcontractors. Contractor will be solely and entirely responsible for his acts and for the acts of Contractor's agents, employees, representatives and subcontractors during the performance of this Contract. The City may, during the term of this Contract, engage other independent contractors to perform the same or similar work that Contractor performs hereunder

**22. Nonwaiver of Breach**. The failure of the City to insist upon strict performance of any of the terms and rights contained in this Contract, or to exercise any option contained in this Contract in one or more instances, shall not be construed to be a waiver or relinquishment of those terms and rights and such terms and rights shall remain in full force and effect.

**23. Written Notice**. All communications regarding this Contract shall be sent to the Parties at the addresses listed below in the Contact information, unless otherwise notified. Any written notice shall become effective on delivery, but in any event on the date three (3) calendar days after the date of mailing by registered or certified mail, and shall be deemed sufficiently given if sent to the addressee at the address stated in this Contract.

**24. Discrimination**. The Contractor agrees not to discriminate against any employee or applicant for employment or any other person in the performance of this Agreement because of race, creed, color, national origin, marital status, sex, sexual orientation, age, disability, or

other circumstance prohibited by federal, state or local law or ordinance, except for a bona fide occupational qualification.

**25. Term.** This Contract shall be effective from the date of Contract execution through expiration of the warranty period as described in Section 9.

**26. Severability.** The provisions of this Contract are declared to be severable. If any provision in this Agreement is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision.

**IN WITNESS WHEREOF,** the Parties have executed this Contract as of the day and year above written.

**CITY OF PACIFIC:**

Signature: \_\_\_\_\_  
MAYOR, Leanne Guier  
Date: \_\_\_\_\_

**CONTRACTOR:**  
[INSERT NAME OF CONTRACTOR]

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_  
Taxpayer ID #: \_\_\_\_\_

**CITY CONTACT:**

Print Name: \_\_\_\_\_

**CONTRACTOR CONTACT:**

Print Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Contractor License #: \_\_\_\_\_

(if this is a new contractor or if Contractor has never conducted work with the City, a W-9 form must be attached to this agreement)

**EXHIBIT "A"**  
**PROJECT - SCOPE OF WORK**

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The City of Pacific is seeking bids from qualified vendors to provide Storm Drainage Cleaning and Video Inspection Services. Work shall include, but is not limited to, cleaning and removing debris from storm drainage piping and catch basins shown on the enclosed Project Map (Exhibit B). Contractor will remove lids, grates and covers, clean piping and catch basin structures, video inspect cleaned pipe segments, legally dispose of the removed debris and provide electronic and written report of piping and catch basins cleaned that includes pertinent infrastructure nomenclature and a record of any piping defects discovered.

A. Items of Work

Bid Item 1 – Mobilization

This will be a Lump Sum (LS) cost for the Contractor. This work consists of preparatory work and operations, including those necessary for movement of personnel, equipment, supplies, and incidentals required to complete to the project not included in other bid items; the cost of bonds and any required insurance; and other preconstruction expenses necessary for start of work.

Bid Item 2 – Traffic Control

This will be a Lump Sum (LS) cost for the Contractor. The lump sum price bid for traffic control shall include but not be limited to Signs (portable, stationary, or barricade), which includes detour signing, Flashing Arrow Boards (FAB), Traffic Control Supervisor (TCS) Flaggers, Cones, Skinny Drums and Drums and all labor, tools, equipment and incidentals necessary to furnish, install, maintain and remove traffic control devices when no longer required.

Bid Item 3 – Drainage Pipe Cleaning

This will be a per Lineal Foot (LF) cost for the Contractor. The Contractor shall carry out all cleaning operations with a vactor truck of suitable size and power for the work. Contractor will supply all necessary labor, material, and equipment to clean an estimated 9,000 LF of storm drainage pipe of various size and material composition. The City does not warrant that the actual quantities of work will correspond with these estimates. The City reserves the right to increase or decrease any of the quantities shown without adjusting the unit contract prices by Change Order. Payment will be made on the basis of the actual quantities satisfactorily completed in accordance with the Contract requirements.

Bid Item 4 – Closed Circuit Television Video (CCTV) Pipe Inspection

This will be a Lineal Foot cost for the Contractor. The Contractor shall carry out all closed circuit television (CCTV) inspection of the storm drainage pipe cleaned. The Contractor shall perform televising work to thoroughly document the condition of the storm drainage piping. The storm drainage piping shall be carefully inspected to determine alignment, grade variations, separated joints, location and extent of any deterioration, breaks, obstacles, obstructions, and the locations of service connections.

The contractor shall inspect the storm drainage interior piping using a color closed circuit television camera (CCTV) and document the inspection on a digital recorder. All inspection

video shall be captured in either MPEG or Windows Media Video (.WMV) file format and saved portable hard drives for submittal. There shall be a record of footage from a control point displayed in the video.

#### Bid Item 5 – Catch Basin Cleaning

This will be a cost per unit bid (Each) cost for the Contractor. Contractor will supply all necessary labor, material, and equipment to clean an estimated 160 catch basins of various size. The City does not warrant that the actual quantities of work will correspond with these estimates. The City reserves the right to increase or decrease any of the quantities shown without adjusting the unit contract prices by Change Order. Payment will be made on the basis of the actual quantities satisfactorily completed in accordance with the Contract requirements.

The contractor shall record in tabular format the location of the catch basin, the type of catch basin, the depth to material before cleaning, and the depth of the structure after cleaning. The tabular information shall be presented to the City in a Microsoft Excel spreadsheet format.

#### Bid Item 6 – Waste Disposal

This will be a per Ton cost for the Contractor. Contractor shall be responsible as generator to characterize, transport and dispose of all waste generated during the storm drainage catch basin and piping cleaning operations at an in-state facility permitted to receive said waste or as otherwise allowed by State and Federal solid waste disposal laws. The liquid phase may be decanted into the City's storm sewer manholes as long as it meets state water quality criteria and does not cause significant deposits of debris in the storm sewer. Under no circumstances shall the Contractor dispose any material or liquid into the City of Pacific's sanitary sewer manholes.

Debris disposal will be measured based on the weight in tons of debris removed during storm sewer cleaning operations. The Contractor shall be required to present to the City Disposal tickets or other written documentation that records the weight of the waste removed, issued by the waste hauler removing said waste, as the basis of this payment.

#### Bid Item 7 - Spills

Personnel shall be trained and shall possess appropriate personal protective equipment to respond to uncontrolled releases of waste to limit and clean up the release; clean up any contaminated facility, land, waterway or aquifer, structure, or vehicle; and collect and dispose of contaminated material and pay associated costs. The Contractor shall also be responsible for costs to repair or restore and contaminated equipment, structures, land, waterway, or aquifer. The Contractor shall be responsible for timely reporting any spills to the appropriate government authority.

#### Bid Item 8 – Maintenance Report

This will be a Lump Sum cost for the Contractor. This Contractor shall furnish the City with one written and one computerized report (Microsoft Word). The computerized report will be generated by onboard computer and printer, and will provide commentary on photographs and fault areas. The report will describe structural defects, misalignment, infiltration sources, and root intrusions. Each image captured or video clip capture of a defect shall be indexed to identify its location.

All pertinent inspection data to include:

1. Date and time of inspection.
2. Manhole or inlet name and number.
3. Size, slope, material and cardinal orientation of pipe.
4. Depth from top of manhole lid to bottom of channel.
5. All distances between manholes and inlets.
6. Direction of flow.
7. Defect description with o' clock position.
8. Other relevant information that documents inspection.

## II. Scheduling

The Contractor shall perform cleaning and video inspection services during the hours of 7:00 am and 7:00 pm Monday through Friday. When Contractor is working on arterial streets or streets that require lane closure the hours of work are limited to between 9:00 am and 3:00 pm. No total road closures will be allowed.

DISCUSSION ONLY

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DISCUSSION ONLY

# SELECTION OF RETAINAGE OPTION

## CITY OF PACIFIC LIMITED PUBLIC WORKS

### PROJECT: STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES

Contract/Purchase Order Number: \_\_\_\_\_

Pursuant to RCW 60.28.011, five percent (5%) of all monies earned by the Contractor on estimates during the progress of the work shall be retained by the City for the purposes mentioned in said statute. The Contractor elects to have these monies (check one):

- Retained in a fund by the Owner until sixty (60) days following the final acceptance of said improvement or work is completed;
- Deposited by the Owner in an interest bearing account in a bank, mutual savings bank, or savings and loan association, not subject to withdrawal until after the final acceptance of said improvement or work is completed, or until agreed to by both parties: Provided that interest on such account shall be paid to the Contractor; or
- Placed in escrow with a bank or trust company by the Owner until sixty (60) days following the final acceptance of said improvement or work is completed. When the monies reserved are to be placed in escrow, the Owner shall issue a check representing the sum of the monies reserved payable to the bank or trust company and the Contractor jointly. Such check shall be converted into bonds and securities chosen by the Contractor and approved by the Owner and such bonds and securities shall be held in escrow. Interest on such bonds and securities shall be paid to the Contractor as the said interest accrues. Contractor hereby further agrees to be fully responsible for payment of all costs or fees incurred as a result of placing said retained percentage in escrow and investing it as authorized by statute. The City of Pacific shall not be liable in any way for any cost or fees in connection therewith.

\_\_\_\_\_  
Name of Financial Institution

\_\_\_\_\_  
Address of Financial Institution

\_\_\_\_\_  
City, State, Zip Code of Financial Institution

\_\_\_\_\_  
Escrow Account Number

\_\_\_\_\_  
Contractor's Signature

\_\_\_\_\_  
Date

# Payment Bond

KNOW ALL PEOPLE BY THESE PRESENTS:

BOND NO.: \_\_\_\_\_

That we, \_\_\_\_\_, the CONTRACTOR, herein referred to as PRINCIPAL, and \_\_\_\_\_, as SURETY, are held and firmly bound unto THE CITY OF BAINBRIDGE ISLAND (hereinafter the "OWNER") in the full sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS of this obligation are such that, whereas, the PRINCIPAL has entered into an agreement in writing with the OWNER, dated \_\_\_\_\_ 20\_\_\_\_, for the construction of the **City of Pacific, STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES** according to the terms, conditions and covenants specified in the Contract, including all of the Contract documents therein referred to, which are hereby referred to and made a part hereof as fully and completely as though set forth in detail herein, and

WHEREAS, it is understood and made a part of the consideration for this obligation that the OWNER shall have the right to sue on this Bond in its own name to recover for any loss, injury, damage or liability whatsoever sustained or incurred by it by reason of the PRINCIPAL's failure to pay all laborers, mechanics, and subcontractors and materialmen, and all persons who shall supply such person or persons and such PRINCIPAL or subcontractors with provisions and supplies for the carrying on of such Work as defined and required by RCW 39.08, any breach of the Contract documents, or of any provision in this Bond, in the same manner and to the same extent as though this obligation ran directly to the OWNER.

NOW, THEREFORE, if the PRINCIPAL shall well, truly and faithfully perform all of the provisions and fulfill all of the undertakings, covenants, terms, conditions and agreements for payment of all persons, laborers, mechanics, and subcontractors and materialmen, and all persons who shall supply such person or persons and such PRINCIPAL or subcontractors with provisions and supplies for the carrying on of such Work as required by RCW 39.08 and shall indemnify and save harmless OWNER from all cost and damage by reason of the PRINCIPAL's default or failure to do so, then this obligation shall be null and void, otherwise this obligation shall remain in full force and effect, and SURETY will be obligated to pay such person or persons as required by RCW 39.08.

IT IS FURTHER DECLARED AND AGREED that the SURETY hereby further stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract, the Work to be performed thereunder, or the Project Specifications shall in any way affect its obligation on this Bond, and the SURETY hereby waives notice of any change, extension of time, alteration or addition to the terms of the Contract, the Work or the Project Specifications. SURETY hereby attaches an original Power of Attorney verifying the authority of the person(s) executing this Bond on behalf of the SURETY.

Sealed and dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

PRINCIPAL: [Insert Contractor's Name]

By: \_\_\_\_\_  
(Print Name)

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

SURETY: [Insert Surety's Name]

By: \_\_\_\_\_  
(Print Name)

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Attachments: Original Surety Power of Attorney

DISCUSSION ONLY

**PERFORMANCE BOND**

**CITY OF PACIFIC  
LIMITED PUBLIC WORKS**

**PROJECT: STORM DRAINAGE CLEANING AND VIDEO INSPECTION SERVICES**

SURETY BOND #: \_\_\_\_\_

DATE POSTED: \_\_\_\_\_

PROJECT COMPLETION DATE: \_\_\_\_\_

RE: Project Name: \_\_\_\_\_

Owner/Developer/Contractor: \_\_\_\_\_

Project Address: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS: That we, \_\_\_\_\_  
(hereinafter called the "Principal"), and \_\_\_\_\_ a corporation organized  
under the laws of the State of \_\_\_\_\_, and authorized to transact surety business in the  
State of Washington (hereinafter called the "Surety"), are held and firmly bound unto the City of  
Pacific, Washington, in the sum of \_\_\_\_\_  
(\$ \_\_\_\_\_), lawful money of the United States of America, for the payment of which  
sum we and each of us bind ourselves, our heirs, executors, administrators, successors and  
assigns, jointly and severally, by these presents. THE CONDITIONS of the above obligation are  
such that:

WHEREAS, the above named Principal has entered into a certain agreement with the  
City, to perform the following public works project within the City: \_\_\_\_\_  
\_\_\_\_\_ ; and

WHEREAS, the agreement with the City requires that certain improvements be made as  
part of the public works project; and that such improvements be constructed in full compliance  
with City standards, and the plans and specifications as required by the City; and

WHEREAS, the agreement with the City requires that the improvements are to be made  
or constructed within a certain period of time, unless an extension is granted in writing by the  
City; and

NOW, THEREFORE, it is understood and agreed that this obligation shall continue in  
effect until released in writing by the City of Pacific, but only after the Principal has performed  
and satisfied the following conditions:

A. Conditions.

1. The improvements to be constructed by the Principal include: (insert complete description here)

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2. The Principal must construct the improvements to conform to the design, location, materials and other specifications for the indicated site improvements, as required by the City in the above-referenced project. In addition, the Principal must construct the improvements according to the applicable ordinances and standards of the City and/or state statutes, as the same now exist or are hereafter amended.
3. The Principal must have completed all improvements required by the above-referenced conditions, plans and City file within \_\_\_\_\_ which time period shall begin to run from the earlier of \_\_\_\_\_ unless an extension is granted by the City.
4. The Principal must have paid all sums owing to laborers, contractors, mechanics, subcontractors, material-men and suppliers or others as a result of such work for which a lien against any City property has arisen or may arise. The Principal shall indemnify and hold harmless the City of Pacific, its officers, officials and agents from any claim for such payment.
5. The Principal must obtain acceptance by the City of the work completed, all on or before thirty (30) days after the completion date set forth in Section A(3) above.
6. The Principal shall indemnify and hold harmless the City of Pacific, its officers, officials and agents from any claims relating to defect(s) in any of the workmanship entering into any part of the work or designated equipment covered by the contract between the Principal and the City. Once the work has been completed and accepted by the City, and all other conditions of this Bond have been satisfied, this Performance bond will be released. This hold harmless and indemnification agreement shall survive the expiration of this Bond.

B. Default.

1. If the Principal defaults and does not perform the above conditions within the time specified, then the Surety shall, within twenty (20) days of demand of the City, make a written commitment to the City that it will either:
  - a) remedy the default itself with reasonable diligence pursuant to a time schedule acceptable to the City; or
  - b). tender to the City within an additional ten (10) days the amount necessary, as determined by the City, for the City to remedy the default, up to the total bond amount.

Upon completion of the Surety's duties under either of the options above, the Surety shall then have fulfilled its obligations under this bond. If the Surety elects

to fulfill its obligation pursuant to the requirements of subsection B(1)(b), the City shall notify the Surety of the actual cost of the remedy, upon completion of the remedy. The City shall return, without interest, any overpayment made by the Surety, and the Surety shall pay to the City any actual costs, which exceeded the City's estimate, limited to the bond amount.

2. In the event the Principal fails to complete all of the above referenced improvements within the time period specified by the City, then the City, its employees and agents shall have the right at the City's sole election to enter onto said property described above for the purpose of completing the improvements. This provision shall not be construed as creating an obligation on the part of the City or its representatives to complete such improvements.
- C. Corrections. Any corrections required by the City shall be commenced within seven (7) days of notification by the City and completed within thirty (30) days of the date of notification. If the work is not performed in a timely manner, the City shall have the right, without recourse to legal action, to take such action under this Bond as described in Section B above.
- D. Extensions and Changes. No change, extension of time, alteration or addition to the terms of the contract or to the work to be performed by the Principal or the specifications accompanying the same shall in any way affect the obligation of the Principal or Surety on this bond, unless the City specifically agrees, in writing, to such alteration, addition, extension or change. The Surety waives notice of any such change, extension, alteration or addition thereunder. The Surety hereby agrees that modifications and changes may be made in the terms and provisions of the aforesaid contract without notice to Surety and any such modifications or changes increasing the total amount to be paid the Principal shall automatically increase the obligation on this Performance Bond in a like amount.
- E. Enforcement. It is specifically agreed by and between the parties that in the event any legal action must be taken to enforce the provisions of this bond or to collect said bond, the prevailing party shall be entitled to collect its costs and reasonable attorney fees as a part of the reasonable costs of securing the obligation hereunder. In the event of settlement or resolution of these issues prior to the filing of any suit, the actual costs incurred by the City, including reasonable attorney fees, shall be considered a part of the obligation hereunder secured. Said costs and reasonable legal fees shall be recoverable by the prevailing party, not only from the proceeds of this bond, but also over and above said bond as a part of any recovery (including recovery on the bond) in any judicial proceeding. The Surety hereby agrees that this Agreement shall be governed by the laws of the State of Washington. Venue of any litigation arising out of this Agreement shall be in King County Superior Court.
- F. Bond Expiration. This bond shall remain in full force and effect until the obligations secured hereby have been fully performed and a Maintenance Bond as described in Section A(6) of this Bond has been submitted to the City, in a form suitable to the City and until released in writing by the City.

DATED this \_\_\_\_ day of \_\_\_\_\_, 201\_\_ .

**SURETY COMPANY  
(Signature must be notarized)**

**DEVELOPER/OWNER  
(Signature must be notarized)**

By: \_\_\_\_\_  
Its \_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**CITY OF PACIFIC**

By: \_\_\_\_\_  
Its: Mayor

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Carol Morris, City Attorney

**CHECK FOR ATTACHED NOTARY SIGNATURE**

\_\_\_\_ Individual (Form P-1)

\_\_\_\_ Corporation (Form P-2)

DISCUSSION ONLY

**FORM P-1 / NOTARY BLOCK**  
(Use For Individual/Sole Proprietor Only)

STATE OF WASHINGTON            )  
  ) ss.  
COUNTY OF                            )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged that (he/she) signed this instrument, and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(print or type name)  
NOTARY PUBLIC in and for the  
State of Washington, residing  
at: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

DISCUSSION ONLY

**FORM P-2 / NOTARY BLOCK - (Use For Partnership or Corporation Only)**

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged as the \_\_\_\_\_ of \_\_\_\_\_ that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(print or type name)

NOTARY PUBLIC in and for the State of Washington, residing at: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

**(For Surety Company)**  
STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF )

I certify that I know or have satisfactory evidence that \_\_\_\_\_ is the person who appeared before me, and said person acknowledged as the \_\_\_\_\_ of \_\_\_\_\_ that (he/she) signed this instrument, on oath stated that (he/she) was authorized to execute the instrument and acknowledged it to be (his/her) free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(print or type name)

NOTARY PUBLIC in and for the State of Washington, residing at: \_\_\_\_\_  
My Commission expires: \_\_\_\_\_



## STATEMENT OF INTENT TO PAY PREVAILING WAGES

**Public Works Contract**  
**\$40.00 Filing Fee Required**

**Intent ID # (Assigned by L&I)** \_\_\_\_\_

- This form must be typed or printed in ink.
- Fill in all blanks or form will be returned for correction (see back).
- Please allow a minimum of 10 working days for processing.
- Once approved, your form will be posted online at the website above.

**APPROVED FORM WILL BE MAILED TO THIS ADDRESS** ↓

Contractor, company or agency name, address, city, state & ZIP+4

Project Name		Contract Number	
Contract Awarding Agency (public agency - not federal or private)			
Awarding Agency Address			
City		State	ZIP+4
Awarding Agency Project Contact Person		Phone Number	
County where work will be performed		City where work will be performed	
Bid due date (mm/dd/yy)		Date contract awarded (mm/dd/yy)	
Prime Contractor (has contract with the public agency)		Prime's Phone Number	
Prime's Contractor Registration Number		Prime's UBI Number	
Number of Owner/Operators that own at least 30% of the company who will perform work on the project: _____		Will <b>all</b> work be subcontracted?	
Will employees perform work on this project? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", please list worker's craft/trade/occupation below. (If you choose "No" and this changes later, you certify that you will submit a new form listing workers.)		Do you intend to use subcontractors?	
<b>Craft/trade/occupation.</b> (Do NOT list apprentices.) When using employees in more than one craft, each craft transition must be accurately recorded on the time sheet.		Responding "Yes" to either of the questions above will then require you to list the subcontractor, their UBI #, and Contractor Registration # (if they are required to have one) on <b>Addendum B</b> of the Affidavit of Wages Paid form.	
Expected job start date (mm/dd/yy)		Do you intend to use apprentice employees?	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

	Estimated number of workers	Rate of hourly pay	Rate of hourly fringe benefits

Sample

Company Name	
Address	
City	State ZIP+4
Contractor Registration Number	UBI Number
Industrial Insurance Account Number	
Email Address	Phone Number
<b>For L&amp;I Use Only</b>	
<b>APPROVED:</b>	Department of Labor and Industries
By _____	Industrial Statistician

Indicate total dollar amount of your contract (including Sales Tax) or time and materials, if applicable.	\$ _____
I hereby certify that the information, including any addendums, is correct and that all workers I employ on this Public Works Project will be paid no less than the Prevailing Wage Rate(s) as determined by the Industrial Statistician of the Department of Labor and Industries.	
Title _____	Signature _____

<b>For L&amp;I Use Only</b>	
Check Number: _____	<input type="checkbox"/> \$40 or \$ _____
Issued By: _____	



**AFFIDAVIT OF WAGES PAID**  
**Public Works Contract**  
**\$40.00 Filing Fee Required**

**Affidavit ID # (Assigned by L&I)** \_\_\_\_\_

- This form must be typed or printed in ink.
- Fill in all blanks or form will be returned for correction (see back).
- Please allow a minimum of 10 working days for processing.
- Once approved, your form will be posted online at the website above.

**APPROVED FORM WILL BE MAILED TO THIS ADDRESS**  
 Contractor, company or agency name, address, city, state & ZIP+4

Project Name		Contract Number	
Contract Awarding Agency (public agency - not federal or private)			
Awarding Agency Address			
City		State	ZIP+4
Awarding Agency Project Contact Person		Phone Number	
County where work was performed		City where work was performed	
Bid due date (mm/dd/yy)		Date contract awarded (mm/dd/yy)	
Date work completed (mm/dd/yy)		Date Intent filed (mm/dd/yy)	
Prime Contractor (has contract with the public agency)		Prime's Phone Number	
Prime's Contractor Registration Number		Prime's UBI Number	
Number of Owner/Operators that own at least 30% of the company who will perform work on the project: _____		Intent ID # _____	
Did Employees Perform Work on this Project? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", please list worker's craft/trade/occupation below.		Was <u>all</u> work subcontracted? <input type="checkbox"/> Yes <input type="checkbox"/> No	
		Did you use subcontractors? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Responding "Yes" to either of the above questions will require that you fill out <b>Addendum B, List of Next Tier Subcontractors</b> .			
Job start date (mm/dd/yy)			

Craft/trade/occupation and apprentices. (For apprentices, give name, registration #, trade, dates of work on project, stage of progression, wage and fringe.)	Number of workers	Total # of hours worked - ea. trade	Rate of hourly pay	Rate of hourly fringe benefits

Sample

Company Name	
Address	
City	State ZIP+4
Contractor Registration Number	UBI Number
Industrial Insurance Account Number	
Email address	Phone Number
<b>For L&amp;I Use Only</b>	
<b>APPROVED:</b>	Department of Labor and Industries
By _____	Industrial Statistician

Indicate total dollar amount of your contract (including Sales Tax.)	\$ _____
I hereby certify that the information, including any addendums, is correct and that all workers I employed on this Public Works Project were paid no less than the Prevailing Wage Rate(s) as determined by the Industrial Statistician of the Department of Labor and Industries.	
Title	Signature

<b>For L&amp;I Use Only</b>	
Check Number:	<input type="checkbox"/> \$40 or \$ _____
Issued By:	_____

F700-007-000 affidavit of wages 05-08

**DO NOT SEPARATE FORMS PRIOR TO APPROVAL BY L&I**  
 (White & canary copies must be submitted-canary will be retained by L&I after approval.)



Agenda Bill No. 15-150

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** November 2, 2015  
**SUBJECT:** Surplus City Vehicles and Equipment

**ATTACHMENTS:**

- Resolution 2015-297
- "Exhibit A"

**Previous Council Review Date:** N/A

**Summary:** Several departments have items that are surplus to the needs of the City. The Public Works Department purchased two new 2015 Chevrolet pickup trucks to replace two older and well used vehicles. The vehicles being replaced are a 1990 Chevrolet ¾ ton pickup truck and a 2000 Ford Ranger pickup truck as described further on "Exhibit A."

**Recommendation/Action:** Staff recommends that Council approve Resolution No. 2015-297 that declares as surplus to City needs the following items as "Exhibit A":

- 1990 Chevrolet ¾ ton pickup truck
- 2000 Ford Ranger pickup truck
- Irreparable metal detector from Court
- Obsolete law books from Court
- 12 Chairs from the Council Chambers

Staff further recommends that the vehicles being declared surplus be disposed of through:

- a) The State of Washington Department of Enterprises surplus personal property program located in Olympia, Washington; or
- b) Local or internet public or private vehicle auction services; or
- c) Interlocal agreement with an agency of the State of Washington or a political subdivision thereof, or through another qualified governmental entity; or
- d) Recycled or disposed of as scrap if the vehicles have no other value.

**Motion for Consideration:** Move to approve Resolution No. 2015-297

**Budget Impact:** The funds obtained from the sale of the vehicles can be returned to the fund acquiring that acquired the vehicles.

**Alternatives:** Do not approve.

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2015 - 297**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO  
THE SALE AND DISPOSAL OF SURPLUS CITY PERSONAL PROPERTY.**

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**WHEREAS**, the City of Pacific periodically takes inventory of its vehicles and equipment that have exceed their life expectancy and are no longer needed for public use; and

**WHEREAS**, the City is desirous of sell surplus vehicles and equipment in an “as is” condition without express or implied warranties; and

**WHEREAS**, it is in the best interest of the City of Pacific to sell property owned by the City which no longer has beneficial public use and is surplus to the City’s needs; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC,  
WASHINGTON, DOES RESOLVE AS FOLLOWS:**

Section 1. The vehicles and equipment listed and identified on “Exhibit A” are surplus to the City’s needs.

Section 2. The surplus vehicles and equipment on “Exhibit A” shall be sold and/or disposed of through one of the following methods:

- a) State of Washington Department of Enterprises surplus personal property program located in Olympia, Washington; or
- b) Local or internet public or private vehicle and equipment auction services; or
- c) Interlocal agreement with an agency of the State of Washington or a political sub-division thereof, or through another qualified governmental entity; or
- d) Recycled or disposed of as scrap if the vehicles and equipment have no other value.

Section 3. All revenue generated by the disposal of surplus vehicles and equipment shall be returned to the fund used to purchase said vehicles or equipment.

Section 4. This Resolution shall take effect and be in full force upon passage and signatures hereon.

PASSED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 9<sup>th</sup> DAY OF NOVEMBER, 2015.

CITY OF PACIFIC

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LEANNE GUIER, MAYOR

**ATTEST/AUTHENTICATED:**

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**AMY STEVENSON-NESS, CITY CLERK**

**APPROVED AS TO FORM:**

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**CAROL MORRIS, CITY ATTORNEY**

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2015 - 297**

**EXHIBIT A**

<b>Year</b>	<b>Make</b>	<b>Model</b>	<b>VIN#</b>	<b>Mileage</b>	<b>License</b>	<b>Estimated Value</b>
1990	Chevrolet	HD2500	1GCGC24K3LE256055	104,539	08777D	\$1,000.00
2000	Ford	Ranger	1FTZR15V9YPB11463	175,532	32386D	800.00

<b>Item</b>	<b>Department</b>	<b>Serial Number</b>	<b>Estimated Value</b>
Chairs, 12	Administration/ Council Chambers		\$0
Obsolete Law Books	Court	2004-2012 State, Local, Federal Court Rules, RCW	\$0
Metal Detector	Court	Garrett Magnascanner CS5000, #21151691	\$0



Agenda Bill No. 15-151

**TO:** Mayor Guier and City Council Members  
**FROM:** Public Works  
**MEETING DATE:** November 2, 2015  
**SUBJECT:** Department of Commerce Grant – Community Capital Facilities

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**ATTACHMENTS:**

- Direct Grant Program Guidelines
  - Contract Readiness Survey
- 

**Previous Council Review Date:** N/A

**Summary:** The City applied for a Department of Commerce (Community Capital Facilities) grant in January 2015. The grant request was for \$760,000 and provided for substantial improvements to the City Hall building(s). The City did not receive the full amount requested, but was instead awarded \$250,000 with the passage of the States' 2015 – 2017 Biennial Budget.

Use of appropriated direct grant funds is very restrictive, as the program is intended to fund “brick and mortar” improvements. Staff reviewed different uses of the \$250,000 that it believes are program eligible. To this end, staff proposes to develop a project that designs and installs emergency power capability for the City Hall and Community and Senior Center buildings.

**Recommendation/Action:** Staff seeks confirmation from City Council that the development of an emergency power capability for the City Hall and Community and Senior Center buildings is an approved use of the \$250,000.

**Motion for Consideration:** I move that staff be authorized to complete the Contract Readiness Survey for the Department of Commerce Community Capital Facilities grant in the amount of \$250,000 and develop a project that adds emergency power capability to City Hall and Community and Senior Center buildings.

**Budget Impact:** Funding will need to be appropriated in the 2016 budget.

**Alternatives:** Identify another project that is eligible for use of the appropriated grant funds.



# Department of Commerce

Innovation is in our nature.

## DIRECT GRANT PROGRAMS:

- Local and Community Projects ■
- Individual Provisos ■

# Direct Grant Program Guidelines

For new projects funded in the 2015-2017  
Capital Budget

Community Capital Facilities

*P.O. Box 42525*

*Olympia, WA 98504-2525*

*(360) 725-3075*

*caprograms@commerce.wa.gov*

***[www.commerce.wa.gov/CapitalPrograms](http://www.commerce.wa.gov/CapitalPrograms)***



**STATE OF WASHINGTON**  
**DEPARTMENT OF COMMERCE**  
1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-3075

Dear Grant Recipient:

Congratulations! With the signing of the 2015-2017 Capital Budget you have been awarded a direct appropriation from Commerce Community Capital Facilities. These guidelines will walk you through the final steps toward receiving your funds.

We expect that the Office of Financial Management will make Capital Budget funds available in late August or early September. If you haven't already done so, please submit the *Contract Readiness Survey* discussed in your award letter as soon as possible.

Once you send in the survey a grants manager will be assigned to work with you. Please don't hesitate to ask questions of your grants manager or anyone else here at Community Capital Facilities. Again, congratulations on receiving a grant award.

With best regards,

Bill Cole, Managing Director  
Community Capital Facilities

# Five Steps to Obtaining your State Grant Funds

## STEP 1: *Submit a 'Contract Readiness Survey'*

Your grant award packet includes a *Contract Readiness Survey*. Please complete the survey and return it to us as soon as possible, even if you do not plan to begin drawing your funds for a while. Feel free to give us a call if you have any questions as you fill out the survey (see contact information on right).

## STEP 2: *Meet our other requirements*

Grantees must meet a number of requirements before we can write a contract and release your funds. These include site control (through a long-term lease or ownership) and a commitment of all non-state funds needed to complete the project. Construction projects may be required to pay state prevailing wages, meet the LEED Silver Standard, and be reviewed for archaeological and cultural resources. Grantees must provide Commerce with a deed of trust or leasehold deed of trust as security for the grant for projects performed by nonprofits for \$250,000 or more in state funds. Projects under \$250,000 or for design-only are exempt from the collateral requirements.

## STEP 3: *Sign a grant contract*

Once you have met all requirements we will draft a contract, which we will send to you for signature. We develop contracts on a first-come-first-served basis, so if you are in a hurry for your funds, please submit all requested information as soon as possible. It generally takes four to six weeks to execute a contract. Once the contract is executed you will have access to your funds.

## STEP 4: *Submit reimbursement materials*

This is a reimbursement-style grant. That means no advance payments, but once the contract is executed you can begin drawing down funds — or even cash out your grant as long as you have incurred and paid sufficient documented eligible costs. We may also conduct a site-monitoring visit.

## STEP 5: *Close out your contract*

If your project is required to obtain LEED certification, then that must be documented as well.

### Community Capital Facilities

*Department of Commerce*

**Mailing / street address:**

*P.O. Box 42525  
1011 Plum Street SE  
Olympia, WA 98504-2525*

**Main phone:**

*(360) 725-3075*

**Fax:**

*(360) 586-5880*

**E-mail:**

*capprograms@commerce.wa.gov*

**STAFF:**

**Bill Cole**

*Managing Director  
(360) 725-3005  
Bill.Cole@commerce.wa.gov*

**Kathy Chance**

*Project Manager - Real Estate  
(360) 725-3076  
Kathy.Chance@commerce.wa.gov*

**Michael Kendall**

*Project Manager  
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Mike.Kendall@commerce.wa.gov*

**Eric Tompkins**

*Project Manager - BCF  
(360) 725-2924  
Eric.Tompkins@commerce.wa.gov*

**Beth Robinson**

*Project Manager - BFA  
(360) 725-5001  
Beth.Robinson@commerce.wa.gov*

**Sheryl Reed**

*Project Manager - YRF  
(360) 725-3074  
Sheryl.Reed@commerce.wa.gov*

**COMMERCE LEADERSHIP:**

**Brian Bonlender**

*Director*

**Diane Klontz**

*Community Services and Housing  
Division  
Assistant Director*

# CONTRACTING SPECIFICS

*These guidelines itemize the legislative and administrative requirements governing the disbursement and use of grant funds. A grant contract will provide a formal and legal description of the relationship between Commerce and the grant recipient.*

## 1. Origins of your grant

You have been awarded funds through the 2015-2017 state Capital Budget. Your grant is funded entirely through the sale of state bonds. No federal dollars are involved.

We strive to administer funds expediently and with a minimum of red tape. We do so within the policies and procedures established by the Legislature, the Office of Financial Management, the Treasurer, Commerce, and the Office of the Attorney General.

## 2. Funding restrictions

A grant can only be spent by the designated organization for costs that fit the scope of work as contemplated by your elected officials. This information was previously submitted to the Governor, or your Senator or Representative and has been forwarded to Commerce.

## 3. Cost reimbursement

Funds are available on a reimbursement basis only, and cannot be advanced under *any* circumstances. If

the funds are being used to purchase real property, please contact us.

Reimbursable costs are those that a grantee has already incurred and paid.

We may reimburse grant recipients for costs incurred prior to the date a contract is executed, and as far back as July 1, 2012.

## 4. Contracting conditions

In the absence of special legislative instructions, five requirements must be met before grantees can begin drawing down their grant funds.

- Grantees must demonstrate the financial capability to complete the project, or a distinct phase of the project that is usable to the public. This means documenting that any needed non-state funds have been committed to the project.

- Grantees must provide written evidence of site control, for a minimum of 10 years after final payment, either through outright ownership of the subject property or a long-term lease. This does not apply to awards designated solely for preconstruction or property acquisition.

## Prevailing wages and your project

As a result of a court ruling, construction projects that receive any of our grants are required to pay state prevailing wages (including landscaping) beginning July 1, 2015.

Acquisition-only projects are exempt from state prevailing wage law (RCW 39.12). Note that these projects must result in a usable facility.

The *Contract Readiness Survey* has a number of questions related to prevailing wages. If you have not paid, or were not planning to pay, prevailing wages we will contact you to discuss your situation.

If you need technical information about prevailing wages, please contact Jim Christensen at the state Department of Labor and Industries. He can be reached at (360) 902-5330 or [chrj235@Lni.wa.gov](mailto:chrj235@Lni.wa.gov).

■ Projects performed by nonprofits for construction, acquisition and renovation that are \$250,000 or more in state funds must list Department of Commerce on the deed of trust or leasehold deed of trust and provide title insurance. The deed of trust or leasehold deed of trust must be recorded before reimbursement can begin.

■ The projects of some grantees may be reviewed by the state Dept. of Archaeology and Historical Preservation (DAHP). This review must be satisfactorily completed before a contract can be developed (see Section 6).

■ Capital construction projects that are required to meet high-performance building standards must document that they have entered the LEED certification process.

## 5. Non-state funds

Non-state funds may consist of cash on hand, previously expended, credit, documented pledge commitments, a legal commitment of funds from a governmental entity, the value of land acquired for the project, and in-kind contributions when properly documented (see box on Page 6).

Grantees may also include the proceeds of a letter of credit or other *binding* loan commitment as part of their non-state matching funds. The value of land used as a match must be

supported by an appraisal performed by a certified professional appraiser.

## 6. Archeological review

Some projects may need to be reviewed for archaeological and cultural resources. This is required of projects not undergoing a Section 106 review under the National Historic Preservation Act if the project:

- disturbs ground, and/or
- involves structures more than 50 years old.

If your project falls into any of these categories we will provide you with further information.

## 7. Design contracts

In certain instances, Commerce may determine that project funds may be prudently invested by committing up to 10 percent of an appropriation for design costs in order to minimize disruptions in a project's timeline. Examples include, but are not limited to:

- Instances where grantees are experiencing delays or other difficulties in raising the non-state share of funds necessary to complete a project; or
- Instances where unexpected or unpredictable circumstances dramatically alter the fundraising environment.

In such cases, grantees must demonstrate that they have sufficient funds to complete the design phase.

*State (as opposed to federal) prevailing wages are required of your project as of July 1, 2015, if it includes construction labor.*

*This publication is available in an alternative format upon request. Events sponsored by Commerce are accessible to persons with disabilities. Accommodations may be arranged with a minimum of 10 working days notice by calling (360) 725-3075.*

## Grants are subject to an administrative fee

Commerce Community Capital Facilities is authorized to retain funds from each award to cover all administration costs (this is our sole source of funding; we receive no state General Fund dollars). We will be deducting 3 percent (up to \$50,000) from 2015-2017 Capital Budget grants. The project budget included in your grant contract will use this *net grant amount* rather than the total appropriation.

*Funds will lapse at the end of the biennium, on June 30, 2017. We will request a reappropriation of any unspent funds but cannot guarantee that the Legislature will agree to do so.*

## **8. Contract development**

We will draft a contract when a grantee meets all requirements. The first step in that process is to fill out our *Contract Readiness Survey*. This form will help us determine if your project is ready to begin the contracting process.

Contracts take about six weeks to execute once all needed information is provided to us.

## **9. Accessing your funds**

Funds are available once a contract is executed. Grantees have the flexibility to cash out their grant or draw down funds as frequently as once a month.

Requests for reimbursement must be submitted on an *A-19* form supplied by Commerce. An individual authorized by the grantee organization must sign each *A-19* submitted. Copies of invoices and payment notices that clearly document the expenses claimed must accompany all requests for payment.

After the contract is executed you will receive instructions on how to submit a reimbursement request.

Incomplete or improperly prepared

submissions may result in payment delays.

Grantees are responsible for maintaining clear and accurate project records, and making them accessible to Commerce and the State Auditor. Site visits during construction and after completion may be scheduled.

## **10. Amending a contract**

A contract may be amended if proposed changes operate within the legislative intent of the appropriation, however amending the scope of your contract may not be possible if the proposed changes vary significantly from your original project.

## **11. Rescinding awards**

If an organization does not begin drawing down its funds within 12 months of the start of the biennium (by July 1, 2016), we reserve the right to rescind that group's award.

## **How should in-kind donations be handled?**

In-kind donations may be applied to a non-state match requirement. Eligible donations include property, labor (except when donated by an applicant's paid staff), materials, or equipment as long as their value can be properly assessed and documented.

We treat in-kind professional and nonprofessional labor differently. Professional labor is calculated at the rate a volunteer would normally charge for his

or her services (be sure to document these costs with invoices).

Nonprofessional labor is calculated at \$10 per hour. This can be documented with a memo itemizing the type of work done and number of hours worked by your volunteers.

We reserve the right to make the final determination regarding the acceptability of in-kind contributions and their estimated value.

## 12. Reappropriations

Washington operates under a biennial (or two-year) budget. Each appropriation in the 2015-2017 Capital Budget must, by law, lapse at the close of the biennium (June 30, 2017).

Since many projects take more than two years to complete, Commerce will automatically request a reappropriation of any unspent funds. However, we cannot guarantee that the Legislature will agree to extend funding, nor can we legally obligate funds from one biennium to another.

Grant recipients are advised to discuss pending reappropriations with their legislators prior to the beginning of the legislative session in which the reappropriation is expected to occur.

## 13. Change of ownership

Most capital projects must be held by the grantee for a minimum of 10 years from the date of final payment and be used for the same purpose expressed in the application and/or contract. Under certain conditions a facility may be sold if proceeds from the sale are used to purchase another facility that will be used for the same purpose.

## 14. Eligible costs

Capital Budget funds may generally be used to pay for the following construction-related expenses incurred as far back as July 1, 2012:

- design, architectural, and engineering work;
- building permits/fees;
- archeological/historical review;
- construction labor and materials;
- demolition/site preparation;
- capitalized equipment;
- information technology infrastructure (cables and wiring);

- construction management (*from external sources only*)\*;
- initial furnishings\*\*;
- landscaping; and
- real property when purchased specifically for the project, and associated costs.\*\*\*

## 15. Ineligible costs

Our grants are intended to fund bricks and mortar unless otherwise designated in the Capital Budget or supporting legislative materials. This is why the following costs are not eligible for reimbursement and *cannot be used to match state funds*:

- internal administrative activities;
- project management (from any source);
- fundraising activities;
- feasibility studies;
- computers or office equipment;
- rolling stock (such as vehicles);
- lease payments for rental of equipment or facilities;
- any maintenance or operating costs;
- property leases (including long-term); and
- the moving of equipment, furniture, etc., between facilities.

\* **Construction management and observation** is on-site management and/or supervision of the work site and workers thereon. This is an eligible project cost. Construction management does **not** include work performed by off-site consultants or consultant organizations, grant writers, project managers, or employees of the grantee, unless the employee is hired solely and specifically to perform on-site construction management as defined above.

\*\* **Furnishings and equipment** are considered eligible project costs as long as the average useful life of the item purchased is 13 years or more.

\*\*\* **Costs directly associated with property acquisition** include appraisal fees, title opinions, surveying fees, real estate fees, title transfer taxes, easements of record, and legal expenses.

*Our grants are intended to fund bricks and mortar unless otherwise designated in the Capital Budget or supporting legislative materials.*

T

*It's* **NOT**  
**TOO EARLY**

*to begin thinking about the*

**NEXT**

**COMPETITIVE GRANT ROUND**

In the **spring of 2016** Commerce Community Capital Facilities will again be accepting applications for each of our three competitive grant programs: Building for the Arts, Building Communities Fund, and Youth Recreational Facilities.

**The planning process for your project** should include a good understanding of the state's updated requirements for LEED high-performance buildings and state prevailing wages.

So, if you are thinking about submitting an application we would strongly encourage you to **contact Community Capital Facilities** and discuss your project after reading the updated material on our website.

## Community Capital Facilities

**Mailing address:** P.O. Box 42525, 1011 Plum Street SE, Olympia, WA 98504-2525

**Main phone:** (360) 725-3075

**Email:** [caprograms@commerce.wa.gov](mailto:caprograms@commerce.wa.gov)

**Web:** [www.commerce.wa.gov/CapitalPrograms](http://www.commerce.wa.gov/CapitalPrograms)

Grant program: **SLC**      Short code: **S1667**  
Grant recipient: **City of Pacific**  
Funded project: **Pacific Community Center**

## **CONTRACT READINESS SURVEY FOR 2015-2017 CAPITAL BUDGET GRANT RECIPIENTS**

Please fill out this survey and email it to your Program Manager, Sheryl Reed at sheryl.reed@commerce.wa.gov. If you have any questions you may also contact Sheryl at (360) 725-3074. Congratulations!

### **STEP 1: *Tell us about your project***

1.1 Who in your organization will be taking the lead in developing the grant contract?

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

1.2 Do you have control of the project site, either through ownership or a long-term lease (that remains in effect for a minimum of at least 10 years following the last grant payment date)?  
\_\_\_ Yes    \_\_\_ No

1.3 Has your project budget been finalized? \_\_\_ Yes    \_\_\_ No  
Has your organization secured all other funding sources needed to complete the project, e.g., through loans and/or documented pledges? \_\_\_ Yes    \_\_\_ No    \_\_\_ Not applicable

1.4 If you answered no to either 1.2 or 1.3, by what date do you expect to have met both of these two conditions? \_\_\_\_\_  
*(Site control **and** a commitment of all other funds needed to complete the project are required before we can begin writing a grant contract.)*

1.5 Are there contingencies that could change your answers to questions 1.2 through 1.4? If so, please explain.

1.6 Which elements listed below are part of your project:

Property acquisition     New construction     Renovation of existing facility

- 1.7 Does your project budget include construction labor?  Yes     No  
(If you answered yes to this question, please fill out Step 2. If you answered no, skip Step 2 and go to Step 3.)

## STEP 2: Questions for projects that include construction labor costs

- 2.1 If your project includes construction labor, please answer the following questions:
- Estimate how close you are to the completion of project design:  
\_\_\_\_\_ % complete (0 percent = not started; 100% = design completed)
  - Projected date of design completion: \_\_\_\_\_
  - Has construction gone out to bid?  Yes     No
  - Estimate how close you are to the completion of project construction work:  
\_\_\_\_\_ % complete (0 percent = not started; 100% = construction completed)
  - Projected date of construction completion: \_\_\_\_\_
- 2.2 If your project includes new construction or renovation, do you understand and acknowledge that you are required to pay state prevailing wages for all construction-related work as of July 1, 2015?  
 Yes     No
- 2.3 Did you or were you planning to enter the LEED certification process with the goal of your facility obtaining the silver standard?  
 Yes     No
- 2.4 Has or will your project be going through a Section 106 review under the National Historic Preservation Act?  
 Yes     No
- 2.5 If you answered no to 2.4, does your project:
- Disturb ground  Yes     No
  - Involve structures more than 50 years old  Yes     No

## STEP 3: Timing of your grant payout

- 3.1 Before you can receive grant funds, we need to execute a contract. Contract development generally takes three to four weeks once you have met our requirements. Given all this, by what date did you wish to access your funds: \_\_\_\_\_
- 3.2 Miscellaneous comments:

***NOTE: When returning this survey, please note that you must register for a Statewide Vendor Number (SWV) with the Washington State Treasurer's Office, if you do not already have one. If you need assistance with this, please contact your Program Manager.***



**Agenda Bill No. 15-152**

**TO:** Mayor Guier and City Council Members

**FROM:** Jack Dodge, Community Development Manager

**MEETING DATE:** November 2, 2015

**SUBJECT:** Revisions to Chapter 3 – Natural Environment Element, Comprehensive Plan  
Revisions to Chapter 8 – Transportation Element, Comprehensive Plan

- 
- ATTACHMENTS:**
1. Ordinance 2015-1912 Adopting Proposed Comprehensive Plan changes.
  2. Revisions to Chapter 3 – Natural Environment Element, Comprehensive Plan
  3. Revisions to Chapter 8 – Transportation Element, Comprehensive Plan
  4. Lower White River Biodiversity Management Area (BMA) Stewardship Plan
  5. Comment letter from Puget Sound Regional Council – June 11, 2015
  6. Comment letter from the Department of Commerce – June 4, 2015
- 

**Previous Review Date:** Planning Commission – 2/25/14, 2/24/15, 3/10/15, 3/24/15  
(Public Hearing);  
**City Council:** 4/20/15, 5/4/15, 5/26/15, 6/8/15, 6/22/15, 7/27/15, 11/2/15

**Summary:**

Background

The City Council at their July 27, 2015 meeting continued the public hearing regarding the proposed Comprehensive Plan changes to the November 9, 2015 meeting. This was done to allow staff time to determine if additional Comprehensive Plan amendments could be completed as part of the 2015 Comprehensive Plan review cycle. This was based upon comments from the Puget Sound Regional Council (PSRC) received on June 11, 2015 and from the Dept. of Commerce received on June 4, 2015. Due to a number of factors, additional Comprehensive Plan changes could not be initiated. Two (2) new policies were added to Chapter 3 – Natural Environment and one (1) new policy was added to Chapter 8 – Transportation based on the PSRC and Dept. of Commerce letters. Other comments relative to the Transportation Element will be addressed as part of the 2016 Comprehensive Planning review cycle.

Summary of Changes to the Natural Environment & Transportation Chapters

Except as noted previously, the proposed revisions to the Comprehensive Plan were reviewed at the 2/24/15, 3/10/15, and 3/24/15 Planning Commission meetings. Revisions to the Natural Environment and Transportation Chapters took into account comments from a variety of agencies and organizations. Revisions are highlighted with ~~strikeouts~~ and underlines. Comments were provided from the following:

- American Rivers Organization
- Tahoma Audubon Society
- Puyallup River Watershed Council
- Puyallup Tribe of Indians
- Muckleshoot Indian Tribe
- Puget Sound Regional Council
- Department of Commerce

Following is a summary of the changes to the Natural Environment and Transportation chapters.

*Chapter 3 - Natural Environment*

- The Chapter has been reformatted to a single column format.
- Removes Goal NE-2 (Page 3).
- A new Policy NE-2.6 is added (Page 6) (based on PSRC comment).
- A new Policy NE-2-7 is added (Page 6) (based on PSRC comment).
- Provides additional discussion points for a variety of policies.
- Adds policy NE 5.8 regarding “Best Available Science” (BAS) (Page 10).
- Deletes Policy NE-8.3 (Page 12).
- Adds a new Policy NE-7.5 regarding volcanic hazard evacuation routes (Page 13).
- Adds new Goals and Policies relating to “biodiversity” (Page 14).
- Provides greater detail under “Existing Conditions”.
- Provides background regarding the Lower White River Biodiversity Management Area (BMA) (Page 26).
- Adopts the “Lower White River Biodiversity Management Area (BMA) Stewardship Plan” as an appendix to the Comprehensive Plan (Natural Environment Chapter).
- A new “Soils” map is provided (Map 3.1).
- A new “Creeks/Streams” map is included (Map 3.2).
- A new “Wellhead Protection Area” map is provided (Map 3.3).
- A new “Lahar Hazards” map is provided (Map 3.4).
- A revised “Critical Areas” map is provided (Map 3.5). This map updates the location of potential wetlands as of March 2015.

*Chapter 8- Transportation*

- The Chapter has been reformatted to a single column format.
- A new policy T1.10 is added (Page 6) (based on Commerce comment).

## **AGENDA ITEM NO.**

- Goal T2 and Policy T2.1 are deleted (Page 7).
- Goal T13 is deleted (Page 18).
- Goal T18 is deleted (Page 25).
- Policy T20.3 is deleted (Page 27).
- “Discussion” statements are provided for all policies.
- The “Existing Roadway Level of Service (LOS) table is revised (Table 8.2, Page 33).
- 2025 projected roadway LOS levels are provided (Table 8.3, Page 37).
- 2035 projected roadway LOS levels are provided (Table 8.4, Page 39).
- Background data is updated.
- A new “Traffic Counts” map is provided that is keyed to Tables 8.2, 8.3., and 8.4 (Page 48).

### **Recommended Action:**

Continue the review of the proposed revisions to Chapter 3 – Natural Environment Element and Chapter 8 – Transportation Element and conduct a public hearing on November 9, 2015.

### **Recommended Motion:**

None

**ORDINANCE NO. 2015-1912**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO THE COMPREHENSIVE PLAN UNDER THE GROWTH MANAGEMENT ACT; ADOPTING AMENDMENTS TO AMEND THE NATURAL ENVIRONMENT ELEMENT, ADDING ADDITIONAL TEXT AND MAPS AND ADOPTING THE “LOWER WHITE RIVER BIODIVERSITY MANAGEMENT AREA (BMA) STEWARDSHIP PLAN” AS AN APPENDIX TO CHAPTER 3 NATRURAL ENVIRONMENT; AND AMENDING THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN, ADDING ADDITIONAL TEXT, MAPS, AND UDATING THE CURRENT AND PROJECTED “LEVELS OF SERVICE” TABLES FOR CITY ROADWAYS; AND SETTING AN EFFECTIVE DATE.

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WHEREAS, the City of Pacific plans under the Growth Management Act (chapter 36.70A RCW), which requires that the City adopt a Comprehensive Plan (RCW 36.70A.040); and

WHEREAS, the City may annually adopt amendments to the City’s Comprehensive Plan (RCW 36.70A.470 and 36.70A.106); and

WHEREAS, the City’s deadline for submission of applications for amendments to the Comprehensive Plan for the year 2015 was January 1, 2015; and

WHEREAS, the City received one application; a Department of Commerce grant for updates to Chapter 3 – Natural Environment, Chapter 8 – Transportation of the Comprehensive Plan and for updating the City’s Wetland Map; and

WHEREAS, the SEPA Responsible Official performed SEPA on the application and issued a Determination of Nonsignificance (DNS) on February 27, 2015; and

WHEREAS, the Planning Commission conducted three public meetings and one public hearing on March 24, 2015 on the proposed amendments and after hearing public testimony, deliberated and issued their recommendations; and

WHEREAS, the Planning Commission's recommendations were delivered to the City Council, and the City Council considered the recommendations during a public hearing held by the City Council on June 8, 2015, June 22, 2015 and November 9, 2015; and

THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. The City Council considered the comprehensive plan amendments and the Planning Commission's recommendations on each application as follows:

A. Chapter 3 Natural Environment.

1. *Description.* The Natural Environment Chapter has been amended as follows: (1) The Chapter has been reformatted to a single column format, (2) Goal NE-2 has been removed (3) Additional discussion points for a variety of policies, (4) Adds policy NE 5.8 regarding "Best Available Science" (BAS), (5) Deletes Policy NE-8.3, (6) Adds a new Policy NE-7.5 regarding volcanic hazard evacuation routes, (7). Adds new Goals and Policies relating to "biodiversity", (8) Provides greater detail under "Existing Conditions", (9) Provides background regarding the Lower White River Biodiversity Management Area (BMA), (10) Adopts the "Lower White River Biodiversity Management Area (BMA) Stewardship Plan" as an appendix to the Comprehensive Plan, (11) A new "Soils" map is provided (12) A new "Creeks/Streams" map is included, (13) A new "Wellhead Protection Area" map is provided, (14), A new "Lahar Hazards" map is provided, (15) A revised "Critical Areas" map is provided. This map updates the location of potential wetlands as of March 2015.

2. *Findings.* The purpose of the Natural Environment Chapter is to set out the goals and policies that the City will use as a guide to protect its Natural Resources in accordance with the Growth Management Act (GMA) under RCW 36.70A.060, 36.70A.170, 36.70A.172, and 36.70A.175. Added goals and policies regarding "Best Available Science" and "Biodiversity" will guide the City as it reviews potential updates to its "Critical Areas" regulations.

The adoption of the "Lower White River Biodiversity Management Area (BMA) Stewardship Plan" will allow the City's to participate in a regional wide effort to provide biodiversity in the lower White River Basin. Adoption will also provide residents nonregulatory methods to enhance biodiversity on their properties. The addition of a "Lahar Map" and updated "Critical Areas" map provides valuable information to property owners as they consider uses of their properties.

3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 3 Natural Environment.

4. *Planning Commission Recommendation:* On March 24, 2015 the Planning Commission conducted a public hearing on the proposed amendments and after taking public testimony, deliberated and issued their recommendation of approval.

5. *Council Conclusions:* The City is charged with the stewardship of protecting the remaining natural areas within the City while taking into account the rights of property owners. The proposed amendments will help strike a balance between these two responsibilities.

B. Chapter 8 Transportation

1. *Description.* Amendments include the following: (1) The Chapter has been reformatted to a single column format, (2) Goal T2 and Policy T2.1 are deleted as redundant, (3) Goal T13 is deleted as redundant, (4) Goal T18 is deleted as redundant, (5) Policy T20.3 is deleted as redundant, (6) “Discussion” statements are provided for all policies, (7) The “Existing Roadway Level of Service (LOS) table is revised (Table 8.2, (8) 2025 projected roadway LOS levels are provided, (9) 2035 projected roadway LOS levels are provided, (10) Background data is updated, and (10) A new “Traffic Counts” map is provided that is keyed to Tables 8.2, 8.3., and 8.4.

2. *Findings.* Under the Growth Management Act (GMA), the Transportation Chapter of the Comprehensive Plan is a requisite element of the plan which is required to be updated on a periodic basis. The Transportation Chapter was last updated in 2008. Proposed amendments to the Transportation Chapter conform to the GMA requirements for periodic updates.

3. *Staff Recommendation:* City staff has recommended approval of the proposed amendments to Chapter 8 Transportation

4. *Planning Commission Recommendation:* On March 24, 2015 the Planning Commission conducted a public hearing on the proposed amendment and after taking public testimony, deliberated and issued their recommendation of denial.

5. *Council Conclusions:* Chapter 8 Transportation provides guidance to the City to plan for current and future improvements to the City’s road and transportation system. Proposed amendments provide additional information and methods to reach the City’s goals.

Section 2. Amendments Approved. The 2015 application to amend the Pacific

Comprehensive Plan listed as follows are hereby approved:

A. Chapter 3 Natural Environment (Including the adoption of the “Lower White River Biodiversity Management Area (BMA) Stewardship Plan” as an appendix to Chapter 3).

B. Chapter 8 Transportation.

Section 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective five days after publication as provided by law.

PASSED by the Council and approved by the Mayor of the City of Pacific, this \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2015.

CITY OF PACIFIC

\_\_\_\_\_  
Mayor Leanne Guier

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

\_\_\_\_\_  
Carol Morris, City Attorney

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO:

DRAFT

## CHAPTER 3

# NATURAL ENVIRONMENT



## 1. INTRODUCTION

### 1.1 Framework Goal

The first Framework Goal of this Comprehensive Plan is to:

*Provide an effective stewardship of the environment by protecting critical areas and conserving land, air, water, and energy resources.*

The purpose of the Natural Environment element is to guide the formation of regulations to protect and enhance the natural environment for present and future citizens of Pacific. This protection will be accomplished by:

- ♣ Identifying critical areas and updating maps;
- ♣ Updating the Critical Areas Ordinance and the Shoreline Master Program;
- ♣ Preserving or enhancing significant natural areas;
- ♣ Regulating new development to better integrate the built environment with natural features and conditions, and;
- ♣ Educating the public about the potential impacts of development on natural systems.

This element provides a framework for achieving land use and development practices that are compatible with and enhance the natural environment.

### 1.2 Objectives of the Growth Management Act and of Other Agencies

The Natural Environment element is intended to meet the objectives of the State Growth Management Act (GMA); Endangered Species Act (ESA); State Environmental Policy Act (SEPA); Countywide Planning Policies of King and Pierce counties; and other federal, state, and county policies. It also affirms the City's role in regulating land use; implementing federal and state statutes; obtaining funding from federal, state and local jurisdictions; and consistently managing impacts to the natural environment. The following GMA goals relate directly to the natural environment:

- ♣ Open space and recreation - Retain open space, enhance recreational opportunities, conserve fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.
- ♣ Environment - Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

The GMA also requires adoption of development regulations that protect critical areas (RCW 36.70A.060), and use of the “best available science” in developing policies and development regulations to protect the functions and values of critical areas (RCW 36.70A.172).

### 1.3 Background and Context

The original environment of Pacific was a river valley covered with old growth forests that experienced seasonal flooding. Today, Pacific is largely composed of built features that are being redeveloped for the second or third time since the City's incorporation in 1909. Most of the original natural environment has been compromised.

Pacific was a rural agricultural town of under 1,577 people in 1960. The population of Pacific grew by nearly 70 percent to 2,261 in 1980, and more than doubled to 5,527 persons between 1980 and 2000. By 2010, Pacific’s population reached 6,606 persons. The 2014 population estimate is 6,830 (Based on the Office of Financial Management estimates). This was just one result of highway regional transportation facilities directing growth into the White River valley, combined with the availability of sewers in Pacific. As pressure for increased residential and commercial development intensifies from both the north and south, the protection or enhancement of the natural environment becomes more challenging.

This City must continually evaluate the relationship between the natural and built environments. Potential impacts of development on slope stability and erosion; air, water, and soil contamination; noise, emissions, and waste generation; resource consumption; and automobile dependence need consideration; along with the preservation and enhancement of open space, wildlife habitat, and recreation opportunities.

Environmental goals, objectives, and policies contained in this element address substantive issues, such as potential development on wetlands, floodplains, and steep slopes. These policies not only outline steps the City should take towards establishing policy direction and regulatory authority on environmental issues, but procedures they help to guide the property owner and citizen. One example of this is to encourage the combining of storm water storage areas to create more viable natural areas, instead of creating a patchwork of small detention ponds.

These goals and policies will be implemented through such measures as: sensitive area regulations, development review guidelines, storm water ordinances and programs, economic incentives for environmental protection, and economic development decisions.

## 2. GOALS AND POLICIES

### REGULATORY CONSIDERATIONS

**GOAL NE-1: Respect and protect the natural environment in any future development.**

#### POLICIES

##### **Policy NE-1.1: PROTECTION OF CRITICAL AREAS**

*Enact regulations and ordinances to protect natural resource lands and critical areas, including the streams and rivers, wetlands, slopes, groundwater recharge areas, watersheds, forest lands and other critical resource areas from the detrimental effects of development.*

**Discussion:** Implement regulations that not only protect, but enhance the natural environment, and compliment the economic development of the community. This can only be accomplished by informing citizens and property owners of the standards which the City maintains to create a safe and stable community.

**~~GOAL NE-2: Lead and support efforts to protect and improve the natural environment.~~**

**Policy NE-21.12:**

*Take a proactive role in addressing issues of the Endangered Species Act (ESA).*

**Discussion:** The City will enforce federal, state, county, and City environmental policies and regulations to advance the goals of the ESA and encourage unique innovative approaches to issues that may impact salmon-bearing streams.

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**Policy NE-2.2 1.3:**

Consider and evaluate the immediate, long-range, and cumulative environmental impacts of policy and development decisions.

**Discussion:** The City should look carefully at both long-term and cumulative impacts when making such decisions. These considerations should be evaluated as part of the environmental review of the policy and development decisions.

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**Policy NE-2.3 1.4:**

*Encourage the use of a variety of technologies that minimize environmental degradation and protect public health.*

**Discussion:** In working with developers, the City has a wide variety of possible options available to mitigate the impacts of new development. Options include the use of “Low Impact Development” (LID) techniques to mitigate the impacts to the environment due to new development. Options such as the use of permeable pavers in parking areas could be used. For example, the use of vegetation or grinding of sewage may allow for more development than would be otherwise allowed for



**Permeable Pavers - Photo by Collen Owen**

certain areas. The City can implement this policy by revising its codes to recognize options for complying with regulations and mitigating environmental impacts. Technical manuals regarding LID development can be found on the Washington State Department of Ecology (DOE) website and the King County website under the Department of Permitting and Environmental Review. It should be noted that LID techniques do not completely mitigate impacts on fishery resources.

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**Policy NE-2.4 1.5:**

*Conduct all City operations in a manner that minimizes adverse environmental impacts and promotes a safe workplace for employees.*

**Discussion:** The City can implement this policy by reducing its consumption and waste of energy and materials, minimizing its use of toxic and polluting substances, reusing and recycling, and disposing of all

waste in a safe and responsible manner. The City should give preference to recycled products, within budget constraints.

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**Policy NE-2.51.6:**

*Support, promote, and lead public education and involvement programs.*

**Discussion:** Public education and involvement raises public awareness about environmental issues, and encourages individual and Community efforts to protect the environment.

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**Policy NE-2.61.7:**

*Cooperate with local, state, federal, and tribal governments; international agencies, business groups, and non-profit organizations to protect and enhance the environment.*

**Discussion:** Many environmental issues affect areas beyond Pacific's boundaries. The City needs to negotiate, communicate, and cooperate with other organizations in order to address these issues. The City should also participate in local and regional programs to protect environmentally sensitive areas.

## ENVIRONMENTAL ENHANCEMENT

### GOAL NE-32: Enhance the natural environment in the community.

#### POLICIES

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**Policy NE-32.1:**

*The following shall be considered critical areas and regulated through the Pacific Municipal Code: critical wildlife habitat areas, flood and landslide hazard areas, steep slopes, streams, and wetlands.*

**Discussion:** Title 23 of the Pacific Municipal Code (PMC) defines the categories of critical areas and specifies how each category will be regulated.

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**Policy NE-32.2:**

*Enhance and facilitate not only the preservation, but the coordinated restoration and/or creation of new critical areas, as part of the planning process.*

**Discussion:** Title 23 of the Pacific Municipal Code (PMC) outlines mitigation for development in or around wetlands. These regulations not only outline the degree of mitigation required but also outline ratio's to create new wetlands as necessary. These ratios should be reviewed annually to ensure they conform with the latest recommendations by the Department of Ecology (DOE).

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**Policy NE-32.3:**

*Provide incentives for development that is designed, sited, and constructed to minimize environmental impacts.*

**Discussion:** Incentives may include density bonuses for cluster development, open space tax incentives, incentives for design, and a transfer of development rights (TDR) program. Incentives may also include reduced mitigation requirements in exchange for reduced impacts.

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**Policy NE-32.4:**

*Require mitigating measures for new development that creates environmental impacts.*

**Discussion:** Mitigation measures should be appropriate for the type of impact and proportionate to the amount of impact. They may involve the retention or restoration of significant habitats or other critical areas. They can also include the construction or improvement of private capital facilities.

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**Policy NE-32.5:**

*Encourage private open space preservation in the City.*

**Discussion:** The encouragement of open space preservation could be achieved through density credits and criteria that connect open space corridors with adjoining properties within the City. Such corridors could help facilitate the migration of wildlife from one area of the City to another.

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**Policy NE-2.6:**

Maintain the natural hydrological functions within the City's streams and ecosystems and, where possible, restore these areas to a more natural state where they have been impacted by development.

**Discussion:** Streams within the City have been heavily impacted due to past agricultural and development activity. Milwaukee



Creek (which has been most commonly referred to as a ditch) has been the most impacted over the years. As new development or redevelopment occurs adjacent to the creek, the riparian habitat of the creek should be reestablished as part of the development approval. The reestablishment of the riparian vegetation indigenous to the area may substitute for required landscaping for the development.

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**Policy NE-2.7**

*Restore, where appropriate, the City's freshwater shoreline along the White River to its natural condition for ecological functions and values.*

**Discussion:** The natural river banks of the White River through Pacific have been historically diked since the early 1900's. This has impacted the ecological functions of the White River. After the 2009 flooding in Pacific, the King County Flood Control District in conjunction with other State and Federal agencies has explored options and is implementing measures to restore some of the lost ecological functions of the White River through the City. The City should work cooperatively with the King County Flood Control District to help restore those function. On a regional basis, the City should adopt the "Lower White River

Biodiversity Management Area (BMA) Stewardship Plan” to guide its roll in working with other agencies and jurisdictions on a regional basis to restore the White River shoreline and watershed.

## SURFACE WATER MANAGEMENT

**GOAL NE-43: Encourage measures that improve surface water management.**

### POLICIES

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**Policy NE-43.1:**

*Prohibit development in areas where frequent surface flooding occurs, unless adequate engineering and institutional controls are implemented.*

**Discussion:** Structures built within flood hazard areas decrease flood storage capacity. Increasing building density in these areas generally results in a larger area threatened by seasonal flooding. The City may require a “no net loss” approach to maintaining floodwater storage capacity.

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**Policy NE-43.2:**

*Continue development review for surface water compliance. All costs associated with surface water review shall be recovered from development applicants.*

**Discussion:** Surface water review is needed to ensure that the use of one property does not unreasonably infringe upon the use of neighboring properties. Surface water can be retained on site or managed through community surface water systems.

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**Policy NE-43.3:**

*Require appropriate engineering and institutional controls for development in flood hazard areas.*

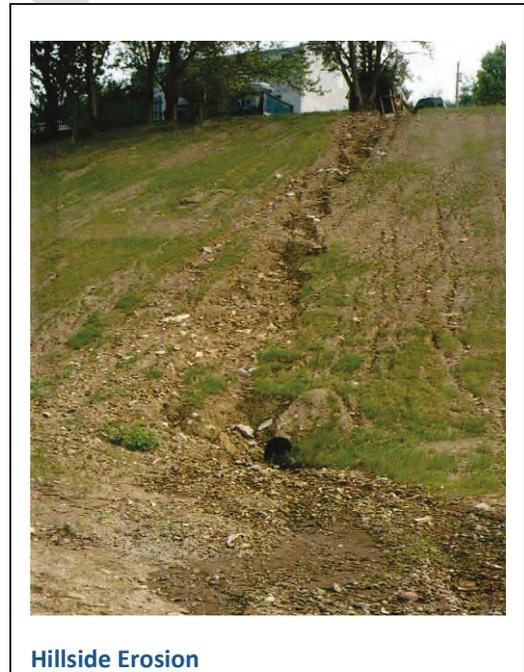
**Discussion:** Proper controls will help alleviate impacts to future property owners who reside in Pacific. These controls should meet the requirements of the Federal Emergency Management Agency (FEMA).

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**Policy NE-43.4:**

*Ensure that erosion control measures function during and after construction, and that approved surface water management and septic systems are installed by conducting routine building and development review inspections.*

**Discussion:** Proper erosion control measures will help to ensure that storm drainage will not impact existing and proposed development located on our adjacent to the property. Inspections of these facilities



**Hillside Erosion**

are necessary to determine that these measures are adequately maintained to the specifications required of the construction of the erosion control facilities.

## WETLANDS PROTECTION

### GOAL NE 54: Provide for the protection of wetlands.

#### POLICIES

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##### **Policy NE-54.1:**

*Implement a ranking and classification system for wetlands which rates wetlands based on size, vegetative complexity, ecological and hydrological function, and presence of threatened or endangered species.*

**Discussion:** Work with neighboring jurisdictions to establish a consistent regional classification system for wetlands that allows for the designation of both regionally important and locally unique wetlands. This system should incorporate the latest state Department of Ecology’s wetland rating criteria.

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##### **Policy NE-54.2:**

*Identify and classify the diverse functions and values of wetlands in the City.*

**Discussion:** The City can implement this policy by identifying all wetlands on public property and establishing a voluntary program to identify wetlands on private land, as well as requiring wetland studies of potential wetlands as development is proposed.

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##### **Policy NE-54.3:**

*Achieve “no net loss” of wetland acreage, functions, and values within each drainage basin over the long term.*

**Discussion:** "No net loss" means that total wetland acreage, functions, and values are preserved over the long term. The City should:

- ♣ Encourage educational opportunities that increase public understanding and appreciation for the values of wetlands;
- ♣ Advise citizens of measures they could take to maintain wetlands on their properties.
- ♣ Consider off-site mitigation for wetlands, such as creating a new wetland, only within the same drainage basin.

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##### **Policy NE-54.4:**

*Existing degraded wetlands should be restored where practicable, or consolidated in a drainage basin plan.*

**Discussion:** Restoration of degraded wetlands, or participation in a community-wide mitigation planning program, may be required as a condition of new development or redevelopment. The City should consider creating a “mitigation utility” to implement a neighborhood plan.

## FISH AND WILDLIFE HABITAT PROTECTION

### GOAL NE 65: Protect fish and wildlife habitat and native vegetation.

#### POLICIES

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##### **Policy NE-65.1:**

*Develop a vegetation preservation and enhancement program.*

**Discussion:** Vegetation in the City of Pacific provides and protects habitat for fish and wildlife. Vegetation also plays an important role in surface water management and stabilizing soils in critical areas. The City can preserve and enhance vegetation through some of the following methods:

- ♣ Encourage the use of native vegetation as an integral part of development plans.
  - ♣ Limit the removal of healthy trees in critical areas and critical area buffers.
  - ♣ Encourage the use of native and low maintenance vegetation in residential and commercial landscapes.
  - ♣ Require tree replacement on private property as project mitigation.
  - ♣ Replace removed trees on public land.
- 

##### **Policy NE-65.2:**

*Implement measures to provide appropriate protection of fish and wildlife habitat.*

**Discussion:** Fish and wildlife have similar needs as humans. They need clean water, fresh food and clean safe habitat area to raise their young. For fish, this means that there is an adequate supply of clean cool water. This can be provided through the retention of shading vegetation on the banks of streams and rivers. Clean water can be retained through stormwater control structures that remove sediment and pollutants. Streamside vegetation can also provide safe habitat through the provision of hiding places for adult and juvenile fish.

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**Stream Buffer**

##### **Policy NE-65.3:**

*Plan for and protect wildlife corridors as part of an open space and parks master plan.*

**Discussion:** Maintenance of wildlife corridors provides feeding areas and escape routes for animals. The City can implement this policy through public education, land use designations, incentives, regulation, and code enforcement.

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##### **Policy NE-65.4:**

*Actively participate in regional species protection efforts, including salmon habitat protection and restoration.*

**Discussion:** The City will implement this policy by working with citizen volunteers, county, state and federal agencies, and tribal governments to identify, prioritize, and eliminate barriers to anadromous fish spawning and rearing habitat.

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**Policy NE-65.5:**

*Protect and enhance critical wildlife habitat and, where practical, preserve existing wildlife habitat.*

**Discussion:** Critical wildlife habitat refers to areas identified as priority habitats by the Washington Department of Fish and Wildlife or by the City of Pacific. The City can implement this policy through regulation, code enforcement, acquisition, incentives, and other techniques.

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**Policy NE-65.6:**

*Establish buffers to preserve aquatic and riparian habitats in a natural state.*

**Discussion:** Buffers around wetlands, lakes, creeks, ditches, and streams protect native vegetation, water quality, habitat for fish and wildlife, and hydrologic function. They provide greater areas of habitat for fish and wildlife, and natural undisturbed areas for public enjoyment.

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**Policy NE-65.7:**

*Prohibit alterations to streams unless they are part of approved restoration efforts.*

**Discussion:** Stream alterations, such as filling or redirection of a watercourse, are likely to result in adverse impacts to the natural environment. Impacts can include sediment transport and flooding on adjacent properties. Where practical, streams should be allowed to return to natural channel migration patterns. The City will implement this policy through code enforcement.

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**Policy NE 5.8:**

*Incorporate the use of “Best Available Science” (BAS) when typing the creeks/streams within the City of Pacific.*

**Discussion:** The use of “Best Available Science” (BAS) is necessary to ensure the proper typing of streams in Pacific. The use of experts in the field of fishery resources can provide the needed expertise to meet the BAS requirements under the GMA. A joint effort between the City of Pacific, City of Sumner and the Muckleshoot Indian Tribe should be considered to conduct a stream assessment of Milwaukee Creek, the Government Canal (Boeing Creek) and other unnamed tributaries to the White River in Pacific and Sumner.

## WATER QUALITY

### GOAL NE 76: Preserve and enhance water quality.

#### POLICIES

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**Policy NE-76.1:**

*Prevent pollution of both surface and groundwater resources.*

**Discussion:** Whether it is located in streams, wetlands, or underground sources of water supply, clean water is one of Pacific’s important characteristics. The City can ~~protect~~ minimize surface and groundwater ~~resources~~ impacts through some of the following methods:

- ♣ Control development in areas of high water table.
- ♣ Encourage the retention of vegetation along waterways.
- ♣ Reduce or control surface water runoff from paved and other impervious surfaces.
- ♣ Encourage the use of properly designed ditches and swales.
- ♣ Encourage innovative ditch maintenance activities, such as the rotation of segments for ditch cleanings in adjacent areas.
- ♣ Require the use and maintenance of sedimentation traps and filters to prevent the movement of silt and other materials into the surface water system. This could be done using catch basin inserts that help filter out sediments and pollutants from street and parking lots.



- ♣ Emphasize public education on how to maintain water quality.
- ♣ Consider water quality issues in planning for parks and open space.

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**Policy NE-76.2:**

*Work with neighboring jurisdictions and other agencies and organizations to enhance and protect water quality in the region.*

**Discussion:** Enhancing and protecting clean water throughout a watershed often requires joint efforts between jurisdictions. For example, preserving water quality in the City of Pacific will have a positive impact on the water quality of the White/Stuck River, and the Cities of Algona, Auburn, and Sumner.

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**Policy NE-76.3:**

*Protect areas that are critical for aquifer recharge.*

**Discussion:** Recharge occurs via slow percolation through soils. Areas of highly permeable soil are vulnerable, and the potential for contamination of perched groundwater is greater in these areas. Planning should consider the types of development permitted in certain areas of the City. For example, a gas

station or an industrial site with potential contaminants could pose a significant risk in certain permeable soils.

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**Policy NE-76.4:**

*Actively pursue funding for baseline monitoring and improvement of water quality in waterways in the City, with waterways connected to salmon-bearing waters receiving priority funding.*

**Discussion:** Funding could be obtained through the Washington Wildlife Recreation Program (WWRP) administered through the Washington State Recreation and Conservation Office (WRCO). This funding is a 50% match grant with at least 10% of the total project cost from a non-state, non-federal contribution .

## EARTHQUAKES, STEEP SLOPES AND VOLCANIC HAZARDS

### **GOAL NE 87: Reduce potential hazards associated with earthquakes, and steep slopes and volcanic hazards.**

#### POLICIES

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**Policy NE-87.1:**

*The City ~~requires~~ appropriate standards for site development in areas with moderate and steep slopes, based upon site specific information.*

**Discussion:** Development review for buildings on slopes requires site specific information on soil type and water content, as well as the degree of slopes. Development on steep slopes causes impacts to surface water, may cause erosion of soils, and increased the probability of landslides. Mitigating measures for such development can include clustering development, decreasing the amount of impervious surface, the planting trees and other vegetation and the use of appropriate erosion control measures.

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**Policy NE-87.2:**

*Regulate land clearing and other significant removal of vegetation on steep slopes in identified landslide hazards areas.*

**Discussion:** The City will implement this policy through a critical areas or significant tree ordinance, and/or applicable development regulations. These areas will be identified as part of any geotechnical studies that are required for new development.

---

**Policy NE-83:**

*Require mitigating measures for new development on steep slopes.*

**Discussion:** ~~Development on steep slopes causes impacts to surface water, erosion, and increased probability of landslide hazards. Mitigating measures for such development can include clustering development, decreasing the amount of impervious surface, or planting trees and other vegetation.~~

---

**Policy NE-87.43:**

*Enforce building codes to minimize the risk of structural damage, fire, occupant injury, and prevent post-seismic collapse in areas subject to severe seismic hazard.*

**Discussion:** The best available methods should be used to identify and evaluate seismically hazardous areas. Requiring appropriate soil analysis and construction methods can minimize the hazard and avoid seismic-related structural damage and injuries.

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**Policy NE-87.54:**

*Promote educational efforts to inform landowners about site development, drainage, and yard maintenance practices that impact slope stability.*

**Discussion:** Washington State Department of Ecology Publications 93-30, 93-31, and 95-107 are resource materials that also will be utilized for this purpose.

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**Policy NE-7.5:**

*Identify volcanic hazards evacuation routes from the lowland areas of Pacific to upland areas.*

**Discussion:** Pacific is located within the “volcanic hazard zone” of Mt. Rainier. A lahar from Mt. Rainier inundated the area of Pacific approximately 500 years ago. Should Mt. Rainier become more active in the future, another lahar may reach the City. Signage identifying evacuation routes should be located at Jovita Boulevard E., 58<sup>th</sup> Pl. S., 56<sup>th</sup> Pl. S. and Peasley Canyon. This will give residents and visitors direction to escape potential future lahars.

## AIR QUALITY

**GOAL NE 98: Protect and improve local and regional air quality by reducing or eliminating sources of air pollution.**

### POLICIES

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**Policy NE-98.1:**

*Encourage the use of landscaping and the retention of existing vegetated areas to provide for filtering of suspended particulates.*

**Discussion:** Retention of trees and other vegetation is vital to maintaining good air quality. Vegetation filters out suspended particles and purifies the air.

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**Policy NE-98.2:**

*Encourage non-motorized and public transportation and provide opportunities for reduced automobile travel.*

**Discussion:** Vehicle emissions are a major local source of air pollution. Reducing the number of trips made by motor vehicles will reduce emissions. The City can implement this policy by encouraging non-motorized transportation projects in capital facilities programs, and by providing in the zoning ordinance for development of Park & Ride lots in the Neighborhood Center and mixed use areas to reduce vehicular trips. This, together with encouraging carpooling, will result in less vehicles and emissions.

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**Policy NE-98.3:**

*Support federal, state, and regional policies intended to protect clean air in the Puget Sound area.*

**Discussion:** State and regional agencies, such as Puget Sound Air Pollution Control Agency, the Puget Sound Regional Council, and the Washington State Department of Transportation, generally administer air quality regulations. The City will implement this policy by working with these agencies and by supporting public education regarding these issues.

---

**Policy NE-98.4:**

*Consider the use of road treatments such as roundabouts and traffic circles to reduce the need for stop signs and traffic signals.*

**Discussion:** The City may wish to investigate the impact of roundabouts and traffic circles on vehicle emissions, in comparison to traffic signals and stop signs.

## NOISE AND GLARE

**GOAL NE 109: Minimize excessive noise and light emitted from commercial and industrial land uses, and new construction.**

### POLICIES

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**Policy NE-109.1:**

*Reduce, and where possible, eliminate problems associated with major noise and light generating uses, especially those located near residences. Establish standards for noise and light generating land uses that address acceptable amounts of noise, light, and time and frequency of activities.*

**Discussion:** Natural or manmade barriers should be placed between noise and light sources and residential land uses. Trees and natural vegetation should be retained along the perimeter of new subdivisions and along arterial streets to filter noise and light. Light shields can be used for building lighting and parking lots. This would help to mitigate the impacts from commercial and industrial development on adjacent residential areas. Noise and light control ordinances shall be enforced.

## BIODIVERSITY

**GOAL NE-10: Protect biodiversity along the White River in Pacific**

### POLICIES

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**Policy NE-10.1:**

Finalize, implement actions, and track progress of the Lower White River Biodiversity Management Area (BMA) Stewardship Plan.

**Discussion:** The Lower White River BMA Stewardship Plan is a nonregulatory plan that can be used to guide the City to protect its biodiversity in coordination with new development. The City should adopt the plan for guidance as an appendix to the Comprehensive Plan.

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**Policy NE-10.2:**

*Identify partners and volunteer citizen groups who can advance the Lower White River BMA Stewardship Plan.*

**Discussion:** The City should partner with the Pierce County Biodiversity Alliance (PCBA) and the Friends of the Lower White River. Partnering with the PCBA and Friends of the Lower White River will help to develop region wide cooperation in protecting the biodiversity of the Lower White River.

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**Policy NE-10.3:**

*Coordinate with other jurisdictions within the Lower White River BMA (Sumner, Auburn, Buckley, Pierce County, King County, Muckleshoot Tribe of Indians) and meet periodically to align goals, objectives and strategies, and monitor progress.*

**Discussion:** Coordinating with other jurisdictions will be necessary to preserve the biodiversity of the Lower White River BMA. Without this coordination, potentially conflicting policies or regulations may result that could impact the biodiversity of the Lower White River BMA.

### 3. EXISTING CONDITIONS

Pacific is known to have the following critical or sensitive, areas: landslide hazard areas, erosion hazard areas, seismic hazard areas, flood hazard areas, lahar hazard areas, steep slopes, streams, wetlands, and critical wildlife habitats including the “Lower White River Biodiversity Management Area”. Many of these features have been identified and mapped, but mapping to date is known to be incomplete.

Features that meet sensitive area definitions are regulated as Critical Areas. Ordinance No. 1187 established Pacific Municipal Code (PMC) Title 23, “Critical Areas Management” in 1992. Ordinance No. 1505 amended sections of this title as part of a Development Regulations update in 2001. Additional amendments to Title 23 were made under Ordinance 1557 in 2004 and Ordinance 1639 in 2006. Further review of the Critical Areas Regulations under Title 23 will be necessary to determine additional amendments necessary to conform with current State and Federal requirements for Critical Area protection. The Comprehensive Plan Update will guide further revisions in accordance with federal, state, and King County and Pierce County Countywide Policies, where applicable.

#### 3.1 Geographical Context

The City of Pacific is located in both south central King County and north central Pierce County. It is primarily a lowlands area of the White River Valley, but also includes a portion of the Jovita Heights uplands on the west. With the incorporation of the City of Edgewood to the southwest in early 1996, and the City of Sumner’s northern annexation to Pacific’s southeast King County line in 2002, the City of Pacific became surrounded by other incorporated cities. The City of Sumner is located to the south and east, Edgewood to the west, Algona to the north, and Auburn to the northeast and east.

Jovita Heights is an area of approximately 218 acres abutting the City of Pacific’s western edge in unincorporated King County. It is an urban growth area (UGA) for the City. A land sliver of about 6.6 acres between West Valley Highway and SR 167 is the City’s western Pierce County UGA. Another isolated portion of unincorporated Pierce County, consisting of less than 30 acres, abuts Pacific on the east from the King County Line to just above Stewart Road. It meets the northwestern boundary of Sumner in the middle on the left bank of the White/Stuck River channel. These comprise the City of Pacific’s UGAs.

#### 3.2 Topography and Geology

##### 3.2.1 Topography

Most of Pacific lies in the valley of the White/Stuck River. The majority of the City is relatively flat to gently rolling. Steep slopes in excess of 30% rise to in the west and to the east of Pacific. The valley extends the length of the City from north to south. The White/Stuck River flows through the northeast corner of Pacific in King County, heading south along the City's eastern border into Pierce County. The valley floor of the City is relatively low, with an average elevation of approximately 70 feet above sea level.

##### 3.2.2 Geology

#### Soils

The load-bearing capacity of soil, the hydric properties, erosion potential, and characteristics with respect to shrink-swell potential all play a significant role in the development of land. In particular, the hydric properties indicate the existence of wetlands, and signal the potential for other environmental concerns.

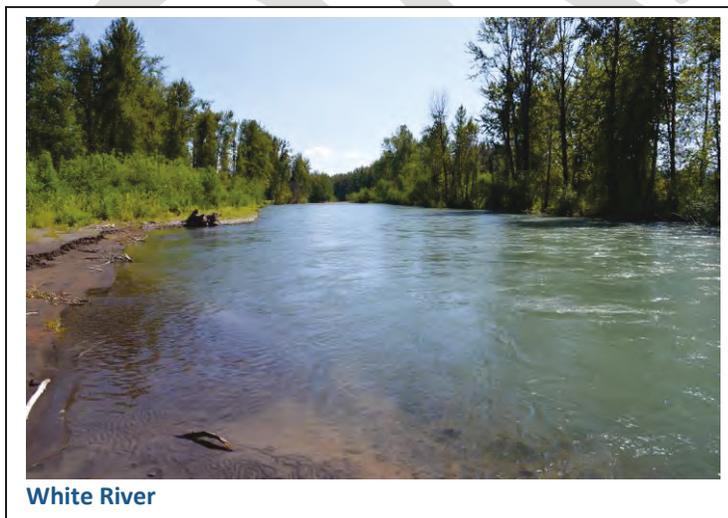
Soil types in the City and its Urban Growth Area (UGA) include:

- ≠ Ag – Alderwood gravelly sandy loam
- ≠ Br – Briscot silt loam
- ≠ Ev – Everett gravelly sandy loam
- ≠ In – Indianola loamy fine sand
- ≠ Ma – Mixed alluvial land
- ≠ No – Norma sandy loam
- ≠ Os – Oridia silt loam
- ≠ Py – Puyallup fine sandy loam
- ≠ Re – Renton silt loam
- ≠ Sk – Seattle Muck
- ≠ Sm – Shalcar Muck
- ≠ So – Snohomish Silt loam
- ≠ Tu – Tukwila muck
- ≠ Ur – Urban land

A composite soil map based on a 1973 King County Soil Survey and 1939 Pierce County Soil Survey, updated in 2000, also indicates some topographical features. The map is included at the back of this element (See Map 3.1).

### 3.3 Water

#### 3.3.1 Surface Water



Rivers and other surface waters are important resources. The quality of water is crucial to the entire river habitat. Reduction in water quality will not only degrade the environmental and scenic value of the river, but may also threaten the ground water that is the source of potable water for residents of the Pacific planning area.

The White River originates on Mount Rainier and flows generally west along the King-Pierce County line through Buckley and Auburn, before turning southwest to become the White/Stuck River in Pacific. Further south in

Sumner the White/Stuck empties into the Puyallup River. The surface water and river habitat quality are generally good. However, provisions for new development must protect against contamination and soil erosion, and prevent processes that would strip crucial wildlife habitat or change the flow of the river in ways which damage the viability of the ecological system.

The City also contains streams/creeks that are tributary to the White River. These streams/creeks include Milwaukee Creek and Government Canal (Boeing Creek). These streams/creeks are shown on Map 3.2. Following is a Table providing the Department of Natural Resources (DNR) stream typing of the creeks in Pacific.

<u>DNR Stream Type</u>	<u>Streams of This Type in Pacific</u>
<u>Type S (subject to Shorelines Management Act)</u>	• <u>White/Stuck River</u>
<u>Type F (fish-bearing other than S)</u>	• <u>Jovita Creek</u> • <u>Milwaukee Ditch Creek south of 5th Ave. S.W.</u>
<u>Type Np (nonfish, perennial)</u>	• <u>Milwaukee Ditch Creek, middle portion</u> • <u>Government Canal (Boeing ditch-Creek)</u>
<u>Type Ns (nonfish, seasonal)</u>	• <u>Milwaukee Ditch Creek east of Tacoma Blvd.</u>

The DNR stream typing is based upon the “Forest Practices Application Review System” (FPARS). Within urban areas, the DNR stream typing may not have been field verified. As development occurs adjacent to streams and creeks in the City, additional studies should be required by development to verify the stream/creek classification. To ensure the most complete “Best Available Science” (BAS) to determine a stream type, the City should explore partnering with the City of Sumner and the Muckleshoot Tribe to apply for grant funds to conduct a comprehensive stream assessment of the City’s streams & creeks. This includes Milwaukee Creek to its confluence with the White River in Sumner, the Government Canal (Boeing Creek), and other unnamed creeks.

### 3.3.2 Groundwater

Precipitation is dispersed in three ways. Some of the water enters the surface runoff through a system of ditches and streams. Some of it is intercepted by plant life or is bound up by molecular soil activity. The rest percolates down to recharge water bearing soil layers and is either intercepted by wells, or is discharged to the surface again through springs, seeps, and streams. From there, it reenters the atmosphere by evapotranspiration, then condenses and eventually precipitates as rain to complete the hydrologic cycle.

Groundwater is surface water that has filtered down through the soil to saturate permeable subsurface layers of gravel, sand, or porous rock. An integral component of this cycle, groundwater is also the entire source of the potable water supply for residents of the Pacific planning area. The source of supply for Pacific's groundwater is the thick White River fan, with its apex near Auburn, consisting of deposits of pebble-cobble gravel and sand. This thick fan is fed directly from the River and has a gravel aquifer in between to act as an infiltration medium. The City's aquifer recharge is potentially influenced by any processes in the White River watershed that might affect water quality downstream.

**Critical Aquifer Recharge Area:** As defined by PMC 23.08.020.10.030, this is “means an area with a critical recharging effect on aquifers used for potable water, as discussed in WAC 365-190-080(2). Within such areas, pollutants seeping into the ground are likely to contaminate the water supply”. It is critical that this potable water source be protected from point-source contamination such as that from including but not limited to; landfills, lagoons, dumps sites, storm water retention/detention ponds,

chemical spills, septic tanks, and injection wells (Map 3.3). The aquifer must likewise be protected from non point-source contaminants such as agricultural and residential pesticides.

Rainfall and topography have an impact on groundwater quantity and rate of flow. Man-made developments also impact groundwater, by cultivating land, removing vegetation, or compacting soil. Groundwater impacts such as hazardous waste and pollutants are detrimental to the groundwater supply, and affect its quality for years.

**Impervious area** is a measure of the percentage of area covered by roofs, streets, sidewalks, driveways, etc. Any future development will increase these impervious areas. Increased impervious area can result in decreased groundwater recharge. Even lawn areas allow only a fraction of the groundwater infiltration permitted by natural forest cover. Since a larger percentage of the precipitation volume is going directly to runoff, there is less available surface water for soil moisture replenishment and groundwater storage.

The Growth Management Act (GMA) requires that cities and counties identify and regulate these “areas with a critical recharging effect on aquifers used for potable water.” Land uses and densities in these areas can affect the quality of the groundwater. Aquifer recharge areas exist throughout the City. Studies have not been conducted to determine the exact locations of critical recharge areas.

The City contains many observed springs and seeps along the hillsides to the east, west, and southwest from the upland plateaus, which attests to one or more water-bearing zones above the valley floor.

The City’s ~~1998~~ 2010 Water System Plan included the consideration of wellhead protection, susceptibility (potential for groundwater recharge), and wellhead vulnerability (relationship between recharge potential and overlying contaminating land uses). ~~A 2002 amendment of the Water Plan to facilitate the assumption of the Webstone Water District has been approved by the Washington State Department of Health (DOH). The Water Plan is summarized in the Capital Facilities chapter of this Comprehensive Plan.~~

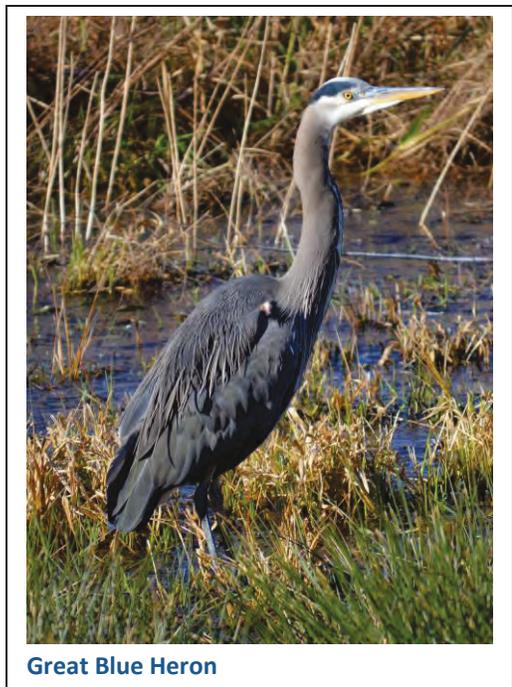
### 3.4 Climate

The climate of the Puget Sound Region is considered a typical maritime climate. The City of Pacific experiences cold, damp winters, cool damp spring and fall seasons, and moderately warm summers. The average precipitation is 39 inches annually, with the majority of the rain falling during the winter and spring months. The average annual temperature for the area is 51 degrees Fahrenheit. The local weather patterns and the relatively long growing season are ideal for vegetative growth.

### 3.5 Vegetation, Fish, and Wildlife

#### 3.5.1 Vegetation

Undisturbed riparian and wetlands-oriented vegetative canopy typically includes Western Red Cedar, Western Hemlock, Red Alder, Black Cottonwood, Big-leaf Maple, and species of Willow. Where this canopy has been disturbed, Reed Canary grass tends to dominate. These same canopy elements are present along the wooded slopes



Great Blue Heron

where the many seeps, springs, and surface rills provide sufficient moisture. Douglas fir tends to dominate the drier portions of these hillsides. The vegetative canopy is an essential component of the diverse biological network crucial to the survival of wildlife species.

### 3.5.2 Fish and Wildlife

**Fish and Wildlife Habitat Areas** are those lands identified as being of critical importance to the maintenance of fish, wildlife, and plant species, including areas where endangered, threatened, and sensitive species have a primary association (such as Chinook Salmon and Bull Trout); habitats and species of local importance; naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat; waters of the State (White/Stuck River); lakes, ponds, streams, and rivers with natural fish stock and planted with game fish by a governmental, tribal entity, or private organization; and state natural area preserves and natural resource conservation areas.



Spawned-out Salmon - White River

The process of urbanization and redevelopment results in the conversion of wildlife habitat to other uses. The loss of certain types of habitat has been significant in Puget Sound, resulting in adverse effects on the health of certain species. These types of habitat are referred to as “critical wildlife habitats.” Critical wildlife habitats include lands important for the protection, management, or public enjoyment of certain

wildlife species. These include habitats for species designated by state or federal agencies as endangered, threatened, sensitive, candidate, or priority species.

Other critical natural resources include anadromous fish (those that migrate from the ocean to spawn) habitat; waterfowl and raptor nests; heron rookeries; and habitats of local importance that are identified and designated through a wildlife conservation plan.

The principle Fish and Wildlife Habitat areas within the Pacific planning area are the White/Stuck River floodplain and its associated stream reaches and riverine wetlands, the Milwaukee Ditch Creek, Trout Lake and its associated wetlands, and the steep wooded slopes that form the east and west walls of the valley floor. The White River riparian corridor supports diverse populations of insects, fish, birds, waterfowl, and fur bearing wildlife. Primary fish populations include Chinook, Coho, and Chum salmon, as well as Steelhead, Dolly Varden, and Cutthroat Trout.

Under the federal Endangered Species Act (ESA), Chinook Salmon and Bull Trout have been listed as threatened species, and Coho Salmon are a candidate for listing. Salmon runs throughout the Puget Sound and the Northwest are critically depressed. All local governments that border the Puget Sound or that contains streams flowing to the Sound are affected by federal fisheries management. To help restore healthy salmon runs, local



Raccoon Tracks Along Milwaukee Creek

governments and the State government must work proactively to address salmon habitat protection and restoration. Issues of storm water run-off, and associated erosion, sedimentation, and pollution, are affected by the ESA.

The Washington Department of Fish and Wildlife (WDFW) has developed the Priority Habitats and Species (PHS) program to help guide growth in a manner that will preserve the best and most important habitats and provide for the life requirements of fish and wildlife. Priority species are fish and wildlife species that require protective measures and/or management guidelines to ensure their perpetuation. Priority habitats are habitat types with unique or significant value to many species. The WDFW has documented the locations of priority habitats and species within the City. These PHS areas include wetlands, natural open space, habitat for a priority bird species, and the point location of priority bird species sightings. PHS areas are considered critical wildlife habitats.

Trout Lake and its associated wetlands are bounded by an established single-family residential neighborhood. As well as being primary habitat for the typical community of urban lake wildlife, it is annually stocked with fisheries game fish, and it supports populations of native game fish such as bass, perch, and catfish.

The somewhat less significant wetlands throughout the planning area that are isolated from the waters of the river and lake systems typically support a subsection of these populations by providing crucial habitat for breeding, maturing, watering and feeding, and migrating.

### 3.6 Air Quality

Air quality is measured by the concentration of chemical compounds and particulate matter in the air outside of buildings. Air that contains carbon monoxide, ozone, and particulate matter can degrade the health of humans, animals, and plants. Human health risks from poor air quality range in severity from headaches and dizziness to cancer, respiratory disease, and other serious illnesses, to premature death. Potential ecological impacts include damage to trees and other types of vegetation. Quality of life concerns include degradation of visibility and deposit of soot and other particulate matter on homes and other property.

### 3.7 Critical Areas

The Growth Management Act (GMA) requires that critical areas be designated and that each jurisdiction adopt development regulations to protect these areas.

#### 3.7.1 Geologically Hazardous Areas

Generally, these areas can be considered to be areas in which there is a possibility that a certain type of potentially destructive geologic activity will take place. Human activity influences, and sometimes accelerates these processes. Development on or adjacent to severe slopes with high



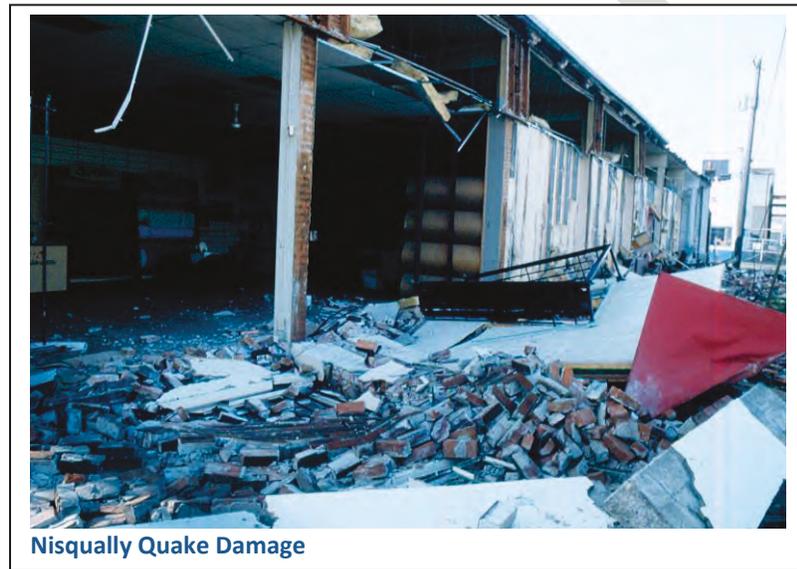
erosion hazard may have a negative impact on slope stability.

**Erosion Hazard Areas:** Erosion hazard areas are identified by the Soil Conservation Service as having "severe rill or inter-rill erosion hazard."

Erosion is a natural process where rain, running water, and wind loosen and transport soil from one location to another. Of these natural forces, erosion by rain and running water is by far the most common within the Puget Sound region. The susceptibility of any soil type to erosion depends upon the physical and chemical characteristics of the soil, its protective vegetative cover, slope length and gradient, the intensity of rainfall, and the velocity of water runoff. The City contains areas that are prone to erosion activity. Steep slope areas and areas cleared of vegetation are the most susceptible.

**Landslide Hazard Areas:** Landslide hazard areas are those which are potentially subject to landslides because of a combination of geologic, topographic, and hydrologic factors.

**Seismic Hazard Areas:** Seismic hazard areas are those which are subject to severe risk of damage as a result of earthquake-induced ground shaking, slope failure, settlement, and soil liquefaction. These



conditions occur in areas underlain by soils with low cohesion and density, usually in association with a shallow groundwater table. When shaken by an earthquake, certain soils lose their ability to support a load. Some soils will actually flow like a fluid; this process is called liquefaction. Loss of soil strength can also result in failure of the ground surface and damage to structures supported in or on the soil. Loose, water-saturated materials are the most susceptible to ground failure due to earthquakes. The primary areas of seismic hazards within the City of Pacific are those along steep

slopes, within valley bottoms, atop alluvial fans, and some areas of filled/graded land.

Seismic events in the Puget trough are generally the result of a sudden shift of rock mass within the earth's surface as the Juan de Fuca plate moves downward along the North American plate. The three most recent destructive earthquakes in the region were in 1949, 1965, and 2001. The 1949 quake was centered near Olympia and registered 7.1 on the Richter scale. The 1965 quake was centered near Seattle and registered 6.5. The 2001 Nisqually quake was centered northeast of Olympia, and registered 6.8.

Minor and major seismic events are considered inevitable throughout the Puget Sound basin. The timing and epicenter of such events cannot be predicted. However, the record of past events, the presence of river bottom soils subject to liquefaction and amplification, and the presence of glacial till soils in steep slope areas that are subject to landslides, indicate significant seismic hazard.

**Volcanic Hazard Areas:** Volcanic hazard areas are those subject to pyroclastic (ash fall) flows, lava flows, mud flows (lahars), or related flooding resulting from volcanic activity. The most current USGS Volcanic Hazards map (Map 3.4) indicates the Pacific area is at a Case 2 Inundation Level (Debris Flow

and Debris Avalanche Zone) - 100 to 500 year frequency, and at somewhat greater risk of flooding resulting from such an event. Pacific has one of the highest percentages of population and assets in the Mt. Rainier lahar zone (USGS – Community Exposure to Lahar Hazards from Mt. Rainier, Washington – Scientific Investigations Report 2009-5211). Since the prevailing winds tend to blow eastward, ~~the area~~ Pacific is at minimal risk from pyroclastic events.

**Steep Slopes:** Most of the Pacific planning area is river valley bottomland and is relatively flat. However, the terrain rises from 50' elevation above sea level on the valley floor to over 300' on the city's western plateau. The City of Pacific has defined critical slopes as those 30% or greater averaged over distance per King County's Critical Areas Ordinance. The slopes of these valley walls by these criteria are generally greater than 30% and are shown on the Critical Areas Map at the end of this chapter.



July 1980 Mt. St. Helens Eruption from S. 277<sup>th</sup> St.

Because of the adverse effect on local runoff and drainage profiles, development should not be located in areas with 8% or steeper grades without erosion control and geotechnical studies to assure mitigation. Development on these slopes would result in increased runoff volumes and rates, would tend to cause erosion, would divert runoff to unsuitable locations, and could drastically alter the area's aquifer recharge processes. These slopes should also generally be considered to be at some risk of landslide during seismic or volcanic events.

Because of its valley bottom location, the major hazards in Pacific are from earthquakes and excessive flooding. During a major earthquake, the unconsolidated alluvial soils of the river valley may liquefy, causing extensive structural damage. These water-saturated soils amplify the shock waves from an earthquake and tend to lose their structural strength.

**Aquifer Recharge Areas:** These occur where the prevailing geologic conditions allow infiltration rates which create a high potential for contamination of groundwater resources or contribute significantly to the replenishment of ground water.

**Flood Hazard Areas:** Flood Hazard Areas are lands within a floodplain which are subject to a one percent or greater chance of flooding in any given year. The floodplain consists of two components, the floodway and the flood fringe.

The floodway is that portion of the floodplain which is subject to inundation by deep and fast moving waters. Development within the floodway is prohibited since these waters have the potential to displace structures. The flood fringe is that portion of the floodplain outside the floodway which is subject to inundation by relatively slow moving waters, generally known as the base flood or 100-year flood (one percent chance per year).

The flood fringe includes land areas reserved for conveyance and discharge of the base flood without cumulatively increasing the water surface elevation by more than one foot and which may provide needed temporary storage capacity for flood waters. The White/Stuck River flood fringe is Pacific's principle

aquifer recharge area. Where legally feasible, the avoidance of construction in the flood fringe should be considered.

The basis for establishing the areas of special hazard is a 1980 report by the Federal Insurance Administration entitled “The Flood Insurance Study for the City of Pacific” and accompanying Flood Insurance Rate Maps (FIRM), which are periodically updated (Map 3.5). This map is subject to revision due to the rising riverbed of the White River.

Mud Mountain Dam is an earth- and rock-fill dam on the White River six miles southeast of Enumclaw. It was built in 1949 and modified in 1990 to provide flood control for the White and Lower Puyallup River Valleys. The two towers at the dam were replaced in 1994 by a single tower designed to withstand severe earthquakes. The Howard A. Hanson Dam, built on the Green River in 1961, also helps control flooding in the area.

The King and Pierce County River Improvement agencies own much of the property within the White/Stuck River floodplain and maintain the levee system along the river through the planning area. King County is now in the process to relocate the levees on the left bank of the White River in Pacific to create additional flood storage capacity. Existing levees will be removed and relocated further east of their present



location. The purpose of the relocation is to allow the river channel to migrate more naturally, create flood storage capacity and to help alleviate potential flooding of structures on the right bank of the White River. This would be beneficial to the White River Estates Subdivision which was flooded in January of 2009. In the near future, the county will be relocating the levees on the right bank of the White River which will also increase flood storage capacity. The City has adopted FEMA flood regulations to further control and averts most severe flooding activity.

**Wetlands:** Wetlands are defined by the U.S. Army Corps of Engineers as areas "that under normal circumstances have hydrophytic vegetation, hydric soils, and have periodic or permanent inundation or prolonged soil saturation sufficient to create anaerobic conditions in the soils (wetland hydrology)."

The Growth Management Act defines wetlands as "...areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created for non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands, if permitted by the county or city."

The GMA requires that wetlands regulated under the GMA be delineated in accordance with the Revised Code of Washington (RCW) 90.58.380. RCW 90.58.380 requires that the State “shall adopt a manual for the delineation of wetlands under this chapter that implements and is consistent with the 1987 manual in use on January 1, 1995, by the United States army corps of engineers and the United State environmental protection agency”. The State adopted a 1997 manual that was in accordance with the original 1987 Corps of Engineers (COE) manual. This was incorporated under Washington Administrative Code (WAC) 173-22-080. During the past few years the COE has updated and expanded their delineation manual. To ensure consistency between the State manual and COE manual WAC 173-22-080 was repealed and WAC 197-22-035 revised to state that delineations should be done according to the currently approved federal manual and supplements. \_\_\_\_\_ requires jurisdictions to use the 1997 Washington State Wetlands Identification and Delineation Manual to delineate wetlands for regulatory purposes. The Washington State Wetlands Rating System (as modified in 2014) is used to evaluate the wetlands.



Wetland - White River Floodplain

The U.S. Fish and Wildlife Service have produced a series of maps (National Wetlands Inventory), which delineate wetland areas and these are shown on the Wetlands Map at the back of this chapter. The City’s “wetlands mapping” was revised in the spring of 2015. The mapping was based upon a number of data sources and is reflected in Map 8.5 at the end of this chapter. These sources, in part, included the following:

- ≠ US Fish and Wildlife Service National Wetlands Inventory Maps (NWI).
- ≠ Updated online soils maps
- ≠ Washington State Department of Fish & Wildlife maps
- ≠ Google aerial photo’s
- ≠ Wetland Delineation Report West Valley Highway (2014)
- ≠ Washington Department of Transportation Biology and Environmental Staff Urban Corridors Office – Ecosystem Technical Report SR 167-8<sup>TH</sup> Street East Vicinity to 277<sup>th</sup> Street SW Vicinity Southbound HOT Lane (2008)
- ≠ Washington Department of Transportation Biology and Environmental Staff Urban Corridors Office – Ecosystem Technical Report SR 167-8<sup>TH</sup> Street East Vicinity to 15<sup>th</sup> Street SW Vicinity Northbound HOT Lane (2009)
- ≠ Approximately 31 wetland reports supplied as part of development proposals
- ≠ Field visits by a “qualified” wetlands biologist to field verify wetland delineations of wetland reports more than five (5) years old.

It is important to note that the map provides a generalized inventory of wetlands within the planning area and in most cases points to the need for further wetlands delineation studies prior to development. It does not imply that any particular parcel covered by a wetland designation is completely occupied by wetlands or is totally constrained from development.

The size and extent of wetlands constantly change under natural climatic and artificial influences, and determinations relative to specific sites must be made individually. In general, wetlands are environmentally sensitive areas and present limitations to construction and other activities such as siting of facilities. Depending on the site and nature of the activity, permits and/or mitigating measures are often required if development is allowed at all.

~~Some of the wetlands within the City of Pacific have been identified and delineated on the King and Pierce County Comprehensive Drainage Program Maps. In September of 1997, the City conducted additional generalized mapping of potential wetlands to aid in development review. However, other wetlands have not been identified and will be identified during required site specific studies as part of the development review process.~~

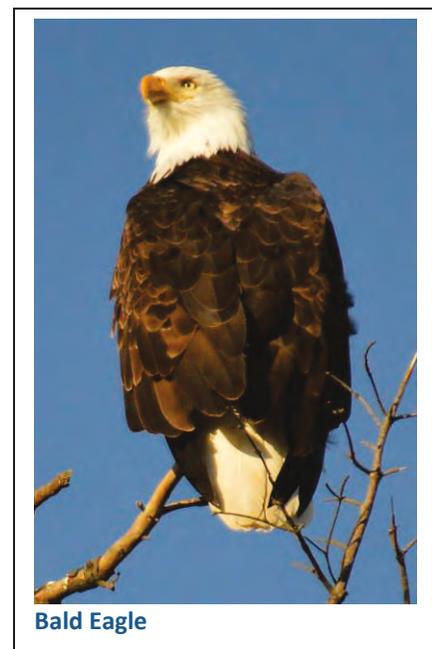
### **3.8 Lower White River Biodiversity Management Area (BMA)**

Pacific is located in the Lower White River Biodiversity Management Area. A Stewardship Plan was created for this area through the cooperation of many local, state, federal, educational and nonprofit organizations. The Lower White River Biodiversity Management Area (BMA) extends from Buckley to Sumner. The Management area is one (1) of 16 BMA's identified in Pierce County. The Pierce County Biodiversity Alliance (PCBA) has been actively involved in the biodiversity planning efforts at the local level since 1997. The Stewardship Plan for the Lower White River Biodiversity Management Area provides a nonregulatory planning tool for biodiversity planning. As stated in the plan, the benefits of biodiversity planning include:

- ≠ Protects remaining high-quality land cover important for fish and wildlife
- ≠ Implements Growth Management Act requirements for Habitat Conservation Areas
- ≠ Provides regional connectivity network for fish and wildlife dispersal and migration
- ≠ Establishes proactive approach to help avoid future listings under ESA
- ≠ Includes all habitat types not just point specific habitats such as wetlands, streams, endangered species locations

As part of the Stewardship Plan, the PCBA conducted a “bioblitz” identifying birds, mammals, amphibians, reptiles, fish, invertebrates, and plants within the Lower White River Management Area (2006 & 2007). The bioblitz in Pacific revealed a diverse number of plants, animals and birds including bald eagles and green herons.

Conservation of biodiversity is necessary if benefits including important ecosystem services such as clean water, natural flood control, timber production, climate regulation, and pollination currently enjoyed and relied upon by residents of the City are to be available for future generations. Protection of biodiversity in all its forms and across all landscapes is critical to continued prosperity and quality of life in the City. In fisheries, forestry, and agriculture, the value of biodiversity to sustaining long-term productivity has been demonstrated in region after region. With the impending effects of climate change, maintaining biodiversity will be critical to the resilience of resource-based activities and to many social and ecological systems. The continued increase in the City’s population and the projected effects of climate change make conservation a



difficult but urgent task. The protection and restoration of biodiversity and of a full range of supporting habitats is important.

#### **4. FUTURE NEEDS AND ALTERNATIVES**

##### **4.1 Vegetation, Fish, and Wildlife**

###### **4.1.1 Vegetation**

Environmentally based development standards and incentives help protect native vegetation during the development process. For example, these standards could include a requirement that the developer file a vegetation management plan that specifies how vegetation removal will be minimized and where replacement trees will be planted. Incentives should include density bonuses or expedited permit review for housing that protects areas of undisturbed open space, especially when significant vegetation is preserved.

Other tools which can be used to protect vegetation include public education, habitat enhancement assistance, conservation easements, open space designation and property tax reductions, transfer or purchase of development rights, and outright acquisition. The goals and policies contained in this Plan will be used to develop specific regulations, incentives, and programs, to be identified in the Municipal Code.

###### **4.1.2 Fish and Wildlife**

Washington Department of Fish and Wildlife (WDFW) management recommendations are intended to assist landowners, users, and managers in conducting land-use activities in a manner that incorporates the needs of fish and wildlife. Management recommendations are developed through a comprehensive review and synthesis of the best scientific information available. The City may review the PHS management recommendations developed by WDFW and adapt these to fit the existing conditions and limitations of our unique environmental conditions. Management guidelines for priority habitats and species may be established in the Pacific Municipal Code.

Additional priority habitats and species may occur in areas not currently known to WDFW biologists or in areas for which comprehensive surveys have not been conducted. PHS data can only confirm that a species or habitat type may be present. This data does not confirm that a species or habitat type is not present. Site-specific surveys may be necessary to rule out the presence of priority species and priority habitats on an individual project site. WDFW has established guidelines, which enable local governments to designate and protect species of local importance. The City will work with WDFW, residents, and other interested parties to identify and protect native wildlife species and habitats from the adverse impacts of current land use and future development.

##### **4.2 Air Quality**

One of the basic characteristics of a livable city is clean air. Numerous federal, state, regional, and local agencies enact and enforce legislation to protect air quality. Good air quality in Pacific, and in the region, requires controlling emissions from all sources, including: internal combustion engines; industrial operations; indoor and outdoor burning; and wind-borne particles from land clearing and development. In the Puget Sound region, vehicle emissions are the primary source of air pollution. Local and regional

components must be integrated in a comprehensive strategy designed to improve air quality through transportation system improvements, vehicle emissions reductions, and demand management strategies.

### **4.3 Critical Areas**

Over 90% of the original critical areas in the City of Pacific have been destroyed in over 90 years of urban development. As suggested in the Draft - Model Critical Areas Regulations and Review Procedures by the Office of Community Development, innovative mitigation techniques should be encouraged, such as the creation or enhancement of a larger system of critical areas and open space in preference to the preservation of many individual habitat areas.

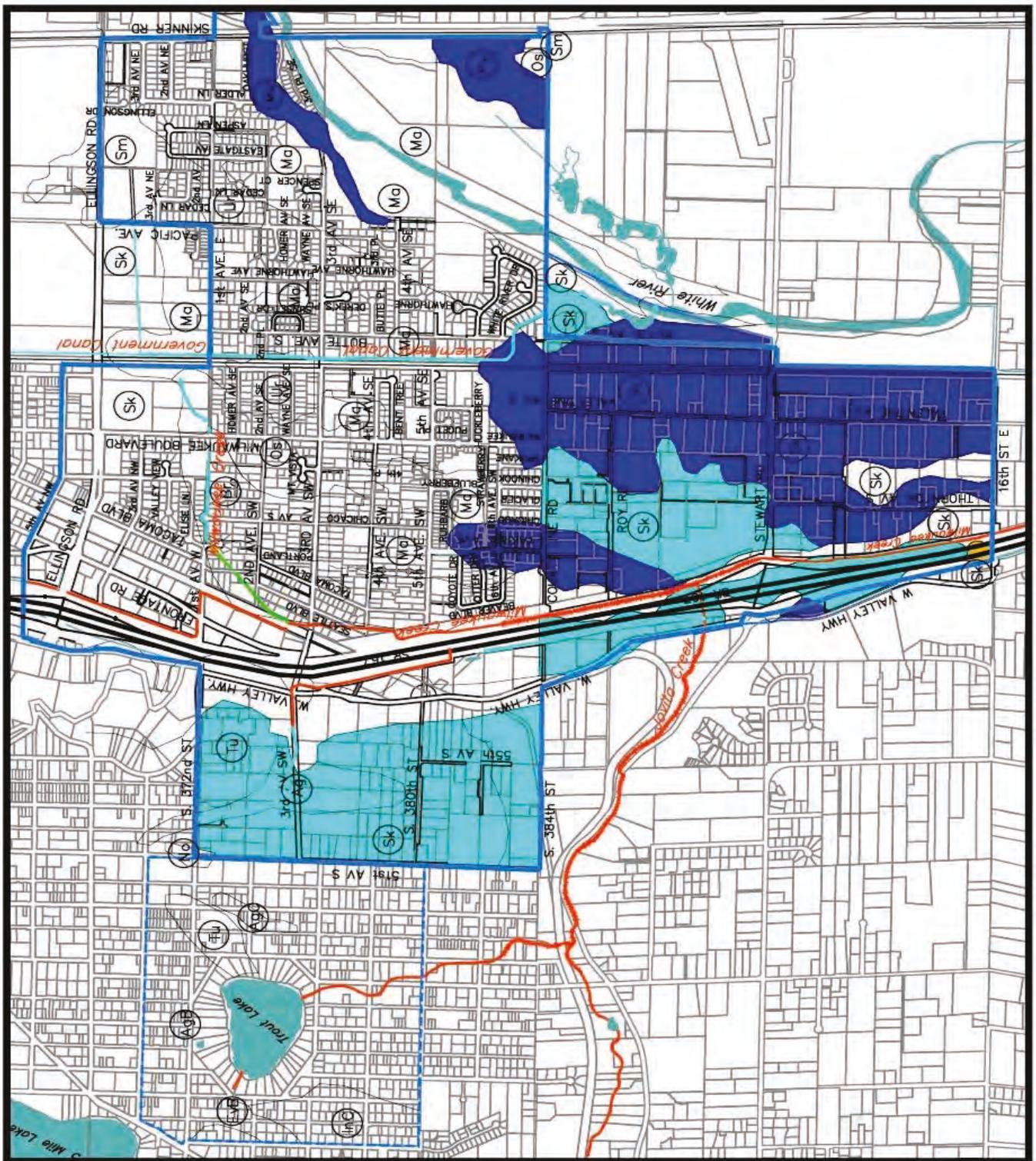
See the Parks, Open Space, Recreation, and Trails element for more detailed policies and discussion of critical areas protection and enhancement.

#### **4.3.1 Wetlands**

When planning the future of the community, it is important to consider the specialized functions that wetlands perform as part of the natural ecosystem.

Wetlands receive surface water from surrounding areas and filter pollutants by a combination of physical, chemical, and biological processes. Wetlands also play a significant role in flood control. During flooding, streams overflow their banks and spread out across the floodplain. Wetlands attenuate the peak flows from storm events by storing water during wet periods and discharging the stored water during drier periods.

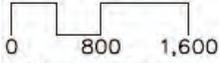
To maintain water quality, support groundwater, vegetation, and wildlife, it is imperative that wetlands be preserved. Clearing of vegetation, grading, filling and draining, and other activities associated with land development, may decrease the ability of the zone to provide drainage, stabilize stream banks, provide wildlife habitat, and filter pollutants from the water.



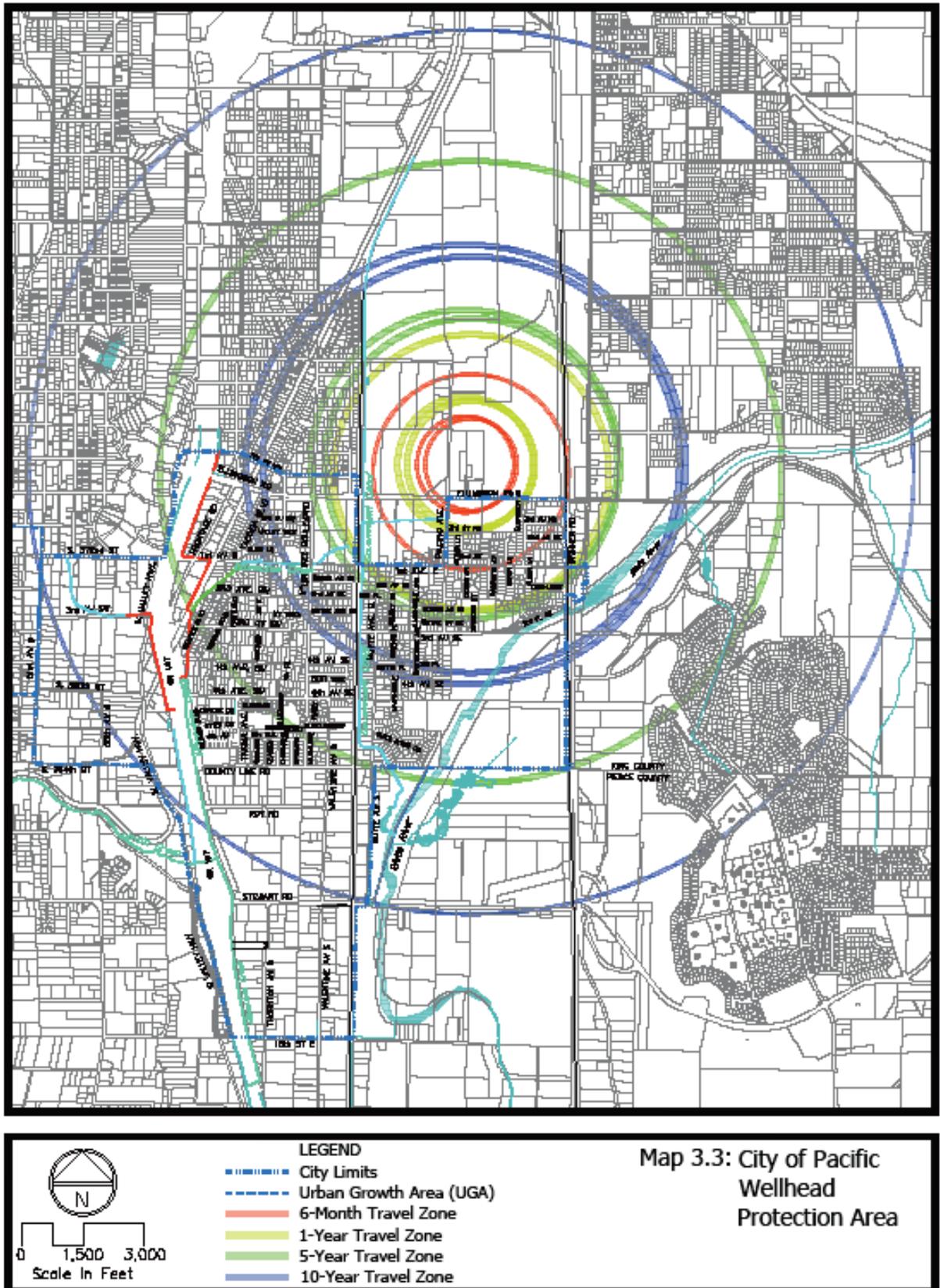
Map 3.1: City of Pacific Soils

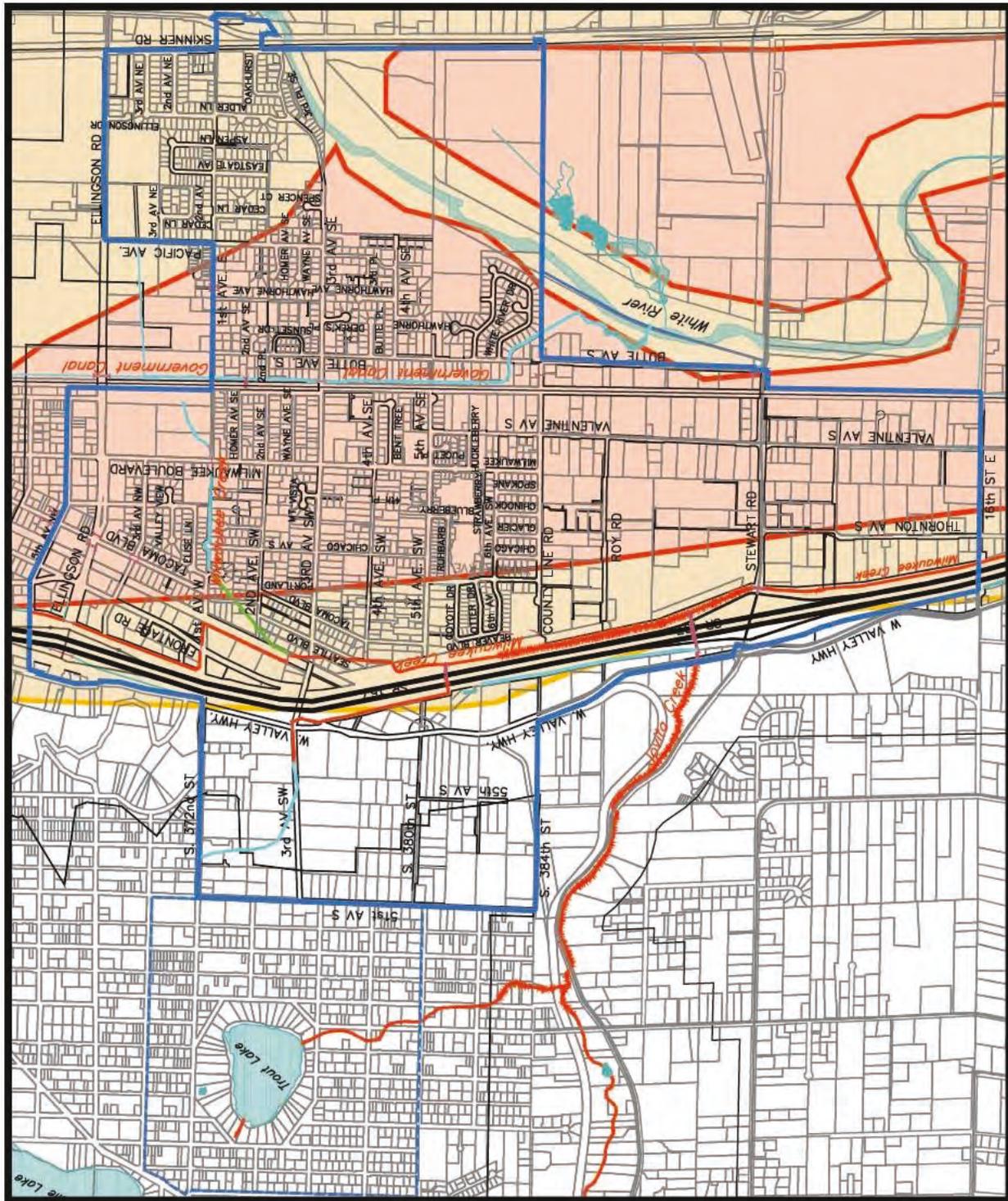
**LEGEND**

-  City Limits
-  USGS Soil Type A
-  USGS Soil Type B
-  USGS Soil Type C
-  USGS Soil Type D

  
  
 Scale in Feet







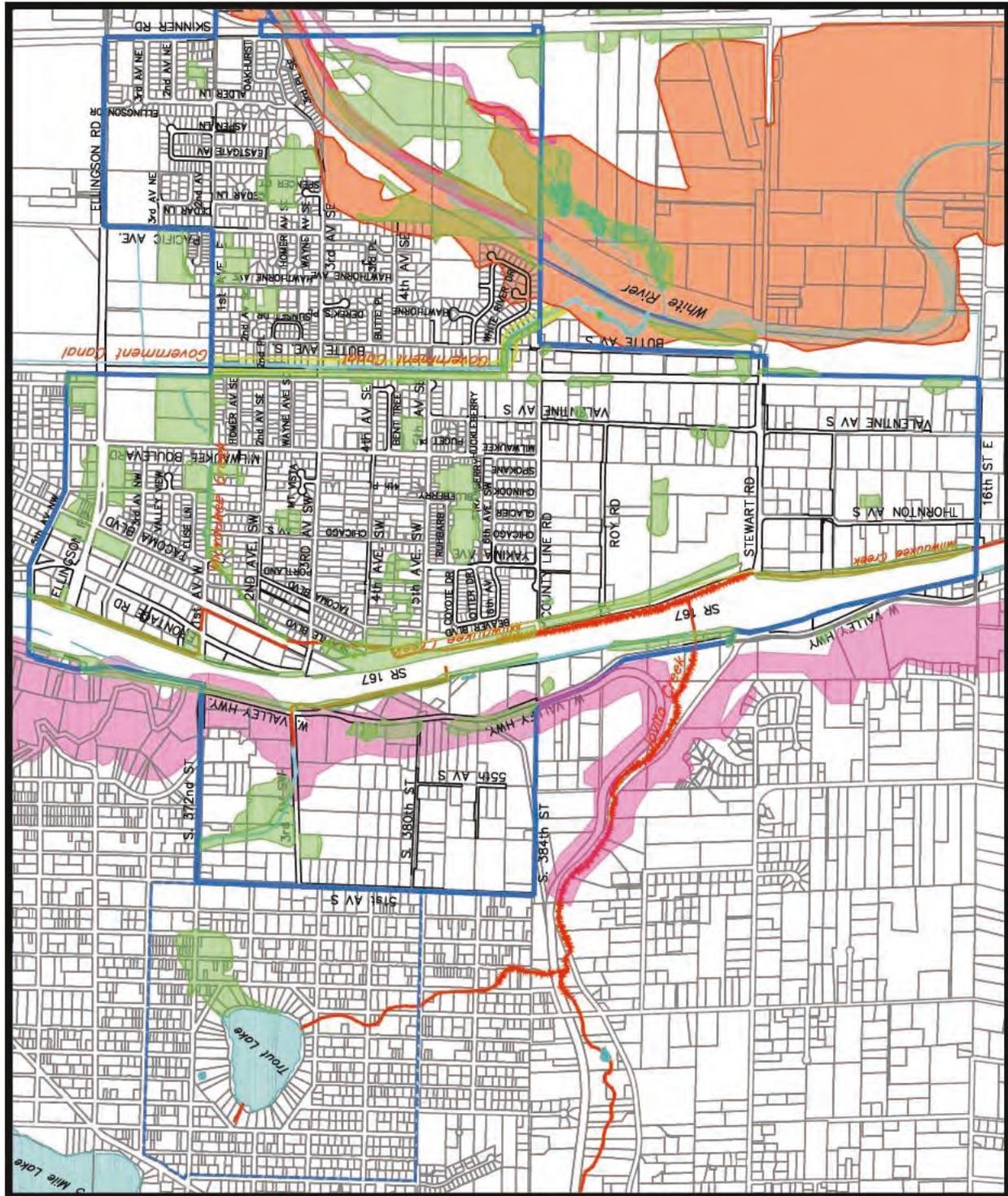
Scale in Feet

**LEGEND**

- City Limits
- National Lahar-sized event  
generally moderate in size
- Electron Mudflow-sized event  
generally large in size

**Map 3.4: City of Pacific  
Lahar Hazard Areas**

4/6/2015 11:34:15 AM, Revision Date



Scale in Feet

**LEGEND**

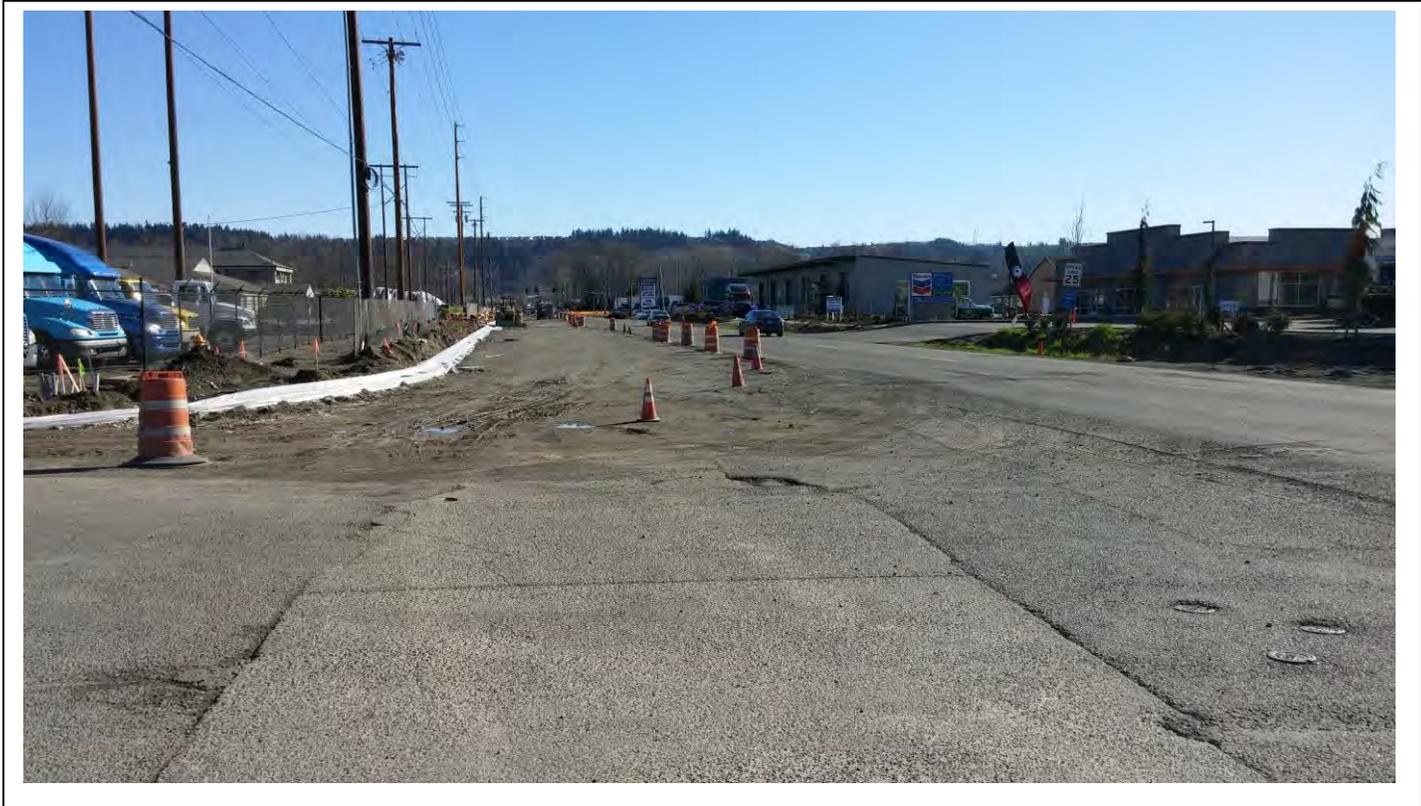
- City Limits
- Urban Growth Area (UGA)
- Steep Slope / Erosion Hazard
- Wetland
- Flood Plain (X/A)

**Map 3.5: City of Pacific  
Critical Areas**

4/6/2015 11:27:27 AM, Revision Date

# CHAPTER 8

# TRANSPORTATION



## 1. INTRODUCTION

### 1.1 Framework Goal

The framework goal of the Transportation Element of the Comprehensive Plan is to:

*Provide an efficient and safe multi-modal transportation network for residents, employees, businesses, and visitors while maintaining a small town quality of life.*

The Transportation element specifically considers the operations and condition of the existing transportation network; the cause, scope, and nature of transportation problems based on the adopted Land Use Plan; projected transportation needs; and a funding and implementation plan to ensure that the City's adopted level of service (LOS) is maintained.

This element contains updates and revisions to the 1995 Comprehensive Plan and a subsequent Amendments. ~~Amendments were also made in 2001.~~ Those included policies urging county and regional transit agencies to provide better service to Pacific residents and link Pacific to the nearby multi-modal transit stations. ~~A new Transportation Facilities map was also added in 2001.~~

The City of Pacific is located in King County and Pierce County, therefore its Transportation element has been developed in accordance with both King and Pierce County Countywide Planning Policies. It has been integrated with all other planning elements to ensure consistency throughout the Comprehensive Plan.

The Transportation element has also been developed in accordance with Section 36.70A.070 of the Growth Management Act (GMA), to address the motorized and non-motorized transportation needs of the City of Pacific. It represents the community's policy plan for the next 20 years.

### **Growth Management Act Requirements**

The Growth Management Act (GMA) provides a framework for addressing land/use transportation linkages and a mechanism for assessing the impacts of planned growth. Although the GMA has very specific requirements, flexibility is written into the law so that each city can tailor its plan to its unique long range community vision and goals. The GMA requires development of a transportation element within the City's Comprehensive Plan that contains these basic components :

~~Basic components of this element are:~~

- ≠ Inventory of transportation facilities and services, including roadways, transit, ferries, non-motorized and freight;
- ≠ Existing conditions of roadway links
- ≠ Future Conditions and needs assessment for ~~2010~~2025
- ≠ Future Conditions and needs assessment for ~~2025~~2035
- ≠ Goals and Policies
- ≠ ~~House Bill 1487~~RCW 47.06.140 Compliance

≠ Funding strategies for concurrency

### **Concurrency**

This element contains the City of Pacific's plan to provide specified levels of transportation service in a timely manner. The Level of Service (LOS) standards that are adopted in this plan will be maintained through upkeep of the existing circulation system and expansion of transportation services where needed.

The City has adopted a roadway link and intersection Level of Service standard of D. As specified by the GMA, new developments will be prohibited unless transportation improvements or strategies to accommodate the impacts of development are in compliance with concurrency. Improvements will be in place at time of development, or financially planned for within six years of development use. Concurrency will be applied in accordance with State statutes and the resources available to the City of Pacific.

### **Major Transportation Considerations and Goals**

Because transportation and land use are inter-related, and each has the ability to have a profound impact on the other, it is important to consider type and availability of transportation resources in the development of land use patterns. The City's Comprehensive Plan reflects this mutual dependency and need for coordination.

The City's Vision for coordinated land use and transportation system includes:

- ≠ Environmental stewardship of critical areas, including conservation of land, air, water, and energy resources.
- ≠ ~~Encourage~~ Planning practices that promote livability, pedestrian and non-motorized transportation, and reduces air and noise pollution and traffic congestion.
- ≠ ~~Encourage~~ Citizen participation in planning the future of the community.
- ≠ Support the local economy by providing a predictable development atmosphere, encouraging diversity in the range of goods and services, and ensuring that employment opportunities are balanced with a range of housing and commercial opportunities.
- ≠ Increase opportunities for enjoyment of recreational and cultural activities, providing a range of activities for all ages and users.

## **2. GOALS AND POLICIES**

The following transportation goals and policies are considered essential for meeting the quality of life as outlined in the City's long range Vision Statement. The policies specify what should be accomplished to reach the goals. These policies are intended to provide clear guidance for decision making. Accomplishments under these policies can be used to measure progress toward the goals.

## REGULATORY CONSIDERATIONS

**GOAL T1: Provide an efficient and safe multimodal transportation system to improve mobility for residents, employees, and visitors of Pacific while maintaining the small town quality of life and supporting the economic vitality of the City.**

### POLICIES

---

**Policy T1.1:**

*The City will plan for a safe, convenient and efficient transportation network for all residents and visitors of Pacific. This system should be compatible with neighboring cities, King and Pierce counties, Washington State, and other transportation providers.*

**Discussion:** Private vehicles are the most common mode of travel throughout the region. It is anticipated that the majority of vehicle trips within Pacific will continue to be private vehicles. It is necessary that this system be coordinated with neighboring communities, the counties and state to provide a consistent blended transportation network.

---

**Policy T1.2:**

*Work with other jurisdictions to plan, fund, and implement multi-jurisdictional projects necessary to meet shared transportation needs (including right-of-way preservation and purchase).*

**Discussion:** State Highways and arterials are part of the regional transportation network. They not only impact the citizens of Pacific, but the stakeholders of adjacent jurisdictions and the region. Coordination of planning and funding with other agencies is essential to complete projects cost-effectively.

---

**Policy T1.3:**

*Except as provided in Policy T1.10, Pacific will adopt a level of service (LOS) of “D” for all streets.*

**The term "below the level of service standard" shall apply to situations where traffic attributed to a development results in either of the following:**

- a. An unacceptable increase in hazard or safety on a roadway.**
- b. An increase in congestion which constitutes an unacceptable adverse environmental impact under the State Environmental Policy Act.**

**Discussion:** It is not practical or economically feasible to eliminate all transportation delays. Therefore, a LOS of ‘D’ has been established for all streets. New development projects will be required to perform a traffic impact analysis (TIA) to determine if there will be an adverse impact on the current level of service.

---

**Policy T1.4:**

*The City street system is made up of three functional classes:*

- a. *Arterials - a system of City, state, and county streets designed to move traffic from or to one area within the local area to or from another area. These streets should be adequate in number, appropriately situated, and designed to accommodate moderate to high traffic volumes with a minimum of disruption in the flow.*
- b. *Collector Streets - a system of the intra-county or City roads linking residential neighborhoods to the urban street system.*
- c. *Local Streets - a system of City streets which collect traffic from individual sites and carry the traffic to the arterial system.*

**Discussion:** Street classifications are determined at the regional and local level. The regional classifications determine the availability of potential project funding on those roadways. The local classification identifies local limitations on roadway usage to reduce “wear and tear”.

---

**Policy T1.5:** *Limit and provide access to the street network in a manner consistent with the function and purpose of each roadway classification.*

**Discussion:** The City will seek consolidation of access points to state highways, arterials, and major collectors. This will complement the highway and arterial system, reduce interference with traffic flows on arterials, and discourage through traffic on local streets.

To achieve this level of access control, the City:

- Supports the State's controlled access policy on all state highway facilities;
  - May acquire access rights along some arterials and major collectors;
  - Encourages and may require landowners to work together to prepare comprehensive access plans that emphasizes internal circulation and discourage multiple access points to major roadways;
  - Encourages consolidation of access in developing commercial and high density residential areas through shared use of driveways and local access streets.
- 

**Policy T1.6:**

*Require dedication of roadway rights-of-way for new development consistent with the appropriate functional classification, adopted road standards, and the Comprehensive Plan.*

**Discussion:** New development will result in additional traffic on City streets. Private development will be required to prepare a traffic impact analysis to determine the impact on the current level of service. Projects impacting the level of service will be required to mitigate those impacts.

---

**Policy T1.7:** *Design new residential streets to discourage cut-through traffic while maintaining the connectivity of the transportation system.*

**Discussion:** Residential streets often have increased number of pedestrians. Measures to reduce speed and to limit cut-through traffic to increase safety will be implemented in compliance with the Manual of Uniform Traffic Control Devices (MUTCD) as determined during the planning phase of the project.

---

**Policy T1.8:**

The City adopts the following policies on driveway access:

- *Driveway accesses onto designated arterials and collectors shall be minimized.*
- *Wherever a development fronts on two or more streets, access shall be limited to the lowest-designated street.*
- *No subdivision of land shall be permitted which creates a new lot fronting on an arterial or collector street without establishment of cross easements for access and egress, and*
- *No such subdivision shall increase the total number of access points onto Pacific's arterial or collector streets.*

**Discussion:** Arterial and collector streets frequently have a higher volume of traffic and occasionally increased speeds. Minimizing ingress/egress points on higher volume and higher speed roadways will maintain a higher level of service and reduce potential accidents.

---

**Policy T1.9:**

*Efficient movement of existing pass-through traffic should be accomplished through traffic light synchronization, speed reduction, access management, channelization improvements, and multimodal design features; and with a minimum of disruption to the local community.*

**Discussion:** There are two pass-through east-west corridors in Pacific: Ellingson Road and Stewart Road. Ellingson Road connects SR 167 to Pacific, Algona, Auburn, and portion of unincorporated King and Pierce Counties. This corridor currently has seven traffic lights and one railroad crossing under the control of five jurisdictions. Stewart Road currently has five lights, proposed to increase to eight lights, and one railroad crossing under the control of five jurisdictions. The traffic flows westerly in the morning and easterly in the evening. Synchronized signals in these corridors will help to prevent a decrease in the level of service as the development in the rural areas increases.

---

**Policy T1.10**

West Valley Highway from Ellingson Road south to Stewart Road will be maintained at a “Level of Service” (LOS) “F” until additional improvements (such as HOV lanes or “hot lanes”) are completed by the State on State Route 167 to extend south of Stewart Road.

**Discussion:** The West Valley Highway runs parallel to State Route 167 (SR 167). Southbound traffic back-ups due to heavy traffic on SR 167 typically begins around 2:30pm and lasts to about 6:30/7:00pm. Being parallel to SR 167, the West Valley Highway suffers from heavy spill-over traffic from SR 167 that is avoiding back-ups on SR 167. This is one of the major reasons that lowers the projected LOS on West Valley Highway to LOS “F”. This is borne out in the higher projected southbound traffic volumes during pm peak periods in Tables 8.3 and 8.4.

Extending the HOV or “hot lanes” south on SR 167 to Stewart Road (8<sup>th</sup> Street E.) is currently under design (as part of a design/build process) with the State Department of Transportation (WSDOT). Once the HOV/“Hot Lanes” are extended, the City can re-examine raising the LOS on West Valley Highway to a higher LOS designation.

---

## **Citizen Participation**

~~**GOAL T2:** Develop a citizen participation program (Transportation Advisory Committee) to increase public involvement in transportation planning.~~

~~**Policy T2.1:** Support and promote public involvement in Pierce Transit, King County Metro, and Regional Transit Authority decision-making. (Policy moved under Transit)~~

## **PEDESTRIAN MOBILITY**

**GOAL T32:** Ensure adequate accommodation of pedestrian needs in all transportation policies and facilities.

### **POLICIES**

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#### **Policy T32.1:**

*Sidewalks, trails, and other walking facilities should be extended throughout the City to allow more convenient and efficient pedestrian movement.*

**Discussion:** The City is committed to providing alternative methods of transportation for pedestrians. Priority should be given to sidewalks leading to schools.

---

#### **Policy T32.2:**

*Where appropriate, the City will install new sidewalks in pedestrian corridors considered by the City to be high priority [i.e., parks and areas used by elderly or handicapped persons] within two years of identification, as funds allow.*

**Discussion:** A planned and prioritized pedestrian network provides direction to staff when seeking funds for new projects. End use generators must be identified. Coordination with school transportation is also important to provide safe facilities for students.

---

#### **Policy T32.3:**

*Whenever the City contemplates reconstruction or major maintenance (including resurfacing) work on a City street that is without sidewalks, it should fully explore the possibility of adding sidewalks at the time of the street improvement.*

**Discussion:** State and Federal funding programs require evaluation of pedestrian needs for most roadway improvement projects. Most programs require that existing pedestrian facilities be reviewed and evaluated for conformance with current accessibility requirements.

---

**Policy T32.4**

*Pedestrian access to the transit system in all land use areas, including residential, commercial and industrial, should be ensured by providing convenient and attractive walkways to transit stops. Fences, walls, and development patterns that inhibit pedestrian access to transit stops are discouraged.*

*Discussion:* The current transit system is very limited. However, transit systems expand and contract with available funding. All arterials should provide sidewalks. Bicycle facilities should be evaluated based on alternative corridors and the proposed vehicle allocation. Pedestrian route of travel shall be evaluated for each new project to assure safe ingress/egress.

---

**Policy T32.5:**

*The City ~~shall~~ should encourage consideration of the needs of pedestrians in all public and private development.*

*Discussion:* Development should be evaluated to determine the level of pedestrians potentially generated by a project and the likely route of travel. The project may be required to provide adequate facilities to provide a safe course of travel.

---

**Policy T32.6:** The City should ensure safe and comfortable pedestrian connectivity to transit stops in major employment areas.

*Discussion:* Safe and comfortable pedestrian connectivity helps to encourage increased transit use. The provision of sidewalks with planter strips between the curb and sidewalk provides a greater separation of pedestrian and vehicular traffic. This in turn provides a heightened sense of safety for pedestrians.

**Level of Service (LOS)**

~~**GOAL T4:** The transportation network shall meet the City's adopted LOS D upon approval of development, or as identified for improvement within 6 years.~~

~~The term "below the level of service standard" shall apply to situations where traffic attributed to a development results in either of the following:~~

- ~~a. An unacceptable increase in hazard or safety on a roadway.~~
- ~~b. An increase in congestion which constitutes an unacceptable adverse environmental impact under the State Environmental Policy Act.~~

## FREIGHT MOBILITY

**GOAL F53:** Develop a transportation system that enhances the delivery and transport of goods and services. Improve existing, and construct new facilities for freight movement within the Sumner-Pacific MIC.

### POLICIES

**Policy T53.1:**

*Facilitate the movement of freight and goods through Pacific with minimal adverse traffic and environmental impact.*

**Discussion:** The City should by developing viable, established truck routes connecting to highway systems, thereby minimizing the impacts to established residential and commercial areas. These routes should be designed to provide sidewalks and roadways to serve the needs of freight while minimizing potential conflicts between trucks and pedestrians.

---

**Policy T53.2:**

*Enforce regulations so that, outside of designated routes, trucks do not utilize City streets, except for local deliveries and services.*

**Discussion:** Roadway designs are based on vehicle capacity, anticipated weight load, trip generators, etc. Each road is designed to be cost effective. A road that is anticipated to accommodate large vehicles is designed to a higher standard than a road used primarily for passenger vehicles. Therefore, to preserve the transportation system, some roads permit truck traffic and others do not.

---

**Policy T53.3:**

*Projects which enhance freight and goods movements which benefit largely State, Federal, or national needs should be constructed to minimize the impact on the City's local transportation system. The primary beneficiaries of such projects, not the City of Pacific, should fund these projects and their mitigation.*

**Discussion:** Development that will generate large vehicle traffic will need to provide a clear route for ingress / egress of the vehicles to their respective development without utilizing elements of the road system not intended for their use.

---

**Policy T53.4:**

*The City shall continue to work with the Freight Mobility Roundtable, Fast, and other regional groups to address regional needs mitigate local impacts, and support freight mobility in the Sumner-Pacific MIC and other designated areas.*

**Discussion:** Importing and exporting is a large portion of the State's economy. This requires warehousing of goods for redistribution throughout the country. Freight mobility is a critical element for Washington ports to compete with other west coast ports.

---

**Policy T53.5:**

*Identify and address areas within the Sumner-Pacific MIC (Manufacturing Industrial Center) where efficient truck access and circulation are hindered by infrastructure gaps and inadequate design. Ensure future transportation improvements address the needs of large trucks, including intersection turning radii, driveway design and street weight load capacity.*

**Discussion:** The Cities of Pacific and Sumner are working in a cooperative effort to reduce obstacles to freight mobility in the Sumner Pacific MIC (Manufacturing Industrial Center). This includes the current

work on Stewart Road and Valentine Avenue. The final hurdle is the White River Bridge and the final segment of Stewart Road to the bridge. These projects are in the planning phase at this time.

---

**Policy T5T3.6:** Promote public-private partnerships to address the need for improved parking, staging and related services for large trucks in or adjacent to the MIC.

**Discussion:** Private business may have a better understanding of the need regarding the staging of large trucks within the MIC. This is often due to the economic consideration business need to consider in staging areas and services for large trucks.

## PARKING –LAND USE

**GOAL T6T4:** Develop guidelines that ensure adequate parking supply.

### POLICIES

---

**Policy T4.1**

*Ensure the new development provides adequate off-street parking for its operations.*

**Discussion:** Sufficient off-street automobile parking reduces transportation conflicts on streets and supports pedestrian and bicycle uses. The City should require parking to be designed for average need, not full capacity.

---

**Policy T6T4.2:**

*Develop off-street parking that is compatible with abutting uses and supports a pedestrian-oriented streetscape.*

**Discussion:** Pedestrian circulation throughout parking lots should be given careful consideration to minimize impacts between pedestrian traffic and vehicular traffic in parking lots.

---

**Policy T6T4.23:**

*New developments shall provide adequate off-street parking to meet their needs.*

**Discussion:** Adequate off-street parking for new developments will mitigate the potential impacts of on-street parking along busy streets. On street parking can result in increased conflicts with vehicular movement on adjacent streets. The current Pacific Municipal Code (PMC) contains formulas for calculating parking requirements. The adopted formulas should be periodically checked to with other municipalities to ensure consistent requirements.

---

**Policy T6T4.34:**

Encourage shared parking, ~~underground parking~~, or parking structures.

**Discussion:** Generators of parking demand are often out of phase with each other: businesses operate on an 8 to 5 schedule generate demand during the week and dining establishments and houses of worship often have demand in the evening or on the weekends. If some of these facilities are adjacent to each other, parking can be shared.

---

## ENVIRONMENTAL IMPACTS

**GOAL T7T5:** Minimize the environmental impacts of all new road construction and road improvements.

### POLICIES

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**Policy T7T5.1:**

*The City shall consider the impact of road construction on the environment and natural resources (particularly on sensitive areas, wildlife habitats, and water quality) as part of its environmental review process.*

**Discussion:** Most transportation funding is provided by either State or Federal agencies. A critical element of all projects is an environmental evaluation. Environmental impacts will be reduced to the extent feasible and where it is not feasible, the impacts will be mitigated elsewhere.

---

**Policy T7T5.2:**

*Design transportation facilities within the Pacific Urban Growth Area to minimize adverse environmental impacts resulting from both their construction and operation.*

**Discussion:** Most transportation funding is provided by either State or Federal agencies. A critical element of all projects is an environmental evaluation. Environmental impacts will be mitigated to the extent feasible. In some cases, the use of “low impact development” (LID) techniques should be considered

---

**Policy T75.3:**

*The City of Pacific will:*

- *Consider environmental costs of development and operation of the transportation system;*
- *Align and locate transportation facilities away from environmentally sensitive areas;*
- *Mitigate unavoidable environmental impacts wherever possible; and*
- *Solicit and incorporate the concerns and comments of interested parties.*

**Discussion:** Where possible, transportation facilities should be located around sensitive areas. This provides the benefit of avoiding impacts to sensitive areas and the added costs (mitigation) to construct facilities that may impact sensitive areas.

**Policy T75.4:**

*Storm water runoff from roads is a major cause of water quality degradation. All new road construction will employ the best management practices available to promote water quality compliance consistent with the adopted storm water management manuals.*

**Discussion:** The Federal and State requirements for storm drainage require development of new facilities for roadway reconstruction and new roads. Therefore, any new roadway or reconstructed roadway will develop new stormwater facilities meeting State water quality and flow control requirements. Road resurfacing is exempt from this requirement.

---

## AIR QUALITY

**GOAL T86:** The City will coordinate transportation planning with air quality guidelines published by the Puget Sound Regional Council.

### POLICIES

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**Policy T86.1:**

*Support efforts to improve air quality throughout the Pacific area and develop a transportation system compatible with the goals of the Federal and State clean air acts.*

**Discussion:** Most transportation funding is provided by either State or Federal agencies. A critical element of all projects is an environmental evaluation. Environmental impacts will be reduced to the extent feasible and where it is not feasible, the impacts will be mitigated elsewhere. Additionally, air quality receives the greatest impact from idling vehicles. The City has developed a LOS of D to reduce the number of idling vehicles.

---

**Policy T86.2:**

*Coordinate with King County Metro, Pierce Transit, and other jurisdictions on Commute Trip Reduction (CTR) programs for major employers in Pacific and its UGA.*

**Discussion:** New road projects will coordinate with the long term plans of the public transportation agencies, to provide pedestrian and transit facilities as required for future projects.

---

**Policy T86.3:**

*Require Consider studies of impacts to air quality generated by traffic from new major developments.*

**Discussion:** Depending on the type of development, traffic impacts are generated at a higher level. In these cases, the impacts to air quality should be considered as part of any environmental review.

---

**Policy T86.4:**

*Promote other Transportation Demand Management (TDM) Programs.*

**Discussion:** New road projects will coordinate with the long term plans of the public transportation agencies, to provide pedestrian and transit facilities as required for future projects.

---

**Policy T86.5:**

*Work with the private and other public sectors to introduce cleaner burning fuels for the existing motorized fleet, and vehicles powered by alternate fuel sources.*

**Discussion:** The City has developed and annually reviews the fleet needs of various departments. A review of budget impacts on alternative fuel vehicles is incorporated into the decision making process.

---

**Policy T86.6:**

*Promote non-motorized transportation modes.*

**Discussion:** The City has developed a series of sidewalks and trails. A long term plan to complete the network should be developed.

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## TRANSIT

**GOAL T97: Support improved transit coverage and service throughout the region to improve mobility options for Pacific.**

### POLICIES

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**Policy T97.1:**

*Urge county and regional transit agencies to provide improved service to Pacific residents by providing routes, schedules, and ancillary facilities such as park & ride lots.*

**Discussion:** Public transportation funding is often one of the first budget items to be cut. A valuation of the public transportation benefits needs to be conducted to educate the stakeholders of all costs associated with public transportation funds: reduced congestion; cost per rider mile; parking impacts; etc.

---

**Policy T97.2:**

*Provide for a Park and Ride location in Pacific along SR 167, and identify and evaluate additional locations that could be easily served by public transportation.*

**Discussion:** The ideal location for most park and ride facilities is at or near freeway interchanges. These properties should be noted for possible acquisition. These properties also typically have the highest land values.

---

**Policy T97.3:**

*Encourage King County Metro, Pierce Transit, and Sound Transit to link to each other, and coordinate increased bus service with commuter rail service and local service within Pacific.*

**Discussion:** Private vehicles are the most common mode of travel throughout the region. It is anticipated that the majority of vehicle trips within Pacific will continue to be private vehicles. The City will need to modify the transportation network to meet the needs of increased demand. The provision of transit service to Pacific residents will provide viable options for residents to commute to other destinations. This will help to decrease the demand on the City’s road system.

---

**Policy T97.4:**

*Advocate frequent headways and express service, with priority given to higher density residential areas and popular destinations.*

**Discussion:** Providing more commuting options for Pacific residents lessens the impacts to the regional road network and helps to decrease air quality impacts due to fewer vehicular trips on the regions roadways.

---

**Policy T97.5:**

*Support regional express bus service, good connections to commuter rail stops, and a rider-friendly fare system.*

**Discussion:** Providing more commuting options for Pacific residents lessens the impacts to the regional road network and helps to decrease air quality impacts due to fewer vehicular trips on the regions roadways.

---

**Policy T97.6:**

*Consider transit facilities as mitigation for new developments that have probable significant impacts to the transportation system.*

**Discussion:** As the City’s Manufacturing Industrial Center (MIC) continues to develop, the provision of transit facilities to encourage commuting to jobs via transit should be considered.

---

**Policy T97.97:**

*Promote programs to encourage carpooling, transit, and non-motorized transportation to reduce the transportation impacts of economic and residential development.*

**Discussion:** Updating the City’s website will provide links to carpooling and ride sharing programs.

---

**Policy T97.108:**

*Work with transit agencies to make transit use more attractive to existing and potential customers, through right-of-way, sidewalk, and roadway improvements at transit stops, and safe and weather protected passenger waiting areas.*

**Discussion:** New road projects will coordinate with the long term plans of the public transportation agencies, to provide pedestrian and transit facilities as required for future projects.

**Policy T97.449:** Develop rider information packages for commuter, transit, rail, and air transportation opportunities.

**Discussion:** The City website will provide links to carpooling, ride sharing programs, and other alternatives to single passenger cars.

**Policy T7.10:** Support and promote public involvement in Pierce Transit, King County Metro, and Regional Transit Authority decision-making.

**Discussion:** Promoting public involvement would allow decision makers hear the day to day needs of the travelling public, especially those would do not have the resources to own cars.

## MOBILITY AND CAPACITY

**GOAL T408:** Promote adequate capacity on roadways and intersections to provide access to homes and businesses.

### POLICIES

**Policy T408.1:**

*Preserve and maintain capacity of roadways by:*

- *Providing internal access between off-street parking areas in commercial areas through reciprocal agreements;*
- *Using intersecting streets as access points; or*
- *Designing subdivisions for efficient internal circulation.*

**Discussion:** Many safety and capacity problems relate to driveways that connect to public roads. The design of new street improvements should include provisions to consolidate existing accesses where feasible. Connecting commercial parking lots providing interior traffic flow off of public streets will lessen the number of driveway cuts on public streets and the number of potential traffic conflicts.

**Policy T408.2:**

*Identify, acquire, and preserve rights-of-way by methods including:*

- *Requiring dedication of rights-of-way as a condition for development when the need for such rights-of-way is linked to the development;*
- *Requesting donations of rights-of-way to the public;*
- *Purchasing rights-of-way by paying fair value; and*
- *Acquiring development rights and easements from property owners.*

**Discussion:** Private vehicles are the most common mode of travel throughout the region. It is anticipated that the majority of vehicle trips within Pacific will continue to be private vehicles. The acquisition of

right-of-way (ROW) will be crucial to ensure the safe flow of traffic and provide for faster response times for emergency services.

**Policy T408.3:**

*Continue to work with adjacent jurisdictions and stakeholders to develop major transportation corridors.*

**Discussion:** Coordination with adjacent jurisdictions is necessary to ensure a safe consistent transportation system. For example, access to Lakeland Hills, a major residential area in Auburn, passes through three jurisdictions; Pacific, Sumner and Auburn. This is via Stewart Road/8<sup>th</sup> Ave. in Pacific and Sumner. This street is one of only two major east/west routes across the White River Valley connecting Lakeland Hills to SR 167. Coordination with Sumner and Pierce County has resulted in major road improvements to this road to provide greater capacity and safety.



## MULTIMODAL TRANSPORTATION

**GOAL T419:** Provide for all multimodal means of transportation in a safe, compatible and efficient manner.

### POLICIES

**Policy T419.1:**

*Develop a curb ramp program to install wheelchair ramps at all curbed intersections.*

**Discussion:** Most transportation funding is provided by either State or Federal agencies. These funding programs require that all ramps are compliant with current ADA guidelines.

**Policy T419.2:**

*Work with neighboring jurisdictions and other agencies to ensure that Pacific's bicycle routes and corridors are safe, functional, compatible, and interconnected.*

**Discussion:** The City has worked with regional partners to obtain grant funding for non-motorized facilities of regional significance. The City will continue to pursue these funding sources until the network is complete.

**Policy T419.3:**

*Plan for the expansion of appropriate road shoulders to maintain safe areas for walking, jogging, and biking.*

**Discussion:** Expansion of impervious surfacing requires an expansion of stormwater facilities. The city needs to develop the long term pedestrian network that permits low impact or pervious surfacing alternatives.

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**Policy T419.4:**

*Accommodate the needs of bicyclists and pedestrians in the design and construction of all appropriate roadway improvements, with safety and traffic flow as primary considerations.*

**Discussion:** Most transportation funding is provided by either State or Federal agencies. Most of these funding programs require that pedestrian facilities are provided to serve the stakeholder needs. The design of roadway improvements can reduce barriers and increase safety for bicyclists and pedestrians. The location and design of walkways and trails should vary depending on adjacent land uses.

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**Policy T419.5:**

*Work with King County Metro, Pierce Transit, Sound Transit, and businesses to evaluate and improve transit service and facilities that serve employment sites. Promote transit connections between local and regional high density-population centers and the Sumner-Pacific MIC.*

**Discussion:** The City website will provide links to carpooling, ride sharing programs, and other alternatives to single passenger cars, including regional transit programs. The City’s elected officials and staff currently participates in regional transportation planning groups.

---

**Policy T419.6:**

*Support public and private Transportation Demand Management (TDM) programs to promote alternatives to driving alone. Encourage Commute Trip Reduction (CTR) programs for businesses in the Sumner-Pacific MIC and other areas.*

**Discussion:** The City website will provide links to carpooling, ride sharing programs, and other alternatives to single passenger cars, including regional transit programs. The City elected officials and staff currently participate in regional transportation planning groups. To implement this policy, the City will work with major employers, such as schools and retail centers, to provide incentives for carpooling, transit use, non-motorized transportation, and telecommuting. The City can also support educational programs that communicate transportation options.

---

**Policy T419.7:**

*Encourage new commercial, office and industrial developments to provide physical features supportive of carpooling, transit, and non-motorized modes of travel.*

**Discussion:** To implement this policy, the City will work with major employers, such as schools and retail centers, to provide incentives for carpooling, transit use, non-motorized transportation, and

telecommuting. For example, the provision of secured bicycle racks may help entice employees to ride their bikes to work. The City can also support educational programs that communicate transportation options.

---

**Policy T11 9.8**

*The high density Urban Transit Center adjacent to the proposed Sumner-Pacific Station, which includes a mixture of urban transportation modes, should serve the Sumner-Pacific MIC and other areas of the City.*

**Discussion:** The City website will provide links to carpooling, ride sharing programs, and other alternatives to single passenger cars, including regional transit programs. The City’s elected officials and staff currently participate in regional transportation planning groups. Examples can include preferential parking for carpools, vanpools and bicycles; transportation information and bus schedules, special loading and unloading areas for transit, carpools, and vanpools; and strong pedestrian linkages to off-site destinations.

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## SAFETY

**GOAL T1210: Minimize transportation conflicts to ensure safety.**

### POLICIES

**Policy T1210.2:**

*Maintain and enhance the safety of roads in the City of Pacific.*

**Discussion:** Examples of methods to improve safety include access management, improved signalization, left-turn-only arrows; center left turn lanes, turn prohibitions, median islands, lighting, and other techniques. (Note: City insurance rates drop with improved safety.) Most transportation funding is provided by either State or Federal agencies. These funding programs require that a safety analysis be performed at critical areas. A warrant study is developed to determine intersection control needs as well as an evaluation of other elements that may be needed to improve safety.

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**GOAL T13: ~~Protect the livability and safety of residential neighborhoods from the adverse impacts of motor vehicles.~~**

**Policy T1310.13:**

*Work with residents to encourage preservation of neighborhood character and safety on residential streets.*

Reducing speeds and cut-through traffic can protect the livability and safety of residential neighborhoods. The City should explore a program whereby neighborhoods can buy traffic calming devices. The City should involve the Valley Regional Fire Authority and the Pacific Police Department in the implementation of this policy.

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## MAINTENANCE

**GOAL T4411:** Assign a high priority to meeting the maintenance needs of the transportation system so that it is safe and functional.

### POLICIES

**Policy T4411.1:**

Develop a regular maintenance schedule for all components of the transportation infrastructure.

***Discussion:*** The City currently contracts with King County for annual maintenance of traffic signals. The City public works crew evaluates street surfaces monthly as part of the street sweeping program. Long term road maintenance programs are in development. However, until there is a Transportation Benefit District or similar mechanism developed, there is no long term funding source for street maintenance. The City should base maintenance schedules on considerations for safety and resource conservation.

**Policy T4411.2:**

*Encourage the maintenance and improvement of the street system when addressing the transportation and circulation concerns of the community.*

***Discussion:*** The City currently contracts with King County for annual maintenance of traffic signals. The City public works crew evaluates street surfaces monthly as part of the street sweeping program. Long term road maintenance programs are in development. However, until there is a Transportation Benefit District or similar mechanism developed, there is no long term funding source for street maintenance.

**Policy T4411.3:**

*Develop strategies necessary to improve public streets to meet applicable road standards.*

***Discussion:*** The City public works crew evaluates street surfaces monthly as part of the street sweeping program. Long term road maintenance programs are in development. However, until there is a Transportation Benefit District or similar mechanism developed, there is no long term funding source for street maintenance.

## LAND USE AND TRANSPORTATION

**GOAL T45 12:** Ensure that transportation system improvements are compatible with adjacent land uses and will minimize potential conflicts.

### POLICIES

**Policy T4512.1:**

*Consider a complementary roadway pattern to increase accessibility to higher use areas and minimize traffic impacts on residential areas.*

**Discussion:** Private vehicles are the most common mode of travel throughout the region. It is anticipated that the majority of vehicle trips within Pacific will continue to be private vehicles. The City will need to modify the transportation network to meet the needs of increased demand. In addition, the City has a strong desire to maintain the existing street network.

---

**Policy T4512.2:**

*Employ a functional roadway classification system and guidelines to:*

- *Control access to roads from adjacent developments;*
- *Route arterials and major collectors around residential neighborhoods;*
- *Prevent new residential areas from fronting on arterials;*
- *Incorporate transit, pedestrian, and bicycle access into major developments;*
- *Provide landscaping and noise buffers along major roadways;*
- *Provide facilities for bicyclists and pedestrians, and to access transit;*
- *Encourage changes to site plans to encourage pedestrian travel; and*
- *Improve pedestrian and vehicle circulation.*

**Discussion:** The City should adopt a street grid classification system that would minimize pass through commercial traffic within defined residential neighborhoods. Where pass through traffic does occur, appropriate speed limits to help reduce the impact of traffic conflicts should be considered.

---

**Policy T4512.3:**

*Increase the visual ambiance along the Ellingson and Stewart Road corridors.*

**Discussion:** This policy can be achieved through the requirement of street landscaping both within and outside of the right-of-way. Commercial design standards developed to complement the landscaping should be considered.

---

**Policy T4512.4:**

*Develop and encourage programs, such as “adopt-a-road,” to assist in keeping roadsides and trails free of litter.*

**Discussion:** Adopt-a-road programs have proved successful on state highways to help decrease the amount of litter along those roads. The City should identify heavily travelled roads within the City where an “adopt-a-road” program may be successful. Removing litter from these roads will enhance the overall image of the City.

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## NON-MOTORIZED

**GOAL T4613:** Provide clear and identifiable systems of walkways, sidewalks, and trails to develop an environment that will make the use of alternative transportation modes an attractive and viable option.

### POLICIES

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**Policy T4613.1:**

*Pacific shall investigate transportation routes and means for non-motorized transportation between neighborhoods and with neighboring cities.*

**Discussion:** The City working on a system of pedestrian/bike trails throughout the City that connect existing neighborhoods and with other jurisdictions. As street improvements are considered, the provision for bike lanes is considered based on the width of the right-of-way and the classification of the road. As part of new development, projects adjacent to the projected route of the Interurban Trail are required to construct that portion of the trail along their property.

---

**Policy T4613.2:**

*Provide signals for pedestrians, and install mid-block crossings where appropriate.*

**Discussion:** The City should evaluate its street system to determine where mid-block crossings may be necessary based upon the length of block and the businesses fronting either side of the street. A signal crossing should also be considered on Stewart Road for pedestrians and cyclists using the Interurban Trail.

---

**Policy T4613.3:**

*Development in the Neighborhood Center should have non-motorized access and include characteristics such as limited setbacks, pedestrian-oriented streetscapes, and appropriate pedestrian crossings.*

**Discussion:** New development within the Neighborhood Center should be designed to have access to the Interurban Trail located in the west of the Neighborhood Center through the provision of designated bike lanes on 3<sup>rd</sup> Ave. (this has been completed). This bike lane should also connect with the potential new pedestrian trail to be provided as part of the proposed levee improvements on the right bank of the White River in Pacific to be completed in 2017/2018.

---

**Policy T4613.4:**

*Provide a planned system of Linear Park Trails for pedestrians and bicyclists.*

**Discussion:** A Linear Park Trails System can serve both a recreational and a transportation function and enhance community character. This will be a system of “green streets” to connect parks, open space, recreation areas, transit, trails, schools, and shopping. To implement this policy, the City should preserve

rights-of-way for future non-motorized trail connections and utilize utility easements for trails when feasible. The City can provide systems of walkways and trails through some of the following methods:

- Working with school districts to identify and construct high priority pedestrian and bicycle school routes.
- Requiring new commercial and multi-family developments to construct sidewalks or trails.
- Assisting neighborhoods in forming Local Improvement Districts (LIDs) for sidewalk or trail construction.

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**Policy T4613.5:**

*As general guidelines, give priority to improvements to the walkways and trails systems that:*

- Increase public safety,
- Construct missing links in the existing bicycle and pedestrian system,
- Upgrade existing walkways and trails,
- Are along arterial streets, and
- Connect to key destinations.

**Discussion:** Information on costs and benefits of improvements will be included in a walkway and trail plan to assist the City Council and Planning Commission in establishing funding priorities. The City will continue to explore opportunities to expand the pedestrian and bicycle system were appropriate with the development of properties adjacent to potential pedestrian and bicycle corridors.

---

**Policy T4613.6:**

*The City shall continue to support the expansion of the Interurban Trail as an integral part of the regional transportation system.*

**Discussion:** The City has regularly pursued grants to complete the Interurban trail. The completion of the trail has been designed to a fifty percent (50%) level. This provides a level of detail to pursue funding. However, the critical areas criteria change periodically requires additional funds for project mitigation. Expansion of the Interurban Trail will also be required as new development locates adjacent to the projected route of the Interurban Trail.



**A portion of the Interurban Trail completed as part of the UPS development project.**

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**Policy 14613.7:**

*The City shall seek to accommodate bicycles in its management and design of the City street network.*

**Discussion:** Based on right-of-way widths and the roads functional classification, the City will continue to determine where bicycle lanes would be warranted to provide non-motorize commuting options.

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**Policy 1613.8:**

*The City shall encourage the inclusion of convenient and secure bicycle storage facilities in all large public and private developments.*

**Discussion:** Given the City’s commitment to provide non-motorize commuting options, the City should explore regulatory options to require new development to provide bicycle storage options (for example, secured bicycle racks) as part of new development and for public properties.

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## FINANCING

**GOAL T4714:** Secure funding to ensure an adequate roadway network that meets the City’s LOS policy

### POLICIES

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**Policy T4714.1:**

*Funding efforts shall include:*

- *Identifying and pursuing long-term strategies to obtain grant funding.*
- *Maximizing opportunities for grant awards by matching project objectives with revenue sources and developing joint projects with neighboring jurisdictions and other agencies.*
- *Supporting efforts at the state and federal levels to increase funding for transportation systems.*

**Discussion:** The City will continue to try to secure grant funding for road improvements. Potential funding sources include the following.

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**Policy T4714.2:**

*Balance financing of roadway improvements between existing and future users based on the principle of proportional benefit.*

**Discussion:** Existing gas taxes and motor vehicle registration fees are not sufficient to meet the financial needs of Pacific’s transportation system. Other funding methods should be developed that are equitable and consistent with the benefits derived from improvements. Examples include, but are not limited to:

- Road Improvement Districts,
- LIDs,
- public/private partnerships,
- impact fees

The funding programs must be adequate to allow transportation improvements to be implemented concurrently with development. New development must pay a fair share of the cost to serve it.

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**Policy T1714.3:**

*Require that all road projects be adequately funded to include all required public safety and design standards.*

**Discussion:** The City has adopted design standards for roads that includes the required safety and design standards to protect the public.

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**Policy T1714.4:**

*Identify and pursue long-term strategies to obtain grant funding.*

**Discussion:** The City should maximize opportunities for grant awards by matching project objectives with revenue sources and developing joint projects with neighboring jurisdictions and other agencies. Potential funding sources include the following:

**ROADS**

State Funding

Transportation Improvement Board (TIB) – New and Preservation

Federal Funding

Surface Transportation Program (STP) – New and Preservation

Congestion Mitigation and Air Quality Program (CMAQ) - New

**TRAILS**

State Funding

WSDOT Pedestrian and Bicycle Safety – New

Federal Funding

Surface Transportation Program (STP) – New

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**Policy T1714.5:**

*Develop interlocal agreements with neighboring jurisdictions and other agencies to develop funding sources for transportation improvements.*

**Discussion:** The City should work with other agencies to mitigate the impacts of new development, coordinate joint projects, and establish a program for the maintenance of common corridors. The City can share transportation resources and reduce overlap in transportation expenditures through interlocal agreements. The City is coordinating with the City of Sumner to complete the Stewart St. /8<sup>th</sup> Ave. corridor improvements. Coordination is critical between the City and the City of Sumner to obtain funds to complete the corridor improvement across the White River which requires the construction of a new bridge.

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**GOAL T18: Prioritize transportation expenditures.**

**Policy T18T14.16:**

*Prioritize transportation expenditures in the following manner within current municipal boundaries:*

1. *Correct known safety hazards in the road system and improve traffic operations through low cost improvements;*
2. *Maintain the existing transportation system to prevent deterioration of facilities and avoid the need for major reconstruction of roads and bridges;*
3. *Widen existing or construct new roadways to alleviate current capacity problems and to accommodate increases in traffic.*

**Discussion:** The City should develop a maintenance program to inventory the condition of City streets which would allow the City to project potential maintenance costs which would allow the City to implement a yearly maintenance program based on projected yearly revenues.

---

**Policy T18T14.27:**

*Use a standardized, well documented, and objective process to establish priorities for transportation expenditures within the City's UGAs.*

**Discussion:** A standardized process will help the City determine additional City expenditures that would be necessary when annexation within the Urban Growth Area occurs.

---

**Policy T18T14.38:**

*Allocate resources in the City TIP and City Capital Facilities Funding Plan according to the prioritization guidelines listed in the Capital Facilities element.*

**Discussion:** The City will implement this policy through its TIP and concurrency management program.

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## PLAN UPDATES

**GOAL T1915: Respond to unanticipated circumstances and conditions that require modification of adopted plans or standards. These changes may be cultural, economic, environmental, or in another form that affects the transportation system.**

## POLICIES

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**Policy T1915.1:**

*Annually update the TIP to reflect changes in revenue availability and roadway system needs.*

**Discussion:** The TIP needs to be annually updated to accurately determine funding needs for roadway improvements. Forecasting these needs in advance will help the City procure revenue from a number of sources

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**Policy T1915.2:**

*Develop a concurrency management program and revise it as part of the annual amendment process for the Comprehensive Plan.*

**Discussion:** The intent of the concurrency management program is to ensure funding for transportation improvements needed to support new development and maintain adopted transportation LOS.

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**Policy T1915.3:**

*In the event that the City is unable to fund the transportation capital improvements needed to maintain adopted transportation LOS standards, pursue one or more of the following actions:*

- ≠ Phase development that is consistent with the Land Use element until resources can be identified to provide adequate improvements;*
  - ≠ Revise the Land Use element to reduce the traffic impacts to the degree necessary to meet adopted transportation service standards;*
  - ≠ Reevaluate the City's adopted transportation LOS standards to reflect levels that can be maintained, given known financial resources;*
  - ≠ Require new and existing development to implement measures to decrease congestion and enhance mobility; and/or*
  - ≠ Place a moratorium on development in affected areas.*
- 

**Policy T1915.4:**

*Analyze and strongly consider the use of development impact mitigation fees.*

**Discussion:** The use of impact fees will help to mitigate the impacts of new development. The fees can be targeted to provide for system improvements that will help ensure that the City meets its “Level of Service” (LOS) concurrency requirements under Revised Code of Washington (RCW).

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## REGIONAL PLANNING COORDINATION

**GOAL T2016:** Support a continuous, cooperative, and comprehensive regional transportation planning process

### POLICIES

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**Policy T2016.1:**

*Support the comprehensive transportation process conducted by the PSRC pursuant to its designation as the Puget Sound's Metropolitan Planning Organization.*

***Discussion:*** The PSRC is the primary forum for the development of regional transportation and strategies. The City is required to submit this Transportation element to the PSRC for review and certification of conformity with the Metropolitan Transportation Plan, as dictated by county, state, and federal guidelines.

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**Policy T20.16.2:**

Aggressively pursue improvements to the State Highways that run ~~in or near~~through Pacific. The improvements can include:

- ≠ Capacity increases;
- ≠ HOV lanes or transit enhancements;
- ~~≠ Improved pedestrian facilities, such as sidewalks, pedestrian crossings, and bus zone improvements;~~
- ≠ Interconnected and computerized signal systems, set for specific speeds; or
- ≠ Street lighting.

***Discussion:*** Improvements to the State Highways will help the City maintain its adopted “levels of service” (LOS) for its street systems. The City’s adopted LOS for its streets is “D”. Based on projected traffic volumes, the LOS for West Valley Highway will drop to “E”. This is primarily due to spillover traffic from SR 167 to West Valley during pm peak traffic volumes. Improvements to SR 167, including the extension of the “hot/HOV” lanes will help to improve the LOS for West Valley Highway.

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**Policy T20.3:**

*Work with King and Pierce counties to make sure bottlenecks do not occur in Pacific.*

### 3. TRANSPORTATION INVENTORY

This inventory addresses the transportation network located within the City, including those which are the responsibility of the Washington State Department of Transportation (State Route 167 in King or Pierce County).

#### Roadways

##### *Roadway Classification*

**Figure Map 8.1** depicts the functional classification of the arterial roadway system serving the study area. Identification of the roadway functions is the basis for planning roadway improvements and the appropriate standard (right-of-way width, roadway width, design speed) that would apply to each roadway facility. The following definitions serve as a general guide in determining street classifications.

**Principal Arterials** - Intercommunity roadways connecting primary community centers with major facilities. Principal arterials are generally intended to serve through traffic. It is desirable to limit direct access to abutting properties.

**Minor Arterials** - Intercommunity roadways connecting community centers with principal arterials. In general, minor arterials serve trips of moderate length. Access is partially controlled with infrequent access to abutting properties.

**Collector Arterials** - Streets connecting residential neighborhoods with smaller community centers and facilities as well as access to the minor and principal arterial system. Property access is generally a higher priority for collector arterials; through-traffic movements are served as a lower priority.

#### **State-owned transportation facilities and highways of statewide significance**

In 1998, the Washington State Legislature enacted the “Level of Service Bill” (House Bill 1487) which amended the Growth Management Act (GMA) to include additional detail regarding state-owned transportation facilities in the transportation element of comprehensive plans. Within Pacific, State Route 167 (SR 167) has been designated as a Highway of Statewide Significance (HSS) in WSDOT’s Highway System Plan (HSP). SR 167 provides the major north-south regional connection between Renton and the City of Puyallup. It connects to Interstate 405 in Renton, ~~and to~~ SR 18 in Auburn and SR 410 in Sumner. Through Pacific, SR 167 is a full



**SR 167 from Pacific West Hill**

limited access four lane freeway with interchanges at Ellingson ~~Avenue~~ Road and Stewart Road. It is classified as an urban principal arterial.

### ***Local Transportation System***

The City of Pacific transportation network consists of one freeway, four major arterials, several minor arterials and local access streets. The major arterials form a square roughly at the east-west and north-south boundaries of the city. There are several features (the White River, two rail lines, ~~and SR 167~~ and the steep slopes of West Hill) that limit east-west travel in the vicinity. The following is a listing and brief description of the major roadways serving the City of Pacific:

SR 167 is a north-south limited access freeway that extends from the City of Tacoma to the City of Renton. The roadway (also called Valley Freeway) has two lanes in each direction separated by a center median. Interchange access is provided at Ellingson Road and Stewart Road. The posted speed limit is 60 mph.

Ellingson Road is an east-west major arterial that runs from West Valley highway to East Valley Highway. The roadway has two lanes in each direction with curbs and sidewalks along most of the roadway. Traffic signals are present at intersections with Frontage Road, Milwaukee Boulevard, Pacific Avenue, C Street and A Street/East Valley Highway (in the City of Auburn).

Stewart Road is an east-west major arterial that extends from West Valley Highway to Butte Avenue in Pacific. The roadway is called 8<sup>th</sup> Street east of the City of Pacific and Jovita Boulevard west of the eCity limit. The roadway has a one lane in each direction with a left-turn lane between West Valley Highway and SR 167. East of SR 167 the roadway has one lane in each direction with left turn lanes being installed at Valentine Avenue intersection. The intersections with West Valley Highway and Valentine Avenue are under traffic signal control.

West Valley Highway is a north-south major arterial that runs parallel to and just west of SR 167. The roadway has a single lane in each direction with minimal shoulders and a 40 mph speed limit. Much of the roadway has poor pavement condition.

Milwaukee Boulevard and Valentine Avenue are north-south minor arterials that, combined, provide a continuous connection from Ellingson Road to the south city limit. Milwaukee Boulevard has a single lane in each direction with full urban improvements from 3<sup>rd</sup> Avenue to the north.

Valentine Avenue is a narrow roadway with a single lane in each direction and minimal shoulders. North of Roy Road the roadway is signed for local access only. The roadway ends at 5<sup>th</sup> Avenue SE, offset approximately 500 feet from where Milwaukee Boulevard begins.

3<sup>rd</sup> Avenue South is a two lane roadway that extends east-west between Skinner Road and West Valley Highway. The roadway is designated a minor arterial between West Valley Highway and the Pacific City Park. The roadway is generally wide with urban improvements between W. Valley & Pacific Avenue S..S. The roadway is signed for local access only east of Frontage Road.

Pacific Avenue is a two-lane north-south minor arterial that extends from 4<sup>th</sup> Avenue SE, past Ellingson Road to 1<sup>st</sup> Avenue in Algona. The roadway is generally wide with urban improvements.

Frontage Road is a two-lane minor arterial that runs from 3<sup>rd</sup> Avenue SW, north into Algona. The roadway has urban improvements and on-street parking on both sides.

## Public Transportation

Transit is an important alternative to automobile travel for either regional or local trips. Transit is not only useful in reducing traffic volumes and pollution, but is often the only means of transportation available to some members of the community.

Pacific's greatest need is for mobility between towns and to urban areas. King County Metro provides local and regional bus service within the City and to the north. Pierce Transit and Sound Transit also provide public transportation in the region. The City of Pacific is currently working with these agencies to enhance connections within the City limits to include possible consideration of a park and ride lot.

## Rail

At one time the railroad was a vital link in the City providing both passenger and freight service. The City does not currently have passenger service, and within Pacific there is no reliance on the railway for freight service from the BNSF and Union Pacific (UPRR) railroads. The BNSF main line is used by Amtrak for through passenger rail service, and also by Sound Transit, which has stations in the cities of Auburn and Sumner, but no stops are provided in Pacific.

## Non-motorized Facilities

The City's pedestrian and bicycle facilities include each of the three categories described in the Puget Sound Regional Council (PSRC) Pedestrian/Bicycle component of *Destination 2030 2040*. These components include:

- Category 1. Pedestrian and bicycle "travel chain" facilities which connect people to transit, ferry, and rail terminal from their origin to their destination.
- Category 2. Linear "long haul" pedestrian/ bicycle facilities which connect parts of the region. These facilities can be further grouped into on-road facilities and separated pedestrian/bicycle rights-of-way or trails.
- Category 3. Local "network" pedestrian and bicycle facilities in or near centers. These facilities have the potential for eliminating some short vehicle trips, which can benefit air quality and reduce congestion in some instances.

"Travel chain" facilities include sidewalks and shoulders on residential streets, used by pedestrians to reach the arterial streets served by bus routes. "Long haul facilities" include the sidewalks and shoulders of arterial streets, and the Interurban Trail, with its separate right-of-way and Trailhead at 3<sup>rd</sup> Avenue S.W., near SR167.

Continuity in pedestrian and bicycle access within the City provides for increased safety, comfort and ease for residents and recreational users. The City is striving to create a fully integrated system for these modes of transportation, yet recognizes the need to prioritize locations where it expects heavy use, such as routes connecting residential areas to recreational facilities and schools.

Regional pedestrian and bicycle traffic may use street-related facilities such as sidewalks, shoulders, and travel lanes or the Interurban Trail, which follows the Puget Power right-of-way to the north. The Trail's current southern terminus is in Pacific. Northbound pedestrian and bicycle traffic can reach Seattle from Pacific along the Interurban Trail.

## **Freight Mobility**

Truck traffic is vital to Pacific's industrial and commercial growth, as it is the mode used for transportation between most of these enterprises and their suppliers and customers. Truck traffic comprises a significant percentage of the total traffic on SR 167, on Ellingson Road, W. Valley HWY, Stewart Road, and on Valentine Avenue.

Gravel pits on East Hill, outside Pacific, generate considerable through truck traffic. Up to 100 one-way dump tandem or center dump truck trips per hour have been counted on Ellingson Road during gravel pit operations. The warehouse/industrial area of the City of Sumner generates heavy impacts on Valentine Avenue and Stewart Road on movements to and from SR 167. The heavy truck traffic is significant not only because of its impact on traffic flow but because of the structural impact on Pacific's street system.

## **4. EXISTING CONDITIONS**

### **Level of Service**

The Level of Service (LOS) calculation is the means by which the operation of road systems is measured to assure that adequate facilities are present or planned and funded to accommodate development. Level of Service is a qualitative term describing operating conditions a driver will experience while traveling on a particular street or highway during a specific time interval. It ranges from LOS A (very little delay) to F (long delays, congestion). Agencies are required to adopt regulations prohibiting any development which would cause a facility to drop below identified standards.

Within the City of Pacific, Level of Service D has been established as the minimum acceptable standard for roadways and intersections.

### **Concurrency**

For this plan, only roadway segments were analyzed for concurrency. The City requires development to analyze impacts to specific intersections at the time a development is approved. The City maintains a list of critical intersections to the local transportation network. Any developments proposing more than 25 new trips through any of these intersections will be required to prepare a Traffic Impact Analysis that identifies any deficiencies resulting from the development, and a plan for mitigating the deficiency.

Roadways that are failing are likely to include intersections that are failing as well. Additional detailed study should be done on roadways that indicate a capacity failure in order to determine the most appropriate form of improvement, including turn lanes and other intersection improvements.

### **Roadway Capacity Analysis**

The current operation of the City of Pacific roadway network has been assessed using a 'link capacity' analysis. Each roadway in the city has a theoretical maximum vehicle carrying capacity for a given time frame. The functional classification, number of lanes, presence of traffic signals or turn-lanes are examples of features that affect the volume of traffic a particular roadway segment can handle.

For this study, the evening peak hour directional volumes were used as the basis for the LOS assessment.

The ‘base year’ link volumes for a representative sample of roadway segments were provided by the City of Pacific and the City of Auburn. The counts were mostly conducted in late 2003 and early 2004. The traffic counts on Stewart Road were collected in 1999.

The Level of Service criteria used in this analysis are based on Federal Highway Administration methodologies described in the Highway Capacity Manual. The 1998 Florida Department of Transportation (FDOT) Level of Service Handbook has provided tables of generalized roadway level of service criteria using the methodologies outlined in the Highway Capacity Manual. The generalized tables are used as a first screening process to determine which facilities may be experiencing capacity constraint.

More specific roadway or intersection analysis may be required before prioritizing or designing potential roadway improvements. The level of service tables used is shown on Table 8.1.

<b>Table 8.1 Generalized Level of Service Criteria Peak Hour Directional Volumes</b>				
<b>Interrupted Flow Arterials - Class I (0 to 1.99 traffic signals per mile)</b>				
	Maximum Traffic Volume at Level of Service			
Number of Lanes	B	C	D	E*
Two, Undivided without left-turn lanes	460	660	700	700
Two, Undivided with left-turn lanes	570	820	880	880
Four, Undivided without left-turn lanes	930	1,310	1,390	1,390
Four, Undivided with left-turn lanes	1,180	1,660	1,760	1,760
<b>Major City/County Roadways</b>				
	Maximum Traffic Volume at Level of Service			
Number of Lanes	B*	C	D	E
Two, Undivided without left-turn lanes	N/A	350	610	660
Two, Undivided with left-turn lanes	N/A	440	760	830
* Volumes are comparable because intersection capacities have been reached.				
** Cannot be achieved.				

**Figure Map 8.12** on the following page at the end of this Chapter illustrates the City of Pacific’s existing roadway network. ~~and PM peak hour traffic volumes for major roadway segments.~~ Table 8.2 illustrates the existing PM peak traffic volume data which was taken from several sources, including the City of Auburn, City of Sumner, and several development proposals. Existing and projected traffic counts in Tables 8.2, 8.3 and 8.4 are keyed to Map 8.3 at the end of this Chapter. The following table provides a summary of the current Levels of Service.

Table 8.2 Existing Roadway Level of Service (LOS)					
		Current PM Peak Hour Directional Volume		Roadway Capacity at LOS D	Level of Service (Peak Direction)
Roadway Segment		EB (Eastbound)	WB (Westbound)		
	<del>Ellingson Road – East of C Street</del>	<del>1287</del>	<del>644</del>	<del>1,390</del>	<del>C</del>
<u>A</u>	Ellingson Road – West of C Street (1)	<del>614775</del>	<del>771828</del>	1,390	B
<u>B</u>	3rd Avenue <u>S.</u> - West of Milwaukee Blvd	<del>238205</del>	<del>9178</del>	610	C
<u>C</u>	3rd Avenue <u>S.</u> - East of West Valley Hwy (4)	<del>135148</del>	<del>4967</del>	610	C
<u>D</u>	Stewart Road (8 <sup>th</sup> Street) - East of Valentine Avenue (2)	<del>519810</del>	<del>398543</del>	700	D
<u>E</u>	Stewart Road (8 <sup>th</sup> Street)- West of Valentine Avenue (2)	<del>641709</del>	<del>691660</del>	700	D
<u>F</u>	Stewart Road (8 <sup>th</sup> Street) - West of SR 167 (3)	<del>898667</del>	<del>545462</del>	880	F
Roadway Segment		NB	SB		
<u>G</u>	Frontage Road – South of Ellingson Road (5)	<del>108189</del>	<del>186257</del>	610	C
<u>H</u>	W Valley Hwy North of 3rd Avenue <u>S.</u> (4)	<del>7885</del>	<del>709624</del>	700	<del>F</del> <u>D</u>
<u>I</u>	W Valley Hwy South of 3rd Avenue <u>S.</u> (4)	<del>78135</del>	<del>636596</del>	700	D
<u>J</u>	Valentine Avenue - North of Stewart Rd (2)	<del>91143</del>	<del>138377</del>	610	C
<u>K</u>	Valentine Avenue - South of Stewart Rd (2)	<del>123211</del>	<del>132227</del>	610	C
(1) Auburn Traffic County 05/2014 (2) Sumner Meadows Redevelopment Report prepared by Transportation Engineering Northwest April 2014 (3) WSDOT traffic counts from 1/7/2014 (4) Pacific Traffic Counts from 11/2013 (5) King County 2/2007					

### Existing Traffic Operations

Based on the described criteria, most roadways in the City of Pacific have sufficient capacity for current transportation needs. The following roadways which have potential capacity problems identified are listed and described below.

#### Stewart Road (8<sup>th</sup> Street) between Valentine Avenue and West Valley Highway

Stewart Road (8<sup>th</sup> Street) provides a major connection to SR 167 for the industrial areas of the south end of the City of Pacific and the north end of the City of Sumner. Currently, Stewart Road has a single lane

in each direction with left-turn lanes between West Valley Highway and the northbound ramps to SR 167. Between SR 167 and Valentine Road the roadway has single lanes in each direction with left-turn lanes at Valentine Avenue. Stewart Road near SR 167 is experiencing a traffic demand slightly above capacity, and east of SR 167 the roadway is near capacity.

Roadway projects are planned in the area that will improve the operation of Stewart Road within the City of Pacific. The current Pierce County Transportation Improvement Program identifies a project (jointly with the City of Pacific and WSDOT) to widen Stewart Road (8<sup>th</sup> Street) to five lanes from West Valley Highway to East Valley Highway. Within the City of Sumner, east of the White River Bridge, the road widening has been completed. Within the City of Pacific, west of the White River Bridge, it is anticipated that the road widening project will be completed by September of 2015. The last phase of the road widening project will be the replacement of the two lane bridge over the White River with a four lane bridge. The City of Pacific and the City of Sumner will be jointly applying for grants to complete this phase of the project.

#### West Valley Highway between Stewart Road and Ellingson Road

This roadway provides one lane in each direction with no left-turn lanes at intersections. Based on the existing traffic demand the roadway is currently operating at a LOS F D condition. The operation of the roadway would be improved by providing left-turn channelization on West Valley Highway at major intersections. Site distance visibility also needs to be improved.

#### Intersection Improvements

**Table 8.2**, Existing Roadway LOS, indicates the general ability of the existing roadway network to handle current traffic loads. However, specific factors could cause localized difficulties at certain intersections or on short sections of roadway. Some of these factors could include the lack of turning lanes, and high levels of truck traffic.

If an isolated stop sign-controlled intersection experiences excessive delay or congestion, it may be appropriate to construct turn lanes or to improve the traffic control. Traffic control improvements could include implementing all-way stop control or constructing a traffic signal system. These types of isolated improvements are based on site-specific need and are not measures of the overall function of the transportation system. The implementation of intersection improvements is typically addressed in the 6-year planning efforts by the city and in Traffic Impact Analyses prepared for larger developments.

#### Other Improvements

In addition to intersection improvements, there are other measures that can be considered to improve the overall safety of City roadways. Potential safety measures may include:

- ≠ Widening the existing travel lanes
- ≠ Improving horizontal and vertical curves
- ≠ Constructing or widening shoulders
- ≠ Removing obstructions to improve sight distances
- ≠ Road surface maintenance
- ≠ Constructing turn lanes at intersections
- ≠ Constructing sidewalks or bike lanes
- ≠ Adding street lighting

Demand Management and Trip Reduction Strategies

In addition to capacity and safety enhancements to the existing system, the City also encourages managing demand on its facilities. This includes provision of non-motorized facilities such as bike and pedestrian paths and sidewalks, trail networks, and connections between modes such as auto and transit. The City would like to include better access to transit through increased bus service, and by providing a park and ride lot to connect with regional and local routes served by King County Metro, Sound Transit, and Pierce Transit.

**5. PLANNED IMPROVEMENTS**

A review of other agency Transportation Improvement Plans (TIP) provided the following list of projects that will affect the study area:

**WSDOT**

The Highway Construction Capital Improvement & Preservation Program lists the following projects that will affect the study area:

SR167

8<sup>th</sup> to 277<sup>th</sup> Southbound HOT Lane

WSDOT awarded a contract for extending the existing HOT/HOV lanes on SR 167 from 37<sup>th</sup> Street NW in Auburn to Stewart Road (Eighth Street East) in Pacific. HOT (High Occupancy Toll) lanes are lanes that are open to carpools, vanpools, transit and toll-paying solo drivers. In addition to preserving priority status for transit, HOT lanes allow solo drivers to use the surplus capacity in the lanes by paying a toll. Tolls for HOT lanes are set to ensure that these lanes keep flowing even when the regular lanes are congested

**City of Sumner**

136<sup>th</sup> Widening Project

In partnership with the City of Pacific, the City of Sumner as project lead, is managing the 136<sup>th</sup> Street/Valentine Ave. S reconstruction project proposed for completion in Spring 2016.

8<sup>th</sup> Street East - White River Bridge:

This project will widen the bridge over White/Stuck River and is a joint project with Pierce County. The City is in the design and pursuing construction funding. Anticipated completion is Fall 2018.

**City of Auburn**

Lake Tapps Parkway Preservation

This project will repair and overlay the existing travelled surface of Lake Tapps Parkway. This street is an extension of Stewart Road (8<sup>th</sup> St E).

A Street SE Non-Motorized Access Improvements

This project will improve pedestrian access in the A street corridor, a portion of which will pass through the City of Pacific.

**King County**

There are no scheduled projects in the Pacific vicinity on the current county TIP.

**Pierce County**

There are no scheduled projects in the Pacific vicinity on the current county TIP.

### **City of Pacific 6-Year Transportation Improvement Plan (TIP)**

The City of Pacific has transportation projects in various stages of development. These projects can be viewed within the current year Transportation Improvement Plan.

### **Planned Improvements and the Future Network**

These improvements are included in the roadway networks for the future conditions analysis for 2010 and 2025 in the following sections.

## **6. FUTURE CONDITIONS**

### **Traffic Volume Projections**

To assess the future transportation needs of the City of Pacific, and the ability of the existing roadway network to accommodate planned growth, traffic volumes were estimated for the ~~2010-2021~~ and ~~2025-2035~~ horizon years. The traffic volume projections were prepared using the Pierce County model with Sumner and Bonney Lake enhancements. The transportation model was created using a computerized transportation network model program.

#### *Forecasting Methodology*

Traffic volume forecasts for Transportation Element of the Comprehensive Plan were developed using a traffic volume growth rate determined to be appropriate based on available data. Three different data sources were consulted in order to identify an appropriate growth rate and forecast traffic volumes in Pacific:

- Historical traffic volume data from the Washington State Department of Transportation (WSDOT) on State Route (SR) 167.
- Long-range 2040 forecasts of population and employment by the Puget Sound Regional Council (PSRC).
- Pierce County travel demand model data for 2004 and 2025.

~~The City of Pacific study area was modeled using the Emme/2 software package. Existing land use and demographic information was provided by the City of Pacific, adjacent communities and Pierce County.~~

~~The modeling process developed for this study involved four major steps:~~

- ~~Construction of a computerized street network system of the Pierce County transportation system~~
- ~~Developing a computerized land use zone system and database inventory of households and employment~~
- ~~Preparing base year model traffic volumes using trip generation factors and land use types to calibrate the model to current conditions~~
- ~~Developing future traffic volumes using projected land use changes~~

#### *Model Post-Process Calibration*

~~The transportation model has been calibrated to a high degree of accuracy for the system-wide roadway network. However, the accuracy of model volumes for particular roadway segments may vary based on a variety of factors. To account for the occurrence of local variation, a ‘post process’ calibration was applied to the model-generated traffic volumes.~~

The post-process calibration involved calculating the difference between the model-generated volumes for the 2000 base year and for the 2020 horizon year. This difference is considered the model volume growth increment. The model volume growth increment was then added to the actual traffic volume counts for each roadway segment. Similarly, the 2010 traffic volume scenario was calculated by applying a percentage of the model growth increment to the actual traffic counts.

For roadways not represented in the Pierce County model, the model growth increment was not available. For those roadways model growth rates were calculated for nearby roadways in the model network and then applied to the individual roadways in the City of Pacific study area.

### Future Conditions (6 Year)

The City of Pacific annually develops a Transportation Improvement Program (TIP) to address roadway deficiencies. As described previously, the deficiencies can be capacity or safety related. Most of the improvements included in the 2014 6-year TIP are intended to address safety-related deficiencies or pavement restoration. Each annual update is hereby adopted by reference in the transportation element of the county Comprehensive Plan and is available through the Public Works Department.

### 6-Year Horizon Traffic Volumes

**Figure Table 8.3** shows estimated traffic volumes for the 2010-2025 horizon. Map 8.3 illustrates alphabetically the location of the estimated traffic volumes as shown in Tables 8.3 and 8.4.

The following table shows the estimated traffic volumes and Level of Service for the 2010-2025 horizon year. The capacity value for the Stewart Road (8<sup>th</sup> Street) corridor reflects the planned roadway widening project.

<b>Table 8.3</b>					
<b>Projected 2010-2025 Roadway Level of Service (LOS)</b>					
		<b>Projected 2010-2025 PM Peak Hour Directional Volume</b>		<b>Roadway Capacity at LOS D*</b>	<b>Level of Service (Peak Direction)</b>
<b>Roadway Segment</b>		<b>EB</b>	<b>WB</b>		
<u>A</u>	Ellingson Road – West of C Street	<u>676 945</u>	<u>822 1,009</u>	1,390	<u>B-C</u>
<u>B</u>	3rd Avenue - West of Milwaukee Blvd	<u>264 250</u>	<u>419 95</u>	610	C
<u>C</u>	3rd Avenue - East of West Valley Hwy	<u>167 180</u>	<u>72 82</u>	610	C
<u>D</u>	Stewart Road (8 <sup>th</sup> Street) East of Valentine Avenue	<u>685 987</u>	<u>561 662</u>	1,760	B
<u>E</u>	Stewart Road (8 <sup>th</sup> Street) - West of Valentine Avenue	<u>747 864</u>	<u>789 805</u>	1,760	B
<u>F</u>	Stewart Road - West of SR 167	<u>1006 813</u>	<u>610 563</u>	<u>1,760 880</u>	<u>B C</u>
<b>Roadway Segment</b>					
		<b>NB</b>	<b>SB</b>		
<u>G</u>	Frontage Road – South of Ellingson Road	<u>134 230</u>	<u>231 313</u>	610	C
<u>H</u>	W Valley Hwy North of 3rd Avenue	<u>92 104</u>	<u>687 761</u>	700	<u>D F</u>
<u>I</u>	W Valley Hwy South of 3rd	<u>87 165</u>	<u>611 727</u>	700	<u>E F</u>

	Avenue				
<u>J</u>	Valentine Avenue - North of Stewart Road	<del>110</del> <u>143</u>	<del>167</del> <u>377</u>	<del>610</del> <u>880</u>	<del>C</del> <u>B</u>
<u>K</u>	Valentine Avenue - South of Stewart Road	<del>111</del> <u>257</u>	<del>136</del> <u>277</u>	<del>610</del> <u>880</u>	<del>C</del> <u>B</u>

**\* West Valley Highway has a designated “Level of Service” (LOS) “F”**

***Projected ~~2010-2021~~ Traffic Operations***

Based on the described criteria, most roadways in the City of Pacific will have sufficient capacity to accommodate the increase in traffic anticipated over the next six years.

*Recommended Improvements - Roadway Capacity*

Ellingson Road Corridor Study

The City should consider analyzing the Ellingson Road corridor for possible access control and left turn access measures. It is possible that the road could be re-striped as a 3-lane roadway with a center left turn lane. This would improve access into adjacent industrial and commercial properties and increase the efficiency of through traffic. Additional study is required before making any specific improvements.

West Valley Highway Corridor Study

The City should consider analyzing the West Valley Road corridor. Although traffic forecasts predict a slight reduction in volumes on the roadway, possibly due to the addition of the 167/24<sup>th</sup> interchange, further analysis is required to determine the accuracy of the model forecast and consider potential access control and left-turn provisions. West Valley Highway will continue to function at LOS F due to spillover traffic from SR 167 during PM peak hours. This may be relieved once the Department of Transportation extends the “hot lanes” further south to the Stewart Road/8<sup>th</sup> Street corridor.

*Intersection Improvements*

While the roadways within the City appear to be adequate in terms of capacity, it is possible that intersections along some of those roadways may experience failure. Additional intersection analysis will be done as development proposals are submitted.

*Safety and Maintenance*

Although most of the current roadway system has adequate capacity, the city will continue to upgrade roadways to improve various safety elements. Roadway improvements may also be constructed to improve access to appropriately zoned lands to encourage economic Development.

Figure 4 Table 8.4 ~~2025-2035~~ Traffic Volumes

***Projected ~~2025-2035~~ Traffic Operations***

As **Table 8.4** indicates, most of the existing roadways will continue to function at an acceptable LOS through the ~~2025-2035~~ horizon.

There are no additional recommended improvements beyond those identified in ~~2010~~ 2035. However, the City should continue to monitor impacts to specific critical intersections.

<b>Table 8.4</b>					
<b>Projected 2025-2035 Roadway Level of Service (LOS)</b>					
		<b>Projected 2025-2035 PM Peak Hour Directional Volume</b>		<b>Roadway Capacity at LOS D*</b>	<b>Level of Service (Peak Direction)</b>
<b>Roadway Segment</b>		<b>EB</b>	<b>WB</b>		
<u>A</u>	Ellingson Road – West of C Street	<del>809</del> <u>1152</u>	<del>932</del> <u>1239</u>	1,390	C
<u>B</u>	3rd Avenue - West of Milwaukee Blvd	<del>319</del> <u>305</u>	<del>480</del> <u>116</u>	610	C
<u>C</u>	3rd Avenue - East of West Valley Hwy	<del>234</del> <u>220</u>	<del>421</del> <u>100</u>	610	C
<u>D</u>	Stewart Road (8 <sup>th</sup> Street) East of Valentine Avenue	<del>1134</del> <u>1204</u>	<del>1005</del> <u>807</u>	1,760	<u>B</u> <u>C</u>
<u>E</u>	Stewart Road (8 <sup>th</sup> Street) - West of Valentine Avenue	<del>1035</del> <u>1054</u>	<del>1056</del> <u>981</u>	1,760	<u>B</u> <u>C</u>
<u>F</u>	Stewart Road (8 <sup>th</sup> Street) - West of SR 167	<del>1347</del> <u>991</u>	<del>818</del> <u>687</u>	1,760	<del>D</del> <u>B</u>
<b>Roadway Segment</b>		<b>NB</b>	<b>SB</b>		
<u>G</u>	Frontage Road – South of Ellingson Road	<del>203</del> <u>281</u>	<del>350</del> <u>382</u>	610	D
<u>H</u>	W Valley Hwy North of 3rd Avenue	<del>423</del> <u>126</u>	<del>640</del> <u>927</u>	700	<del>E</del> <u>F</u>
<u>I</u>	W Valley Hwy South of 3rd Avenue	<del>408</del> <u>201</u>	<del>558</del> <u>886</u>	700	<del>E</del> <u>F</u>
<u>J</u>	Valentine Avenue - North of Stewart Road	<del>461</del> <u>212</u>	<del>245</del> <u>560</u>	610	<del>E</del> <u>B</u>
<u>K</u>	Valentine Avenue - South of Stewart Road	<del>80</del> <u>314</u>	<del>146</del> <u>337</u>	610	<del>E</del> <u>B</u>

\* West Valley Highway has a designated “Level of Service” (LOS) “F”

**Future Conditions (2025-2035)**

**Site-Specific Traffic Impact Analyses**

There are ~~currently several~~ very few proposals for development projects within the City. ~~If these occur, potentially a large amount of residential and commercial infill planned for the city could occur within a concentrated area.~~ Therefore, ~~the City is~~ has established a Traffic Impact Analysis process to ensure consistency in identifying and analyzing impacts.

All large developments are required to prepare a Traffic Impact Analysis (TIA) of the projected traffic conditions expected at the completion of the proposed development. The TIA would identify if additional roadway improvements are needed to accommodate the new traffic generated by the specific development. The TIA for each successive development in a localized area would be required to include the estimated traffic from all of the other planned developments that were currently in the permitting process.

If the cumulative effect of development causes specific roadways or intersections to operate at less than acceptable standards, roadway improvements would need to be funded or constructed by the developer that would improve the operation of the roadway network to an acceptable level.

Developments proposed within the area will be responsible for providing more detailed analysis of intersections and roadways impacted by the development. The following is a list of intersections that are considered critical locations to the overall function of the City of Pacific roadway network:

***Critical Intersections***

***Ellingson Road Corridor***

- Ellingson Road/West Valley Highway
- Ellingson Road/State Route 167 Southbound Ramp Terminals
- Ellingson Road/State Route 167 Northbound Ramp Terminals
- Ellingson Road/Frontage Road
- Ellingson Road/Tacoma Boulevard
- Ellingson Road/Milwaukee Boulevard
- Ellingson Road/Pacific Avenue
- Ellingson Road/C Street

***3<sup>rd</sup> Avenue Corridor***

- 3<sup>rd</sup> Avenue/West Valley Highway
- 3<sup>rd</sup> Avenue/Frontage Road
- 3<sup>rd</sup> Avenue/Chicago Boulevard
- 3<sup>rd</sup> Avenue/Milwaukee Boulevard
- 3<sup>rd</sup> Avenue/Butte Avenue
- 3<sup>rd</sup> Avenue/Pacific Avenue

***Valentine Avenue Corridor***

- Valentine Avenue/5<sup>th</sup> Avenue SE
- Valentine Avenue/Stewart Road

***Stewart Road Corridor***

- Stewart Road/West Valley Highway
- Stewart Road/State Route 167 Southbound Ramp Terminals
- Stewart Road/State Route 167 Northbound Ramp Terminals
- Stewart Road/Thornton Avenue
- Stewart Road/Valentine Avenue

***Figure Map8.45*** shows the critical intersections.

Traffic Impact Analyses prepared for new developments would be required to provide analysis of any

critical intersection impacted by 25 or more new PM peak hour trips. Analysis of additional intersections could be required at the discretion of City of Pacific staff.

**Truck Traffic and Circulation**

The City of Pacific has a successful and growing industrial land base. Consistent with the industrial land-use is elevated levels of truck traffic. Current strategies are in place to provide distinct truck routes to minimize the conflict with residential and non-industrial commute traffic. The recommended truck primary routes are shown on **Figure Map 8.56**. Traffic Impact Analyses prepared for commercial/industrial developments will be required to identify the amount of truck traffic that will be generated by the project during the morning and evening peak hours and average weekday.

For purposes of this analysis ‘truck’ is defined as any vehicle with a gross vehicle weight rating over 10,000 pounds and would include most combination and multiple-axle vehicles. The following levels of truck traffic would be deemed a significant increase according to the following guidelines.

The developer would be required to include with the Traffic Impact Analysis a pavement analysis for each roadway receiving an increase in truck traffic in excess of the limits defined above to determine if the roadway can accommodate the increase in truck loading.

<b>Table 8.5 Significant Truck Traffic Levels For New Developments</b>	
	Average Daily Volume
Designated Truck Routes	100
All other Streets	10

**7. RCW 47.06.140 ~~HB 1487~~ COMPLIANCE (STATE FACILITIES)**

The 1998 legislation House Bill 1487 known as the “Level of Service” Bill, amended the Growth Management Act; Priority Programming for Highways; Statewide Transportation Planning, and Regional Planning Organizations. The combined amendments to these RCWs were provided to enhance the identification of, and coordinated planning for, “transportation facilities and services of statewide significance (TFSSS)” HB 1487 recognizes the importance of these transportation facilities from a state planning and programming perspective. It requires that local jurisdictions reflect these facilities and services within their comprehensive plan.

**State-Owned Transportation Facilities**

SR 167 provides the major link between the City of Pacific and the region. This limited access divided highway has interchanges at Ellingson Road and Stewart Road (8<sup>th</sup> Street East) to connect the city with the State highway system. It is the only state facility within the City limits.

**Estimates of Traffic**

**Figure 7** provides 20-year traffic volumes for SR-167. The volumes were generated by the Puget Sound Regional Council (PSRC) model applying a growth rates to recent traffic counts, which includes land use assumptions for 2025 for the City of Pacific.

### ***Highways of statewide significance (HSS)***

The Transportation Commission List of Highways of Statewide Significance includes SR 167 as an HSS within the City of Pacific and its growth area.

The City of Pacific affirms the establishment of LOS D as adopted by WSDOT for Highways of Statewide Significance.

### ***Regionally Significant State Highways***

In October 2003, the Puget Sound Regional Council Executive Board adopted level of service standards for regionally significant state highways in the central Puget Sound region. Regionally significant state highways are state transportation facilities that are not designated as being of statewide significance. The Regional Council took this action to comply with 1998 amendments (HB 1487) to the Growth Management Act.

Adoption of LOS standards for regionally significant state highways followed a year-long process involving WSDOT and the region's cities and counties. As part of the next major update to ~~Destination 2030~~ Vision 2040, the Regional Council will develop additional performance measures, such as travel time, transit service levels, pedestrian, bicycle, etc.

### ***Level of Service Standards***

The PSRC 3-tiered approach to LOS is described below and illustrated in the attached PSRC map.

#### ***Tier 1***

For this process, the "inner" urban area is generally defined as a 3-mile buffer around the most heavily traveled freeways (I-5, I-405, SR 167, SR 520, and I-90), plus all designated urban centers (most are located in the freeway buffer already). The proposed standard for Tier 1 routes is LOS E/mitigated, meaning that congestion should be mitigated (such as transit) when p.m. peak hour LOS falls below LOS E.

#### ***Tier 2***

These routes serve the "outer" urban area - those outside the 3-mile buffer - and connect the "main" urban growth area (UGA) to the first set of "satellite" UGA's (e.g., SR 410 to Enumclaw). These urban and rural areas are generally farther from transit alternatives, have fewer alternative roadway routes, and locally adopted LOS standards in these areas are generally LOS D or better. The proposed standard for Tier 2 routes is LOS D.

#### ***Tier 3***

Rural routes are regionally significant state routes in rural areas that are not in Tier 2. The proposed standard for rural routes is LOS C, consistent with the rural standard in effect for these routes once they leave the four counties in the PSRC region, such as SR 530 entering Skagit County.

The City of Pacific asserts that proposed improvements to state-owned facilities will be consistent with the Regional Transportation Plan (RTP) and the State Highway System Plan within Washington’s Transportation Plan (WTP).

## 8. FINANCING AND IMPLEMENTATION

The State of Washington’s Growth Management Act (GMA) requires that a jurisdiction’s transportation plan contain a funding analysis of the transportation projects it recommends. The analysis should cover funding needs, funding resources, and it should include a multi-year financing plan. The purpose of this requirement is to insure that each jurisdiction’s transportation plan is affordable and achievable. If a funding analysis reveals that a plan is not affordable or achievable, the plan must discuss how additional funds will be raised, or how land use assumptions will be reassessed.

### Federal Revenue Sources

The 1991 federal Intermodal Surface Transportation Efficiency Act (ISTEA) reshaped transportation funding by integrating what had been a hodgepodge of mode- and category-specific programs into a more flexible system of multi-modal transportation financing. For highways, ISTEA combined the former four-part Federal Aid highway system (Interstate, Primary, Secondary, and Urban) into a two-part system consisting of the National Highway System (NHS) and the Interstate System. The National Highway System includes all roadways not functionally classified as local or rural minor collector. The Interstate System, while a component of the NHS, receives funding separate from the NHS funds.

~~In 1998, the Transportation Efficiently Act for the 21st Century (TEA 21) continued this integrated approach, although specific grants for operating subsidies for transit systems were reduced.~~

The “TEA” Funding programs continue to evolve. Federal Funds are now administered through the Puget Sound Regional Council (PSRC) and WSDOT. To receive TEA21 Federal funds, cities must submit competing projects to their designated Regional Transportation Planning Organization (RTPO) or to the state DOT. Projects which best meet the specified criteria are most likely to receive funds. Projects which fund improvements for two or more transportation modes receive the highest priority for funding.

~~The status of TEA Federal funds for 2004 is uncertain and pending federal approval on a two year cycle as of this writing.~~

### ***Projects Eligible for National Highway System Funding***

- ~~▪ Construction, reconstruction, resurfacing, restoration and rehabilitation and operational improvements to NHS segments~~
- ~~▪ Construction and operation improvements to non-NHS highway and transit projects in the same corridor if the improvement will improve service to the NHS, and if non-NHS improvements are more cost-effective than improving the NHS segment.~~
- Safety improvements
- Transportation planning
- ~~▪ Highway research and planning~~
- ~~▪ Highway-related technology transfer~~
- Start-up funding for traffic management and control (up to two years)

- Fringe and corridor parking facilities
- Carpool and vanpool projects
- Bicycle transportation and pedestrian walkways
- Development and establishment of management systems
- Wetland mitigation efforts

### **Historical Transportation Revenue Sources**

The City of Pacific historically has used three sources of funds for street improvements:

#### Income from Taxes

- Motor Vehicle Excise Tax (MVET)
- Motor Vehicle Fuel Tax (MVFT)

#### Income from Intergovernmental Sources:

- ~~HUD Block Grants~~
- Federal Aid (FAUS, FAS, ISTE, etc.)
- Urban Arterial Board
- TIB and STP Grants

#### Miscellaneous Income:

- Interest Earnings
- Miscellaneous Income
- Developer Contributions
- ~~Transportation~~ Local Improvement Districts (LID)

In the past, motor vehicle excise tax (MVET) and motor vehicle fuel tax (MVFT) allocations from the state have been the major sources of continuing funding for transportation capital improvements. Initiative 695, passed by the voters in 1999, removed MVET as a significant funding source, so the MVFT (“gas tax”) funding appear to be the only reliable source of transportation funds for the future. MVET and MVFT also provided funds for state and federal grants which are awarded competitively on a project-by-project basis and from developer contributions which are also usually targeted towards the developer’s share of specific road improvements.

### **Capital Costs for Recommended Improvements**

Based on the City’s adopted 20-year land use plan, and the traffic analysis conducted on the city’s roadway links, there are no capital improvements required in order to maintain the city’s adopted LOS D for area roadways. Therefore, no capital cost information is presented within this plan.

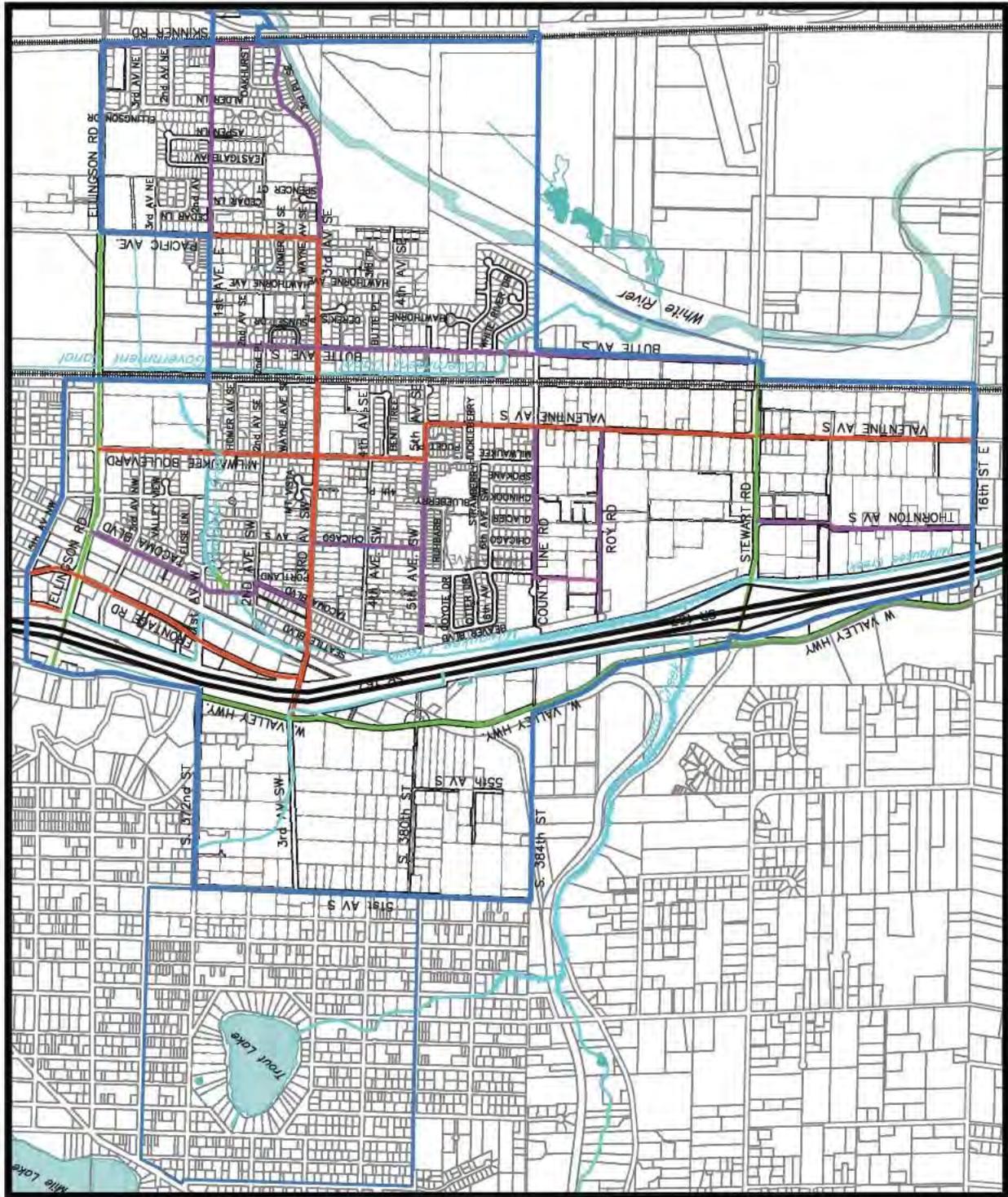
However, safety enhancements, maintenance projects, corridor studies, and local intersection improvements *are* included in the City’s TIP along with cost estimates and funding sources for each of those prioritized projects. The City is required to annually update and adopt a 6-year TIP. A copy of the City’s detailed TIP may be obtained from the Planning and Public Works Department.

### **Alternative Sources of Transportation Funds**

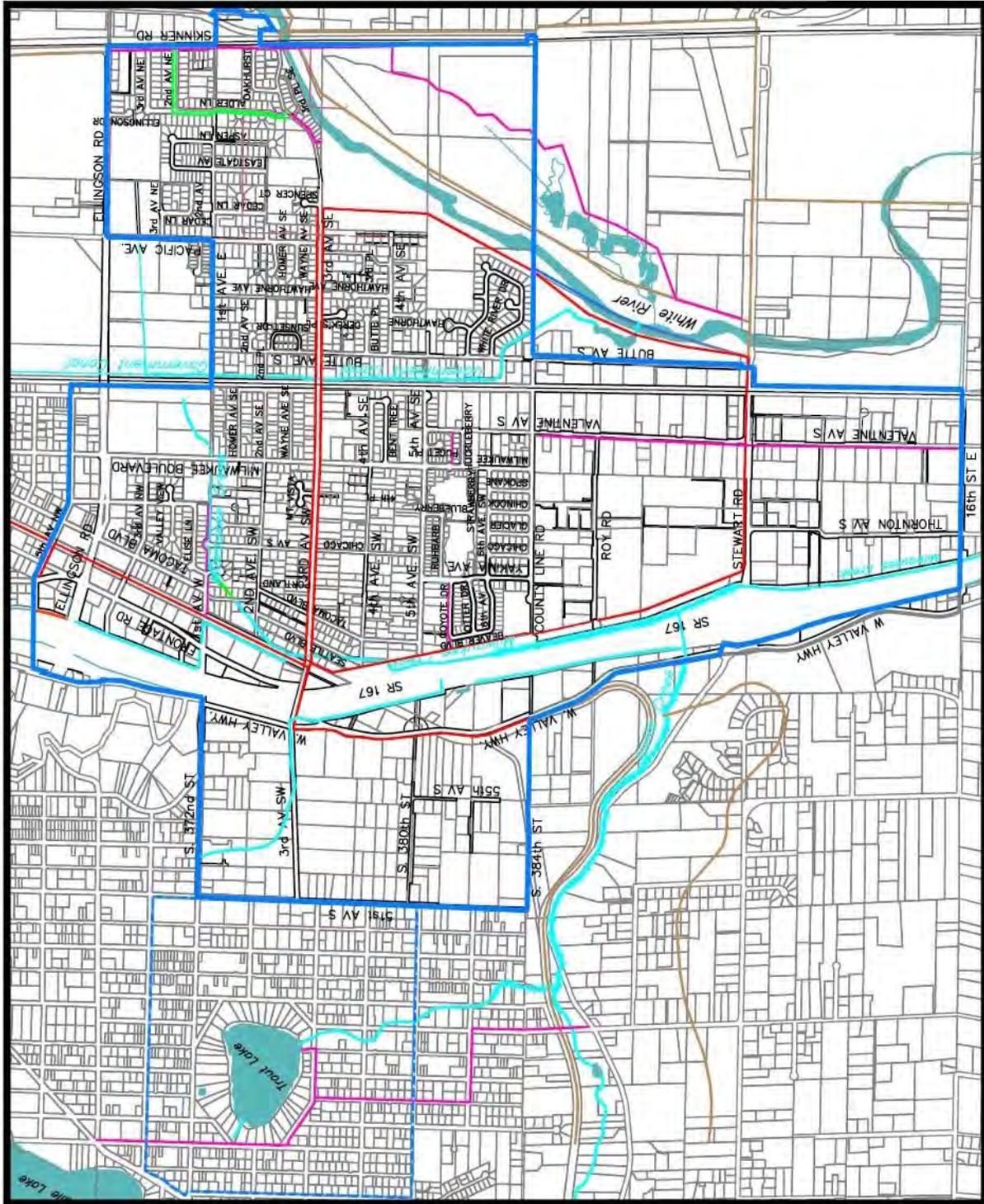
#### Transportation Benefit District

In 1987 the State Legislature created the option for local governments to form Transportation Benefit Districts (TBDs). A TBD is a quasi-municipal entity with the sole purpose of developing projects within the TBD boundary.

The TBD has a variety of options from vehicle tab fees to property taxes.



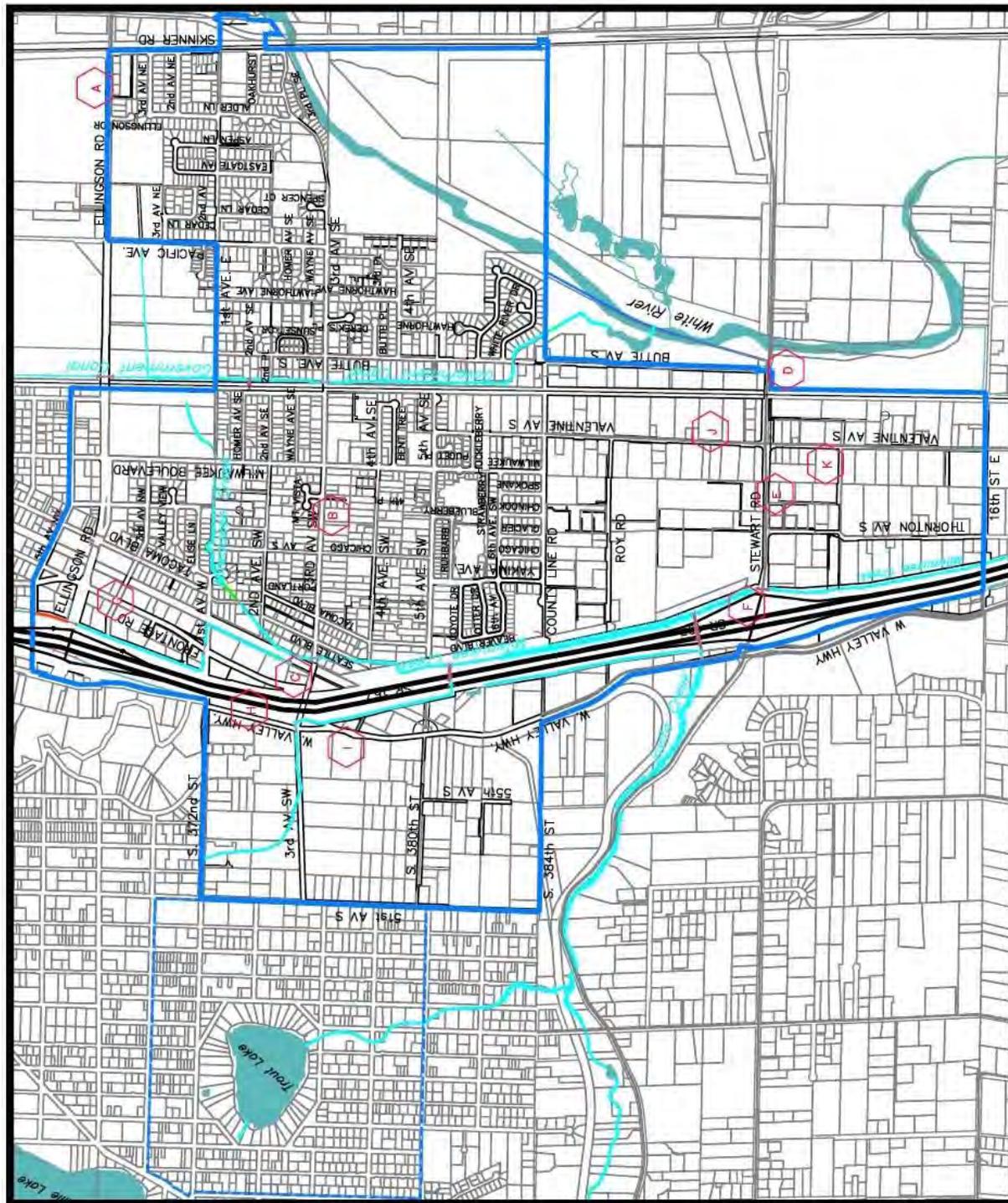
	<b>LEGEND</b>	<p><b>Map 8.1: City of Pacific Functional Classification Routes</b></p> <p>4/7/2015 10:01:57 AM, Revision Date</p>	
			City Limits
			Urban Growth Area (UGA)
			Freeway (State)
			Major Arterial
	Minor Arterial		
	Collector		



	<b>LEGEND</b>		<b>Map 8.2: City of Pacific Trails</b>
		City Limits	
		Urban Growth Area (UGA)	
		Interurban Trail	
		Bike Lanes	
		Trail - General	
		Trail - Other Jurisdictions	

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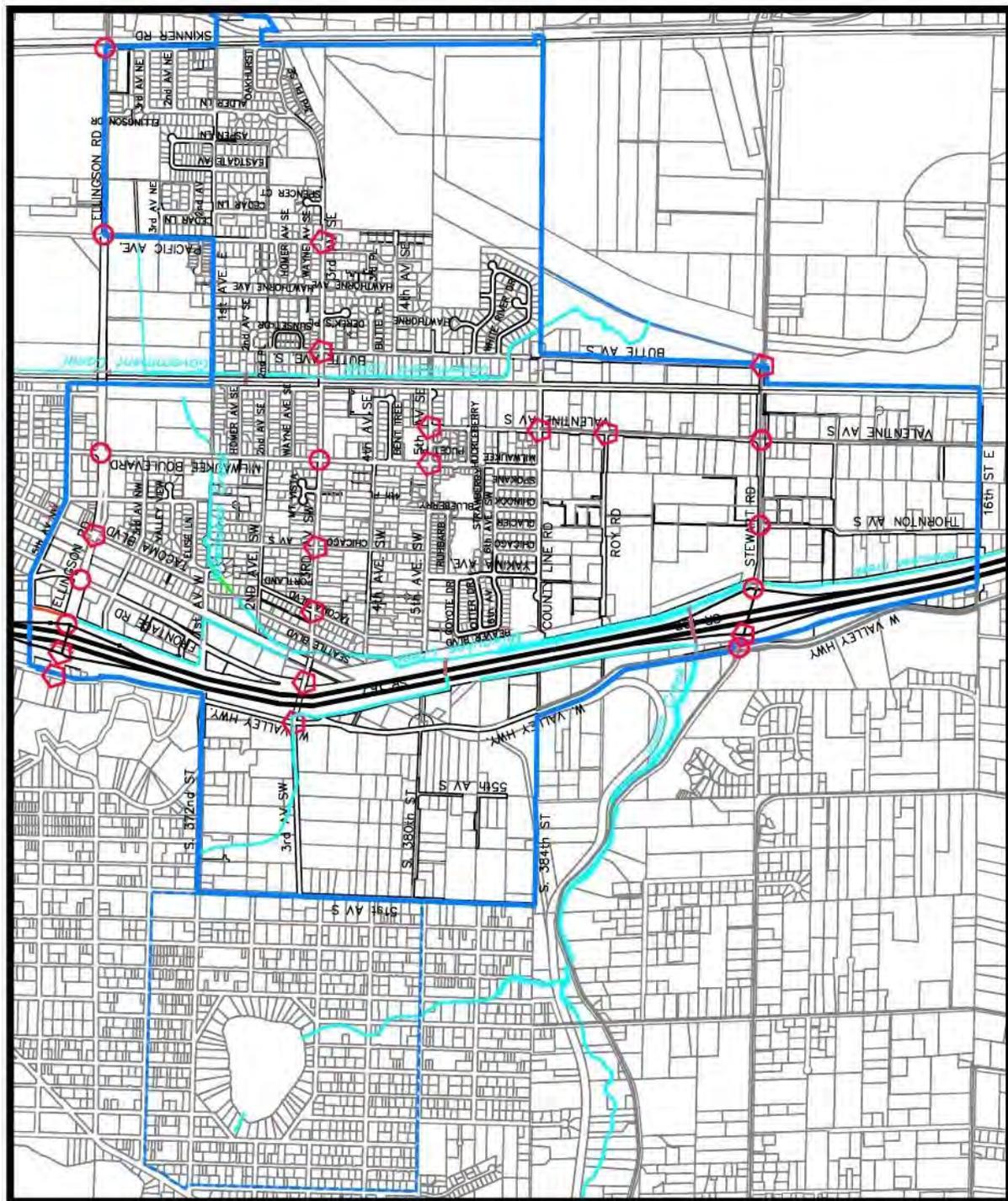
**LEGEND**

—— City Limits

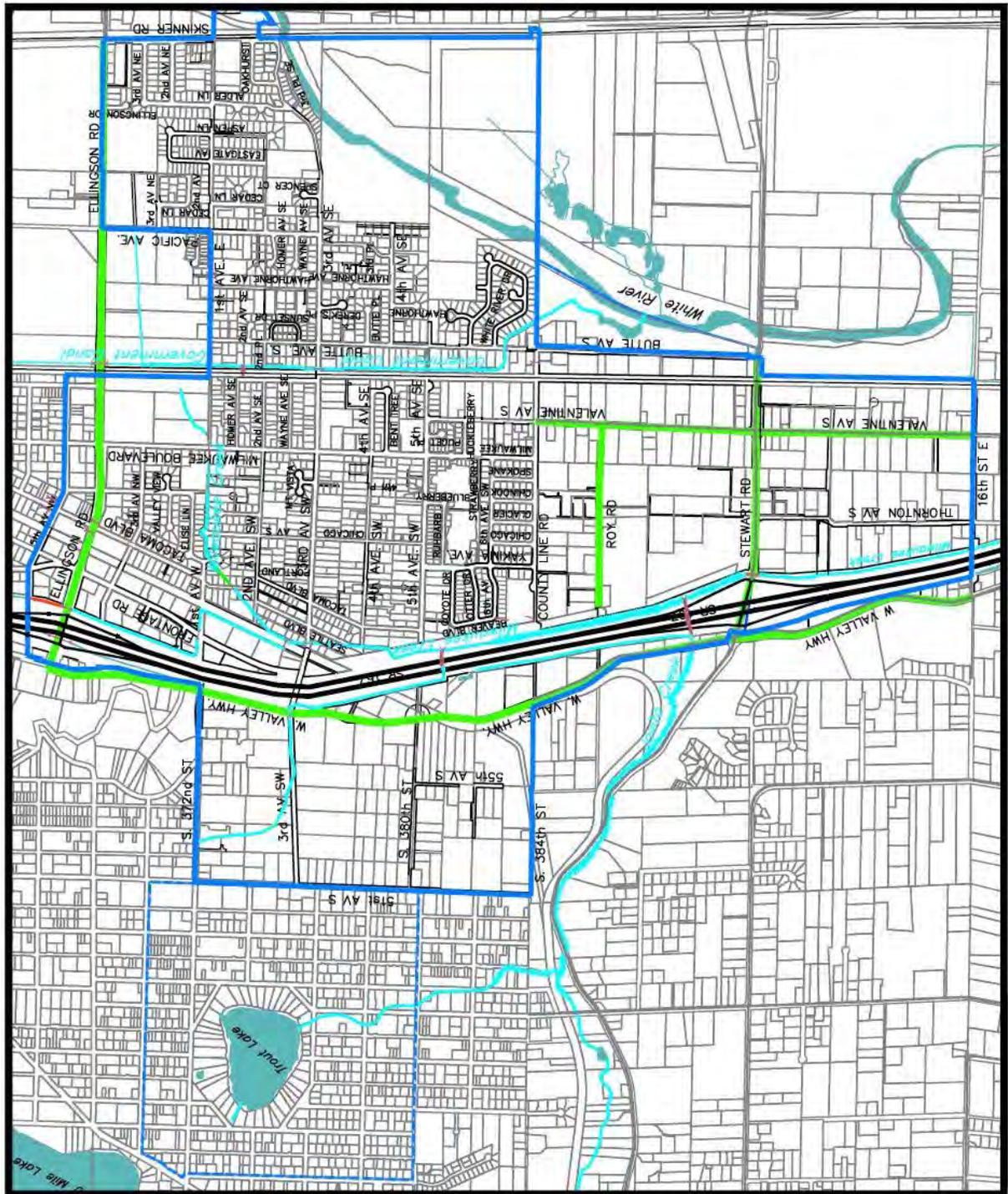
- - - - Urban Growth Area (UGA)

**Map 8.3: City of Pacific  
Traffic Counts**

11/7/2015 10:04:05 AM, Revision Data



<p>Scale in Feet</p>	<p><b>LEGEND</b></p> <p> City Limits</p> <p> Urban Growth Area (UGA)</p> <p> Signalized Intersection</p> <p> Non-Signalized Intersection</p>	<p><b>Map 8.4: City of Pacific Critical Intersections</b></p> <p>3/7/2015 10:00:31 AM, Revision Date</p>
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<p>Scale in Feet</p>	<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li><span style="color: blue; font-weight: bold;">———</span> City Limits</li> <li><span style="color: blue; font-weight: bold;">- - -</span> Urban Growth Area (UGA)</li> <li><span style="color: green; font-weight: bold;">———</span> Recommended Truck Routes</li> </ul>	<p><b>Map 8.5: City of Pacific Designated Truck Routes</b></p> <p style="font-size: small;">4/7/2015 10:07:44 AM, Revision: Date</p>
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## Lower White River Biodiversity Management Area (BMA) Stewardship Plan

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Regional Geographic Initiative Grant

## Acknowledgements

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### **Pierce County Planning and Land Services Department**

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Jeanne Fancher, Founding member

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## Introduction

Biodiversity planning is a method used to identify land areas that provide for a biologically diverse representation of species. This planning method considers long-term ecosystem health and establishes a goal of maintaining adequate habitat to ensure the continued viability of a diversity of species within an ecoregion. Forest, riparian, and wetland habitats provide a full suite of ecosystem services vital to human health and livelihood besides a diversity of species.

Currently fish and wildlife planning methods consist of migratory routes and point locations of species of concern. What is missing is connecting the routes and points together that provide the necessary habitat to sustain all species, not just the rare and endangered ones.

The benefits of biodiversity planning:

- Protects remaining high-quality land cover important for fish and wildlife
- Implements Growth Management Act requirements for Habitat Conservation Areas
- Provides regional connectivity network for fish and wildlife dispersal and migration
- Establishes proactive approach to help avoid future listings under ESA
- Includes all habitat types not just point specific habitats such as wetlands, streams, endangered species locations

Pierce County's biodiversity planning efforts resulted in a Biodiversity Network consisting of 16 Biodiversity Management Areas (BMA). The BMA's are the "best of the best" within Pierce County. The Network is included in Pierce County's Comprehensive Plan Open Space Maps for fish and wildlife. Residents in each BMA automatically qualify for tax incentives.

In 2005 the Crescent Valley BMA was selected by the Pierce County Biodiversity Alliance (PCBA) as the pilot to implement long-term stewardship within the Network. As a result of a year-long effort working with the citizens, the Crescent Valley Stewardship Plan was developed and a community group formed, Crescent Valley Alliance (CVA) to undertake the action items identified in their plan.

The Lower White River Stewardship Plan was developed using Crescent Valley Stewardship Plan as a template. However, the Crescent Valley BMA falls within unincorporated Pierce County, while the Lower White River BMA lies between unincorporated King and Pierce County, Muckleshoot Tribe, and the cities of Auburn, Buckley, Pacific, and Sumner. Therefore this Plan, although designed as a non-regulatory document for local citizens, has been written to provide a thorough detailed report of what citizens and jurisdictions will need to do to protect, maintain and restore biodiversity over time.

Jurisdictions should be cognizant of the fact that much of the details and terminology may be familiar to them, but the goal of this Stewardship Plan is to be also used by the local citizens. Furthermore, if each of the Stewardship Plans follows the same template, they can easily be merged into volumes representing the overall stewardship goals for the entire Biodiversity Network.

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**Frequently Used Acronyms**

- APD – Agriculture Production District
- BMA – Biodiversity Management Area
- BWH – Backyard Wildlife Habitat
- CLC – Cascade Land Conservancy
- CVA – Crescent Valley Alliance
- CWH – Community Wildlife Habitat
- FLWR – Friends of the Lower White River
- GIS – Geographic Information System
- NWF – National Wildlife Federation
- PCBA – Pierce County Biodiversity Alliance
- PCCD – Pierce County Conservation District
- PHS – Priority Habitats of Species
- PSAT – Puget Sound Action Team
- PWU – Pierce County Public Works and Utilities
- RM – River Mile
- SMA – Shoreline Master Act
- SMP – Pierce County Shoreline Master Program
- SMR – Pierce County Shoreline Management Regulations
- SYH – Schoolyard Habitats
- TNC – The Nature Conservancy
- TPCHD – Tacoma Pierce County Health Department
- URS – URS Consulting
- WDFW – Washington Department of Fish and Wildlife
- WSU – Washington State University – Pierce County Cooperative Extension Office

## Chapter I - Background

---

### Creation of a Biodiversity Plan for Pierce County

The Washington Growth Management Act requires each of the state's 39 counties and their cities to address open space and environmentally sensitive areas in their comprehensive plans. Pierce County's open space planning process includes land areas with the greatest fish and wildlife biological diversity or "biodiversity". The planning method used to identify these biodiversity areas is called "GAP analysis."

GAP analysis is a process of identifying core habitat areas that contain the highest level of species richness and representation remaining across the landscape. The GAP analysis methodology uses the mapping technologies of satellite imagery and the Geographical Information System (GIS) to create a current vegetation map. From that, distribution of wildlife species is derived and areas of high biodiversity are identified. The map is refined or "ground-truthed" with any and all known plant community and wildlife occurrences from WDFW's Priority Habitats and Species and Streamnet databases, the Department of Natural Resources' Heritage and Sensitive Plant Species databases, county natural resource inventories, and local expert biological opinion. This process identified core habitat areas that, along with a surrounding ¼ mile buffer area, provided the framework for the creation of biodiversity management areas (BMAs). BMAs were then connected, often along watercourses, and the resulting coverage became the Biodiversity Network. This information was subsequently incorporated into Pierce County's Comprehensive Plan Open Space Corridors Map.

In January 2000, the first Biodiversity Plan for Pierce County was published<sup>1</sup>. The habitat types represented in the Pierce County Biodiversity Network include lowland riparian areas and wetlands, deciduous hardwoods, oak savannahs and prairies, deciduous old-growth forests, and alpine peaks and meadows. Many of these habitats contain imperiled species including Chinook Salmon, Western Gray Squirrel, Bald Eagle, Spotted Owl, Grizzly Bear, Gray Wolf, and Western Pond Turtle. In addition, the Pierce County GAP analysis was conducted using watershed boundaries, rather than jurisdictional boundaries; therefore the Pierce County Biodiversity Network extends into the adjacent counties of King, Kitsap, Thurston, Lewis and Yakima.

In 2003, Pierce County began a finer-level assessment of lands within the Biodiversity Network to provide a groundtruthing of the original network. This assessment included detailed review of each BMA and connecting corridors through the use of recent orthophotography and site visits conducted by a WDFW biologist. The predicted species lists were also updated to add all predicted species including butterflies, introduced species, and known salmonid presence. The result of this assessment was unilateral removal of the ¼ mile buffer placed around the core habitat polygons, re-alignment of all the connecting corridors along watercourses, and a decision to refine the boundaries of each of biologically rich areas to ensure property lines were not bisected and habitats necessary for the long-term survival of the species based on local watersheds were included. The final revised Biodiversity Network identifies 16 biologically rich areas and connecting corridors that cover 267,784 acres of land (see Figure 1 – County's Revised BMA network) and 41 percent of the salmonid-bearing streams (see Figure 2 – Salmonids). In 2004, the County Council adopted the Pierce County Biodiversity Network Assessment Report<sup>2</sup>, and modified the County's Comprehensive Plan Open Space Corridors Map to reflect this revised data set.

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<sup>1</sup> Pierce County GAP Application Pilot Project: A Biodiversity Plan for Pierce County, Washington, January 2000.

<sup>2</sup> Pierce County Biodiversity Network Assessment, August 2004.

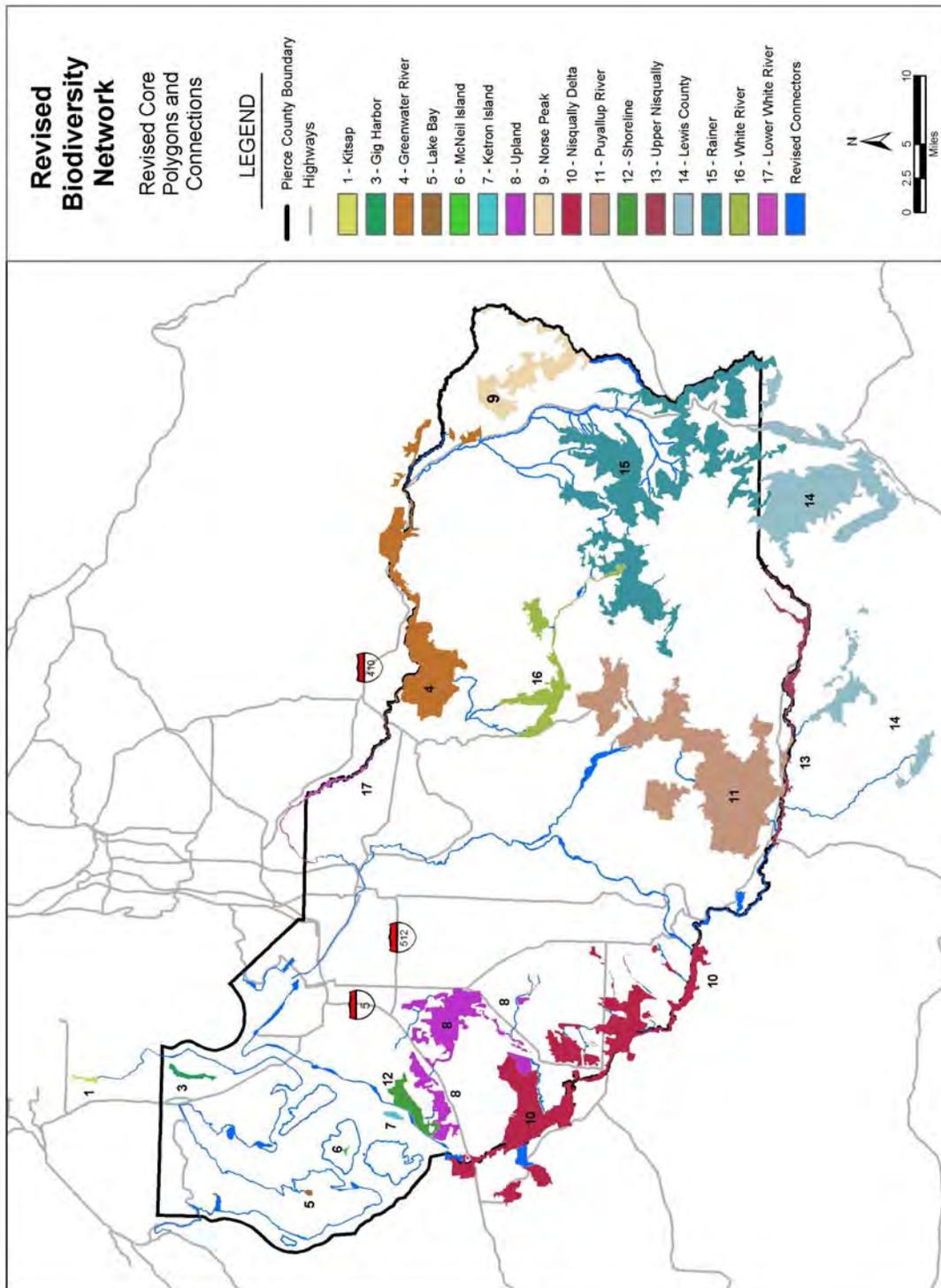


Figure 1. Revised BMA network

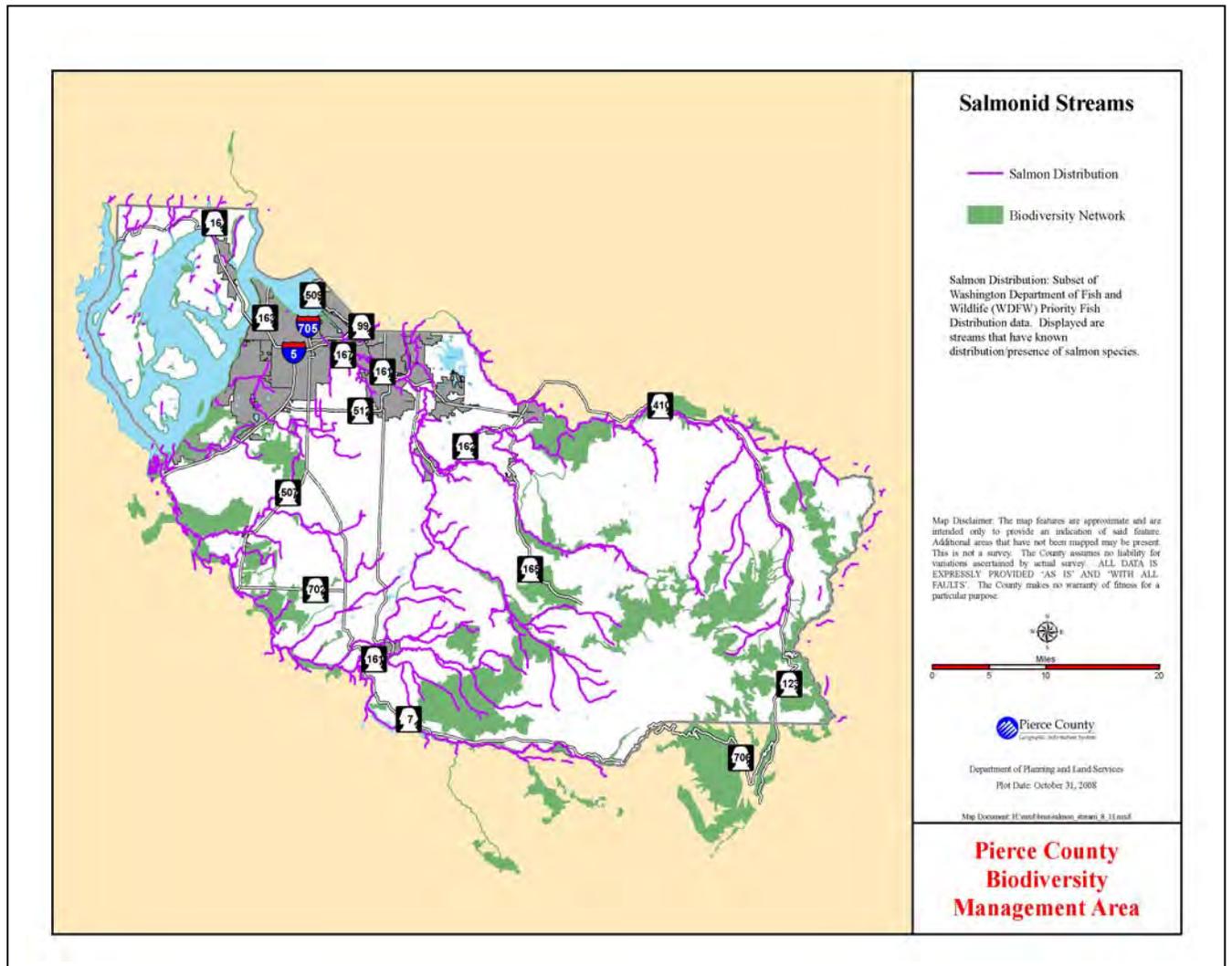


Figure 2. Salmonid presence

## Implementation Strategies for the Biodiversity Network at a County and City Level

Since adoption of the first Pierce County Biodiversity Plan, the County has been using this biodiversity information in relation to land use planning in a variety of ways. The Biodiversity Network coverage has been integrated into the County's Comprehensive Plan Open Space Corridors map. This map has been considered in many community planning processes and within those plans has served as the basis for the creation of lower density zones and the establishment of habitat conservation based design standards, such as **low impact** development techniques and minimum native vegetation retention. In addition, Pierce County regulations have been changed to recognize lands within the Biodiversity Network as a high priority for various incentive programs such as the Conservation Futures Program and Current Use Assessment Program.

Because the Biodiversity Network was created using watershed rather than political boundaries, King, King, Kitsap, Mason, Thurston, Lewis, and Yakima counties are being notified of the Network and of opportunities to work together for the protection of biodiversity. To date, King and Pierce County Executives have signed a declaration authorizing cooperation on significant, shared boundary natural resources, including the Lower White River. King County Water and Land Resources Division has provided information inserted within this report and at the end as a separate chapter.

This multi-pronged implementation strategy is putting emphasis on proactive conservation of multiple species, rather than on reactive restoration of individual threatened or endangered species. This approach helps guide county and city planners in directing more intense development away from identified bio-rich lands and can also guide private and public land conservation purchases or easements and restoration actions.

However, while some progress has been made at a countywide planning level, landscape scale planning documents often fail to implement on-the-ground land use actions that serve to promote long-term conservation in "bio-rich" areas. Thus, the ultimate strategy for implementation is to work directly within each BMA to conduct detailed inventories of the predicted species and habitat; re-evaluate the BMA boundaries at a local watershed scale making sure not to bisect property lines or missing critical features not obvious at the countywide scale the BMA was created; meet with local jurisdictions and property owners to ascertain potential stresses to the system and sources of stress (collectively referred to as "threats") and identify a set of conservation strategies to abate these threats; and develop a set of prioritized actions to reduce or eliminate threats and restore habitat areas that will be implemented by a community group or individual landowners over time.

### Pierce County Biodiversity Alliance

In order to accomplish the preservation of biodiversity within Pierce County's Biodiversity Network, a group of dedicated individuals has formed an alliance (referred to as the Pierce County Biodiversity Alliance). The Pierce County Biodiversity Alliance (PCBA) is comprised of a unique set of stakeholders, representing governmental, academic and non-profit agencies, who are interested in preserving the long-term biodiversity of Pierce County. Alliance members include Pierce County government; University of Washington - Cooperative Fish and Wildlife Unit; *NatureMapping* Program; NatureMapping Foundation; Washington Department of Fish and Wildlife; Metro Parks Tacoma; Tahoma Audubon Society; Friends of Pierce County; Pierce County Conservation District; Point Defiance Zoological Society; U.S.G.S. – National GAP Program, University of Puget Sound, National Wildlife Federation, Puyallup River Watershed Council; and The Cascade Land Conservancy. And the PCBA is continuing to expand and partner with others who are also interested in protecting biodiversity within the Pierce County

Biodiversity Network, including neighboring cities/counties that fall within the Network.

The main emphasis of the PCBA is non-regulatory in nature and instead focuses on public outreach to property owners within the Pierce County Biodiversity Network, providing education and incentive programs to maintain the habitats and biological diversity. The PCBA goal is to establish biological surveys and monitoring programs and facilitate the development of locally derived habitat conservation plans that will provide detailed information on habitat quality and species presence/viability, identification of threats, threat abatement strategies including restoration opportunities, and priorities for conservation and land acquisition for each BMA. And during this process, create a cohesive community group that can work together towards long-term implementation of conservation strategies.

This endeavor advocates responsible land use and success will be achieved when each BMA and connecting corridor retains ecological function given the community's land-use objectives as outlined in their adopted County or City Comprehensive Plan or in their community plan. Any Biodiversity Stewardship Plans adopted by Pierce County are considered a supporting plan to the Comprehensive Plan.

### **Project Description and Public Participation**

The Lower White River BMA is a Puget Sound lowland environment that includes the local jurisdictions Buckley, Auburn, Pacific, and Sumner on the Pierce-King county border. The White River joins the Puyallup River in Sumner, and flows into Puget Sound at Commencement Bay in Tacoma. The BMA covers 1,593.27 acres/2.49 square miles of which 941.39 acres/1.47 square miles are within Pierce County. Ten miles of the Lower White River<sup>3</sup> (River Miles [RM] 14 to 24) are within the BMA. The river supports several documented salmonid species including Chinook (Federally Threatened, State Candidate), Chum, Coho, Pink, and Steelhead. In particular, the White River Spring Chinook population is considered a priority population in Puget Sound.

On April 29<sup>th</sup> 2006 a public tour of three sites within the Lower White River (see Figure 3) was hosted by the Puyallup River Watershed Council to begin publicizing the biological importance of the Lower White River. In June 2006, the PCBA conducted an intensive 24-hour species verification survey (referred to as a "bioblitz") and community outreach efforts on private lands within the Lower White River BMA. Three sets of teams covered three areas: Buckley, lands east of the Muckleshoot tribal lands, and Auburn/Pacific. The Washington Biodiversity Council<sup>4</sup> selected the PCBA's work beginning in the Lower White River BMA as one of their two pilot projects and provided funding for the bioblitz. An EPA grant funded the April, 2007 12-hour bioblitz in 3 areas in Auburn and Pacific not adequately sampled in 2006: City of Pacific's Riverside Park, City of Auburn's Game Farm, and Pierce County Water Program's property. Many of the volunteers that were trained for the first bioblitz held in 2005 in the Crescent Valley BMA were the leaders for the 2006 Lower White River bioblitz. These volunteers were trained at a *NatureMapping* workshop on data collection protocols<sup>5</sup>. Additional *NatureMapping* workshops in 2007 were conducted in preparation for the 2007 bioblitz. There were direct mailings to all property owners within the BMA for each of the three above mentioned events (see Figures 3-5) and follow-up telephone contacts. The events also received media coverage through the Tacoma News Tribune, Auburn Reporter,

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<sup>3</sup> The sections of the Lower White River that did not qualify as a BMA were designated as a connecting corridor.

<sup>4</sup> The Washington Biodiversity Council's website <http://washington.biodiversity.council.gov>

<sup>5</sup> The *NatureMapping* Program trains teachers and individual citizens to conduct wildlife and habitat assessments, using standardized protocols and methodology, for integration into a statewide biological survey. All information is transmitted to a central database repository, located at the University of Washington, where it can be used by the public to make local policy and planning decisions regarding how resources may be managed. Website: <http://depts.washington.edu/natmap>

Courier-Herald, and a Rainier Cable broadcast on the local government channel. Beginning in the afternoon of June 2, 2006 bioblitz participants, lead by a Department of Fish and Wildlife staff biologist, utilized the *NatureMapping* Program's NatureTracker data collection and global positioning software to precisely identify where birds, mammals, amphibians, reptiles, insects, aquatic insects, and plants were found and accurately document what species was identified. The Marion Grange on Old Buckley Hwy served as science central headquarters in 2006 and the Auburn Game Farm was science central in 2007. [Five private landowners allowed access to their private property in 2006.] A total of 80 volunteers including taxonomic experts, 5 high school students, and 10 landowners in 2006 and 39 volunteers in 2007 observed 84% of the predicted bird species, 88% of the predicted amphibians, 52% of the predicted mammals, 60% of the predicted reptiles, 5 fish species, 207 invertebrate samples, and 276 plant species.

The information gathered from the field surveys established a benchmark of current species located within the Lower White River BMA and will also contribute to long-term monitoring activity. Species observations recorded during this monitoring will be used to evaluate whether biodiversity conservation strategies are having positive and successful results. Landowners may also use this information when enrolling in Pierce County's Current Use Assessment tax incentive program or making application for a land acquisition using Conservation Futures funding.



The Puyallup River Watershed Council and Pierce County Biodiversity Alliance (PCBA) invite you to learn from the experts about the dynamics of the Lower White River Corridor watershed. Come view the White River as it meanders through hardwood forests home to eagle, osprey, and bear. View elk wintering grounds, amphibian breeding ponds, and more. Learn how responsible land use decisions can combat the threats to biodiversity and retain ecological function while achieving a community's land use objectives. Learn about opportunities for volunteer tax-reduction programs.

1. Site 1: Auburn Game Farm Park – Encompasses ~72 acres of park and open space along the White River, the park is a unique mix of untapped wildlands within an urbanized environment. After an introduction to biodiversity by Michelle Tirhi, state wildlife biologist and PCBA member, we'll search for many species of birds, fish and wildlife. Aaron Nix, Environmental Protection Mgr with the City of Auburn, will discuss Auburn's comprehensive environmental plan and explain his role in helping keep these types of places special in Auburn.

2. Site 2: River Trail Walks – Don Johnson, a private landowner in the Lower White River, will lead a wildlife walk down the river trail where we will seek out beaver, elk beds, and other elk sign. Michelle Tirhi will talk about the upcoming BioBlitz on June 2<sup>nd</sup> and 3<sup>rd</sup> where landowners can become biologists for the day participating in frog trapping to eagle nest counts.

Site 3: Wetlands Complex – This is an area where red-legged frogs and wetland dependent birds, especially several species of flycatchers nest. Tony Fuchs, staff biologist from Puget Sound Energy (PSE), will discuss the dynamics of the wetland complex, including the water regime, beaver modifications, and habitats. Chip Nevins, Conservation Director for Cascade Land Conservancy, will talk about plans to acquire a 10 mile stretch (~3,000 acres) of undeveloped PSE-owned land straddling both sides of the White River to preserve it for future generations.

Vans depart from Auburn Game Farm Wilderness Park  
Saturday, April 29<sup>th</sup> 1-4 PM  
**RSVP required to reserve your seat on the van**  
Phone 253-863-1860 or [ltburgess3@msn.com](mailto:ltburgess3@msn.com)

Figure 3. Mailing Notice for April 29<sup>th</sup> Preview Tour in Lower White River BMA



Dear Lower White River Resident:

As a resident of the Lower White River, you know that it's a special place filled with natural beauty and wildlife. This area was recently recognized as a unique place that sustains healthy populations of fish, mammals, birds, reptiles, and amphibians. Pierce County Biodiversity Alliance (PCBA) needs **YOUR** help to better understand the wildlife that lives in the Lower White River watershed.

**As a land owner in the Lower White River, you may qualify for a property-tax reduction while you help Washington wildlife.** By granting access for a one-day wildlife inventory in the Lower White River watershed, you could become eligible for your county's open-space tax-reduction program. If wildlife were found on your property, a wildlife assessment would increase your tax break and add points to your application. Join Fish and Wildlife biologists and volunteers for a day of fun as they create wildlife assessments of the area.

Pierce County Biodiversity Alliance, in cooperation with the University of Washington, Washington Department of Fish and Wildlife, Metro Parks Tacoma, Puyallup River Watershed Council, Friends of Pierce County, Pierce County Conservation District, Point Defiance Zoological Society, U.S.G.S. National GAP Program, and National Wildlife Federation, will be conducting a wildlife inventory known as a "**Bioblitz**" **from 3:00 p.m. Friday, June 2<sup>nd</sup> through 3:00 p.m. Saturday, June 3<sup>rd</sup>**. We are asking you and other property owners for your participation to help make this event a success.

**Please note:** This inventory is intended for scientific information gathering purposes only and landowners participating in the Bioblitz are under no further obligation or restriction to land-use on their property. The inventory will involve a visual tally of observed wildlife and every effort will be made to avoid impacting any natural or man-made features on the property. Everyone participating in this event is insured, so there is no liability to property owners. Landowners are encouraged but not required to accompany biologists during the inventory.

To participate in the **Bioblitz** of the Lower White River, or if you have questions, please complete the attached form or respond to Michelle Tirhi by email at [tirhimjt@dfw.wa.gov](mailto:tirhimjt@dfw.wa.gov) or by telephone at 253-813-8906.

Michelle Tirhi  
Pierce County Biodiversity Alliance  
25644 44<sup>th</sup> Ave. S.  
Kent, WA 98032

Figure 4. Mailing Notice for June 2006 Bioblitz Event in Lower White River BMA



Greetings:

Please join the Pierce County Biodiversity Alliance for BioBlitz 2007: Lower White River – Part 2. Many of you participated in last year's BioBlitz. It was a very fun event and quite successful in terms of wildlife and habitat inventory. An overview is provided at: [http://depts.washington.edu/natmap/pierce\\_county.html](http://depts.washington.edu/natmap/pierce_county.html).

Formally designated the Lower White River Biodiversity Management Area (BMA), this region is an incredible mix of habitat. Dominated by riparian hardwood, the habitat also includes abundant wetlands, flood channels, seeps, and grasslands. Because of the size of the survey area, there is a need for several BioBlitz events.

This year's BioBlitz will focus on filling in the gaps from last year's event. We will be surveying sites that are more urban, but still important to the wildlife that live there. Additionally, we will be targeting several species that we believe should be found in the BMA but were not recorded during last year's survey. The BioBlitz will occur on Saturday, April 21 from 6:00am to 6:00pm. Team leads will do some additional surveys before and after. Taxa that will be surveyed include: mammal, bird, amphibian, reptile, invertebrate, fish, and plant.

Also this year, in conjunction with the survey work, we will host a special event commemorating Earth Day which will highlight the biological diversity of the Lower White River area. We will be inviting the public and members of the media to Science Central for the latter part of the day to heighten their awareness of the natural world and offer ways to help support biodiversity in their own backyard.

So, the 2007 BioBlitz has three objectives. First, to continue to validate the species predicted to inhabit the area based on modeling conducted as part of our larger Pierce County Biodiversity Network Project. Second, to engage community members in discovering the biological richness of the region. Third, to have a great field day for all participants in one of Western Washington's most scenic areas.

This is an intensive event and our team participants work hard documenting as many species as possible against the clock. The members of the Pierce County Biodiversity Alliance and Puyallup River Watershed Council thank you in advance for your assistance. What a great way to do something meaningful for Earth Day! Please indicate your interest by filling out the attached Participation form and sending it to me as soon as possible. Please contact me if you need additional information. Thank you!

Michele Cardinaux  
BioBlitz 2007 Coordinator  
1919 S. Tyler Street  
Tacoma, WA 98405  
(253) 591-6439  
[michele@tacomaparks.com](mailto:michele@tacomaparks.com)

**Pierce County Biodiversity Alliance (PCBA)**  
*Dedicated to conserving the biodiversity of Pierce County, Washington*

Figure 5. Mailing Notice for April 2007 Bioblitz Event in Lower White River BMA

A community meeting was held in November 8, 2006 to present the results of the June bioblitz to the residents in the Lower White River BMA and solicit their help developing long-term biodiversity

conservation strategies for this area. The PCBA led a total of four community meetings over four months using the same approach to develop community stewardship plans. However, bad weather and flooding reduced public attendance. Those that did attend were personnel representing multiple jurisdictions within the BMA and didn't need to be educated about conservation planning and terminology. It was decided that the meetings should be postponed until a draft plan was developed and presented to the jurisdictions. The meeting agendas and meeting summaries are attached as Appendix 1.

## **Implementation of the Lower White River BMA Stewardship Plan**

The Lower White River BMA Stewardship planning process includes the development of implementation measures to conserve biodiversity within each jurisdiction included in the BMA. These measures include actions such as property owner enrollment in county tax reduction incentive programs (Current Use Assessment - Public Benefits Rating System) or permanent dedication or purchase of properties as open space (Conservation Futures Program); restoration of native vegetation in areas of degraded habitat (Landowner Incentive Programs, Washington Department of Fish and Wildlife's and National Wildlife Federation's Backyard Wildlife Sanctuary Programs, Pierce County Conservation District's Stream Team); and education on acceptable riparian/wetland land management. Because local jurisdictions may have additional implementation measures that can be applied to their local communities, Chapter VII lists these measures. Chapter VII also customizes proposed action steps for community review.

It should be noted that the Lower White River is not a separate "entity", but part of the Biodiversity Network continuum between the White River BMA, and the Puget Sound via the Puyallup River. The cities of Sumner and Buckley fall within the Lower White River BMA and along the connectors. Therefore, their stewardship efforts extend into the Network.

As stated above, the PCBA's goal is to create a cohesive network of community groups that can work together towards long-term implementation of conservation strategies outlined in the Stewardship Plan. One group that has formed is the Friends of the Lower White River (FLWR) that will be pursuing funding opportunities to complete action items. To that end the FLWR adopted the following Mission Statement:

*Our mission is to protect the biodiversity and health of the Lower White River Basin and its communities through education; supporting scientific research; fostering citizen participation in government; and by buying, and holding in trust for the public good, critical areas, aquatic and riparian wildlife habitats, and other lands of ecological significance.*

One easy to implement action within the stewardship plan is the certification of individual backyard wildlife habitats individually through the Washington Department of Fish and Wildlife and/or the National Wildlife Federation, or as a community certification with the National Wildlife Federation. The Crescent Valley Alliance was formed by local citizens that helped create their Biodiversity Stewardship Plan as part of the PCBA's Gig Harbor/Crescent Valley BMA implementation pilot project. The Alliance listed the creation of 50 certified backyard habitats as one of their short-term stewardship action plans and as a community became registered for the National Wildlife Federation's Community Habitat Program in 2008.

## National Wildlife Federation - Community Wildlife Habitat Program Certification

National Wildlife Federation's (NWF) community education programs empower homeowners, students, community leaders and businesses to preserve, restore and create sustainable landscapes that support a multitude of wildlife and native plants in their backyards, workplaces, places of learning and other community spaces. NWF supports these efforts through training, print and online resources and recognition through a formal certification process. To certify a habitat through NWF, individuals must provide local wildlife with four basic elements: food, water, cover and places for wildlife to raise their young. To date there are 2,325 certified Backyard Wildlife Habitat (BWH) sites, 50 Schoolyard Habitats (SYH) sites and two certified Community Wildlife Habitats (CWH) in Washington State.

The Community Wildlife Habitat program is critical to NWF's work in the Puget Sound as it takes the basic elements of the BWH program from the individual backyard to multiple locations throughout a community. Once a community is engaged and interested in taking action to promote healthy habitat, they form a habitat team and, with guidance from NWF staff, set achievable goals that reflect the size and needs of the community; at which point they become formally registered as a Community Wildlife Habitat site. The CWH certification system is points-based and each community earns a certain amount of points that fall within five categories (Registration, Habitat Certification, Education, Community Projects and Administrative Goals).

On average, communities spend three to five years completing their certification goals during which time a certain number of residences, schools and businesses become certified backyard, schoolyard and workplace habitats. Community groups also design and implement an array of locally relevant, habitat-related projects within their communities. Projects include (but are not limited to): stream cleanups, invasive plant removal and native habitat restoration, plant and wildlife rescue, after-school ecology programs, the creation of educational outreach materials and community-sponsored events such as the Tukwila Backyard Wildlife Fair and the Lake Forest Park Dig It! Green Fair. Currently Tukwila and Camano Island are certified and the communities of Alki, Lake Forest Park, Bellingham and Anacortes are registered and working toward their certification goals.

The Crescent Valley Alliance founding members have certified backyard habitats. Their efforts to convince more residents within the BMA to certify their yards and join their efforts as a registered Community Wildlife Habitat site have three key components. The first is on an emotional level:

*"It causes us to hold ourselves accountable for what we do, and it's created a very emotional, meaningful connection to our land. There is a sense of accomplishment and a feeling that we have done something good for the world and for our kids." ...And that, Lucinda Wingard says, is worth the effort.*

The second component is educational. Residents within the BMA signing up for backyard habitat certification through the Crescent Valley Alliance are learning the Biodiversity Stewardship Plan and how they can play a role as stewards. The third component is financial. BMA residents learn about the financial incentives available to them. Some residents have received up to 25% reduction on their property taxes.

## Chapter II - Lower White River BMA Overview

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### General Description of Lower White River BMA

The Lower White River BMA is located along the White River west of the Greenwater River BMA and is approximately 1,593 acres in size. This BMA is located within the Puget Trough ecoregion<sup>6</sup> (Region 7) and the Puget Sound Douglas-fir vegetation zone (Zone 31). The primary driver habitat for this BMA is riparian habitat (code 533) dominated by hardwood trees and small shrubs. The entire BMA is located within the Puyallup-White River Watershed WRIA 10 (Watershed Resource Inventory Area). Figure 6 depicts the BMA boundary overlain on ortho-photography mapping of the surrounding area.



Figure 6. Lower White River BMA

The White River demarcates King County's southern geo-political boundary. Multiple jurisdictions are present in the BMA in King County including the cities of Auburn, Pacific, and Enumclaw and the Muckleshoot Indian Tribe. King County owns some lands within those other jurisdictions. Additionally, the portion of the BMA that stretches from the Muckleshoot Reservation east to the terminus of the Lower White River BMA is all unincorporated King County. The actual area covered by the BMA that lies within the jurisdiction of unincorporated King County is very limited

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<sup>6</sup> Washington Gap Analysis Project Volume 1 – Landcover of Washington State defines ecoregions as contiguous geographic areas of similar climate and geologic history and vegetation zones as areas in which moisture, temperature, and other environmental parameters combine to create conditions that favor similar vegetation communities. 1997.

The White River Basin Plan Characterization Report<sup>7</sup> contains the following general description of the physical and biological characteristics of the watershed basin, which also provides a good representation of the Lower White River, as follows:

*The White River Basin is divided into 10 sub-basins. The Lower White Sub-basin was established based on the transition from the Cascade foothills to the Puget Sound Lowlands. This sub-basin drains 52 square miles of the plateau formed by the Osceola mudflow and landforms associated with the last glacial advance in the region. The White River flows for 22.5 miles in the sub-basin, dropping in altitude from 620 to 39 feet at the confluence with the Puyallup River. Flooding in the Lower White River Basin is a natural phenomenon that has been mitigated by means of engineered structures (dams and levees). The river flows unconstrained until it reaches Mud Mountain Dam at RM 29.6. The dam, which began operation in 1948, is operated by the U.S. Corps of Engineers to control flooding in the lower Puyallup floodplain. (The Corps of Engineers co-located the Mud Mountain Dam fish passage facility which is a trap and haul program at the Puget Sound Energy (PSE) Diversion Dam. This facility consists of a fish trap, fish ladder and truck transfer facility to load and haul upstream migrants. The transfer process involves trucking the fish to a release point 10 miles upstream and 4 miles above Mud Mountain dam.)*

*Pierce County maintains a system of flood control levees along the White River. According to the 2005 Capital Improvement Program (CIP), prepared by Surface Water Management, only 6 percent (1,840 of 29,209 linear feet of levee) on the White River levee system currently provides 100-year flood protection. There are 4,551 acres in 100-year flood zone and an additional 459 acres in the 500-year flood zone. Specific areas with flooding issues include the Red Creek area just downstream of the dam, Muckleshoot Tribe fish hatchery, Buckley Meadows subdivision, Sumner golf course, residences near the intersection of 8<sup>th</sup> Street and 138<sup>th</sup> Avenue East and the Sumner sewage treatment plant.*

*Before 1906, the White River flowed north from Auburn to join the Green River and ultimately discharged into Seattle's Elliott Bay. In 1906, a debris jam blocked the channel of the White River and diverted all the floodwaters away from King County down the Stuck River and south into the Puyallup River. The debris dam was replaced by a permanent diversion wall located at the game farm park in Auburn.*

*Stream flow in the White River is affected by the Lake Tapps diversion near Buckley. Diverted water is stored in Lake Tapps and eventually returned to the White River via the Deiringer Canal. Lake Tapps was built to create storage for the PSE White River hydroelectric project, which came on line in 1912 and suspended operations in January 2004. Approximately 2.5 miles of earthen dikes and embankments were built around four small natural lakes to create the current Lake Tapps. The dikes are maintained to control flooding. A diversion dam on the White River at RM 24.3 is used to fill the lake. Flooding in November 2006 damaged the structure and spawning salmon had difficulty using the adjacent fish ladder in the fall of 2007. Spawning salmon are trapped at the fish ladder and trucked approximately 5 miles upstream of Mud Mountain Dam.*

Significant native riparian vegetation exists within the Lower White River riparian corridor despite continued development encroaching from western Pierce and King Counties. The river running through Sumner, Pacific, and Auburn has been channelized in many locations. The cities of Sumner, Auburn, and

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<sup>7</sup> "Draft White River Basin Plan" Pierce County Public Works and Utilities Department – Surface Water Management Division, September, 2007.

Buckley are partially located within the floodplain of the river. The floodplain width is variable, ranging from less than 100 to 1,000 feet. The bankfull width (e.g. maximum width the stream attains and is typically marked by a change in vegetation or other geological features) ranges from 80 to 500 feet, but the bankfull depth is more consistent and averages 5.5 feet throughout the river. Flood control levees on the White River extend upstream to RM 11.5 but are maintained only to RM 9.4. Segments of the White River have been identified by the Puyallup Tribe as Critical Fishery Rivers and Streams (Pierce County Critical Areas- Type F1: Title 18E40.060B), mandating 150-foot buffers.

When the boundary lines were drawn around the Lower White River BMA, the current river channel was included, but much of the riparian area (including the floodplain) was not. However, that was an oversight due to scale of the original GAP polygons, and the BMA should be changed to include riparian areas, including at a minimum, the entire floodplain.

From an ecological standpoint, the river cannot be separated from its floodplain. These areas are tightly interconnected, and these connections contribute to biodiversity. The floodplain contains substantial physical diversity, including a mosaic of semi-aquatic habitats, complex micro-topography, and patchy concentrations of moisture and nutrients. The physical diversity of the floodplain is supported by riverine processes such as periodic flooding, channel migration, and sediment deposition. Similarly, the floodplain contributes to the diversity of the river by providing wood and sediment to the channel. These are the raw materials for building instream habitats, and for creating new floodplains. The physical diversity that results from these interactions supports high levels of species diversity in the river, as well as in the floodplain. For example, where the river is rich with wood from the floodplain, the channels are split into multiple threads with abundant cover, pools, edges, and gravels that support diverse communities of fish and insects. Where the floodplain is connected to the river, there is abundant habitat for raptors, songbirds, shorebirds, and waterfowl, as well as small and large mammals and reptiles and amphibians. Floodplains also support high levels of plant diversity, owing to the variable patterns of moisture and resources, and wide distribution of protected refuges. In addition, riparian areas contribute substantially to biodiversity by providing habitat for plants and animals that are not commonly found in uplands.

The Lower White River BMA is narrow and in fact does not fully occupy the extent of the historic floodplain in which it lies. That portion of the BMA in unincorporated King County is even smaller and more limited. All of that area is either active river channel or adjacent riparian forest. King County maintains levees and revetments along the lower White River within the cities of Pacific and Auburn. The river through these reaches is channelized and disconnected from its historic floodplain.

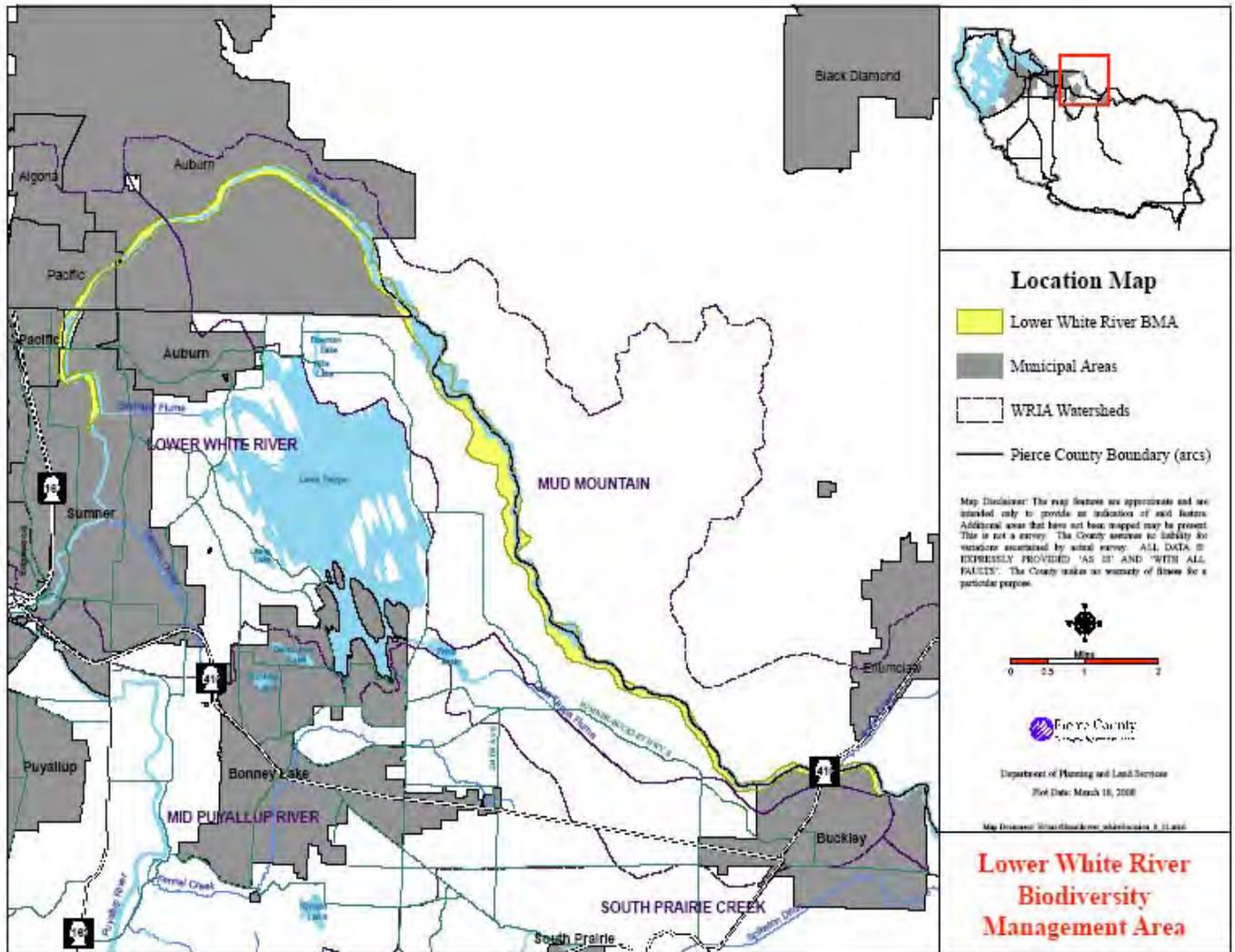


Figure 7. Lower White River BMA Location Map

Current land use is a combination of resource use, residential, civic, vacant, and limited industrial and commercial land use around Sumner, Pacific, and Buckley. In King County, land use is mostly agriculture, tribal lands, and residential around Pacific and Auburn.

### Fish and Wildlife Resources

Predicted Wildlife Species (F = federal, S = state, T = threatened, M = monitor, C = candidate, Co = of concern)

The Pierce County Biodiversity Assessment provides a detailed list of predicted species for each of the 16 biodiversity management areas in the biodiversity network. The Painted Turtle is the only trigger species identified for this BMA. There are 6 predicted species listed as at-risk, 16 state or federal listed species and 18 PHS species. The predicted listed species include the Red-Legged Frog (FCo), Western Toad (FCo, SC), Bald Eagle (FT, ST), Great Blue Heron (SM), Green Heron (SM), Olive-sided Flycatcher

(FCo), Osprey (SM), Turkey Vulture (SM), Vaux's Swift (SC), Willow Flycatcher (FCo), Fisher (FCo, SE), Long-eared Myotis (FCo, SM), Long-legged Myotis (FCo, SM), Pacific Water Shrew (SM), Townsend's Big-eared Bat (FCo, SC), and Yuma Myotis (FCo). A total of 6 amphibians, 85 birds, 46 mammals, and 5 reptiles were predicted (see Table 1 – Predicted and Confirmed Wildlife and Fish Species).

The Lower White River supports three salmonid species that are listed as threatened under the Endangered Species Act: Puget Sound Chinook, Puget Sound steelhead, and Coastal-Puget Sound bull trout. The Lower White River is particularly important to Chinook recovery because it is the only population of spring Chinook in south Puget Sound. The Lower White River also supports pink, chum, coho, and sockeye<sup>8</sup> salmon, as well as cutthroat trout. The mouth of Boise Creek falls within the BMA on the King County side. Boise Creek supports Chinook, coho, and pink salmon, steelhead, bull trout, and cutthroat trout.

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Gustafson, R.G., T.C. Wainwright, G.A. Winans, F.W. Waknitz, L.T. Parker, and R.S. Waples. 1997. Status review of sockeye salmon from Washington and Oregon. U.S. Dept. Commer., NOAA Tech. Memo. NMFS-NWFSC-33, 282 pp.  
<http://www.nwfsc.noaa.gov/publications/techmemos/tm33/tm33.html#toc>

**TABLE 1 - PREDICTED AND CONFIRMED WILDLIFE AND FISH SPECIES  
FOR THE LOWER WHITE RIVER BMA**

<b>PREDICTED SPECIES Note:</b>			<b>PREDICTED SPECIES Note:</b>		
<b>Species observed but not predicted are italicized</b>	<b>Bioblitz 2006 Survey</b>	<b>Bioblitz 2007 Survey</b>	<b>Species observed but not predicted are italicized</b>	<b>Bioblitz 2006 Survey</b>	<b>Bioblitz 2007 Survey</b>
<b>AMPHIBIANS</b>			<b>BIRDS (Cont'd)</b>		
Bullfrog <sup>(7,8)</sup>	X		Common merganser	X	X
Ensatina	X		Common nighthawk	X	
Long-toed salamander	X		Common raven	X	
Northwestern salamander	X		Common snipe		
Pacific treefrog (Chorus frog)	X		Common yellowthroat	X	
Red-legged frog <sup>(3)</sup>	X		Cooper's hawk <sup>(2)</sup>	X	
Roughskin newt	X		Dark-eyed junco <sup>(8)</sup>	X	X
Western toad <sup>(3,6)</sup>	X		Downy woodpecker	X	X
			European starling <sup>(7)</sup>	X	
			Evening grosbeak	X	
			Gadwall		
			Glaucous-winged gull <sup>(8)</sup>		X
American bittern <sup>(2)</sup>			Golden-crowned kinglet <sup>(8)</sup>	X	
American coot			Great blue heron <sup>(3,4,6)</sup>	X	X
American crow	X	X	Great horned owl		
American dipper			Green heron (Green-backed) <sup>(3)</sup>	X	X
American goldfinch	X		Green-winged teal		
<i>American kestrel</i>	X		Hairy woodpecker <sup>(8)</sup>	X	
American robin	X	X	Hooded merganser <sup>(4)</sup>		
Bald eagle <sup>(3,4,6)</sup>	X	X	House finch	X	
Band-tailed pigeon <sup>(4)</sup>	X		House sparrow <sup>(7)</sup>	X	
<i>Bank swallow</i>	X		House wren		
Barn swallow	X		Hutton's vireo	X	
Barred owl <sup>(8)</sup>	X		Killdeer	X	
Belted kingfisher	X	X	Lazuli bunting	X	
Bewick's wren	X	X	Macgillivray's warbler	X	
Black-capped chickadee	X	X	Mallard	X	X
Black-headed grosbeak	X		Marsh wren	X	
Black-throated gray warbler	X		Mourning dove <sup>(8)</sup>	X	
Blue-winged teal			Northern flicker	X	X
Brewer's blackbird	X		Northern harrier		
Brown creeper <sup>(8)</sup>	X	X	Northern oriole		
Brown-headed cowbird	X		Northern rough-winged swallow	X	
Bushtit	X		Northern shoveler		
California quail			Olive-sided flycatcher <sup>(3)</sup>	X	
Canada goose	X	X	Osprey <sup>(3)</sup>		X
Cedar waxwing	X	X	Pacific slope flycatcher (Western)	X	
Chestnut-backed chickadee <sup>(8)</sup>	X	X	Pied-billed grebe <sup>(4)</sup>		
Cinnamon teal			Pileated woodpecker <sup>(6,8)</sup>	X	X
Cliff swallow	X				
Common barn-owl	X				

**TABLE 1 - PREDICTED AND CONFIRMED WILDLIFE AND FISH SPECIES**

<b>PREDICTED SPECIES Note:</b> <b>Species observed but not predicted are italicized</b>			<b>PREDICTED SPECIES Note:</b> <b>Species observed but not predicted are italicized</b>		
	Bioblitz 2006 Survey	Bioblitz 2007 Survey		Bioblitz 2006 Survey	Bioblitz 2007 Survey
<b>BIRDS (Cont'd)</b>			<b>MAMMALS</b>		
Pine siskin <sup>(8)</sup>	X		Beaver	X	X
Purple finch	X		Big brown bat <sup>(4)</sup>	X	
Red-breasted nuthatch <sup>(8)</sup>	X	X	Black bear		
Red-breasted sapsucker	X	X	Black rat <sup>(7)</sup>		
Red-eyed vireo	X		Black-tailed deer <sup>(4)</sup>	X	X
Red-tailed hawk	X	X	Bobcat	X	
Red-winged blackbird	X	X	California myotis <sup>(4)</sup>	X	
Rock dove	X		Coast mole		X
Ruddy duck			Coyote	X	X
Ruffed grouse			Creeping vole		
Rufous hummingbird	X	X	Deer mouse	X	X
Savannah sparrow	X	X	Douglas squirrel	X	
Song sparrow	X	X	Dusky (Montane) shrew		
Sora			Eastern cottontail <sup>(7)</sup>	X	X
Spotted sandpiper <sup>(4)</sup>	X		Eastern gray squirrel <sup>(7)</sup>	X	X
Spotted towhee (Rufous-sided)	X	X	Elk <sup>(8)</sup>	X	
Steller's jay	X		Ermine		
Swainson's thrush	X		Fisher <sup>(2,3,4)</sup>		
Townsend's warbler <sup>(8)</sup>		X	Hoary bat	X	
Tree swallow	X	X	Little brown myotis <sup>(4)</sup>	X	
Turkey vulture <sup>(3)</sup>	X	X	Long-eared myotis <sup>(3,4)</sup>		
Vaux's swift <sup>(3,4,6)</sup>	X		Long-legged myotis <sup>(3,4)</sup>		
Violet-green swallow	X	X	Long-tailed (Forest) deer mouse	X	
Warbling vireo	X		Long-tailed vole		
<i>Western meadowlark</i>	X		Long-tailed weasel	X	
Western screech-owl		X	Mink <sup>(4)</sup>		X
Western tanager <sup>(8)</sup>	X		Mole spp.	X	
Western wood-pewee	X		Mountain beaver	X	
White-crowned sparrow	X	X	Mountain lion <sup>(7)</sup>	X	
Willow flycatcher <sup>(3)</sup>	X	X	Muskrat	X	X
Wilson's warbler	X		Northern flying squirrel		
Winter wren <sup>(8)</sup>	X	X	Norway rat <sup>(7)</sup>	X	X
Wood duck <sup>(4)</sup>	X		Nutria <sup>(7)</sup>	X	
Yellow warbler <sup>(2)</sup>	X	X	Pacific jumping mouse	X	
Yellow-rumped warbler <sup>(8)</sup>	X	X	Pacific water shrew <sup>(3)</sup>		
			Porcupine		

**TABLE 1 - PREDICTED AND CONFIRMED WILDLIFE AND FISH SPECIES**

**PREDICTED SPECIES Note:**

Species observed but not predicted are italicized

Bioblitz 2006 Survey

Bioblitz 2007 Survey

**MAMMALS (Cont'd)**

Raccoon	X	X
Red fox		
River otter	X	X
Shrew-mole		
Shrew spp.	X	
Silver-haired bat <sup>(2)</sup>		
Southern red-backed vole		
Spotted skunk		
Striped skunk		
Townsend's big-eared bat <sup>(2,3,4)</sup>		
Townsend's chipmunk <sup>(8)</sup>	X	
Townsend's mole		X
Townsend's vole	X	
Vagrant shrew		
Virginia opossum <sup>(7)</sup>	X	X
Vole spp.	X	
Yuma myotis <sup>(3,4)</sup>	X	

*Footnote:*

(1) - Trigger Species - Species that needed additional mapped land cover units to ensure representation within the network

(2) - At-Risk - Washington Gap Analysis Project (WAGAP) selected species considered to be most at risk of continued or future population declines due to human activities

(3) - Listed (State or Federal) - Species listed as State endangered, threatened, sensitive, candidate or monitor, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service

(4) - PHS - a species defined as priority under the WDFW Priority Habitats and Species (PHS) Program

(5) - Included based on species significance under the WDFW PHS/Heritage database, although not predicted to occur

(6) - Included in the Washington Comprehensive Wildlife Conservation Strategy list

(7) - Current supporting location data

(8) - Washington Comprehensive Wildlife Conservation Strategy (2005) species recommended for monitoring

**REPTILES**

Common garter snake <sup>(1)</sup>	X	X
<i>Northwestern garter snake</i>	X	
Northern alligator lizard	X	X
Painted turtle		
Rubber boa		
Western terrestrial garter snake	X	

**FISH**

<i>Prickly sculpin</i>	X	
<i>Sculpin spp.</i>	X	
<i>Speckled dace</i>	X	
<i>Western brook lamprey</i>	X	

### Confirmed Fish and Wildlife Species and Habitats

The WDFW Heritage data indicates point locations within the BMA for the following species: Bald Eagle (FT, ST), Great Blue Heron (SM), Vaux's Swift (SC), and Western Brook Lamprey (FCo). The WDFW PHS data designates this area as priority habitat for fish resources and small waterfowl. The Pierce County fish presence maps identify several anadromous fish species within the rivers and stream systems in this BMA including Chinook (FT, SC), chum, coho, pink, and steelhead.

The King County Wildlife Habitat Network, mapped in the County's Comprehensive Plan, runs through the BMA. The Wildlife Habitat Network is protected in the King County Critical Areas Ordinance as a Wildlife Habitat Conservation Area (WHCA). Other WHCA's include the nest and designated buffer areas around the nest of certain species, including bald eagle, osprey, red-tailed hawk, and great blue heron. A bald eagle nest was confirmed in 2002 near the hatchery, though it has not been verified more recently. It is likely osprey and red-tailed hawks are nesting in the area, and great blue herons may be nesting or at the least use the river as forage habitat. The lack of species sightings is because there are few to no roads leading to this area and no development thus far, and as such there have been no sightings of King County species of local importance. (Enumclaw-Buckley Rd. SE crosses the river towards the eastern end of the BMA; otherwise no other public roads are within the BMA in this area).

During the bioblitz event of June 2006, a variety of species were identified and confirmed within the Lower White River BMA within Pierce County (see Table 1 – Predicted and Confirmed Wildlife and Fish Species). Confirmed terrestrial vertebrate species in the Lower White River BMA include 8 amphibian species, 80 bird species, 30 mammal species, and 4 reptile species. Additional species from each group were confirmed during the follow-up bioblitz in June, 2007. A confirmed cougar sighting was reported by the Muckleshoot Tribal biologist within the BMA, although he was not involved in the bioblitz. (See Figure 8 - Fish and Wildlife Resources Map.)

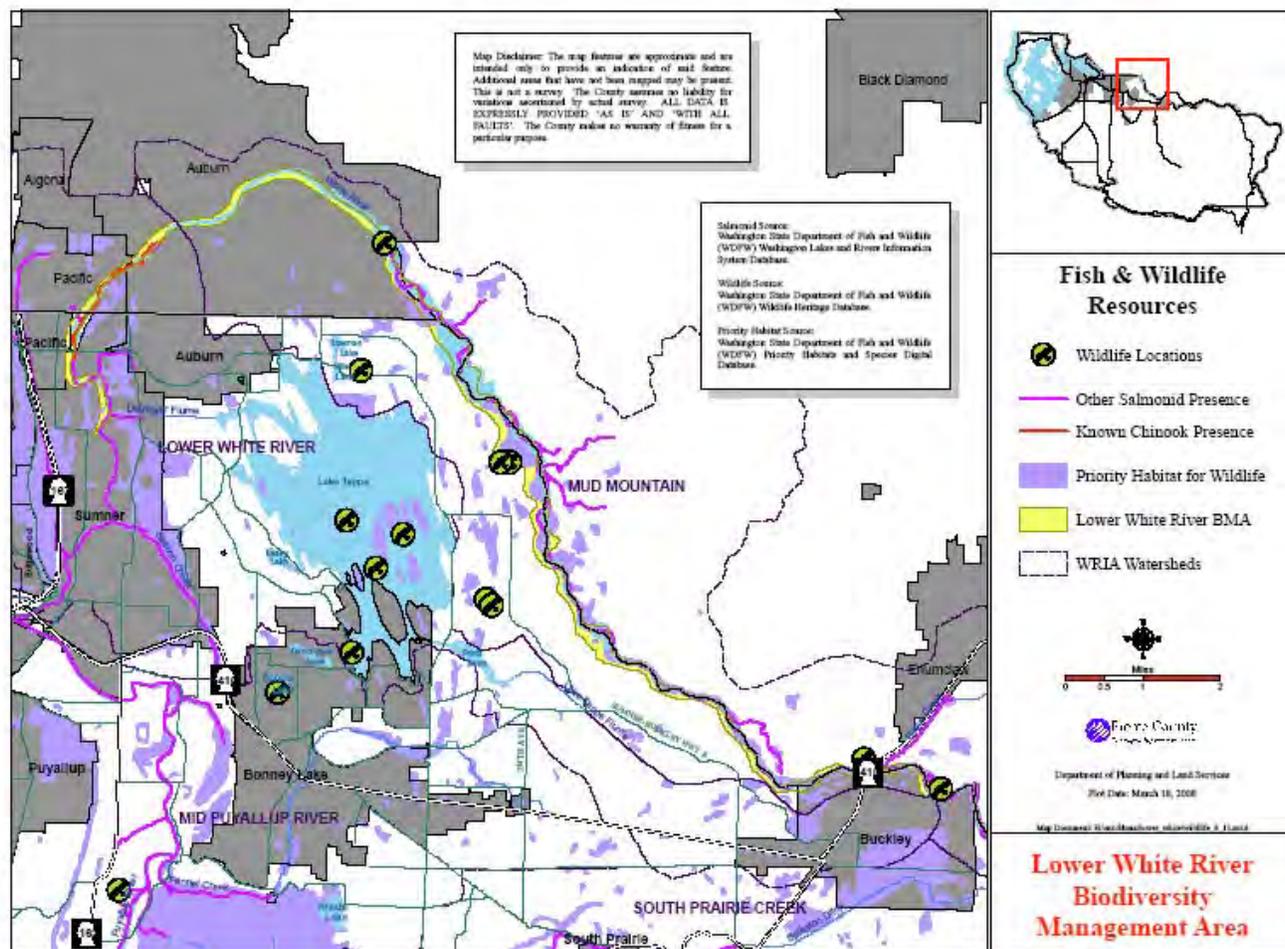


Figure 8. Fish and Wildlife Resources Map

The White River is identified as riparian habitat according to WDFW Priority Habitat and Species Program, and also medium quality riparian salmon habitat. Fall Chinook salmon (FT, SC), Spring Chinook salmon, Coho salmon, Fall Chum salmon, Pink salmon, Sockeye salmon, Bull trout (FT, SC), and Winter Steelhead (FT) fish species have been verified and/or known to occur in the stretch of the White River contained within the LWR BMA<sup>9</sup>. In addition, the draft White River Basin Plan<sup>6</sup> includes anadromous runs of Steelhead and coastal Cutthroat trout. Resident coastal Cutthroat trout and Bull trout also are present. Fall-run Chinook, Chum, and Pink salmon spawning occurs primarily below the diversion dam; Steelhead trout and spring-run Chinook salmon primarily spawn above Mud Mountain Dam, outside of the BMA. Coho salmon and coastal Cutthroat trout spawn and rear primarily in tributary streams throughout the basin. Bull trout spawning occurs only in snowmelt-fed tributaries in the upper

<sup>9</sup> Salmon and Steelhead Habitat Inventory and Assessment Program, <http://wdfw.wa.gov/hab/sshiap/>

White River Basin above Mud Mountain Dam. The Muckleshoot Indian Tribe operates the White River Hatchery and the Puyallup Tribe operates 4 spring Chinook acclimation ponds located in the upper White River basin.

### Confirmed Invertebrate Species

There are 27 confirmed butterfly species<sup>10</sup> within the Lower White River BMA. The following four butterflies are state-listed: Hydaspe Fritillary (SM), Juba Skipper (SM), Purplish Copper (SM), and Sonora Skipper (SM). The remaining butterfly species include: Anise Swallowtail, Cabbage White, Clodius Parnassian, Echo Blue, Large Wood Nymph, Lorquin's Admiral, Monarch, Mustard White, Mylitta Crescent, Orange Sulphur, Pale Tiger Swallowtail, Pine White, Red Admiral, Ringlet, Sara Orange Tip, Satyr Anglewing, Silvery Blue, Two Banded Checkered Skipper, Western Brown Elfin, Western Meadow Fritillary, Western Tailed Blue, Western Tiger Swallowtail, and Woodland Skipper.

The health of an aquatic ecosystem depends on the health of all its biological components, not just commercially or culturally important species such as salmon. Fish species are supported by the phytoplankton, zooplankton, insects, plants, bacteria, and fungi also inhabiting the waterway.

Benthic (bottom dwelling) invertebrates are effective indicators of the health of watercourses and watersheds. The term "benthic invertebrates" include animals such as aquatic insects (mayflies and stoneflies), snails, clams, crayfish, and aquatic worms. These species represent a diversity of morphological, ecological, and behavioral adaptations to surrounding natural environments (i.e. they have co-evolved with their surrounding ecosystems to preferred locations)<sup>11</sup>. Many factors can affect the types of benthic invertebrates in a system including riparian conditions, thermal regimes, discharge patterns, light penetration, channel gradients, sediment conditions, water, sediment chemistry, and channel stability which is linked to the quantity and size of large woody debris (LWD). Each location along the watercourse continuum will contain a variety of habitats, such as riffles, pools, sloughs, bars, and backwaters, which differ in respect to substrate type and stability, current velocity, and water depth. Each location in the watercourse has a range of natural conditions that, when coupled with environmental requirements of the invertebrate species, determine whether a given organism can live in a particular habitat at a particular point.

These patterns of species distribution are affected by actions that alter the landscape (e.g. wild fires, logging, earthquakes, agriculture, volcanic eruptions, and urbanization), modify hydrologic conditions (changes in evapotranspiration and runoff or construction of reservoirs and irrigation diversions), modify habitats (snagging operations, channel dredging, sedimentation, hurricanes), or add chemicals that are toxic or that elevate nutrient or organic loads. Organisms vary in their tolerance of degradation caused by human actions; some require clean, clear water while others occupy a wide range of conditions (i.e. generally tolerant of the effects caused by human alterations)<sup>12</sup>. As the natural environment is altered by human activities, changes start to occur in the type of benthic invertebrate species that inhabit a waterway. Those less tolerant to human alterations begin to disappear and others that are more tolerant appear more abundantly or replace other species altogether. In an effort to understand the health of a particular waterway (e.g. creek, stream, river) benthic invertebrate samples are collected at various intervals along

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<sup>10</sup> Washington State Butterfly Atlas

<sup>11</sup> Cuffney, T.F., Gurtz, M.E., and Meador, M.R., 1993, Methods for collecting benthic invertebrate samples as part of the National Water-Quality Assessment Program: U.S. Geological Survey Open-File Report 93-406, 66 p.

<sup>12</sup> "Restoring Life in Running Waters," James R. Karr and Ellen W. Chu, 1998 and "Biological Assessment: Using Biology to Measure the Health of Watersheds," James R. Karr.

the reach to assess the quality of the system. Species are typically categorized in groups including:

- Group 1 - those organisms which are generally pollution intolerant and signify excellent-good water quality including riffle beetle, stonefly, caddisfly, mayfly, and snail;
- Group 2 – those organisms that exist in a wide range of water quality conditions including crane fly, dragonfly, crayfish, sowbug, filtering caddisfly, blackfly, scud, and dobsonfly; and
- Group 3 – those organisms that are generally tolerant of pollution and whose presence generally indicates fair-poor water quality conditions including midge, pouch snail and aquatic worm.

During the bioblitz event of June 2006, 98 terrestrial and 16 benthic invertebrate species were recorded. Eleven of the terrestrial invertebrates were non-native. Ten more terrestrial species were identified in the April 2007 bioblitz (See Table 2). The benthic sample size was too small to assess the overall water quality of the Lower White River. However, it was also found to support at least some taxa that are relatively intolerant to pollution. This indicates that general water quality in the river is relatively good.

**TABLE 2 - CONFIRMED TERRESTRIAL AND AQUATIC INVERTEBRATES  
FOR THE LOWER WHITE RIVER BMA**

	<b>Order</b>	<b>Family</b>	<b>Genus/Species</b>	<b>Common</b>
Ants	Hymenoptera	Formicidae	<i>sp. 1</i>	Moss Ant
Bees	Hymenoptera	Apidae	<i>Bombus sp.</i>	
Beetles	Coleoptera	Carabidae	<i>Carabus nemoralis</i>	Carabid Beetle
Beetles	Coleoptera	Carabidae	<i>Cicindela oregano</i>	Tiger Beetle
Beetles	Coleoptera	Carabidae	<i>Harpalini sp.</i>	Black Ground Beetle
Beetles	Coleoptera	Carabidae	<i>Nubius sp.</i>	
Beetles	Coleoptera	Carabidae	<i>Scaphinopus sp.</i>	Small Slug Killer
Beetles	Coleoptera	Chrysomelidae	<i>Altica ambiens</i>	Alder Flea Beetle
Beetles	Coleoptera		<i>Cicindela depressula</i>	Ground Beetle
Beetles	Coleoptera		<i>Scaphinotus angusticollis</i>	Ground Beetle
Beetles	Coleoptera		<i>Cychrus tuberculatus</i>	Ground Beetle
Beetles	Coleoptera		<i>Nebria piperi</i>	Ground Beetle
Beetles	Coleoptera		<i>Nebria eschscholtzii</i>	Ground Beetle
Beetles	Coleoptera		<i>Nebria gyenhali</i>	Ground Beetle
Beetles	Coleoptera		<i>Nebria crassicornis</i>	Ground Beetle
Beetles	Coleoptera		<i>Diplous aterrimus</i>	Ground Beetle
Beetles	Coleoptera		<i>Loricara decimpucata</i>	Ground Beetle
Beetles	Coleoptera		<i>Harpalus carbonatus</i>	Ground Beetle
Beetles	Coleoptera		<i>Harpalus seclusus</i>	Ground Beetle
Beetles	Coleoptera		<i>Harpalus affinis</i>	Ground Beetle
Beetles	Coleoptera		<i>Pterostichis algidus</i>	Ground Beetle
Beetles	Coleoptera		<i>Pterostichus creniculus</i>	Ground Beetle
Beetles	Coleoptera		<i>Pterostichus herculeanus</i>	Ground Beetle
Beetles	Coleoptera		<i>Bembidion platinoides</i>	Ground Beetle
Beetles	Coleoptera		<i>Acupalpus</i>	Ground Beetle
Beetles	Coleoptera		<i>Trechus obtusus</i>	Ground Beetle
Beetles	Coleoptera		<i>Tachys</i>	Ground Beetle
Beetles	Staphylidae	Osoriinae		Rove Beetle
Butterflies/Moths	Lepidoptera	Arctiidae	<i>Tyria jacobaeae</i>	Cinnabar Moth
Caddisflies	Trichoptera	Brachycentrusidae	<i>Brachycentridae</i>	
Caddisflies	Trichoptera		<i>Rhyacophila</i>	Caddisfly
Caddisflies	Trichoptera		<i>Lepidostoma</i>	
Centipede	Myriopoda	Lithobiidae	<i>sp. 1</i>	Centipede
Crustacean	Crustacea	Ligiidae	<i>Ligidium gracile</i>	Isopod
Dragonflies	Odonata	Libellulidae	<i>Libellula forensis</i>	Eight Spotted Skimmer
Flies	Diptera	Chironomidae	<i>Chironomidae</i>	
Flies	Diptera	Simuliidae	<i>Simuliidae</i>	
Flies	Diptera	Tipulidae	<i>Tipula</i>	
Flies	Diptera		<i>Chelifera</i>	
Leafhoppers	Hemiptera			Tree Hopper
Mayflies	Ephemeroptera	Baetidae	<i>Baetis tricaudatus</i>	
Mayflies	Ephemeroptera	Heptageniidae	<i>Cinygmula</i>	
Mayflies	Ephemeroptera		<i>Ephemerellidae</i>	
Mayflies	Ephemeroptera		<i>Ameletus</i>	
Mayflies	Ephemeroptera		<i>Caudatella hystrix</i>	
Mayflies	Ephemeroptera		<i>Epeorus longimanus</i>	

**TABLE 2 - CONFIRMED TERRESTRIAL AND AQUATIC INVERTEBRATES  
FOR THE LOWER WHITE RIVER BMA**

	<b>Order</b>	<b>Family</b>	<b>Genus/Species</b>	<b>Common</b>
Millipedes	Diplopoda	Parajulidae	<i>sp. 1</i>	Millipede
Millipedes	Diplopoda	Parajulidae	<i>sp. 2</i>	Millipede
Mollusks	Gastropoda	Arionidae	<i>Arion ater</i>	European Black Slug
Mollusks	Gastropoda	Pupillidae		Minute snail
Mollusks	Gastropoda	Sminthuridae	<i>sp. 1</i>	Snail
Sawflies	Hymenoptera			Wood Sawfly
Snails & Slugs	Gastropoda	Agriolimacidae	<i>Deroceras reticulatum</i>	Grey Field Slug
Snails & Slugs	Gastropoda	Arionidae	<i>Ariolimax columbianus</i>	Pacific Banana Slug
Snails & Slugs	Gastropoda	Arionidae	<i>Arion intermedius</i>	Hedgehog Arion
Snails & Slugs	Gastropoda	Arionidae	<i>Arion rufus</i>	Chocolate Arion
Snails & Slugs	Gastropoda	Arionidae	<i>Arion subfuscus</i>	
Snails & Slugs	Gastropoda	Arionidae	<i>Prophysaon vanattae</i>	Scarletback Tailchopper
Snails & Slugs	Gastropoda	Bradybaenidae	<i>Monadenia fidelis</i>	Pacific Sideband
Snails & Slugs	Gastropoda	Corychiidae	<i>Carychium occidentale</i>	Western Thorn
Snails & Slugs	Gastropoda	Daubebariidae	<i>Oxychilus alliarius</i>	Garlic Glass-snail
Snails & Slugs	Gastropoda	Euconulidae	<i>Euconulus fulvus</i>	Brown Hive
Snails & Slugs	Gastropoda	Gastrodontidae	<i>Striatura pugentensis</i>	Northwest Striate
Snails & Slugs	Gastropoda	Haplotrematidae	<i>Ancotrema sportella</i>	Beaded Lancetooth
Snails & Slugs	Gastropoda	Haplotrematidae	<i>Haplotrema vancouverense</i>	Robust Lancetooth
Snails & Slugs	Gastropoda	Helicidae	<i>Cepaea nemoralis</i>	Grow Snail
Snails & Slugs	Gastropoda	Helicidae	<i>Cornu aspersum</i>	Grown Garden Snail
Snails & Slugs	Gastropoda	Limacidae	<i>Limax maximus</i>	Giant Garden Slug
Snails & Slugs	Gastropoda	Polygyridae	<i>Allogona townsendiana</i>	Oregon Forest Snail
Snails & Slugs	Gastropoda	Polygyridae	<i>Cryptomastix devia</i>	Puget Oregonian
Snails & Slugs	Gastropoda	Polygyridae	<i>Cryptomastix germana</i>	Pygmy Oregonian
Snails & Slugs	Gastropoda	Polygyridae	<i>Vespericola columbianus</i>	Northwest Hesperian
Snails & Slugs	Gastropoda	Pristilomatidae	<i>Pristiloma stearnsii</i>	Striate Tightcoil
Snails & Slugs	Gastropoda	Vertiginidae	<i>Columella edentula</i>	Toothless Column
Snakeflies	Raphidioptera		<i>sp. 1</i>	Snakefly
Spiders	Araneae	Agelenidae	<i>Agelenopsis sp. 1</i>	Funnel web spiders
Spiders	Araneae	Agelenidae	<i>Calymmaria sp. 1</i>	Funnel web spiders
Spiders	Araneae	Agelenidae	<i>Cicurina pusilla</i>	Funnel web spiders
Spiders	Araneae	Agelenidae	<i>Cicurina sp. 1</i>	Funnel web spiders
Spiders	Araneae	Agelenidae	<i>Cryphoea exlineae</i>	Funnel web spiders
Spiders	Araneae	Agelenidae	<i>Cybaeus sp.</i>	Funnel web spiders
Spiders	Araneae	Amaurobiidae	<i>Callobius pictus</i>	Spider
Spiders	Araneae	Amaurobiidae	<i>Callobius sp. 1</i>	Spider
Spiders	Araneae	Araneidae	<i>Araneus sp. 1</i>	
Spiders	Araneae	Araneidae	<i>Cyclosa conica</i>	
Spiders	Araneae	Clubionidae	<i>Clubiona sp. 1</i>	
Spiders	Araneae	Clubionidae	<i>Phruotimpus borealis</i>	
Spiders	Araneae	Dictynidae	<i>Dictyna sp. 1</i>	Spider
Spiders	Araneae	Gnaphosidae	<i>Zelotes fratris</i>	Ground spiders
Spiders	Araneae	Hahniidae	<i>Hahnina cinerea</i>	Dwarf sheet spider
Spiders	Opiliones	Ischyropsalididae	<i>Hesperonemastoma modestum</i>	Harvestmen
Spiders	Opiliones	Ischyropsalididae	<i>Sabacon occidentalis</i>	Harvestmen

**TABLE 2 - CONFIRMED TERRESTRIAL AND AQUATIC INVERTEBRATES  
FOR THE LOWER WHITE RIVER BMA**

	<b>Order</b>	<b>Family</b>	<b>Genus/Species</b>	<b>Common</b>
Spiders	Araneae	Linyphiidae	<i>Ceratinella sp. 1</i>	Sheeweb weavers
Spiders	Araneae	Linyphiidae	<i>Entelecara acuminata</i>	Sheeweb weavers
Spiders	Araneae	Linyphiidae	<i>Leptyphantus zibus</i>	Sheeweb weavers
Spiders	Araneae	Linyphiidae	<i>Neriere litigiosa</i>	Sheeweb weavers
Spiders	Araneae	Linyphiidae	<i>Wubana pacifica</i>	Sheeweb weavers
Spiders	Araneae	Lycosiadae	<i>Pardosa dosuncata</i>	Wolf spiders
Spiders	Araneae	Lycosiadae	<i>Pardosa vancouveri</i>	Wolf spiders
Spiders	Araneae	Lycosiadae	<i>Tarentula kochii</i>	Wolf spiders
Spiders	Opiliones	Phalangiidae	<i>Leptobunus sp. 1</i>	Harvestmen
Spiders	Opiliones	Phalangiidae	<i>Paraplathybunus triangularis</i>	Harvestmen
Spiders	Araneae	Salticidae	<i>Calticus scenicus</i>	
Spiders	Araneae	Salticidae	<i>Evarcha prozysniskii</i>	
Spiders	Araneae	Salticidae	<i>Neon reticulatus</i>	
Spiders	Araneae	Salticidae	<i>Phania albeolus</i>	Jumping spiders
Spiders	Araneae	Tetragnathidae	<i>Metellina curtisi</i>	
Spiders	Araneae	Tetragnathidae	<i>Tetragnatha laboriosa</i>	
Spiders	Araneae	Theridiidae	<i>Enoplognatha ovata</i>	
Spiders	Araneae	Theridiidae	<i>Theridion bimaculatum</i>	
Spiders	Araneae	Theridiidae	<i>Theridion sexpunctatum</i>	
Spiders	Araneae	Theridiidae	<i>Theridion simile</i>	
Spiders	Araneae	Theridiidae	<i>Theridion tinctum</i>	
Spiders	Araneae	Theridiidae	<i>Theridion varians</i>	
Spiders	Araneae	Thomisidae	<i>Misumena vatia</i>	Crab spiders
Spiders	Araneae	Thomisidae	<i>Ozyptila pacifica</i>	Crab spiders
Spiders	Araneae	Thomisidae	<i>Philodromus dispar</i>	Crab spiders
Spiders	Araneae	Thomisidae	<i>Philodromus josemitensis</i>	Crab spiders
Spiders	Araneae	Thomisidae	<i>Xysticus pretiosus</i>	Crab spiders
Stoneflies	Plecoptera	Chloroperlidae	<i>Sweltsa</i>	
True bugs	Hemiptera			True bug
True bugs	Heteroptera	Miridae		Plant bug
Worms	Oligochaeta		<i>sp. 1</i>	
Worms	Oligochaeta			Earth worms

### Confirmed Plant Species

During the bioblitz event of June 2006 plant specialists collected a variety of native and introduced plant species within the Lower White River BMA. A complete listing of native plants is detailed in Table 3. Table 4 provides a list of introduced plant species.

**TABLE 3 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY**

Common name	Scientific name	Plant family
Big-leaf maple	<i>Acer macrophyllum</i>	Aceraceae
Vine maple	<i>Acer circinatum</i>	Aceraceae
American waterplantain	<i>Alisma plantago-aquatica</i>	Alismataceae
Cow parsnip	<i>Heracleum lanatum</i>	Apiaceae
Sweet cicely	<i>Osmorhiza chilensis</i>	Apiaceae
Water parsley	<i>Oenanthe sarmentosa</i>	Apiaceae
Western sweet-cicely	<i>Osmorhiza occidentalis</i>	Apiaceae
Devil's club	<i>Oplopanax horridum</i>	Araliaceae
Wild ginger	<i>Asarum caudatum</i>	Aristolochiaceae
Coltsfoot	<i>Petasites frigidus</i>	Asteraceae
Composite sp.	<i>Composite sp.</i>	Asteraceae
Douglas' sagewort	<i>Artemisia douglasiana</i>	Asteraceae
Hawksbeard sp.	<i>Crepis sp.</i>	Asteraceae
Pearly everlasting	<i>Anaphalis margaritacea</i>	Asteraceae
Suksdorf's sagewort	<i>Artemisia suksdorfii</i>	Asteraceae
White-flowered hawkweed	<i>Hieracium albiflorum</i>	Asteraceae
Yarrow	<i>Achillea millifolium</i>	Asteraceae
Cascade Oregongrape	<i>Berberis nervosa</i>	Berberidaceae
Tall Oregongrape	<i>Berberis aquifolium</i>	Berberidaceae
Vanilla leaf	<i>Achlys triphylla</i>	Berberidaceae
Hazelnut	<i>Corylus cornuta</i>	Betulaceae
Red alder	<i>Alnus rubra</i>	Betulaceae
Forget-me-not	<i>Myosotis sylvatica</i>	Boraginaceae
Small-flowered forget-me-not	<i>Myosotis laxa</i>	Boraginaceae
American wintercress	<i>Barbarea orthoceras</i>	Brassicaceae
Bittercress	<i>Cardamine sp.</i>	Brassicaceae
Field pepperweed	<i>Lepidium campestre</i>	Brassicaceae
Little Western bittercress	<i>Cardamine hirsuta</i>	Brassicaceae
Spring beauty	<i>Cardamine pulcherrima</i>	Brassicaceae
Spring whitlow-grass	<i>Draba verna</i>	Brassicaceae
Butterflybush	<i>Buddleja davidsonii</i>	Buddlejaceae
Different-leaved water-starwort	<i>Callitriche heterophylla</i>	Callitrichaceae
Pond water-starwort	<i>Callitriche stagnalis</i>	Callitrichaceae
Common snowberry	<i>Symphoricarpos albus</i>	Caprifoliaceae
Creeping snowberry	<i>Symphoricarpos mollis</i>	Caprifoliaceae
Orange honeysuckle	<i>Lonicera ciliosa</i>	Caprifoliaceae
Red elderberry	<i>Sambucus racemosa</i>	Caprifoliaceae
Twinberry	<i>Lonicera involucrata</i>	Caprifoliaceae
Twinflower	<i>Linnaea borealis</i>	Caprifoliaceae
Crisped starwort	<i>Stellaria crispa</i>	Caryophyllaceae
Munchkin chickweed	<i>Moenchia erecta (Kozloff)</i>	Caryophyllaceae
Northern starwort	<i>Stellaria calycantha</i>	Caryophyllaceae
Pacific dogwood	<i>Cornus nuttallii</i>	Cornaceae
Red-osier dogwood	<i>Cornus stolonifera</i>	Cornaceae
Pacific stonecrop	<i>Sedum divergens</i>	Crassulaceae
Spearleaf stonecrop	<i>Sedum lanceolatum</i>	Crassulaceae
Western red cedar	<i>Thuja plicata</i>	Cupressaceae
Dewey's sedge	<i>Carex deweyana</i>	Cyperaceae
Henderson's sedge	<i>Carex hendersonii</i>	Cyperaceae

**TABLE 3 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY**

Common name	Scientific name	Plant family
Sawbeak sedge	<i>Carex stipata</i>	Cyperaceae
Sedge	<i>Carex sp.</i>	Cyperaceae
Slough sedge	<i>Carex obnupta</i>	Cyperaceae
Small-flowered bulrush	<i>Scirpus microcarpus</i>	Cyperaceae
Woolgrass	<i>Scirpus cyperinus</i>	Cyperaceae
Common horsetail	<i>Equisetum arvense</i>	Equisetaceae
Giant horsetail	<i>Equisetum telmateia</i>	Equisetaceae
Scouring rush	<i>Equisetum hyemale</i>	Equisetaceae
Water horsetail	<i>Equisetum fluviatile</i>	Equisetaceae
Bearberry	<i>Arctostaphylos uva-ursi</i>	Ericaceae
Pacific madrone	<i>Arbutus menziesii</i>	Ericaceae
Pink wintergreen	<i>Pyrola asarifolia</i>	Ericaceae
Red huckleberry	<i>Vaccinium parvifolium</i>	Ericaceae
Salal	<i>Gaultheria shallon</i>	Ericaceae
Single-flowered indian pipe	<i>Monotropa uniflora</i>	Ericaceae
American vetch	<i>Vicia americana</i>	Fabaceae
Clover	<i>Trifolium sp.</i>	Fabaceae
Miniature lotus	<i>Lotus micranthus</i>	Fabaceae
Tiny vetch	<i>Vicia tetrasperma</i>	Fabaceae
Two-color lupine	<i>Lupinus bicolor</i>	Fabaceae
Vetch sp.	<i>Vicia sp.</i>	Fabaceae
Black oak	<i>Quercus sp.</i>	Fagaceae
Bleeding heart	<i>Dicentra formosa</i>	Fumariaceae
Western corydalis	<i>Corydalis scouleri</i>	Fumariaceae
Coast black gooseberry	<i>Ribes divaricatum</i>	Grossulariaceae
Gummy gooseberry	<i>Ribes lobbii</i>	Grossulariaceae
Prickly currant	<i>Ribes lacustre</i>	Grossulariaceae
Red-flowered currant	<i>Ribes sanguinum</i>	Grossulariaceae
Mock-orange	<i>Philadelphus lewisii</i>	Hydrangeaceae
Pacific waterleaf	<i>Hydrophyllum tenuipes</i>	Hydrophyllaceae
Small-flowered nemophila	<i>Nemophila parviflora</i>	Hydrophyllaceae
Daggerleaf rush	<i>Juncus ensifolius</i>	Juncaceae
Field woodrush	<i>Luzula campestris</i>	Juncaceae
Rush sp.	<i>Juncus sp.</i>	Juncaceae
Slender rush	<i>Juncus tenuis</i>	Juncaceae
Small-flowered woodrush	<i>Luzula parviflora</i>	Juncaceae
Soft rush	<i>Juncus effusus</i>	Juncaceae
Cooley's hedge-nettle	<i>Stachys cooleyae</i>	Lamiaceae
Hedge nettle	<i>Stachys sp.</i>	Lamiaceae
Self-heal	<i>Prunella vulgaris</i>	Lamiaceae
Great duckweed	<i>Spirodela polyrhiza</i>	Lemnaceae
Water lentil	<i>Lemna minor</i>	Lemnaceae
Clasping-leaved twisted-stalk	<i>Streptopus amplexifolius</i>	Liliaceae
False lily-of-the-valley	<i>Maianthemum dilatatum</i>	Liliaceae
False Solomon's seal	<i>Smilacina racemosa</i>	Liliaceae
Hooker fairy-bell	<i>Disporum hookeri</i>	Liliaceae
Star-flowered Solomon's seal	<i>Smilacina stellata</i>	Liliaceae

**TABLE 3 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY**

<b>Common name</b>	<b>Scientific name</b>	<b>Plant family</b>
White trillium	<i>Trillium ovatum</i>	Liliaceae
Oregon ash	<i>Fraxinus latifolia</i>	Oleaceae
Privet sp.	<i>Liquistrium sp.</i>	Oleaceae
Enchanter's nightshade	<i>Circaea alpina</i>	Onagraceae
Evening primrose	<i>Oenothera biennis</i>	Onagraceae
Fireweed	<i>Epilobium angustifolium</i>	Onagraceae
Rattlesnake-plantain	<i>Goodyera oblongifolia</i>	Orchidaceae
Oregon oxalis	<i>Oxalis oregana</i>	Oxalidaceae
California poppy	<i>Eschscholzia californica</i>	Papaveraceae
2 needle pine	<i>Pinus sp.</i>	Pinaceae
Douglas fir	<i>Pseudotsuga menziesii</i>	Pinaceae
Grand fir	<i>Abies grandis</i>	Pinaceae
Lodgepole pine	<i>Pinus contorta</i>	Pinaceae
Sitka spruce	<i>Picea sitchensis</i>	Pinaceae
Western hemlock	<i>Tsuga heterophylla</i>	Pinaceae
Annual bluegrass	<i>Poa annua</i>	Poaceae
Blue wild rye	<i>Elymus glaucus</i>	Poaceae
Brome sp.	<i>Bromus sp.</i>	Poaceae
Common brome	<i>Bromus vulgaris</i>	Poaceae
Hairy brome	<i>Bromus commutatus</i>	Poaceae
Mannagrass	<i>Glyceria sp.</i>	Poaceae
Nodding trisetum	<i>Trisetum cernuum</i>	Poaceae
Northern mannagass	<i>Glyceria borealis</i>	Poaceae
Pacific brome	<i>Bromus pacificus</i>	Poaceae
Roughstalk bluegrass	<i>Poa trivialis</i>	Poaceae
Water foxtail	<i>Alopecurus geniculatus</i>	Poaceae
Western fescue	<i>Festuca occidentalis</i>	Poaceae
Bracken	<i>Pteridium aquilinum</i>	Polypodiaceae
Deer fern	<i>Blechnum spicant</i>	Polypodiaceae
Lady fern	<i>Athyrium filix-femina</i>	Polypodiaceae
Licorice fern	<i>Polypodium glycyrrhiza</i>	Polypodiaceae
Maidenhair fern	<i>Adiantum pedatum</i>	Polypodiaceae
Oak fern	<i>Gymnocarpium dryopteris</i>	Polypodiaceae
Spreading wood-fern	<i>Dryopteris austriaca</i>	Polypodiaceae
Sword fern	<i>Polystichum munitum</i>	Polypodiaceae
Candyflower	<i>Montia siberica</i>	Portulacaceae
Miner's lettuce	<i>Montia perfoliata</i>	Portulacaceae
Water chickweed	<i>Montia fontana</i>	Portulacaceae
	<i>Montia parvigez (Kozloff)</i>	Portulacaceae
Broadleaved starflower	<i>Trientalis latifolia</i>	Primulaceae
Baneberry	<i>Actaea rubra</i>	Ranunculaceae
Little buttercup	<i>Ranunculus uncinatus</i>	Ranunculaceae
Cascara	<i>Rhamnus purshiana</i>	Rhamnaceae
Baldhip rose	<i>Rosa gymnocarpa</i>	Rosaceae
Black hawthorn	<i>Crataegus douglasii</i>	Rosaceae

**TABLE 3 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY**

Common name	Scientific name	Plant family
Blackcap	<i>Rubus leucodermis</i>	Rosaceae
Cherry	<i>Prunus sp.</i>	Rosaceae
Coastal strawberry	<i>Fragaria chiloensis</i>	Rosaceae
Field strawberry	<i>Fragaria virginiana</i>	Rosaceae
Goatsbeard	<i>Aruncus sylvestris</i>	Rosaceae
Hardhack	<i>Spiraea douglasii</i>	Rosaceae
Indian plum	<i>Oemlaria cerasiformis</i>	Rosaceae
Large-leaved avens	<i>Geum macrophyllum</i>	Rosaceae
Nootka rose	<i>Rosa nutkana</i>	Rosaceae
Ocean spray	<i>Holodiscus discolor</i>	Rosaceae
Ornamental rose	<i>Rosa sp.</i>	Rosaceae
Pacific crabapple	<i>Malus fusca</i>	Rosaceae
Pacific ninebark	<i>Physocarpus capitatus</i>	Rosaceae
Pacific silverweed	<i>Potentilla pacifica</i>	Rosaceae
Pear	<i>Pyrus communis</i>	Rosaceae
Salmonberry	<i>Rubus spectabilis</i>	Rosaceae
Serviceberry	<i>Amelanchier alnifolia</i>	Rosaceae
Sour cherry	<i>Prunus cerasus</i>	Rosaceae
Thimbleberry	<i>Rubus parviflorus</i>	Rosaceae
Western lady's mantle	<i>Alchemilla occidentalis</i>	Rosaceae
Western lady's mantle	<i>Aphanes arvensis</i>	Rosaceae
Wild blackberry	<i>Rubus ursinus</i>	Rosaceae
Wild strawberry	<i>Fragaria vesca</i>	Rosaceae
Cleavers	<i>Galium aparine</i>	Rubiaceae
Fragrant bedstraw	<i>Galium triflorum</i>	Rubiaceae
Black cottonwood	<i>Populus trichocarpa</i>	Salicaceae
Hooker's willow	<i>Salix hookeriana</i>	Salicaceae
Pacific willow	<i>Salix lasiandra</i>	Salicaceae
Quaking aspen	<i>Populus tremuloides</i>	Salicaceae
Scouler willow	<i>Salix scouleriana</i>	Salicaceae
Sitka willow	<i>Salix sitchensis</i>	Salicaceae
Willow	<i>Salix sp.</i>	Salicaceae
Fringecup	<i>Tellima grandiflora</i>	Saxifragaceae
Leafy miterwort	<i>Mitella caulescens</i>	Saxifragaceae
Youth-on-age	<i>Tolmiea menziesii</i>	Saxifragaceae
American brooklime	<i>Veronica americana</i>	Scrophulariaceae
Purslane speedwell	<i>Veronica peregrina</i>	Scrophulariaceae
Thyme-leaf speedwell	<i>Veronica serpyllifolia</i>	Scrophulariaceae
Water speedwell	<i>Veronica anagallis-aquatica</i>	Scrophulariaceae
Black nightshade	<i>Solanum nigrum</i>	Solanaceae
Common cattail	<i>Typha latifolia</i>	Typhaceae
Stinging nettle	<i>Urtica dioica</i>	Urticaceae
Stream violet	<i>Viola glabella</i>	Violaceae

**TABLE 4 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY  
(\* NON-NATIVE/INTRODUCED PLANTS)**

<b>Common name</b>	<b>Scientific name</b>	<b>Plant family</b>
Sugar maple	<i>Acer saccharum*</i>	Aceraceae
Daffodil	<i>Narcissus pseudonarcissus*</i>	Amaryllidaceae
Chervil	<i>Anthriscus scandicina*</i>	Apiaceae
Poison hemlock	<i>Conium maculatum*</i>	Apiaceae
English holly	<i>Ilex aquifolium*</i>	Aquifoliaceae
English ivy	<i>Hedera helix*</i>	Araliaceae
Bull thistle	<i>Cirsium vulgare*</i>	Asteraceae
Canada thistle	<i>Cirsium arvense*</i>	Asteraceae
Common burdock	<i>Arctium minus*</i>	Asteraceae
Common groundsel	<i>Senecio vulgaris*</i>	Asteraceae
Common tansy	<i>Tanacetum vulgare*</i>	Asteraceae
Dandelion	<i>Taraxacum officinale*</i>	Asteraceae
European daisy	<i>Bellis perennis*</i>	Asteraceae
Field sowthistle	<i>Sonchus arvensis*</i>	Asteraceae
Hairy cat's-ear	<i>Hypochaeris radicata*</i>	Asteraceae
Nipplewort	<i>Lapsana communis*</i>	Asteraceae
Ox-eye daisy	<i>Chrysanthemum leucanthemum*</i>	Asteraceae
Spotted knapweed	<i>Centaurea maculosa*</i>	Asteraceae
Tansy ragwort	<i>Senecio jacobaea*</i>	Asteraceae
Wall lettuce	<i>Lactuca muralis*</i>	Asteraceae
Common forget-me-not	<i>Myosotis scorpioides*</i>	Boraginaceae
Yellow & blue forget-me-not	<i>Myosotis discolor*</i>	Boraginaceae
Common mustard	<i>Brassica campestris*</i>	Brassicaceae
Hedge mustard	<i>Sisymbrium officinale*</i>	Brassicaceae
Pepper weed	<i>Lepidium campestre*</i>	Brassicaceae
Shepherd's purse	<i>Capsella bursa-pastoris*</i>	Brassicaceae
Teesdalia	<i>Teesdalia nudicaulis*</i>	Brassicaceae
Thale cress	<i>Arabidopsis thaliana*</i>	Brassicaceae
Common chickweed	<i>Stellaria media*</i>	Caryophyllaceae
Mouse-ear chickweed	<i>Cerastium vulgatum*</i>	Caryophyllaceae
Sticky chickweed	<i>Cerastium viscosum*</i>	Caryophyllaceae
Field morning-glory	<i>Convolvulus arvensis*</i>	Convolvulaceae
Teasel	<i>Dipsacus sylvestris*</i>	Dipsacaceae
Birdsfoot trefoil	<i>Lotus corniculatus*</i>	Fabaceae
Black medic	<i>Medicago lupulina*</i>	Fabaceae
Common vetch	<i>Vicia sativa*</i>	Fabaceae
Cow vetch	<i>Vicia cracca*</i>	Fabaceae
Everlasting peavine	<i>Lathyrus latifolius*</i>	Fabaceae
Least hop clover	<i>Trifolium dubium*</i>	Fabaceae
Red clover	<i>Trifolium pratense*</i>	Fabaceae
Scot's broom	<i>Cytisus scoparius*</i>	Fabaceae
Tiny vetch	<i>Vicia hirsuta*</i>	Fabaceae
White clover	<i>Trifolium repens*</i>	Fabaceae
White sweet-clover	<i>Mellilotus alba*</i>	Fabaceae
Cut-leaf geranium	<i>Geranium dissectum*</i>	Geraniaceae
Dovefoot geranium	<i>Geranium molle*</i>	Geraniaceae
Filaree	<i>Erodium cicutarium*</i>	Geraniaceae
Stinky Bob	<i>Geranium robertianum*</i>	Geraniaceae

**TABLE 4 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY  
(\* NON-NATIVE/INTRODUCED PLANTS)**

<b>Common name</b>	<b>Scientific name</b>	<b>Plant family</b>
Horse chestnut	<i>Aesculus hippocastaneum*</i>	Hippocastanaceae
Klamath weed	<i>Hypericum perforatum*</i>	Hypericaceae
Toad rush	<i>Juncus bufonius*</i>	Juncaceae
Creeping Charlie	<i>Glechoma hederacea*</i>	Lamiaceae
Red dead-nettle	<i>Lamium purpureum*</i>	Lamiaceae
Grape hyacinth	<i>Muscari botryoides*</i>	Liliaceae
Spanish squill	<i>Hyacinthoides hispanica*</i>	Liliaceae
Hops	<i>Humulus lupulus*</i>	Moraceae
Watson's willow-herb	<i>Epilobium cilatum*</i>	Onagraceae
Watson's willow-herb	<i>Epilobium cilatum watsonii*</i>	Onagraceae
Common plantain	<i>Plantago major*</i>	Plantaginaceae
English plantain	<i>Plantago lanceolata*</i>	Plantaginaceae
Barren fescue	<i>Festuca bromoides*</i>	Poaceae
Bulbous bluegrass	<i>Poa bulbosa*</i>	Poaceae
Common velvet grass	<i>Holcus lanatus*</i>	Poaceae
Early hairgrass	<i>Aira praecox*</i>	Poaceae
English ryegrass	<i>Lolium perenne*</i>	Poaceae
Fowl bluegrass (meadow grass)	<i>Poa palustris*</i>	Poaceae
Italian ryegrass	<i>Lolium multiflorum*</i>	Poaceae
Kentucky bluegrass	<i>Poa pratensis*</i>	Poaceae
Orchard grass	<i>Dactylis glomerata*</i>	Poaceae
Quack grass	<i>Agropyron repens*</i>	Poaceae
Rat-tail fescue	<i>Festuca myuros*</i>	Poaceae
Reed canarygrass	<i>Phalaris arundinacea*</i>	Poaceae
Silver hairgrass	<i>Aira caryophyllea*</i>	Poaceae
Soft brome	<i>Bromus mollis*</i>	Poaceae
Sweet vernalgrass	<i>Anthoxanthum odoratum*</i>	Poaceae
Tall fescue	<i>Festuca arundinacea*</i>	Poaceae
Bohemian knotweed	<i>Polygonum 1. bohemicum*</i>	Polygonaceae
Broad-leaved dock	<i>Rumex obtusifolius*</i>	Polygonaceae
Japanese knotweed	<i>Polygonum cuspidatum*</i>	Polygonaceae
Sheep sorrel	<i>Rumex acetocella*</i>	Polygonaceae
Sour dock	<i>Rumex crispus*</i>	Polygonaceae
Creeping buttercup	<i>Ranunculus repens*</i>	Ranunculaceae
Meadow buttercup	<i>Ranunculus acris*</i>	Ranunculaceae
English hawthorn	<i>Crataegus monogyna*</i>	Rosaceae
European mountain-ash	<i>Sorbus aucuparia*</i>	Rosaceae
Evergreen blackberry	<i>Rubus laciniatus*</i>	Rosaceae
Himalayan blackberry	<i>Rubus discolor*</i>	Rosaceae
Japanese rambler rose	<i>Rosa multiflora*</i>	Rosaceae
Ornamental/cultivated Apple	<i>Pyrus malus*</i>	Rosaceae
Sweet cherry	<i>Prunus avium*</i>	Rosaceae
White poplar	<i>Populus alba*</i>	Salicaceae
Common mullein	<i>Verbascum thapsus*</i>	Scrophulariaceae
Common speedwell	<i>Veronica officinalis*</i>	Scrophulariaceae

TABLE 4 - 2006, 2007 LOWER WHITE RIVER BIOBLITZ PLANT INVENTORY (* NON-NATIVE/INTRODUCED PLANTS)		
Common name	Scientific name	Plant family
Field veronica	<i>Veronica arvensis</i> *	Scrophulariaceae
Foxglove	<i>Digitalis purpurea</i> *	Scrophulariaceae
Ivy-leaved speedwell	<i>Veronica hederifolia</i> *	Scrophulariaceae
Moth mullein	<i>Verbascum blattaria</i> *	Scrophulariaceae
Bittersweet nightshade	<i>Solanum dulcamara</i> *	Solanaceae

## Demographics, Land Use (e.g. how the land is being utilized) and Growth Potential

It has been recognized that land use and human activities are the primary driver of habitat loss, introduction of exotic species, environmental degradation, and increased runoff and pollutants. These effects are exacerbated in urbanizing landscapes such as Pierce and King Counties where changes are both rapid and permanent. As such, a discussion of the current land use trends within the Lower White River BMA is essential to understanding impacts to the feasibility of retaining biodiversity within this area.

### Existing Land Use and Population - Pierce

Currently there are 94 individual properties (tax parcels) located within the Lower White River BMA and according to year 2000 census data approximately 302 people live within the BMA. Land use on the Pierce County side of this BMA is predominately for utilities (Puget Sound Energy - 23%). The rest of the breakdown is parks/open space (9%), industrial (5%), low density single-family residential (3%), natural resources (3%) and commercial (.4%). Approximately 30% of the BMA is vacant land (i.e., no building on the parcel), 18% water bodies, and 8% classified as unknown. The remaining 48% are lands within King County. (See Figure 9 for Existing Land Use Map)

### Existing Land Use and Population - King

The properties along the White River in unincorporated King County in and adjacent to the BMA are nearly all owned by Puget Sound Energy and all in riparian/floodplain forest (Table 5). Land use on the King County side of this BMA is predominately low density single-family residential (6%) and parks (5%) with a small amount of industrial (3%). Approximately ½ of the BMA (52%) is vacant land. See Figure 10 for Existing Land Use Map.

**Table 5. Land Ownership in the Lower White River BMA within King County's jurisdiction.**

Land Owner	Acres within BMA
King County	5.4
State of Washington-DNR	2.1
Puget Sound Energy	60.1
Other Private Ownership	15.3
Total	82.9

Table 6 provides a breakdown of existing land use on these parcels by categories such as residential, commercial, industrial, civic, and vacant lands. Note that the figures for King County are for geographic King County, meaning that they are not all in King County government's jurisdiction.

<b>TABLE 6 – EXISTING LAND USES IN THE LOWER WHITE RIVER BMA</b>					
<b>Land Use</b>	<b>Acreage</b>		<b>Total Parcels</b>		<b>% of the BMA</b>
	<b>(Pierce)</b>	<b>(King)</b>			
Single-Family	19.76	30.18	10	103	3.13%
Mobile Homes	6.70	17.04	6	23	1.49%
<b>Total Residential</b>	<b>26.46</b>	<b>47.22</b>	<b>16</b>	<b>126</b>	<b>4.62%</b>
<b>Commercial</b>	<b>3.20</b>	<b>-</b>	<b>5</b>	<b>-</b>	<b>0.20%</b>
<b>Industrial</b>	<b>41.05</b>	<b>26.03</b>	<b>14</b>	<b>1</b>	<b>4.21%</b>
<b>Communication/Utility</b>	<b>194.40</b>	<b>60.1</b>	<b>15</b>	<b>2</b>	<b>15.97%</b>
<b>Education (includes schools)</b>	<b>-</b>	<b>7.91</b>	<b>-</b>	<b>1</b>	<b>0.50%</b>
<b>Public &amp; Quasi-Public Facility (churches)</b>	<b>-</b>	<b>7.73</b>	<b>-</b>	<b>1</b>	<b>0.49%</b>
<b>Parks, Open Space, Recreation</b>	<b>74.26</b>	<b>34.43</b>	<b>9</b>	<b>3</b>	<b>6.82%</b>
<b>Natural Resource</b>					
Mining/Quarry/Ore	-	2.84	-	3	0.18%
Forestry	24.91	-	5	-	1.56%
Agriculture	-	0.05	-	1	
<b>Total Natural Resource</b>	<b>24.91</b>	<b>2.89</b>	<b>5</b>	<b>4</b>	<b>1.74%</b>
<b>Vacant</b>	<b>252.22</b>		<b>30</b>		<b>41.05%</b>
Vacant Single Family		328.75		68	20.63%
Vacant Multi-Family		3.92		4	0.25%
Vacant Commercial		69.10		4	4.34%
Vacant Industrial		0.01		1	
<b>River/Creek/Stream*</b>	<b>155.07</b>	<b>.97</b>	<b>12</b>	<b>1</b>	<b>9.79%</b>
<b>Unknown/Other jurisdictions</b>	<b>69.39</b>	<b>170.92</b>	<b>-</b>	<b>-</b>	<b>15.09%</b>
<b>TOTAL LOWER WHITE RIVER AREA</b>	<b>1,593.27</b>				<b>100%</b>

\* Rivers are considered waters of the state and are not put into parcels. The acreage of Water is higher, but these numbers represent the amount of area in the BMA based within legal parcels.

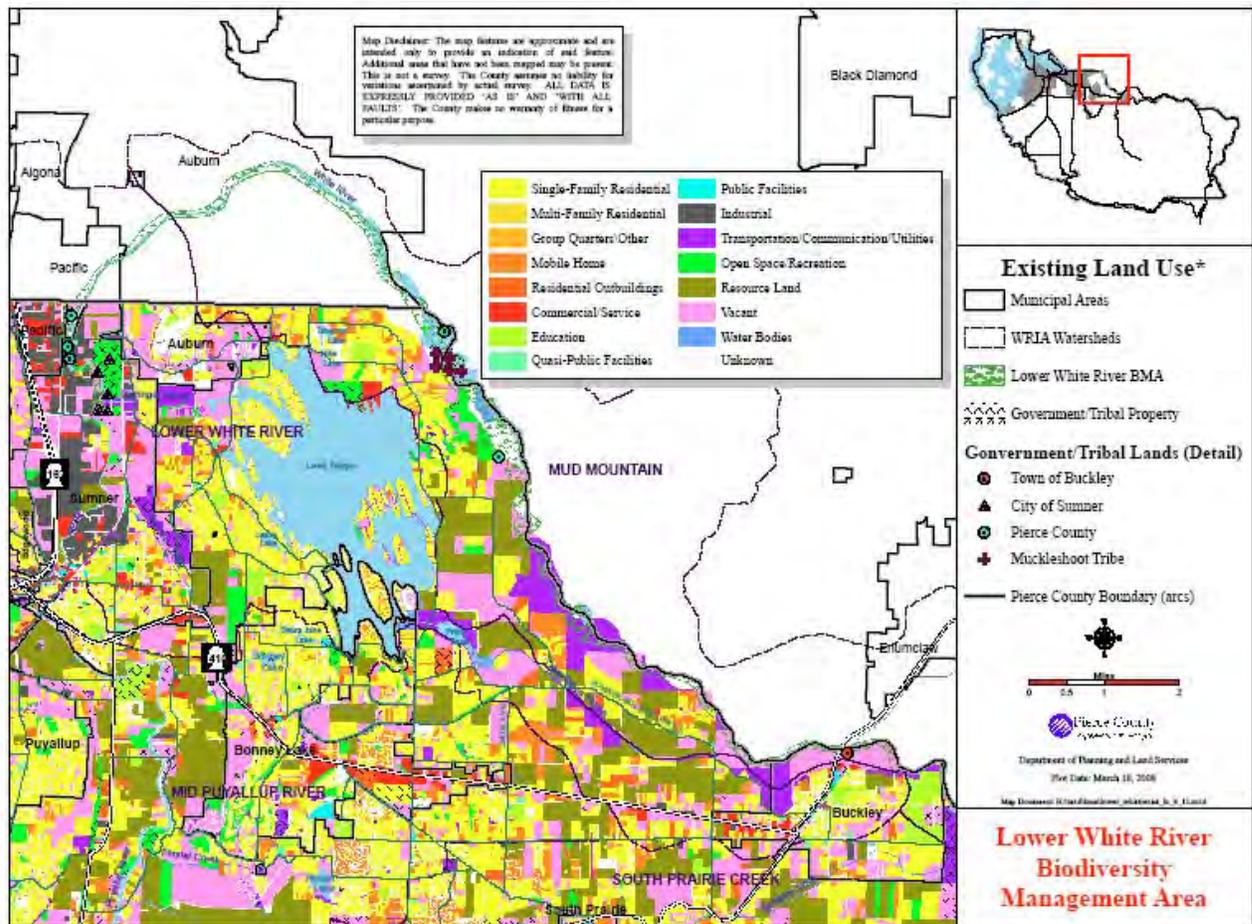


Figure 9 – Existing Land Use Pierce County

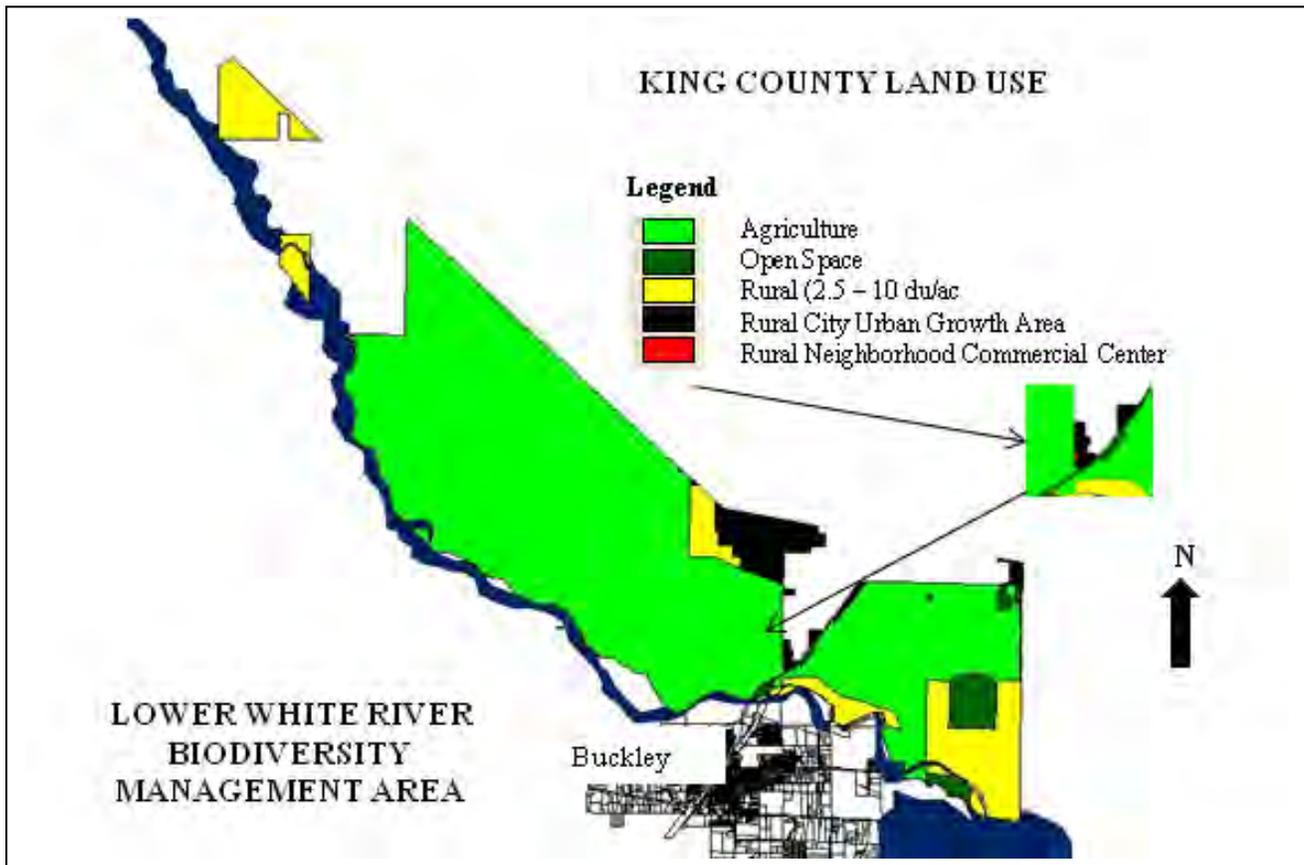


Figure 10 Existing Land Use – King County

There are fifteen properties located within or partially within the BMA that are publicly owned by local, state, and tribal governments. The Muckleshoot Tribe owns five properties containing 66 acres. Pierce County owns approximately 40 acres of land on five parcels of land. The City of Pacific owns 26 acres within their City Park. Buckley owns one property, 0.17 acres in size. The City of Sumner owns six parcels for a total of 9 acres. Table 7 provides a breakdown of publicly owned lands within the Lower White River BMA in Pierce County.

There are twenty-three properties located within or partially within the BMA within geographic King County that are publicly owned (Table 8). Of these, only 3 properties owned by King County totaling approximately 16 acres are within King County’s jurisdiction.

Current Zoning and Shoreline Environments

*Zoning*

On the Pierce County side, very small portions of the Lower White River BMA are located within Pacific (14 acres), Sumner (78 acres), and Buckley (69 acres) and the remaining area is located in unincorporated Pierce County. Within unincorporated Pierce County, the BMA is predominately zoned Rural 10 (R10) and Employment Centers (EC). A small portion of a parcel is zoned Agricultural Resource Land (ARL). (See Figure 11 – Zoning Map) The Rural 10 zone allows for densities of 1 dwelling unit (du) per 10 acres with a bonus density of 2 du/10 acres when 50% of the property is set aside as permanent open space.

Lot sizes within the R10 zone must be a minimum of 1 acre in size. Employment Centers allow a wide variety of industrial uses with some limited commercial uses. The ARL is a resource lands zone that allows densities of 1 du/10 acres with minimum lot sizes of 10 acres. Table 9 provides a breakdown of the zones that apply within the BMA.

Lands in the BMA, as it is currently drawn, in *unincorporated* King County (and outside the Muckleshoot Indian Reservation) are within either the Agriculture Production District (APD) or are in RA-10 zoning (Table 10). The zoning in the APD is A-35: Agricultural, one dwelling unit per 35 acres. The zoning in RA-10 has a 10-acre minimum parcel size, except for smaller parcels that were already established when zoning was established.

<b>TABLE 7 – LOWER WHITE RIVER BMA PUBLIC LANDS (PIERCE &amp; KING COUNTY)</b>				
<b>Parcel Number</b>	<b>Total Area</b>		<b>Area Within BMA Only</b>	
	<b># Parcels</b>	<b>Acres</b>	<b># Parcels</b>	<b>Acres</b>
<b><i>Pierce County</i></b>				
0520022011	1	12.40	1	12.29
0520123001	1	9.70	1	0.11
0420012003	1	25.98	1	25.29
0420013047	1	8.16	1	2.37
4495400422	1	2.52	1	0.42
<b>Total Pierce County</b>	<b>5</b>	<b>58.76</b>	<b>5</b>	<b>40.48</b>
<b><i>City of Buckley</i></b>				
0620344004	1	0.83	1	0.17
<b>Total City of Buckley</b>	<b>1</b>	<b>0.83</b>	<b>1</b>	<b>0.17</b>
<b><i>City of Sumner</i></b>				
0420121012	1	1.01	1	0.61
0420014059	1	10.89	1	7.24
0420014058	1	104.86	1	0.05
0420121003	1	5.25	1	0.29
0420121011	1	4.74	1	0.96
0420121010	1	9.84	1	0.06
<b>Total City of Sumner</b>	<b>6</b>	<b>136.59</b>	<b>6</b>	<b>9.21</b>
<b><i>Muckleshoot Tribe</i></b>				
0520023008	1	39.32	1	36.94
0520023012	1	3.20	1	0.13
0520023010	1	10.37	1	10.01
0520023002	1	16.16	1	6.80
0520024000	1	19.17	1	12.41
<b>Total Muckleshoot Tribe</b>	<b>5</b>	<b>88.22</b>	<b>5</b>	<b>66.29</b>
<b><i>City of Pacific (King)</i></b>				
3621049077	1	26.40	1	26.40
<b>Total City of Pacific</b>	<b>1</b>	<b>26.40</b>	<b>1</b>	<b>26.40</b>
<b>TOTAL</b>	<b>18</b>	<b>310.80</b>	<b>18</b>	<b>142.55</b>

**Table 8. Lower White River BMA Public Lands within Geographic King County.**

<b>Public Agency</b>	<b>Acres within BMA</b>
King County	251.3
City of Auburn	210.1
City of Pacific	2.2
United States-BIA	36.9
<b>Grand Total</b>	<b>500.6</b>

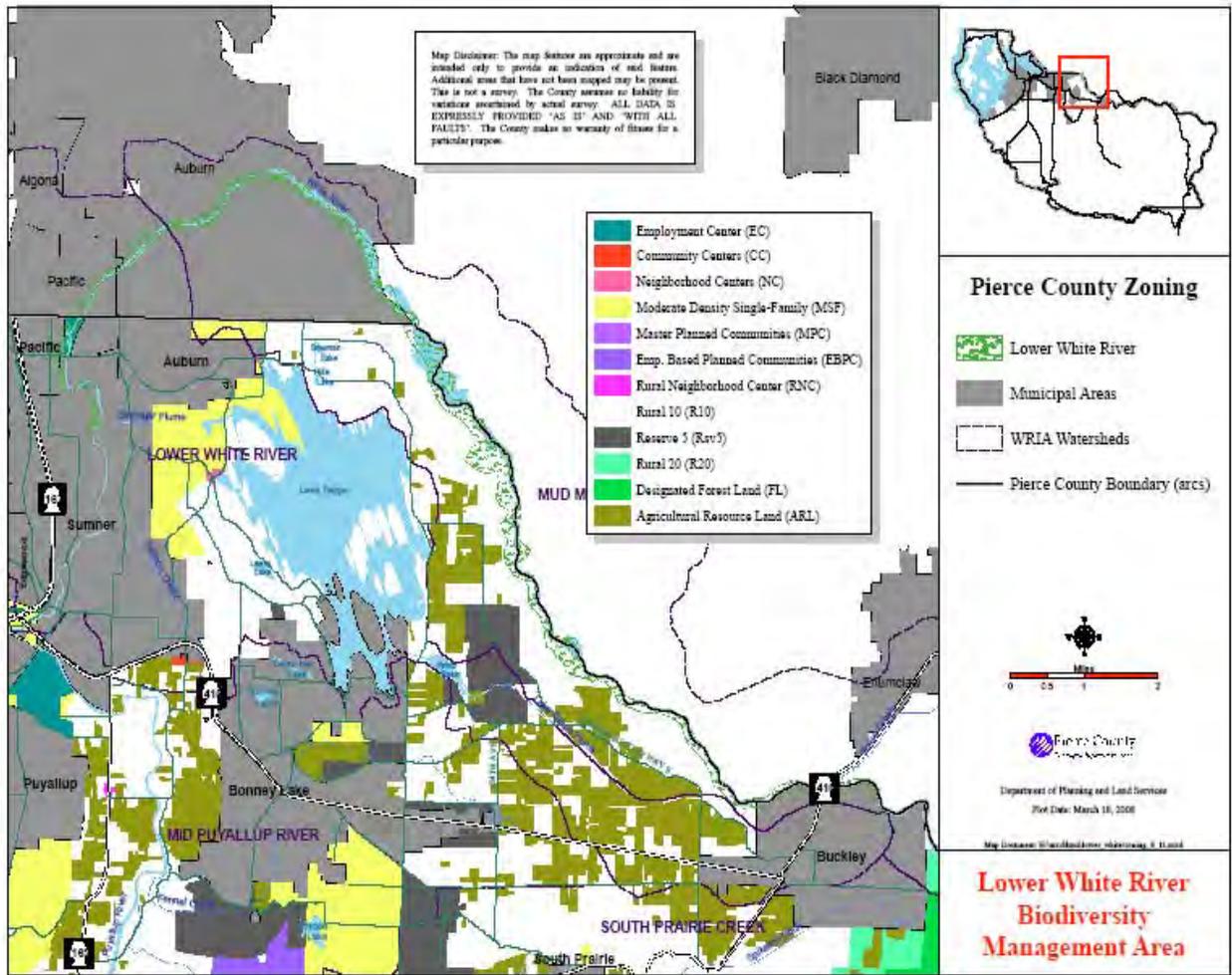


Figure 11. Pierce County Zoning Map

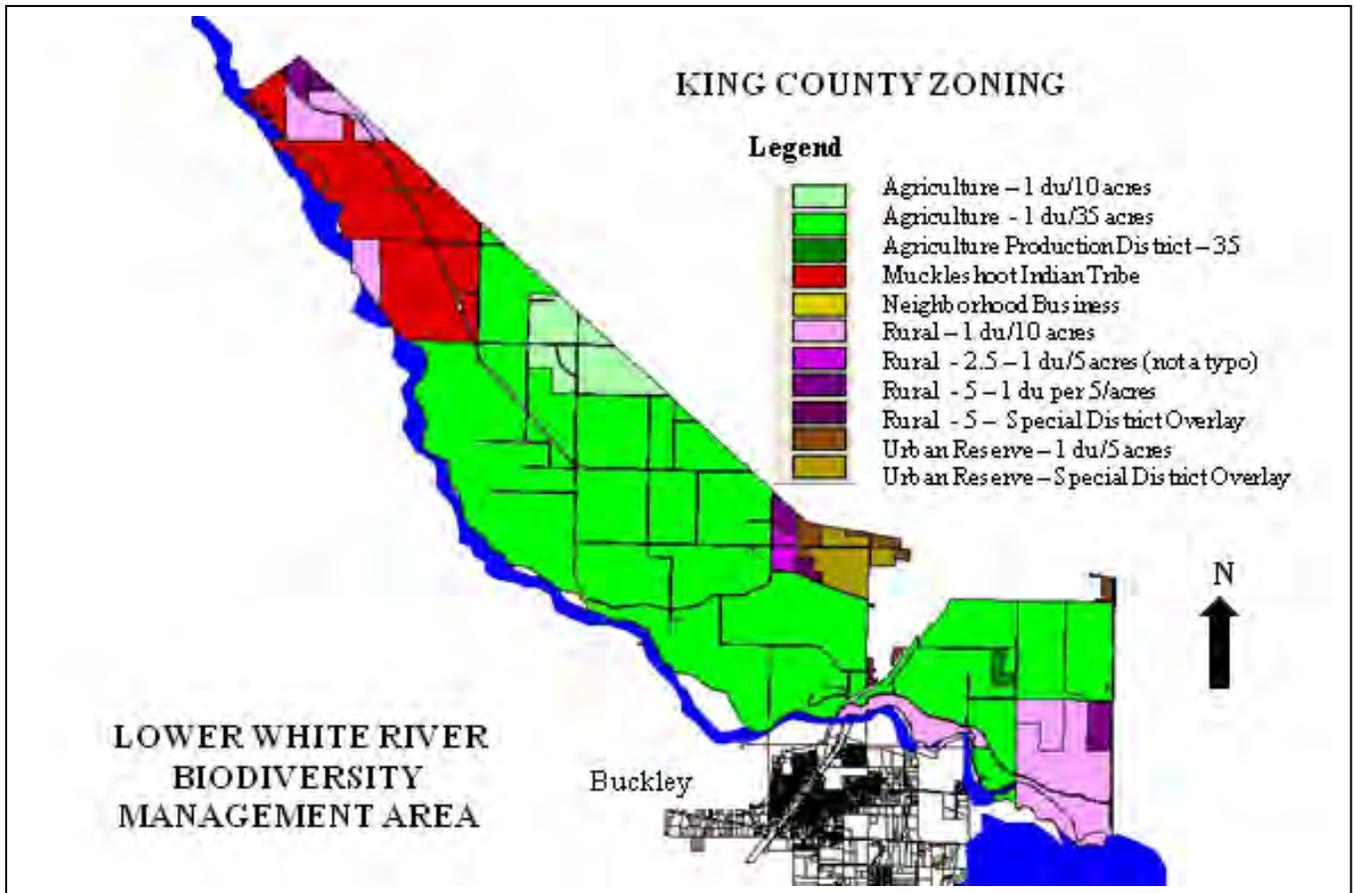


Figure 12. King County Zoning Map

<b>TABLE 9 - PIERCE COUNTY ZONING CLASSIFICATIONS WITHIN THE LOWER WHITE RIVER BMA</b>		
<b>Zones</b>	<b>Acreage</b>	<b>Percent of BMA</b>
<i>Urban Zones (unincorporated Pierce County)</i>		
EC	33.00	3.51%
<b>Total Urban</b>	<b>33.00</b>	<b>3.51%</b>
<i>Rural Zones</i>		
R10	747.14	79.37%
<b>Total Rural</b>	<b>747.14</b>	<b>79.37%</b>
<i>Natural Resource Zones</i>		
ARL	0.04	0.00%
<b>Total Natural Resource</b>	<b>0.04</b>	<b>0.00%</b>
<b>Total Pierce County Unincorporated</b>	<b>780.18</b>	<b>82.88%</b>
<i>Pierce County Incorporated</i>		
City of Buckley	69.46	7.38%
City of Pacific	13.80	1.46%
City of Sumner	77.95	8.28%
<b>Total Pierce County Incorporated</b>	<b>161.21</b>	<b>17.12%</b>
<b>TOTAL PIERCE COUNTY</b>	<b>941.39</b>	<b>100%</b>

**Table 10. Zoning Classifications within the Lower White River BMA in Geographic King County.**

<b>Zoning Classification</b>	<b>Acres in BMA</b>
A-35 (Agricultural Production District)	109.57
RA-10 (Rural, 10-acre minimum parcel size)	83.17
MIT (Muckleshoot Reservation; their zoning applies)	175.02
Grand Total	367.76

### *Shoreline Environments*

The Washington State Shoreline Management Act (SMA) provides for the management of water bodies or watercourses identified as “Shorelines of the State.” Areas under jurisdiction of the SMA include water courses with a mean annual flow of 20 cubic feet per second (cfs), lakes greater than 20 acres in size and the shorelines of Puget Sound. All lands within 200 feet of the ordinary high water mark, and associated wetlands and floodplains, fall within the jurisdiction of Shorelines of the State. The Pierce County Shoreline Management Program (SMP) and companion Shoreline Management Regulations (SMRs) designate Shorelines of the State into five types of environments including Urban, Residential Rural, Rural, Conservancy, and Natural. These environments are similar to zoning designations allowing different land uses, densities and activities ranging from the most intensive uses (Urban) to very limited uses (Natural).

The White River is considered a Shoreline of the State. The majority of the shorelines within the BMA are classified as Rural, Urban, and Conservancy. The classification of Rural shoreline in Pacific and Buckley, allows for areas which are presently used for intensive agricultural and recreation purposes or for those areas having the potential of supporting intensive agricultural and recreational development. This classification is intended to protect agricultural land from urban expansion, restrict intensive development along undeveloped shorelines, and encourage preservation of open spaces. A small section at the west tip of the BMA in Sumner is classified as Urban. Urban shorelines are areas of high intensity land use including residential, commercial and industrial development. These areas are presently subjected to intensive use pressure as well as those areas planned to accommodate urban expansion. Most of the river from the Muckleshoot tribe south towards Buckley is classified as Conservancy Environment, which allows for low density residential, outdoor recreation and low intensity agricultural and forestry uses. (See Figure 13 -Shorelines Environment Map).

The shoreline in this area within King County is designated as either Natural or Rural shoreline in the current (2004) Shoreline Management Master Program. However, shorelines were re-designated during an update of the program during 2007-2008, and the new Shoreline Master Program designations await King County Council approval. In the Draft Shoreline Master Program (2008), King County shorelines along the White River in this area are designated Resource Shoreline because they are within the Agricultural Production District. A small area outside the APD are designated Conservancy Shoreline. According to the draft code, the Resource shoreline designation is applied to allow for mining and agricultural uses on lands that have been designated under the Growth Management Act as agricultural land of long-term commercial significance or mineral resource lands. The Conservancy designation is applied to protect and conserve the shoreline for ecological, public safety, and recreation, purposes. It includes areas with important ecological processes and functions, valuable historic and cultural features, flood and geological hazards, agricultural and mineral resource lands, and recreational opportunities. Residential areas can be designated as conservancy shorelines. (See Figure 14 – Shorelines Management Map).

### *Open Space Corridors*

Pierce County identifies land areas most desirable for open space purposes (See Figure 15 - Open Space Corridors Map). These areas represent the highest priority for lands for conservation including creeks, wetlands, and fish and wildlife habitat areas. The Lower White River BMA is included within the County’s Open Space Corridor map because of its status as a biodiversity management area and because of the White River. Identified open space corridor areas may be used as the basis for application of special zoning that provides for greater environmental protection and less density. For example, Pierce County has applied a Rural Sensitive Resource (RSR) in rural areas (i.e. at least 50% of a parcel must fall within the open space corridor) and a Residential Resource (RR) in urban areas. In addition, extra points under Pierce County’s Current Use Assessment and Conservation Futures Programs are awarded to

properties located within the open space corridor. All of these new environmentally sensitive zones were created as a result of the BMA work.

### Future Growth Potential

Figure 16 – Potential Development Map indicates the parcels of land located within the Lower White River BMA that have a potential to subdivide and create additional lots. Each of these parcels is represented with an ID number. Table 8 provides a list of these parcels and indicates the parcel acreage, the potential total lots and the potential additional number of lots that may be possible given the Rural 10 zones provision for a maximum of two dwelling units per 10 acres if 50% of the property is set aside as open space. Given the County’s provision for rounding up to the next whole number for anything greater than .5 any parcel of land greater than 7.5 acres would be able to subdivide. Of the 37 parcels of land within the Lower White River BMA, there are currently 33 parcels that could be subdivided with no bonus density for a potential total of 275 additional new lots. If landowners used the bonus density, those parcels could be subdivided for a potential total of 308 additional new lots. There could be additional development potential within the incorporated cities given what their zoning is and what the development provisions are for those zones.

Each of these lots could support a new residential home and associated driveways and accessory structures and all run along the river between Auburn and Buckley on the Pierce County side. Of the White River Basin, the Lower White River sub-basin has the highest percentage (14%) of impervious surface with a projected increase to 20% future land use converting open space to residential and commercial uses. This projected increase would be with the potential new lots within the Lower White River BMA.

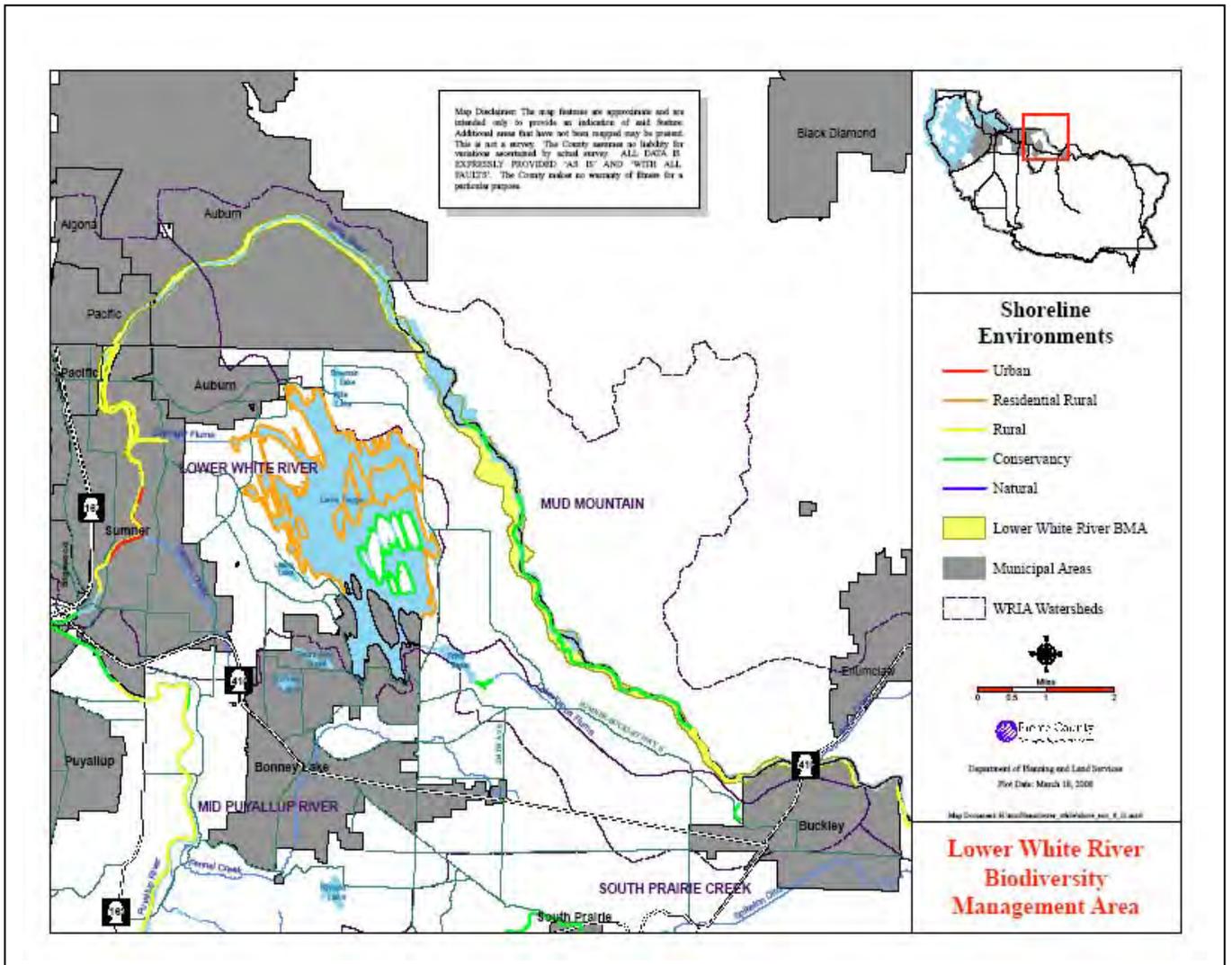


Figure 13. Shoreline Map – Pierce County

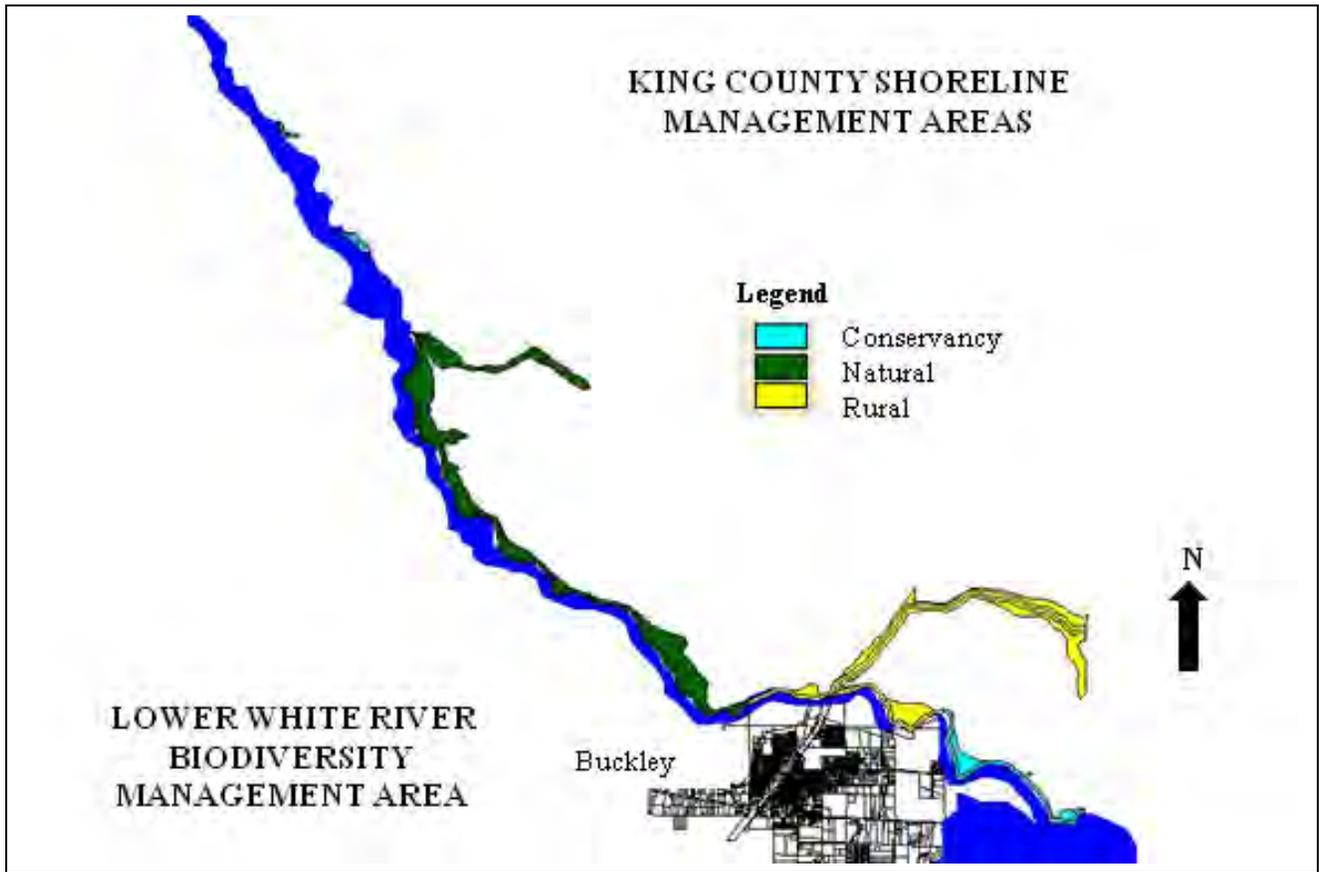


Figure 14. Shoreline Map – King County

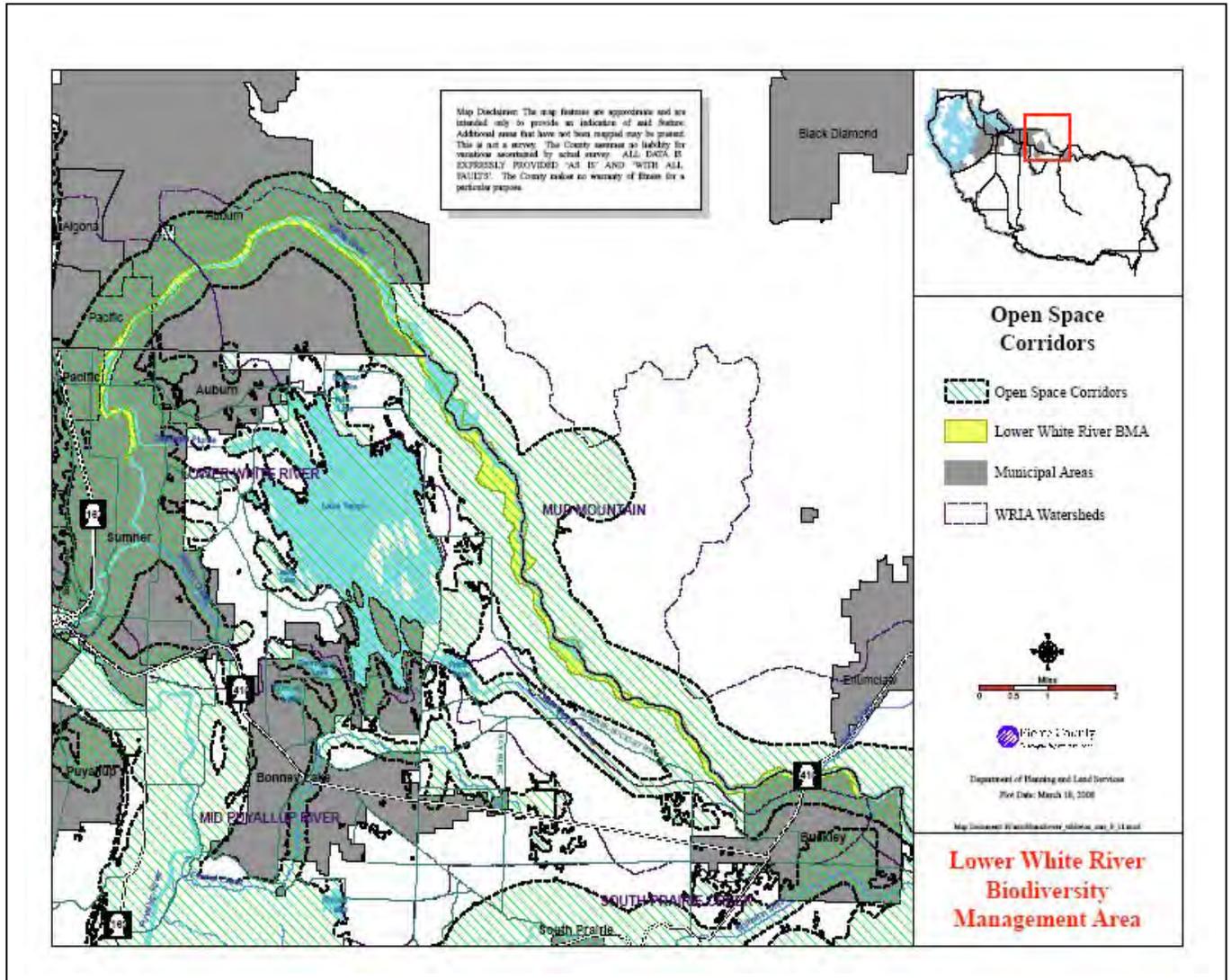


Figure 15. Open Space Corridor Map

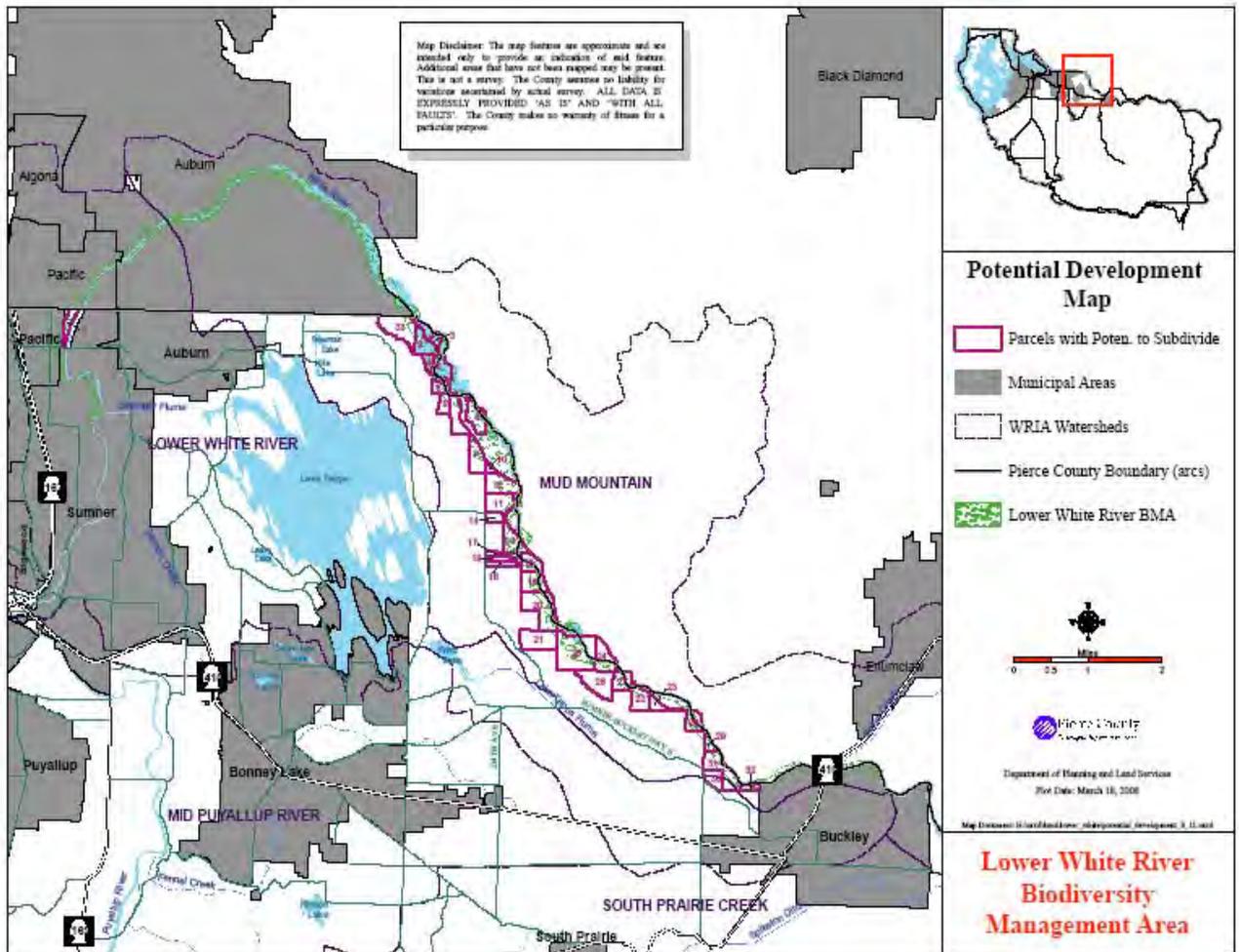


Figure 16. Potential Development Map – Pierce County

**TABLE 11 – DEVELOPMENT POTENTIAL WITHIN LOWER WHITE RIVER BMA (PIERCE COUNTY UNINCORPORATED)**

<b>Map ID #</b>	<b>Parcel #</b>	<b>Acreage</b>	<b>Potential # of Total Lots<sup>1</sup></b>	<b>Potential # of Additional Lots</b>
1	0420012003	25.20	5	4
2	0520022001	38.00	7	7
3	0520022011	10.78	2	1
4	0520023002	14.00	2	1
5	0520023007	17.50	3	2
6	0520023008	23.95	4	3
7	0520111000	115.85	23	22
8	0520111001	34.75	6	5
9	0520112012	25.75	5	4
10	0520123001	10.00	2	1
11	0520132000	58.90	11	10
12	0520132002	61.70	12	11
13	0520133000	51.30	10	9
14	0520133004	20.00	4	3
15	0520241000	32.90	6	5
16	0520241001	54.00	10	9
17	0520242021	20.00	4	3
18	0520242022	20.00	4	3
19	0520242023	20.00	4	3
20	0520244000	108.95	21	20
21	0520251001	80.20	16	15
22	0620293000	57.92	11	10
23	0620293001	20.00	4	3
24	0620301000	35.00	7	6
25	0620302000	127.80	25	24
26	0620303001	85.25	17	16
27	0620304000	40.00	8	7
28	0620321001	25.00	5	4
29	0620332000	45.00	9	8
30	0620333001	30.00	6	5
31	0620333002	120.00	24	23
32	0620334000	65.00	13	12
33	7001480280	90.32	18	17
<b>TOTALS</b>		<b>1,585.02</b>	<b>308</b>	<b>275</b>
1 – The number of total lots is based on maximum development potential in cases where the property owner utilizes the bonus density of 2 dwelling units per 10 acres with 50% of the parcel set aside as open space.				

Because of the zoning in this area, only five parcels that intersect the BMA in unincorporated King County (and outside the MIT Reservation) would potentially be able to be subdivided (Table 12).

**Table 12. Development Potential within Lower White River BMA (King County Unincorporated).**

PIN	Zoning	Present Use	Acres	No. possible lots
1120059001	RA10	Vacant(Single-family)	41.75	4
2420059001	A35	Vacant(Single-family)	71.54	2
1120059002	RA10	Vacant(Single-family)	34.75	3
3520069024	RA10	Farm	35.26	3
2420059002	A35	Vacant(Single-family)	71.64	2

### Impacts of Growth and Development on Habitat and Species Presence

Future growth potential on the lands in unincorporated King County is somewhat limited by regulatory protections offered to critical areas present within the BMA. The entire BMA in King County is within a Critical Aquifer Recharge Area (CARA) and a seismic hazard area, and much of it is within an erosion hazard area. Portions of the BMA that are along the valley wall are within the slide hazard area. The BMA is also located within the 100-year floodplain of the White River.

The Lower White River BMA will only remain rich in species diversity if care is given to maintaining large enough habitat areas for species viability and good quality habitat conditions, including corridors for safe movement between primary and seasonal habitats. Stressors to habitat include a variety of factors such as:

- Fragmentation in habitat below the threshold for species viability due to land development, removal of vegetation, and roads
- Actions that change the hydrology within the watershed and specifically within the floodplain which especially affects amphibians, fish species, and wetland plant species
- Species mortality caused by vehicular traffic on roads and predation by non-native animals (cats, dogs, bullfrogs, non-native fish, etc.)
- Conversion of native vegetation to non-native and invasive plant species
- And other human actions that cause species mortality or negatively impact habitat, such as water or air quality changes.

Stressors to the Lower White River BMA are discussed in greater detail in Chapter III. In addition, the fate of the Puget Sound Energy (PSE) properties along the White River (totaling 2,500 acres) will play a critical role for the long-term protection of biodiversity within the Lower White River BMA. Negotiations between PSE and the Cascade Land Conservancy and other parties are ongoing to preserve this land. Most of the PSE properties were inventoried in the 2006 LWR Bioblitz. A report was prepared for the Cascade Land Conservancy identifying which parcels had the greatest potential for long-term conservation.

## Chapter III - Conservation Targets and Threats

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### Overview of Conservation Targets and Threats

At a landscape level, conservation targets (systems) may include ecological systems, ecological communities, species, and other important natural resources. Ecological systems share common ecological processes (e.g. hydrology), environmental features (e.g. soil types), or environmental conditions (e.g. precipitation). Ecological communities have common or co-occurring features such as species or natural vegetation types. Other important factors in determining conservation targets include groundwater recharge, forest reserves, etc.<sup>13</sup>

Each conservation target has key ecological attributes that ensure the proper functioning of that system's occurrence in a landscape over the long-term. Key ecological attributes consist of size, condition (i.e. measure of the composition, structure and biotic interactions that characterize the occurrence), ecological processes (e.g. hydrologic regimes, fire regimes and other natural disturbances) and connectivity of target species to habitats and resources including dispersal or migration routes.

In an ideal situation, intact and properly functioning conservation targets are not significantly stressed. Stresses to a conservation target result in degradation and impairment of key ecological attributes and occur in a variety of ways from human impacts and other natural factors. The source(s) of the problem is what causes the stress to occur. Collectively, stresses and sources of stress are referred to as threats to the system.

In the Lower White River BMA several conservation targets were selected to represent the key ecological functions occurring throughout the area. These conservation targets include

- Lower White River
- Tributaries, wetlands, and oxbows
- Conifer/deciduous mixed forest areas.

Each of these conservation targets provides the systems that collectively create the rich variety of habitats necessary to foster a high level of biodiversity in that BMA. A detailed description of each conservation target and the threats to these systems follows. Conservation strategies to abate these threats are discussed in Chapter IV.

### Lower White River

#### General Description of the Lower White River

The Lower White River riparian corridor is dominated by riparian habitat, with an overstory of hardwood and hardwood/conifer trees. The BMA begins north of Sumner, passes through an area recently restored by Pierce County, and continues northwards through the cities of Pacific and Auburn. Riverfront property just north of Pacific City Park in Auburn (east end of 3<sup>rd</sup> Ave SE) has resulted in some removal of native

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<sup>13</sup> The concept of identification of conservation targets and key ecological attributes, threats (stresses and sources of stress), and threat abatement strategies (referred to here as “conservation strategies” to abate threats) is derived from The Nature Conservancy (TNC) 5-S conservation action planning methodology. However, this method has been adapted to acknowledge the fact that the BMA was already identified utilizing the GAP methodology and as such the conservation targets were selected based on review of the key ecological attributes within the BMA.

riparian vegetation. The dominant hardwood forest along this stretch of the river consists of willows, red alder, black cottonwood, black hawthorn, bigleaf maple, and Pacific dogwood. The BMA then continues through Auburn Game Farm Wilderness Park; an area dominated by native vegetation with a mix of hardwood and conifer trees with western hemlock, western redcedar, and Douglas fir the dominant conifers. Hazelnut, salmonberry, red elderberry, red osier dogwood, and invasive Himalayan and evergreen blackberries are the dominant shrubs. One small section of the White River Trail System, near the riverfront has also had native vegetation removed. Stuck River Drive may also impede movement of some species; however, this is a minor road with little traffic. As the BMA continues eastward through Muckleshoot Indian Reservation and into eastern Pierce County, it continues to be dominated by riparian, deciduous/conifer vegetation in a non-fragmented arrangement (e.g. mostly undeveloped).

### Water Quality of White River

Water quality was analyzed at 5 sites in 2005-2006 as part of the White River Basin Plan effort. Two gaging stations, one at Salmon Springs in Sumner and Stream 51 near Bonney Lake collected flow data over the same time frame. Neither the water quality sampling sites or gaging stations were within the LWR BMA. The White River mainstem was surveyed by URS Consultants in the fall of 2004. Reach observations were summarized by reach lengths, physical features and overall aquatic and riparian conditions. Reach observations that fell within or near the LWR BMA are included with the individual jurisdictional breakout in this plan.

The Basin Plan ranked and prioritized stream reaches and selected 73 sites. Riparian integrity is considered high if >70% of the corridor has an intact riparian zone wider than 100 ft, and <10% of the corridor is <35 ft, and there are <3 breaks (road crossings) in the corridor per stream mile. Streams meeting these conditions have greater potential for maintaining natural ecological functions. The Plan indicates that:

- 4% of the White River riparian corridor is in good condition,
- 59% is in fair condition, and
- 37% is in poor condition.

Of the 21 sites sampled within the LWR BMA,

- 5% were in good condition,
- 86% in fair condition, and
- 10% were in poor condition.

The Ecosystems Diagnosis and Treatment (EDT) model rates the quality, quantity, and diversity of habitat along a stream relative to the needs of fish such as Coho or Chinook salmon. The method describes how the fish would rate conditions in a stream based on current scientific understanding of their needs. Aquatic habitat EDT rankings indicated 16% is in good condition, 37% in fair condition, and 47% in poor condition. Within the BMA, 33% of aquatic habitat is in good condition, 43% aquatic habitat is in fair condition, and 24% aquatic habitat is in poor condition.

### Development Along the River

Puget Sound Energy and Mud Dam have restricted or prohibited development along the White River, which has contributed to the continued biodiversity of this important riparian corridor and its designation as ecoregionally significant<sup>14</sup>.

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<sup>14</sup> Flobert, J., M. Goering, G. Wilhere, C. MacDonald, C. Chappell, C. Rumsey, Z. Ferdana, A. Holt, P. Skidmore, T. Horsman, E. Alverson, C. Tanner, M. Bryer, P. Iachetti, A. Harcombe, B. McDonald, T. Cook, M. Summers, D. Rolph. 2004. Willamette Valley-Puget Trough-Georgia Basin Ecoregional Assessment, Volume One: Report. Prepared by The Nature Conservancy with support from The Nature Conservancy of Canada, Washington Department of Fish and Wildlife, Washington Department of Natural Resources (Natural Heritage and Nearshore Habitat programs), Oregon State Natural Heritage Information Center and the British Columbia Conservation Data Centre.

## **Tributaries, Wetlands and Oxbows**

The Lower White River watershed is a complex hydrologic system with wetlands and multiple tributaries feeding into this wetland/riparian system from the Upper White River. The wetland and riparian systems provide a rich habitat for a variety of fish, reptiles, amphibians, mammals and bird species. Certain wildlife species, such as pond breeding amphibians, are very dependent on the hydrology of an area for their life cycle needs.

Private homes, farms, and light industry are located near the tributaries and the condition of the streams depends to a large extent on how individual developers and owners have treated the riparian corridor, which in most cases has resulted in poor to fair condition.

Wetlands filter excess nutrients, chemicals and sediments from excess runoff. They help keep groundwater clean, store flood waters and provide habitat for aquatic species and wildlife who use the water. Wetlands may dry up in the summer or they may be saturated year round. Wetlands generally support plants adapted to wet areas but are able to tolerate dry spells.

Oxbows, plus buffer zones can be useful and environmentally sound measures of flood control. Other flood control measures may have a detrimental effect on salmon habitat, specifically dikes that impair connections between rivers and their flood plains, which would normally supply large woody debris, fine organic matter and dissolved nutrients to the drainage network. Oxbows retain those characteristics that are important habitat elements, providing refuge and food sources for the riverine community. Re-channeling or braiding of the streams may be necessary to restore oxbows.

King County has allocated Capital Improvement funds for the White River flood damage repair at Stuck River Drive. Both King Floodplain management and Pierce County Surface Water Management have purchased land along the BMA between Pacific and Auburn for the purpose of flood control. Pierce County has analyzed the feasibility of levee setbacks and the White River at 6 locations between RM 2.6 and 5.1.

Riparian habitat or buffer zones along the river can contribute many attributes to the river it abuts. Shade to cool the water, organic and woody debris provides nutrients to river inhabitants. Vegetation roots protect and stabilize the banks, providing shelter and habitat. The riparian zone contributes to a high water table, increased storage capacity and higher late summer stream flows. Lawns, agricultural areas adjacent to the river, non-native vegetation and impervious surfaces contribute none of these things and indeed degrade the quality and quantity of the river itself.

### **Forest – Conifer/Deciduous Mixed Forest**

The Lower White River BMA contains a patchwork of mixed lowland conifer/deciduous forest, punctuated with wetlands, riparian areas, pastures, areas developed for single family residential and commercial uses. Along the adjacent lands the forest cover transitions to a conifer/deciduous forest habitat. The Muckleshoot Tribe and Puget Sound Energy have left much of the forest surrounding the river intact. Forested areas provide connectivity between the different habitat patches and also serve to maintain hydrologic cycles within a watershed. Best available science indicates that 65% forest cover within an urban watershed provides high quality hydrological function for wetland water level fluctuation

and stream hydrology<sup>15</sup>. The Lower White River BMA currently has at least 65% forest cover and more if the riparian areas along the floodplain are included. These forest areas are a necessary component in many terrestrial species lifecycles. Each species has their own unique needs for habitat patch size, which increases for mammals and birds with a sensitivity to patch size. This is very important for pond-breeding amphibians, and native fish species that utilize the stream, wetland, and lake systems in the watershed and BMA. It will be crucial to work with each jurisdiction to maintain or increase forest cover.

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<sup>15</sup> Booth, D.B., 2000. Forest Cover, Impervious-Surface Area, and the Mitigation of Urbanization Impacts in King County, Washington, Prepared for King County Water and Land Resources Division.

## Threats to Conservation Targets

The main threats that are or may potentially be occurring to conservation targets include:

- Habitat conversion and fragmentation due to development, removal of native vegetation and roads, specifically potential development of the Puget Sound Energy properties.
- Poor water quality caused by residential use of fertilizers, domestic animal waste, septic tank leakage, spraying of herbicides along public roads, and road runoff
- Loss of pools, large woody debris (LWD), and riparian vegetation due to development and channelization of the river.
- Introduction of invasive, exotic, non-native species including plant species, wildlife species (e.g. bullfrogs, Japanese knotweed)
- Fish passage blockage from culverts.
- Wildlife movement blockages from roads, driveways and fencing
- Erosion and damage of riparian habitat from dikes/levees along City's of Buckley, Pacific, and Sumner
- Predation of native species by domestic cats and dogs
- Water fluctuations due to storm drains redirecting water flow into the river and not into wetlands, dikes, and stormwater from development
- Pollution caused by dumping of trash and debris into or near the river
- Non-permitted illegal discharge dumped directly into the river

## Chapter IV - Conservation Strategies

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### Overview of Conservation Strategies

To achieve long-term health of a conservation target, threats must be abated to ensure viable, functioning systems. There are two approaches to lessen the stress and enhance or maintain the viability of the conservation target. The first is to abate the sources that are causing the stresses, under the assumption that the stress will subside if the source is removed. The second is to directly abate the stresses that may persist once the source is removed.

Conservation strategies are developed and implemented to (1) abate the critical sources of stress (i.e., threat abatement); and (2) directly restore altered key attributes of the systems (i.e., restoration). Threat abatement may involve a number of approaches including direct actions (e.g. removal of a culvert blocking a creek) or public education and outreach (e.g. educating property owners on the negative impacts of removing native vegetation that provides habitat). Restoration actions may include replanting native vegetation that is appropriate to the underlying soils and indigenous plant communities that historically thrived in a given location.<sup>16</sup>

In the Lower White River BMA planning process each of the conservation targets described in the previous chapter were reviewed in detail and potential threats identified. During this process Lower White River jurisdictions also identified conservation strategies to ascertain the level or severity of a potential threat, to directly abate known threats, or to identify restoration opportunities where degradation has occurred. Some threats applied to multiple conservation targets and as such the conservation strategies have been grouped under the following categories, which have been stated as a positive outcome:

- Reduce Habitat Conversion and Fragmentation (due to development and human activity)
- Enhance Water Quality
- Decrease Flooding
- Eliminate/Reduce Invasive and Introduced Species
- Remove Fish and Wildlife Movement Blockages
- Control Erosion and Siltation
- Halt/Reduce Predation by Domestic Animals

The discussion below provides recommended conservation strategies for each stress and source of stress to the conservation targets.

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<sup>16</sup> TNC 5-S conservation action planning methodology.

## Reduce Habitat Conversion and Fragmentation

### Source of Stress: Development, Vegetation Removal and Deforestation

#### *Conservation Strategies*

1. Adjust the Lower White BMA boundary as evidence presents itself and after review by all jurisdictions, to better represent lands necessary for the long-term persistence of aquatic species, as well as other birds, mammals, amphibians, and reptiles.
  - a. Work with all appropriate jurisdictions to adopt the Lower White River BMA Stewardship Plan and companion amendments to the Lower White River BMA boundary.
  - b. Integrate the revised Lower White River BMA boundary into the Pierce County Comprehensive Plan Open Space Corridors Map
  - c. Foster natural floodplain processes by preserving and creating conveyance areas (levee removal and/or setback) to accommodate flood waters
  - d. Apply the Rural Sensitive Resource zoning to the tax parcels located within the revised Open Space Corridors Map at the county level.
2. Utilize Low Impact Development (LID) techniques within the BMA.
  - e. Work with the Counties, Pierce and King Conservation Districts and other interested agencies to educate property owners on LID techniques.
  - f. Work with the Counties, Cities of Buckley, Auburn, Pacific, and Sumner, and State Agencies to promote the use of LID on public properties.
3. Continue to apply native vegetation retention practices to environmentally sensitive areas within BMA.
  - a. During review of development proposals work with the County and local jurisdictions in the design of projects that maintain native vegetation, wetlands, and shorelines and ensure mitigation efforts are appropriate and relevant to the development impacts.
  - b. Enforcement of potential violations to existing regulations should receive a higher priority. Work with the County and City Councils to provide adequate staffing resources for this purpose.
4. Provide increased education and outreach to property owners, developers and real estate agents regarding impacts of vegetation removal and fish and wildlife habitat stewardship actions through organized community groups working with the cities and counties.
  - a. Provide landscape consultation and on-going workshops (with guest speakers) to homeowners.
  - b. Provide homeowners with literature on how to be a shoreline steward
  - c. Create realtor packets with materials on shoreline stewardship to be given to new residents of shoreline properties.
  - d. Present project at realty offices to get them to pass out realtor packets and educate on unique ecological characteristics of the communities.
  - e. Contact developers and alert them about community projects and their role in transforming ideology around selective cutting vs. clear cutting a property
  - f. Create homeowner information packets that describe the location and importance of corridors. Include all certified backyard habitats/sanctuaries to help inspire people to get involved.
5. Participate in local land use advisory meetings regarding proposed developments that affect the BMA
  - a. Landowners who live within or are interested in a development that is located within jurisdictional boundaries of a city should attend City Planning Commission meetings to provide input into development proposals. Those who live within the jurisdictional boundaries of unincorporated

- Pierce or King County should go to the County Planning Commission meetings.
- b. Create a phone tree (provide agency numbers of enforcement for community) to contact community members when a proposed development is being reviewed by the City or County.
  - c. Have group placed on interested parties list for notification by the City or County of any development proposals within or adjacent to the BMA.
  - d. Advocate for conditions that eliminate or minimize threats to the conservation targets.
  - e. Work with developers to achieve a “win-win” solution (i.e. utilizing density bonus for open space and where best to locate open space areas in relation to the BMA and adjacent wildlife habitat areas).
6. Consider application of special zoning that provides for greater environmental protection and less density (i.e. the RSR zoning either through a Comprehensive Plan amendment process or adoption of a new Community Plan or the city equivalent -downzoning) to LWR BMA areas that are located in unincorporated rural portions of Pierce and King Counties. Also, consider requiring LID and other environmentally sensitive design techniques within the LWR BMA areas.
    - a. Any future updates to the White River Basin Plan should include a review of additional habitat areas for inclusion within the BMA.
  7. Work with the counties, cities and developers to locate open space set aside areas in contiguous tracts or within contiguous conservation easements located in such a manner as to promote connectivity and proximity to the conservation targets including:
    - a. Identify the best locations for designated open space areas during the development proposal review process.
    - b. High priority open space set aside areas are along tributaries and the White River.
    - c. New development in forested areas should provide their open space dedications adjacent to the BMA as first priority.
    - d. Establish connectivity and habitat zones around wetlands and White River and adjacent forest areas which provide habitat.
    - e. Refer to the Washington Department of Fish and Wildlife (WDFW) landscape planning document<sup>17</sup> for guidance to help maintain fish and wildlife habitat including:
      - i. Maintain habitat connectivity within the BMA and adjacent habitat areas through corridors and permeable landscape mosaics.
      - ii. Proactively address wildlife and road issues by routing traffic through less sensitive wildlife areas, locate development with road placement and traffic intensity issues for wildlife in mind, and provide connectivity linkages across roads that intersect habitat patches or corridors.
      - iii. Rectify existing road conditions that cause wildlife mortality at important crossing areas such as in connective corridors, or amphibian crossing locations, through road and wildlife planning approaches.
      - iv. Maintain larger habitat areas to support development sensitive species.
      - v. Preserve rare landscape elements and associated species and connected areas with critical habitats.
      - vi. Retain large contiguous or connected areas that contain priority habitats and species.
      - vii. Preserve large habitat areas and sensitive locations through land use planning mechanisms like outright purchase, purchase of development rights, conservation easements, and transfer of development rights.

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<sup>17</sup> Schuett-Hames, J.P., J.M. Azerrad, M.J. Tirhi, B. Vadas Jr., C.L. Sato, C.W. May, J.L. Hayes, J.E. Jacobson, J.P. Carleton, and G.F. Wilhere. Draft 2008. Landscape Planning for Washington’s Fish and Wildlife: Managing for Biodiversity in Developing Areas. Washington Department of Fish and Wildlife. Olympia, WA.

- viii. Maintain natural hydrologic conditions and minimize surface runoff using low-impact site design principles and the retention of natural forest and wetland cover throughout the watershed.
  - ix. Protect water quality using a combination of innovative treatment BMPs and aggressive, comprehensive source controls.
  - x. Maintain watershed processes (e.g., delivery and routing of water, sediment, nutrients/toxicants/bacteria, large wood, heat, forest succession, and upland disturbance regimes).
  - xi. Protect in-stream habitat and natural channel morphological conditions through the control of storm-water inputs and bank-full flows.
  - xii. Protect the stream-riparian ecosystem corridor, channel migration zone (CMZ), and floodplain.
- f. Develop and implement community/school education programs (1) to prevent the introduction of nonnative species such as bullfrogs and fish, and (2) to encourage wildlife friendly, responsible pet ownership.
  - g. Place open space areas in such a manner as to create a transition area of native plants/vegetation between developed and non-developed areas thus reducing the edge effect.
8. Maintain or restore at least 65% native vegetation throughout the LWR BMA and White River Sub-basin to maintain normal hydrological functions, as well as connectivity for wildlife. This can be done per residence, and can be boosted by keeping some large habitats in natural condition.
- a. Provide educational materials to homeowners in the Puyallup River Watershed, and especially to property owners within the BMA and along the shorelines of the White River, on the importance of retaining native vegetation and forest cover.
  - b. Work with developers to identify best locations for native vegetation retention and open space set asides.
  - c. Work with property owners to plant, retain, and restore buffers around the White River, tributaries and wetlands.
    - i. Organize work parties as an annual or biannual native vegetation planting event. Consider partnering with local Boy Scout or Girl Scout troops, schools, or other environmental or civic organizations for volunteers.
    - ii. Target identified restoration areas for native vegetation planting events.
    - iii. Pursue grant programs to help fund the purchase of native plant materials or work with local plant nurseries, Pierce and King Conservation Districts, developers or other potential sources to obtain native plant supplies.
  - d. Conduct monthly seminars on various components of creating wildlife habitats.
9. Encourage targeting the purchase of land within the Lower White River for wildlife habitat.
- a. Work with property owners located within the BMA to identify parties who are interested in selling their property or a portion of their property for permanent open space, passive recreation, or conservation easement.
  - b. Compile a list of willing sellers, property owners or other properties within the BMA that are a high priority for acquisition as permanent open space.
  - c. Reduce the threat of habitat conversion and fragmentation (resulting from development and human activity) by purchasing PSE lands or other undeveloped open space areas along the river corridor (King County).
  - d. Work with the cities of Buckley, Auburn, Pacific, Sumner and the Cascade Land Conservancy to promote purchase or transfer of development rights for high priority open space properties within the BMA.

- e. Submit applications to the Pierce County Conservation Futures Program for acquisition of high priority open space properties.
10. Apply for National Wildlife Federation – Community Habitat Program certification and conduct public education and outreach efforts to property owners to participate in this program and certify their property as backyard wildlife sanctuaries.

Source of Stress: Roads and Driveways

11. Avoid new public and private roads that bisect and fragment the BMA considering the following criteria:
- a. Consider first the expansion of existing roads located outside or on the fringe of the BMA and install wildlife mitigation measures with the road expansion project.
  - b. If a new road is the only feasible option, construct the roadway with wildlife mitigation measures.<sup>18</sup>
  - c. Avoid new roads that bisect open space set aside areas.
  - d. Utilize WDFW’s landscape planning document to help plan where roads should go based on fish and wildlife information.
12. Work with the counties and cities to install signage along Lower White River BMA that indicates the motorist is traveling through a “sensitive wildlife area” and that this road is a “wildlife crossing area”. Signage should include a caution statement to watch out for and avoid wildlife that may be crossing the road.
13. Seek to identify alternative driveway access points rather than introduce new stream crossings.

**Enhance Water Quality**

Source of Stress: Application of Fertilizers, Pesticides and Herbicides

*Conservation Strategies*

1. Evaluate the impacts to White River and its tributaries, and groundwater supplies resulting from the use of fertilizers, pesticides and herbicides on properties within the BMA.
- a. Collect water quality data over a five year time period.
  - b. Work with the Tacoma Pierce County Health Department (TPCHD), Pierce County Public Works and Utilities (PWU), Pierce Conservation District (PCD) or a local water steward group to identify testing sites, gain access to monitoring equipment, etc.
  - c. Work with to acquire commitment from the TPCHD, PWU or PCD for sampling kits and lab costs to establish water quality information at different reaches along the White River.
  - d. Educate property owners within the BMA on the importance of having their well water tested on a regular basis. Utilize this information to determine if any of the well water supplies are contaminated from the use of fertilizers, pesticides or herbicides or other toxins.
  - e. Partner with local Boy Scout or Girl Scout troops, schools, or other environmental or civic organizations to conduct monitoring and sampling of local streams and the White River. Consider creation of a booklet produced by students about the water quality monitoring in Lower White

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<sup>18</sup> Schuett-Hames, JP. J.M. Azerrad, M.J. Tirhi, B. Vadas Jr., C.L. Sato, C.W. May, J.L.Hayes, J.E. Jacobson, J.P. Carleton, and G.F. Wilhere. Draft 2008. Landscape Planning for Washington’s Fish and Wildlife: Managing for Biodiversity in Develop Areas. Washington Department of Fish and Wildlife, Olympia, WA.

River and how the testing results impact the biodiversity in the BMA. Teachers and biologists could work with students to create booklet.

2. Replace the use of chemical fertilizers, pesticides and herbicides with natural, organic and permaculture methods.
  - a. Provide increased education and outreach to property owners regarding negative impacts of using non-organic pesticides and fertilizers and demonstrate natural alternatives (such as the use of biological pest control).
  - b. Provide this information as one of the community workshop topics or hold a Community Education Day to walk the neighborhood to distribute literature.
  - c. Work with PCD, WSU – Pierce County Cooperative Extension Office (WSU) or other sources to identify natural methods now available.
3. Eliminate/discontinue the spraying of herbicides within the public right-of-ways and public owned land within the BMA by working with the County Public Work Utilities Departments to assess spraying regimes.
  - a. Property owners can install “no-spray” signs on their properties along public right-of-ways.
  - b. Park and road maintenance crews can alter spraying practices within BMA area and should consider utilizing Integrated Pest Management systems as an alternative to the use of chemicals.
  - c. Property owners can provide education and outreach to public agencies on why pesticide-free parks are beneficial.
4. Plant, retain, and restore buffers to prevent runoff from reaching the streams and river.
  - a. Work with jurisdictions include Washington Department of Natural Resources (DNR) to strengthen reforestation requirements through tighter timelines. Currently DNR applicants have two years to replant after logging.

#### Source of Stress: Domestic Animal Waste

##### *Conservation Strategies*

5. Acquire commitment with county/TPCHD for fecal coliform sampling kits and lab costs.
  - a. Collect fecal coliform water quality data for five years through local monitoring group.
6. Implement Pierce County pet waste education program.
7. Clean up after pets and livestock through community composting.
  - a. Provide property owners with educational information/materials on why this is so important (i.e. impacts associated with waste)
  - b. Work with local nurseries to institute a community compost program.
8. Use fencing to create a buffer between riparian (i.e. the lake, creek and estuary) and wetland areas and livestock pasture areas.
  - a. Encourage property owners with livestock to develop farm management plans.
  - b. Provide property owners with livestock educational materials on cost-share programs to install fencing between pasture areas and riparian and wetland areas.

#### Source of Stress: Septic Tanks

### *Conservation Strategies*

10. Work with property owners to test all the septic tanks for possible contamination into the system.
  - a. Explore available Pierce County or Tacoma-Pierce County Health Department programs to check septic tanks.
  - b. Explore any available incentive programs to help homeowners pay for this.
11. Collect fecal coliform water quality data within water bodies and watercourse for five years.
12. Develop and/or distribute informational packets about septic tanks that go out to all residents.

### Source of Stress: Runoff from Roads and Fields

#### *Conservation Strategies*

13. Review all local jurisdictions' planning documents to determine if any storm water drains in the BMA area discharge directly into a water body, watercourse or wetland. If this information is not available then work with the County or PCD to conduct an inventory to determine if any such stormwater drains exist. If there are any stormwater drains that discharge directly into a water body, watercourse or wetland then develop a community drain stenciling event to mark these drains to prohibit discharge into them.
14. Plant native vegetation along roads, driveways, roadside ditches, and channels of the tributaries to filter road runoff pollutants.
15. Work with local jurisdictions to apply new road maintenance standards to public right-of-way areas to reduce harmful impact from runoff from roads.
16. Identify culverts and ditches that deposit road runoff directly into a waterbody, watercourse or wetland. If this information is not available then work with the county or PCD to conduct an inventory to determine if any such culverts or ditches exist. If there are any culverts or ditches that discharge directly into a waterbody, watercourse or wetland than work with the local jurisdiction to apply mitigation measures for pre-treatment prior to discharge. Consider applying low impact development techniques for mitigation measures.
17. Remove or move pipes in fields and industrial parks to channel untreated stormwater runoff into detention areas.

### Source of Stress: Trash/Garbage

#### *Conservation Strategies*

18. Develop a trash pickup campaign along roadways.
  - a. Work with local schools, neighborhood associations and local property owners to participate in an Adopt-a-road program to pick up trash and garbage.
19. Organize garbage cleanup days and/or educate property owners on need to keep garbage and pollutants out of habitat areas.
  - a. Coordinate with Nonpoint Watershed Committee. This is an action item in the Watershed Plan.
20. Create a watchdog team for development to report garbage dumping. When appropriate utilize the Pierce County Responds Program to report garbage dumping in the area.

- a. Coordinate with Nonpoint Watershed Committee. This is an action item in the Watershed Plan.

## **Eliminate Invasive and Introduced Species**

### Source of Stress: Introduced Plant Species and Weeds

#### *Conservation Strategies*

1. Conduct a detailed inventory of the plants within the BMA to identify the density of invasive species and determine target areas for non-native/invasive plant removal and replanting of native vegetation.
2. Provide educational information to property owners and plant nurseries regarding the impact of local non-native and invasive plant species.
  - a. Develop or obtain a booklet of invasive local weeds and mail to local property homeowners. Booklet should include the following information: list of undesirable non-native and/or invasive plant species; methods of removal; native plants that can be used to revegetate; wildlife benefits of native plants; etc.
  - b. Contact local nurseries to discuss the impacts of non-native/invasive plant species on habitat areas and the potential to limit or eliminate the sales of non-native or invasive plant species and increase the sales of native plant species.
    - i. Explore the possibility for local nurseries to host monthly education community meetings
    - ii. Request local nurseries to distribute brochures on the benefits of utilizing native plant species
    - iii. Work with local nurseries to host native plant sales in conjunction with BMA events
    - iv. Request local nurseries to label invasive plant species
3. Work with local property owners and municipal jurisdictions to remove non-native and invasive plant species within the BMA.
  - a. Organize a “Weed Walkabout” workshop for the community.
  - b. Organize weed cleanup activities utilizing PCD, schools, Boy Scout troops, or other local volunteers.
  - c. Contact Pierce County and the cities’ Public Works and Parks Departments about removal of invasive species within the road right-of-way and public properties.

### Source of Stress: Introduced Non-Native Wildlife Species

#### *Conservation Strategies*

5. Educate the homeowners and pet stores on the damage that is done when they turn loose non-native fish and wildlife species into wetlands, tributaries, and other habitat areas within the BMA.
  - a. Include this information as part of lake information packet or fact sheet that should be developed for distribution to area property owners.
  - b. Species that should be listed in the information packet include but are not limited to turtles, frogs, and aquarium fish.
  - c. Contact local pet stores to discuss the impacts of non-native/invasive fish and wildlife species on habitat areas and the potential to limit or eliminate the sales of non-native fish and wildlife species.
  - d. Contact WDFW enforcement if non-native species are being sold.
6. Collect and destroy bullfrog egg masses.
  - a. Establish a bullfrog eradication program that lasts a minimum of 3 years, which could be part of a whole wildlife monitoring plan and/or water monitoring program.

7. Fence livestock out of creeks and wetland and their associated buffer areas.
  - a. Partner with PCD staff to educate and work with property owners to help develop farm management plans and with funding for fencing to keep livestock out of stream.
  - b. Provide educational materials to property owners with livestock on negative impacts associated with unrestricted access to creeks and wetland areas and incentive/grant programs to help defray the cost of fencing.

### **Remove Fish and Wildlife Movement Blockages**

#### Source of Stress: Culverts

##### *Conservation Strategies*

1. Work with King and Pierce County, Cities of Buckley, Auburn, Pacific, and Sumner, PCCD and homeowners to replace existing culverts that are causing fish blockages.

#### Source of Stress: Roads and Driveways

##### *Conservation Strategies*

2. Monitor road kills and develop strategy for better wildlife crossings where most of the kills take place. Employ different strategies for the various species based upon their needs such as:
  - a. Amphibians may need crossings under roads.
  - b. Mammals need speed limit reduction, better signage, and connective corridors linking areas throughout the watershed with the large forest patch to the east.
3. Work with the County to establish signage along Lower White River roads that indicates this is a “sensitive wildlife area” and to drive with caution.
4. Encourage the development of a booklet for county, developers, park districts to explain the history and conservation efforts of Friends of the Lower White River and other community groups. Put on multiple websites to keep everyone aware of progress.
5. Provide education to landowners regarding the importance of maintaining vegetation corridors along roadways and driveways so that wildlife can have alternative movement corridors.
6. Work with the County, cities and developers to design new roadways within BMA to be wildlife friendly. Roads should not create barriers and should utilize new technologies in ecological road design that incorporates the needs for stormwater treatment, safety and ecology functions (e.g. bioswells).

#### Source of Stress: Fencing

##### *Conservation Strategies*

7. Utilize fencing that does not block wildlife movement from occurring.
  - a. Avoid solid board on board fencing in wildlife movement corridors.
  - b. Utilize smooth (as opposed to barbed) wire fencing for livestock that minimizes potential for injuring wildlife. An example is New Zealand smooth wire fencing.

## **Control Erosion and Siltation**

### Source of Stress: Channelization/Levees

#### *Conservation Strategies*

1. Riparian buffers along the King County-maintained levees and revetments are limited in quality, width, and connectivity along the river corridor.
  - a. Recommendations to remove and set back levees, restore riparian buffer, and connect the river to its historical floodplain habitat are part of King County's adopted 2006 Flood Hazard Management Plan.

### Source of Stress: Development

#### *Conservation Strategies*

1. Monitor new construction activities to ensure that erosion control measures are properly installed and functioning from preventing erosion into ditch systems, watercourse, wetland and estuary areas.
  - a. Local residents should call Pierce County Planning and Land Services Department with any potential violations of erosion control measures.

## **Halt Predation by Domestic Animals**

### Source of Stress: Cats and Dogs Allowed Unconstrained Access to Outdoors

#### *Conservation Strategies*

1. Provide educational materials to property owners and residents on keeping domestic pets away from nesting areas and habitat areas during breeding season.
  - a. Distribute handouts on keeping cats and dogs indoors (Seattle Audubon has good handouts on this).
  - b. Address this issue as part of backyard habitat seminars.

## **Minimize Water Fluctuation**

### Source of Stress: Water Fluctuation

#### *Conservation Strategies*

1. Work with the counties and cities to maintain buffers around wetlands to reduce major water fluctuation in the seeps, springs, wetlands and creeks feeding into the Lower White River.
2. Work with the counties, cities, DNR, and property owners to maintain or restore  $\geq 65\%$  natural vegetation throughout the Lower White River BMA to maintain normal hydrological functions (including water level fluctuation in wetlands), as well as connectivity for wildlife. This can be done per residence, and can be boosted by keeping some large patches in natural vegetation.
  - a. Work with property owners within BMA to leave portions of the property in native vegetated condition. This can be done in conjunction with backyard wildlife sanctuary program.
  - b. Organize native planting work parties with local property owners and interested non-profit agencies, schools, Boy Scout troops, Stream Team, etc.

- c. Work with property owners that have Forest Practices permits issued by DNR to not allow applicants to log in wetland buffers and increase their less restrictive buffers, restoration and reforestation requirements.

#### Source of Stress: Low Water Flow

##### *Conservation Strategies*

3. Maintaining the water level is a high priority in order for the Lower White River to function as a true river. Work with the Muckleshoot Tribe and other jurisdictions to maintain enough water in the river.
4. Conduct a review of adopted stormwater and watershed plans, or if necessary work with the County and cities to conduct a new analysis, to determine if any storm drains are directing water flow into the White River, tributaries and streams, or wetlands.
5. Work with the counties and cities to redirect any public storm water drains that discharge directly into a water body or water course into a pre-treatment facility that is designed to slowly infiltrate the water back into the aquifer (e.g. Low Impact Development facility).
6. Encourage property owners to leave properties in an open space condition and, as an incentive, enroll their properties in the County's Current Use Assessment Program (Public Benefit Rating System) to reduce taxes.
7. Encourage property owners to conserve water and when possible, reuse water.
  - a. Provide educational materials to property owners regarding reuse of grey water and rainwater for watering plants; use of native plant species that require less water; best times for watering vegetation (i.e. not in the heat of the day when large amount of water is lost to evaporation); etc.
8. Work with the Pierce and King County Health Department, the counties' and cities' water departments and compare with planned development to identify where all of the current water sources are and future planned water sources.

## Chapter V - Prioritization of Conservation Strategies

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### Short-Term Actions (1 year)

1. Work with Pierce County Planning and Land Services Department and all other applicable jurisdictions during the year 2011 Comprehensive Plan amendment cycle to:
  - a. Adopt the Lower White River BMA Stewardship Plan as a Title 19D document
  - b. Amend the Pierce County Comprehensive Plan Open Space Corridors Map and Biodiversity GIS layer to incorporate the revised Lower White BMA boundary as evidence presents itself.
  - c. Revise the zoning within all applicable jurisdictions to apply the RSR zoning to tax parcels located within the expanded BMA boundary.
2. Apply for National Wildlife Federation – Community Habitat Program. (*Registered*)
  - a. Set participation goals for the 10 landowners in the BMA.
  - b. Conduct public education and outreach efforts to property owners to participate in this program and certify their property as backyard wildlife sanctuaries.
  - c. Establish a 65% native vegetation and forest cover goal for the entire BMA.
3. Conduct surveys and collect ‘best science’ information about the Lower White River riparian system.
  - a. Encourage members to participate in the *NatureMapping* Program.
  - b. Work with school-related and other citizen projects in surveying the area.
  - c. Collect latest information on how to keep private property and the riparian system healthy.
  - d. Coordinate efforts with other groups.
4. Provide increased education and outreach to property owners, developers and real estate agents regarding impacts of vegetation removal and earth moving. Create and dispense educational materials concerning fish and wildlife habitat stewardship actions.
  - a. Maintain signage along Lower White River roads that indicates the motorist is traveling through a “sensitive wildlife area” and that this road is a “wildlife crossing area”. Signage should include a caution statement to watch out for and avoid wildlife that may be crossing the road.
  - b. Create homeowner information packets that describe the location and importance of corridors. Include all certified backyard habitats/sanctuaries to help inspire people to get involved. Provide homeowners and developers with literature on how to be a shoreline steward.
  - c. Create realtor packets with materials on shoreline stewardship and on unique ecological characteristics of community to be given to new residents of shoreline properties.
  - d. Provide landscape consultation and on-going workshops (with guest speakers) to homeowners and others.
5. Participate in local land use decisions regarding proposed developments that affect the BMA. Advocate for conditions that eliminate or minimize threats to habitat fragmentation.
  - a. Work with Pierce County to include the BMA’s are Habitats of Local Importance in Title 18E and develop/provide guidelines as how to regulate relative to proposed/possible development.
  - b. Create a phone tree (provide agency numbers of enforcement for community) to contact community members when a proposed development is being reviewed by the County.

- c. Have group placed on interested parties list for notification by the County of any development proposals within or adjacent to the BMA.
  - d. Work with the cities of Buckley, Auburn, Pacific, and Sumner, and developers to help identify the best locations for designated open space areas during the development proposal review process. Try and come up with a “win-win” solution (i.e. utilizing density bonus for open space and where best to locate open space areas in relation to the BMA).
6. Work with King County as they apply for Salmon Recovery Funding Board and other grant(s) to facilitate implementation of high priority restoration actions within the BMA.
- a. Identify properties along the Lower White River to facilitate levee setback and floodplain reconnection projects for King County.

**Mid-Term Actions (2-3 years)**

- 1. Organize volunteer work parties. Partner with local Boy or Girl Scout troops, schools, or other environmental or civic organizations for volunteers.
  - a. Sponsor annual or biannual native vegetation planting event.
  - b. Sponsor invasive species eradication events.
  - c. Sponsor volunteer “bioblitz” activities led by professional experts.
  - d. Consider a project with the cities’ Parks Departments to create a demonstration project, cooperating with Pierce County Conservation District, Master Gardeners, schools, Boy Scout troops, or other local volunteers.

**Long-Term Actions (3-5 years)**

- 1. Conduct surveys and collect ‘best science’ information about the Lower White River riparian system.
  - a. Coordinate with the Watershed Planning groups for current data.
  - b. Arrange for Stream Team assistance in collection information on water quality and flow for the next five years.
- 2. Inventory biodiversity around schools and within sections of the White River and monitor changes.
  - a. Arrange for *NatureMapping* training through the Tacoma Nature Center for local residents and students for five years.
- 3. If needed, adjust BMA boundaries and amend the Open Space Map in the Pierce County Comprehensive Plan.

## Chapter VI - Conclusions

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### General Overview

The availability of lowland deciduous, riparian, estuarine and upland coniferous habitats along the Lower White River contributes to this BMA's ecological richness. Most of the at-risk, listed, and/or priority species predicted or confirmed within this BMA have a primary association with water for either all or part of their life cycle. Water quality within the White River, its tributaries, streams, and wetlands should not be compromised as it contributes foremost to the presence of the species predicted within.

Farmlands and pasturelands along Lower White River continue to collect water and could be targeted for wetland restoration sites by willing sellers. In their present state, they may provide breeding locations for amphibians. Sections of Lower White River located on private property, where native vegetation has been removed to the river's edge, should be targeted for habitat restoration. Future land development should not allow removal of native vegetation along the creek within a defined buffer. Culverts along the creeks should be assessed for blockage to fish movement and the community should work with the local jurisdictions and Pierce County to correct these blockages and identify other target areas for restoration and protection. Landowners along these creeks, and within defined buffers of the Lower White River, should be educated on maintaining the integrity of the riparian corridors. Education should focus on vegetation retention and restoration, retaining in-stream flows to White River, and the biological importance of the Lower White River corridor. The Lower White River BMA would benefit by the application of WDFW PHS Riparian Habitat Guidelines on privately owned riparian lands and by enforcing county regulations for development along riparian corridors. WDFW PHS recommendations for salmonids and county critical area ordinance standards should also be applied in consideration of salmonid presence.

The community should coordinate with the Forest Stewardship Council for working forestland owners (minimum of 20 acres) and continue to monitor wildlife species within and adjacent to the BMA. This can be accomplished through participation in the *NatureMapping* Program and Tahoma Audubon birding events.

### Certification Through Wildlife Habitat Programs

FLWR, neighborhoods, and the Puyallup River Watershed Council should pursue certification in the NWF-CWH program. FLWR, Puyallup River Watershed Council, and city Parks Departments from Buckley, Auburn, Pacific, and Sumner should also continue to promote property owner participation in the WDFW-BWH program.

### Pursuing Conservation Strategies

The conservation strategies outlined in Chapter IV provide a framework for abating threats to the Conservation Targets and conducting restoration of degraded habitat areas. FLWR and other community groups should work towards accomplishing the conservation strategies outlined in this plan.

### Funding Options

The National Wildlife Federation Community Habitat Program has provided an initial grant to FLWR to install signage and conduct training. In addition, the NWF also has grant monies available for schools to assist in native vegetation planting and monitoring for Lower White River. FLWR and other community groups should also consider pursuing funding opportunities through state and local agencies, the PCD, and environmental foundations.

### **Stewardship Plans by Jurisdictions**

The Lower White River BMA runs through six jurisdictions; the cities of Buckley, Pacific, Auburn, Sumner, King County, and the Muckleshoot Indian Tribe.

Although the Lower White River BMA has the same conservation targets, the stressors and subsequent conservation strategies, recommendations, and stewardship plans were tailored to individual jurisdictions. The following chapters were developed with input from each jurisdiction, except the Muckleshoot Indian Tribe, who currently has chosen not to participate with the stewardship planning process.

# Appendices

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## Meeting Agendas – Buckley

September, 2009

October, 2009

November, 2009



## Kickoff Meeting Agenda for September 21, 2009

Buckley Library

<u>Time</u>	<u>Topic</u>	<u>Discussion Leader</u>
6:00	Introductions	Linda
6:15	Pierce County Biodiversity Network Overview & questions	Karen/Michelle
7:00	LWR Stewardship Plan and Buckley's chapter	Linda/Karen/Michelle
7:30	Next steps	Linda
7:45	<b><u>Community NatureMapping Workshop</u></b> October 10-11 at Northwest Trek	Karen



## **Lower White River Biodiversity Management Area Buckley and Vicinity**

### **Community Workshop #2 Monday, October 12, 2009 6:00 p.m. to 8:00 p.m. Enumclaw Library**

- 6:00 – 6:10 p.m. Welcoming comments and review of BMA network  
PCBA slide logo and partners  
Mission to implement and protect bd network  
Picture of network
- 6:10 – 6:40 Start at terminology - define  
Conservation target and definition  
Threats (stressor) – give bullfrog examples  
Sources of stress - release of exotics (Japanese knotweed)  
Conservation strategy - actions  
Change CVA examples to Buckley
- 6:40 – 6:50 Break time
- 6:50 – 7:00 Buckley and vicinity Stewardship Plan overview  
Start with conservation strategies in draft plan
- 7:00-7:45 Threats to conservation targets (make a slide)  
Read each individual bullet and discuss
- 7:45 – 8:00 Closing discussion

**Next Meeting –November 16, 2009, 6:00 p.m. TBD**



## Lower White River Biodiversity Management Area Buckley and Vicinity

**Community Workshop #3**  
**Monday, November 16, 2009**  
**6:00 p.m. to 8:00 p.m.**  
**Enumclaw Library**

6:00 – 6:05 p.m.	Welcome
6:05 – 7:00	National Wildlife Federation Backyard Habitat
7:00 – 7:45	Segue into biodiversity Review last meeting terminology – questions? Conservation target and definition Threats (stressor) – give bullfrog examples Sources of stress - release of exotics (Japanese knotweed) Conservation strategy - actions Begin Matrix
7:45 – 8:00	Closing discussion

**Next Meeting –January 11, 2010, 6:00 p.m. TBD**



June 11, 2015

Jack Dodge  
Community Development Manager  
Pacific City Hall  
100 3rd Ave SE  
Pacific, WA 98047

**Subject: PSRC Comments on Draft Pacific Comprehensive Plan Update**

Dear Mr. Dodge,

Thank you for providing an opportunity for the Puget Sound Regional Council (PSRC) to review a draft of the City of Pacific 2015 Comprehensive Plan update. We recognize the substantial amount of time and effort invested in this plan, and appreciate the chance to review it while in draft form. This timely collaboration helps to ensure certification requirements are adequately addressed and certification action can be taken by PSRC boards after adoption.

Pacific has updated the transportation and natural resources elements of the comprehensive plan this year. Other required elements such as land use, housing, utilities, and capital facilities, must be updated before PSRC can certify the plan. We recommend reviewing the multicounty planning policies in the Development Patterns, Housing, Economy, and Public Services sections of [VISION 2040](#), as well as the [Plan Review Manual](#) and checklist, as part of your update process. Please provide drafts of these elements when they are available for PSRC staff to review.

We would like to note some outstanding aspects of the draft transportation and natural resources elements, including:

- The transportation element's commitment to support active transportation, including provisions for adding sidewalks and support for improving bus service.
- Support for the Sumner/Pacific manufacturing/industrial center through encouraging the enhancement of freight movement, transit service and facilities, and transportation demand management programs.
- Policies in the transportation element to support development of a neighborhood center that has non-motorized access and includes characteristics such as limited setbacks, pedestrian-oriented streetscapes, and appropriate pedestrian crossings.
- The natural resources element's focus on protecting and enhancing the natural environment, including preserving open space, improving surface water quality, and developing a vegetation preservation and enhancement program.

The transportation and natural resources elements advance regional policy in many important ways. There are some items in these draft elements, however, that should be addressed before they are finalized:

- We appreciate the plan's policies which strive to protect the natural environment and improve surface water management. Please consider adding a policy to more directly address MPPs-En-13 and 14 which support maintaining and restoring hydrological functions within ecosystems and watersheds, including restoration of shorelines and estuaries.
- The transportation forecast on Page 36 appears to be using 2030 land use assumptions, although the horizon year is reported as 2035. A 2035 horizon year should be based on 2035 land use

assumptions that are consistent with adopted growth targets for housing and jobs and are applied consistently throughout the plan. Please contact PSRC staff if you have questions about how to extend growth targets to 2035 consistent with the regional growth strategy and how to demonstrate consistency between transportation demand projections and 2035 land use assumptions.

- The transportation element states that safety enhancements, maintenance projects, corridor studies, and local intersection improvements are included in the City's Transportation Improvement Program (TIP) along with cost estimates and funding sources for each of those prioritized projects. Although the traffic analysis for 2030/2035 indicates that no capital improvements are required in order to maintain the city's adopted level-of-service standards, the plan should include at least a conceptual plan for transportation and other capital facilities for the full 20-year planning period, including maintenance, safety and other projects listed in the TIP. Related to these plans are the Growth Management Act's requirement to include an analysis of funding capability and a reassessment strategy to address any potential shortfalls in funding for needed transportation facilities and services. See the Washington State Department of Commerce's Transportation Element Guidebook, page 202, for information about how to develop a multi-year financing plan (<http://www.commerce.wa.gov/Documents/GMS-Transportation-2012.pdf>).
- Map 8.2 appears to include sidewalks, along with trails and bicycle facilities. Please clarify the facilities shown in the map and in the legend, or, if sidewalks are not shown on this map, they should be added to that map or another inventory figure (see RCW 36.70A.070(6)(a)(iii)(A)). Given that the plan indicates a priority of providing sidewalks leading to schools, the city should also consider adding school locations to its trails map. See the Washington State Department of Commerce's Transportation Element Guidebook, pages 122-127, for information about how to inventory existing facilities and conditions as part of the pedestrian and bicycle component (<http://www.commerce.wa.gov/Documents/GMS-Transportation-2012.pdf>).
- The city should work to complete the pedestrian and bicycle component of the transportation element (RCW 36.70A.070(6)(a)(vii), WAC 365-196-430(2)(j)). The plan includes notable policies that call for extending pedestrian facilities throughout the city, encouraging consideration of pedestrian needs in public and private development, and seeking to accommodate bicycles in the city street network. However, some important components of a complete pedestrian and bicycle component that appear to be missing include the following:
  - A plan for future pedestrian and bicycle networks that connect residential and employment areas with community and regional destinations, schools, and public transportation service.
  - Identification of improvements to the pedestrian and bicycle networks, including both standalone projects as well as those that will be provided as part of a larger roadway or intersection project, that are planned during the comprehensive plan period.
  - Funding assumptions and implementation actions to complete the portion of the planned pedestrian and bicycle network anticipated to be achievable during the planning period.
- The multicounty planning policies call for protecting the transportation system against disaster and developing prevention and recovery strategies for disasters. If such work has been completed by the city, such as an emergency management plan, these efforts should be referenced or incorporated in the transportation element (MPP-T-8).
- The multicounty planning policies in VISION 2040 and the strategies in Transportation 2040 call for reducing greenhouse gas emissions and adapting to impacts related to climate change. See page 42 of VISION 2040 for an overview of climate change and related policies and page 34 in Transportation 2040 for information on the four-part greenhouse gas reduction strategy (land use, user fees, choices, and technology). The plan already includes some policies that support positive actions to reduce greenhouse gases, such as promoting transit and increasing nonmotorized

transportation options. However, the plan could be strengthened by directly addressing the climate change-related multicounty planning policies and including additional strategies such as emissions reductions from municipal operations and additional transportation demand management strategies.

- Please update your regional plan references. For example, Destination 2030 is no longer the current regional transportation plan. Information on the current plan, Transportation 2040, can be found on PSRC's [webpage](#).

PSRC has resources available to assist the city in addressing these comments. We have provided links to online documents in this letter, and additional resources related to the plan review process can also be found at <http://www.psrc.org/growth/planreview/resources/>.

Thank you again for working with us through the plan review process. There is a lot of good work in the draft and we are available to continue to provide assistance and review drafts of the remaining elements. If you have questions or need additional information, please contact me at 206-464-6360 or [eharris@psrc.org](mailto:eharris@psrc.org) or Michael Hubner at 206-971-3289 or [mhubner@psrc.org](mailto:mhubner@psrc.org).

Sincerely,



Erika Harris, AICP  
Senior Planner  
Growth Management Planning

cc: Review Team, Growth Management Services, Department of Commerce



STATE OF WASHINGTON

DEPARTMENT OF COMMERCE

1011 Plum Street SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 725-4000  
www.commerce.wa.gov

June 4, 2015

Mr. Jack Dodge  
Community Development Manager  
City of Pacific  
100 - 3rd Avenue Southeast  
Pacific, Washington 98047

RE: Proposed amendments to the Natural Environment and Transportation Elements of the Comprehensive Plan.

Dear Mr. Dodge:

Thank you for sending Growth Management Services the proposed amendments to Pacific's comprehensive plan that we received on April 14, 2015, and processed with Material ID No. 21191. We have reviewed the materials submitted and offer the following comments for your consideration:

We especially like the following:

- The Natural Environment Element has been updated to include lahars as a critical area present in the city. This is a significant addition to the plan and shows the city's commitment to addressing geologic hazards within the community.
- The Natural Environment Element is well written and thorough. It demonstrates policy support for the protection of critical areas based on best available science.
- The plan shows support for the Lower White River Biodiversity Management Area, a regional effort to protect biodiversity and conserve important species and habitats.
- The Transportation Element includes goals and policies to increase pedestrian and bicycle transportation modes, Transportation Demand Management support, and increased use of public transportation/transit.
- Regional coordination is evident in both elements reviewed at this time. This is especially important for biodiversity and transportation issues.

Mr. Jack Dodge  
Community Development Manager  
June 4, 2015  
Page 2

We have concerns about the following that you should address before you adopt your plan amendments:

Table 8.3 in the Transportation Element shows projected level of service (LOS) standards for year 2021, which includes failing roadway sections on West Valley Highway (both north and south of Third Avenue). Table 8.4 shows projected levels of service for West Valley Highway below the adopted LOS of D in 2035 as well. Given these projected deficiencies, your plans should include a proposed set of projects or strategies to bring these facilities up to adopted LOS standards. The city should address this by identifying what improvements are needed, how much it will cost, and how it will be funded before adopting the transportation element. Alternatively, the City may decide to adopt a lower LOS standard for those roadway segments.

We have a suggestion for strengthening your plan amendments that we encourage you to consider either in these or future amendments:

We suggest identifying any standalone proposed multimodal transportation projects (e.g. trails, sidewalk improvements) anticipated over the life of the plan including a cost and potential funding source.

Congratulations to you and your staff for the good work these amendments represent. If you have any questions or concerns about our comments or any other growth management issues, please contact me at 360.725.3045 or [joyce.phillips@commerce.wa.gov](mailto:joyce.phillips@commerce.wa.gov). We extend our continued support to the City of Pacific in achieving the goals of growth management.

Sincerely,



Joyce Phillips, AICP  
Growth Management Planner  
Growth Management Services

JMP:lw

cc: Jeffrey Wilson, AICP, Senior Managing Director, Growth Management Services  
David Andersen, AICP, Eastern Region Manager, Growth Management Services  
Ike Nwankwo, Western Region Manager, Growth Management Services  
Donna Bunten, Washington State Department of Ecology  
Erika Harris, AICP, Associate Planner, Puget Sound Regional Council



Agenda Bill No. 15-153

**TO:** Mayor Guier and City Council Members  
**FROM:** Amy Stevenson-Ness, City Clerk  
**MEETING DATE:** November 2, 2015  
**SUBJECT:** City of Pacific Public Records Rules, PMC Chapter 2.97

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**ATTACHMENTS:** Ordinance No. 2015-1913

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**Previous Council Review Date:** N/A

**Summary:** Section 42.56.040 of the Revised Code of Washington relating to the duty to publish Public Records Act local procedures requires the city to establish and publish rules to implement the Act.

PMC Chapter 2.97 allows the Public Records Officer to establish and publish rules to implement Chapter 2.97 PMC, which contradicts RCW 42.56.040 and needs to be modified to require the City Council to establish public records rules.

**Recommended Action:** Adopt Ordinance No. 2015-1913

**Motion for Consideration:** "I move to adopt Ordinance No. 2015-1913 amending Chapter 2.97 of the Pacific Municipal Code requiring the City Council instead of the public records officer, to establish public records rules."

**Budget Impact:**

**Alternatives:**

**CITY OF PACIFIC, WASHINGTON  
ORDINANCE NO. 2015-1913**

**AN ORDINANCE OF PACIFIC, WASHINGTON, RELATING TO PUBLIC RECORDS, MODIFYING CHAPTER 2.97 OF THE PACIFIC MUNICIPAL CODE REQUIRING THE CITY COUNCIL, INSTEAD OF THE PUBLIC RECORDS OFFICER, TO ESTABLISH PUBLIC RECORDS RULES.**

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**WHEREAS**, Section 42.56.040 of the Revised Code of Washington (RCW) relating to the duty to publish Public Records Act (PRA) local procedures requires the city to establish and publish rules to implement the PRA; and

**WHEREAS**, Chapter 2.97 in the Pacific Municipal Code (PMC) relating to Public Records allows the Public Records Officer to establish and publish rules to implement Chapter 2.97 PMC, which contradicts RCW 42.56.040; and

**WHEREAS**, certain sections of Chapter 2.97 in the Pacific Municipal Code relating to establishing and publishing Public Records, conflict with the requirements of RCW 42.56.040 and need to be modified; Now, Therefore,

IT IS HEREBY ORDAINED BY THE PACIFIC CITY COUNCIL AS FOLLOWS:

**Section 1.** Chapter 2.97 of the Pacific Municipal Code is hereby revised to read as set forth below (new text is shown by underline; deletions of text are shown by ~~strikethrough~~).

**2.97.005 Authority and purpose.**

A. Chapter 42.56 RCW, the Public Records Act (the “Act”), requires public agencies such as Pacific to make nonexempt public records available for inspection and copying in accordance with published rules. The Act defines “public records” to include any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the agency.

B. The city clerk is designated as the public records officer for Pacific. The city shall ~~and is authorized to~~ establish and publish the Pacific Public Records Act rules to provide the public with full access to public records consistent with the Act.

**2.97.020 Authority to ~~amend~~Amending rules.**

The city ~~clerk shall have the authority to~~ shall amend the Pacific Public Records Act rules as necessary or appropriate to conform to

laws or, as appropriate, to enhance services to the public, protect privacy, and/or increase efficiency in administering the Act to the fullest extent permitted by law.

**2.97.040 Costs of providing public records**

~~Unless established by the city's fee schedule as approved by council,~~  
The city clerk shall have the authority to establish and/or change the costs of copying or the costs of otherwise providing a requestor with public records in any format or medium to the fullest extent permitted by law. There is no fee for merely inspecting public records.

**Section 2. Severability.** If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

**Section 3. Publication.** This Ordinance shall be published by an approved summary consisting of the title.

**Section 4. Effective Date.** This Ordinance shall take effect and be in full force and effect five days from the date of its passage and publication, as provided by law.

PASSED by the City Council of Pacific this 9<sup>th</sup> day of November, 2015.

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MAYOR LEANNE GUIER

ATTEST/AUTHENTICATED:

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AMY STEVENSON-NESS, City Clerk

APPROVED AS TO FORM:

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CAROL A. MORRIS, City Attorney

PUBLISHED:

EFFECTIVE DATE:



Agenda Bill No. 15-154

**TO:** Mayor Guier and City Council Members  
**FROM:** Amy Stevenson-Ness, City Clerk  
**MEETING DATE:** November 2, 2015  
**SUBJECT:** Adopting Public Records Act Rules pursuant to PMC Chapter 2.97

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**ATTACHMENTS:** Resolution No. 2015-299

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**Previous Council Review Date:** N/A

**Summary:** PMC Chapter 2.97.005 and RCW 42.56.040 and 42.56.100 require that Public Records Rules be established to facilitate disclosure of public records.

The purpose of these Rules is to establish the procedures the City of Pacific ("the City") will follow in order to provide full access to public records, fullest assistance to inquirers and the most timely possible action as required by RCW 42.56.100, mindful of the further requirement that the Rules must also protect the records from damage or disorganization and prevent excessive interference with other essential functions of the City.

**Recommended Action:** Adopting Resolution No. 2015-299 establishing public records rules for the City of Pacific.

**Motion for Consideration:** "I move to approve Resolution No. 2015-299 adopting Public Records Act Rules pursuant to Chapter 2.97 of the Pacific Municipal Code and ordering publication of this resolution and the Public Records Act Rules."

**Budget Impact:**

**Alternatives:**

**CITY OF PACIFIC  
WASHINGTON**

**RESOLUTION NO. 2015 - 299**

**A RESOLUTION OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO COMPLIANCE WITH THE PUBLIC RECORDS ACT, SPECIFICALLY, ADOPTING PUBLIC RECORDS ACT RULES PURSUANT TO CHAPTER 2.97 OF THE PACIFIC MUNICIPAL CODE AND ORDERING PUBLICATION OF THIS RESOLUTION AND THE PUBLIC RECORDS ACT RULES.**

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**WHEREAS**, Sections 42.56.040 and 42.56.100 of the Revised Code of Washington (RCW) and Section 2.97.005 of the City of Pacific Municipal Code (PMC) require the city to make nonexempt public records available for inspection and copying; and

**WHEREAS**, the aforementioned RCW and PMC sections require the city to establish and publish rules to facilitate disclosure of public records;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** The following Public Records Rules are hereby adopted as the rules the City will follow in handling public records requests:

**PUBLIC RECORDS ACT RULES  
FOR THE CITY OF PACIFIC, WASHINGTON**

**PRA Rule 010. Authority and purpose.**

(1) **Authority.** Section 42.56.070(1) of the Revised Code of Washington (RCW) and Section 2.97.005 of the Pacific Municipal Code (PMC) require the city to make available for inspection and copying nonexempt public records in accordance with published rules. The Public Records Act ("the Act") under RCW 42.56.010 defines "public record" to include any "writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics."

(2) **Purpose of Rules.** The purpose of these Rules is to establish the procedures the City of Pacific ("the City") will follow in order to provide full access to public records, fullest assistance to inquirers and the most timely possible action as required by RCW 42.56.100, mindful of the further requirement that the Rules must also protect the records from damage or disorganization and prevent excessive interference with other essential functions of the City.

These Rules provide information to persons wishing to request access to public records of the City and establish processes for both requestors and City staff that are designed to best assist members of the public in obtaining such access.

### **PRA Rule 020. Public records officer.**

Any person wishing to request access to public records of the City, or seeking assistance in making such a request, should follow the procedures set forth in these Rules and contact the Public Records Officer (the “PRO”) of the City to submit such a request or to obtain assistance in making such a request:

City Clerk  
City of Pacific  
100 3rd Avenue SE  
Pacific, WA 98047  
Phone (253) 929-1105  
Fax (253) 939-6026

Information is also available at the City's web site at [www.pacificwa.gov](http://www.pacificwa.gov).

### **PRA Rule 030. Availability of public records.**

(1) **Availability.** Public records are available for inspection and copying during normal business hours of the City, Monday through Friday, 8:00 a.m. to 5:00 p.m., excluding legal holidays. Inspection of records shall occur at the central offices of the City unless another location is approved by the PRO or designee.

(3) **Organization of records.** The City will maintain its records in a reasonably organized manner. While committed to fully comply with the Act and these Rules, the City must also take reasonable actions to protect records from damage and disorganization and prevent excessive interference with other essential functions of the City. A requestor shall not take City records from City offices. A variety of records are available on the City's web site at [www.pacificwa.gov](http://www.pacificwa.gov). Requestors are encouraged to view the documents available on the web site prior to submitting a records request.

### **PRA Rule 040. Public records requests.**

(1) Any person wishing to inspect or copy public records of the City should make the request in writing on the City's request form attached as Exhibit A, or by letter, fax, or email addressed to the PRO and including the following information:

Name of requestor; address of requestor; other contact information, including telephone number and any e-mail address; identification of the public records adequate for the PRO to locate the records; and the date and time of day of the request.

(2) If the requestor wishes to have copies or scans of the records made instead of simply inspecting them, he or she should so indicate and make arrangements with the PRO to pay for copies or scans of the records as provided in PRA Rule 070 below.

(3) A form is available for use by requestors at the office of the PRO and on-line at [www.pacificwa.gov](http://www.pacificwa.gov).

(4) Public records requests are public records and subject to inspection or copying.

(5) The PRO shall accept requests for public records that contain the above information by telephone or in person. The PRO will confirm receipt of the information and the substance of the request in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a different statement of the scope.

(6) Records requests may only include existing records. They cannot be used to obtain copies of records not yet in existence.

### **PRA Rule 050. Processing of public records requests.**

(1) **Providing "fullest assistance."** Mindful of the requirements of RCW 42.56.100, to the extent reasonably possible, the PRO will process requests in the order allowing the most requests to be processed in the most efficient manner. In an effort to better understand the request and provide all responsive records, the PRO can inquire about the purpose for the request but the requestor is not required to answer except to establish whether inspection and copying would violate RCW 42.56.070(9) (see PRA Rule 050(5) below) or other statute which exempts or prohibits production of specific information or records to certain persons.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, not including the day the request was received as provided by RCW 1.12.040, the PRO will do one or more of the following:

- a) Make the records available for inspection or copying;
- b) If copies are requested and payment or payment of a deposit is made as provided in PRA Rule 070 below, or terms of payment are agreed upon, send the copies to the requestor;
- c) Provide a reasonable estimate of any additional time needed to respond to the request and a date by which the records will be produced in whole or in part depending on whether the records are being provided in installments. The factors used to estimate the additional time needed must be based upon objective criteria. Additional time is allowed under the following circumstances:
  - i. to request clarification from the requestor if the request is unclear or does not sufficiently identify the requested records. Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the PRO will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requestor responds with a supplemental request;
  - ii. to locate and assemble the information requested;
  - iii. to notify third persons or agencies in the event the requested records contain information that may affect rights of others and may be exempt from production; or
  - iv. to determine whether any of the information requested is exempt from production and that a denial should be made as to all or part of the request; or
- (d) deny or redact the request, specifying the reasons for denial or redaction, including supporting legal citations.

(3) **Failure to respond.** If the PRO does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the PRO to determine the reason for the failure to respond.

(4) **Injunction.** Pursuant to RCW 42.56.565, the City may seek to enjoin the inspection or copying of any nonexempt public record by persons serving criminal sentences in state, local, or privately operated correctional facilities.

(5) **Records exempt from production.** Some records are exempt from production, in whole or in part. If a record is exempt from production and subject to denial, the PRO will state the specific exemption and provide a brief explanation of the denial and how the exemption applies to the record being withheld. This explanation should be sufficient to enable the requestor to make a threshold determination of whether the claimed exemption and denial is proper. If only a portion of a record is exempt from production, but the remainder is not exempt, the PRO will redact the exempt portions, produce the nonexempt portions, and indicate to the requestor why portions of the record are being redacted. (For the purposes of these Rules, redact means the exempt information will be covered in some manner and then the record will be photocopied and the photocopy then disclosed.)

Some records by law require third party notification or consent. The PRO will notify the requestor of the notification or consent requirement and add sufficient time to the estimated response time.

The City is also prohibited by statute from producing lists of individuals for commercial purposes. Therefore, if a request is received for any type of list of individuals, an inquiry as to whether the requestor intends to use the list for commercial purposes must be answered before the list can be provided. If the answer is that it will be used for such purposes, the list cannot be produced.

(6) **Inspection of records.**

(a) Consistent with other demands, the City shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the City to copy or scan, if any, and provide payment for those copies or scans.

(b) The requestor must claim or review the assembled records within 30 days of the PRO'S notification to him or her that the records are available for inspection or copying/scanning. The PRO will notify the requestor, in writing, of this requirement and inform the requestor that he or she should contact the PRO to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the 30-day period or make other arrangements, the PRO may close the request and re-file the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(7) **Providing records in installments.** When the request is for a large number of records, the PRO may provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that manner. If, within 30 days, the requestor fails to inspect the entire set of records or one

or more of the installments, the PRO may stop searching for the remaining records and close the request.

**(8) Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the PRO will close the request and so inform the requestor.

**(9) Later discovered documents.** If, after the PRO has informed the requestor that he or she has provided all available records, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, he or she will promptly inform the requestor of the additional documents and provide them on an expedited basis.

**(10) Identifiable record.** A requestor must request an "identifiable record" or "class of records" before an agency must respond. An identifiable record is one that agency staff can reasonably locate. The Act does not allow a requestor to search through agency files for records which cannot be reasonably identified or described to the agency.

**(11) Requests for information or nonexistent records.** Requests for information are not public records requests. An agency is not required to conduct legal research for a requestor. An agency is not required to create records to respond to a request.

**PRA Rule 060. Processing of public records requests-electronic records.**

**(1) Requesting electronic records.** The process for requesting electronic public records is the same as for requesting paper public records.

**(2) Providing electronic records.** If public records are requested in an electronic format, the PRO will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the agency and is generally commercially available, or in a format that is reasonably translatable from the format in which the agency keeps the record. Costs for providing electronic records are governed by PRA Rule 070 below.

**(3) Retaining electronic copies.** Because an electronic record is usually more susceptible to manipulation and alteration than a paper record, the City will keep, when feasible, an electronic copy of the electronic records it provides to a requestor to be able to show the exact records it provided if necessary.

**PRA Rule 070. Costs of providing copies of public records.**

**(1) Costs for copies.** A requestor may obtain copies or scans as provided under RCW 42.56.070(8), 42.56.120 and WAC 44-14-07003; the City will charge for those copies or scans according to the City's Master Fee Schedule.

Before beginning to make copies, the PRO may require a deposit of up to ten percent of the estimated costs of copying or scanning all the records selected by the requestor. The PRO may also require the payment of the remainder of the copying/scanning costs before providing all the records, or the payment of the costs of copying/scanning an installment before providing that installment. The PRO will not charge sales tax when it

makes copies or scans of public records but if the records are sent to a third party for copying/scanning, that third party may charge sales tax and the requestor will be responsible for payment of that tax as well as the third party's actual charges for copies or scans.

(2) **Costs of mailing.** The City may also charge actual costs of mailing, including the cost of the shipping container.

(3) **Payment.** Payment may be made by cash, check, or money order made payable to the City.

(4) **Other copying charges.** The Act generally governs copying charges for public records, but several specific statutes govern charges for particular kinds of records. The following nonexhaustive list provides some examples: RCW 46.52.085 (charges for traffic accident reports); RCW 10.97.100 (copies of criminal histories) and RCW 70.58.107 (charges for birth certificates). The City will charge the amount authorized pursuant to these other statutes rather than as provided under the Act.

(5) **Use of outside vendor.** An agency is not required to copy/scan records at its own facilities. An agency can send the project to a commercial copying/scanning center and bill the requestor for the amount charged by the vendor. An agency can arrange with the requestor to pay the vendor directly. An agency cannot charge the default per page copying/scanning charge when its cost at a vendor is less.

#### **PRA Rule 080. Review of denials of public records requests.**

(1) **Petition for internal administrative review of denial of access.** Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the PRO for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the PRO denying the request.

(2) **Consideration of petition for review.** The PRO shall promptly provide the petition and any other relevant information to the City Administrator to conduct the review. The City Administrator and City Attorney will immediately consider the petition and either affirm or reverse the denial within two business days following the City's receipt of the petition, or within such other time as the City and the requestor mutually agree.

(3) **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

#### **PRA Rule 090. Exemptions provided by other statutes.**

(1) **Exemptions.** RCW 42.56.070(2) requires the city to set forth "for informational purposes" every law, in addition to the Act, that exempts or prohibits the production of public records. Requestors should be aware of the following exemptions, outside the Act, that may restrict the availability of some records held by the City for inspection and copying/scanning:

<u>RCW 2.64.111</u>	Documents regarding
<u>RCW 2.64.113</u>	discipline/retirement of judges
<u>RCW 4.24.550</u>	Confidentiality – violations
<u>RCW 5.60.060</u>	Information on sex offenders
<u>RCW 5.60.070</u>	Privileged communications
<u>RCW 7.68.140</u>	Court-ordered mediation records
<u>RCW 7.69A.030(4)</u>	Victims' compensation claims
	Child victims and witnesses – protection of identity
<u>RCW 7.69A.050</u>	Rights of child victims and witnesses – addresses
<u>RCW 7.75.050</u>	Records of Dispute Resolution Centers
<u>RCW 9.02.100</u>	Reproductive privacy
<u>RCW 9A.82.170</u>	Financial institution records – wrongful disclosure
<u>RCW 9.51.050</u>	Disclosing transaction of grand jury
<u>RCW 9.51.060</u>	Disclosure of grand jury deposition
<u>RCW 9.73.090(1)(c)</u>	Prohibition regarding specified emergency response personnel recordings
<u>RCW 10.27.090</u>	Grand jury testimony/evidence
<u>RCW 10.27.160</u>	Grand jury reports – release to public only by judicial order
<u>RCW 10.29.030</u>	Organized crime special inquiry judge
<u>RCW 10.29.090</u>	Records of special inquiry judge proceedings
<u>RCW 10.52.100</u>	Records identifying child victim of sexual assault
<u>RCW 10.77.210</u>	Records of persons committed for criminal insanity
<u>RCW 10.97.040</u>	Criminal history information released must include disposition
	Disclosure of identity of suspect to victim
<u>RCW 10.97.080</u>	Inspection of criminal record by subject
<u>RCW 13.32A.090</u>	Crisis residential centers notice to parent about child
<u>RCW 13.34.115</u>	Court dependency proceedings
<u>RCW 13.40.217</u>	Juveniles adjudicated of sex offenses – release of information
<u>RCW 13.50.010</u>	Maintenance of and access to juvenile records
<u>RCW 13.50.050</u>	Juvenile offenders
<u>RCW 13.50.100</u>	Juvenile/children records not relating to offenses
<u>RCW 13.60.020</u>	Missing children information
<u>RCW 13.70.090</u>	Citizen juvenile review board – confidentiality
<u>RCW 18.04.405</u>	Confidentiality of information gained by CPA
<u>RCW 18.19.060</u>	Notification to clients by counselors
<u>RCW 18.19.180</u>	Confidential communications with counselors

<u>RCW 19.215.020</u>	Destruction of personal health and financial information
<u>RCW 19.34.240(3)</u>	Private digital signature keys
<u>RCW 19.215.030</u>	Compliance with federal rules
<u>RCW 26.04.175</u>	Name and address of domestic violence victim in marriage records
<u>RCW 26.12.170</u>	Reports of child abuse/neglect with courts
<u>RCW 26.23.050</u>	Child support orders
<u>RCW 26.23.120</u>	Child support records
<u>RCW 26.26.041</u>	Uniform Parentage Act – protection of participants
<u>RCW 26.26.450</u>	Confidentiality of genetic testing
<u>RCW 26.33.330</u>	Sealed court adoption records
<u>RCW 26.33.340</u>	Agency adoption records
<u>RCW 26.33.343</u>	Access to adoption records by confidential intermediary
<u>RCW 26.33.345</u>	Release of name of court for adoption or relinquishment
<u>RCW 26.33.380</u>	Adoption – identity of birth parents confidential
<u>RCW 26.44.010</u>	Privacy of reports on child abuse and neglect
<u>RCW 26.44.020(19)</u>	Unfounded allegations of child abuse or neglect
<u>RCW 26.44.030</u>	Reports of child abuse/neglect
<u>RCW 26.44.125</u>	Right to review and amend abuse finding – confidentiality
<u>RCW 27.53.070</u>	Records identifying the location of archaeological sites
<u>RCW 29A.08.720</u>	Voter registration records – place of registration confidential
<u>RCW 29A.08.710</u>	Voter registration records – certain information exempt
<u>RCW 35.102.145</u>	Municipal business and occupation tax – Confidentiality, privilege, and disclosure
<u>Chapter 40.14 RCW</u>	Preservation and destruction of public records
<u>RCW 42.23.070(4)</u>	Municipal officer disclosure of confidential information prohibited
<u>RCW 42.41.030(7)</u>	Identity of local government whistleblower
<u>RCW 42.41.045</u>	Non-disclosure of protected information (whistleblower)
<u>RCW 46.52.080</u>	Traffic accident reports – confidentiality
<u>RCW 46.52.083</u>	Traffic accident reports – available to interested parties
<u>RCW 46.52.120</u>	Traffic crimes and infractions – confidential use by police and courts
<u>RCW 46.52.130(2)</u>	Abstract of driving record
<u>RCW 48.62.101</u>	Local government insurance transactions – access to information

<u>RCW 50.13.060</u>	Access to employment security records by local government agencies
<u>RCW 50.13.100</u>	Disclosure of non-identifiable information or with consent
<u>RCW 51.28.070</u>	Worker's compensation records
<u>RCW 51.36.060</u>	Physician information on injured workers
<u>RCW 60.70.040</u>	No duty to disclose record of common law lien
<u>RCW 68.50.105</u>	Autopsy reports
<u>RCW 68.50.320</u>	Dental identification records – available to law enforcement agencies
<u>Chapter 70.02 RCW</u>	Medical records – access and disclosure – entire chapter (HC providers)
<u>RCW 70.05.170</u>	Child mortality reviews by local health departments
<u>RCW 70.24.022</u>	Public health agency information regarding sexually transmitted disease investigations - confidential
<u>RCW 70.24.024</u>	Transcripts and records of hearings regarding sexually transmitted diseases
<u>RCW 70.24.105</u>	HIV/STD records
<u>RCW 70.28.020</u>	Local health department TB records – confidential
<u>RCW 70.41.200</u>	Hospital quality improvement committee records and accreditation reports
<u>RCW 70.48.100</u>	Jail records and booking photos
<u>RCW 70.58.055</u>	Birth certificates – certain information confidential
<u>RCW 70.58.104</u>	Vital records, research confidentiality safeguards
<u>RCW 70.94.205</u>	Washington Clean Air Act – confidentiality of data.
<u>RCW 70.96A.150</u>	Alcohol and drug abuse treatment programs
<u>RCW 70.123.075</u>	Client records of domestic violence programs
<u>RCW 70.125.065</u>	Records of rape crisis centers in discovery
<u>RCW 71.05.390</u>	Information about mental health consumers
<u>RCW 71.05.395</u>	<u>Chapter 70.02 RCW</u> applies to mental health records
<u>RCW 71.05.400</u>	Information to next of kin or representative
<u>RCW 71.05.425</u>	Notice of release or transfer of committed person after offense dismissal
<u>RCW 71.05.427</u>	Information that can be released
<u>RCW 71.05.430</u>	Statistical data
<u>RCW 71.05.440</u>	Penalties for unauthorized release of information
<u>RCW 71.05.445</u>	Release of mental health information to Dept. of Corrections

<u>RCW 71.05.620</u>	Authorization requirements and access to court records
<u>RCW 71.05.630</u>	Release of mental health treatment records
<u>RCW 71.05.640</u>	Access to treatment records
<u>RCW 71.05.650</u>	Accounting of disclosures
<u>RCW 71.24.035(5)(g)</u>	Mental health information system – state, county and regional support networks – confidentiality of client records
<u>RCW 71.34.200</u>	Mental health treatment of minors – records confidential
<u>RCW 71.34.210</u>	Court records for minors related to mental health treatment
<u>RCW 71.34.225</u>	Release of mental health services information
<u>RCW 71A.14.070</u>	Records regarding developmental disability – confidentiality
<u>RCW 72.09.345</u>	Notice to public about sex offenders
<u>RCW 72.09.585(3)</u>	Disclosure of inmate records to local agencies – confidentiality
<u>RCW 73.04.030</u>	Veterans discharge papers exemption (see related RCW 42.56.440)
<u>RCW 74.04.060</u>	Applicants and recipients of public assistance
<u>RCW 74.04.520</u>	Food stamp program confidentiality
<u>RCW 74.09.900</u>	Medical assistance
<u>RCW 74.13.121</u>	Financial information of adoptive parents
<u>RCW 74.13.280</u>	Children in out-of-home placements - confidentiality
<u>RCW 74.20.280</u>	Child support enforcement – local agency cooperation, information
<u>RCW 74.34.095</u>	Abuse of vulnerable adults - confidentiality of investigations and reports
<u>RCW 82.32.330</u>	Disclosure of tax information
<u>RCW 84.36.389</u>	Confidential income data in property tax records held by assessor
<u>RCW 84.40.020</u>	Confidential income data supplied to assessor regarding real property

**Selected Federal Confidentiality Statutes and Rules**

18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii) (I)	Limits on Use and Disclosure of Social Security Numbers.
42 USC 654(26)	State Plans for Child Support
42 USC 671(a)(8)	State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7)	State Plans for Medical Assistance

7 CFR 272.1(c)	Food Stamp Applicants and Recipients
34 CFR 361.38	State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67)	Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307	Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420	Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a(b)(2)(A)	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164	HIPAA Privacy Rule
46 CFR 40.321	USCG regulations regarding confidentiality of drug and alcohol test results done by marine employers

**Exhibit A**  
**Public Records Request Form**  
**City of Pacific, Washington**



**CITY OF PACIFIC**  
**PUBLIC RECORDS REQUEST FORM**

Requestor Name: \_\_\_\_\_ Date: \_\_\_\_\_

Agency: \_\_\_\_\_

Requestor Address: \_\_\_\_\_

Street

Suite/Apt

City

State

Zip Code

Requestor Phone: \_\_\_\_\_ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

Request Made:  In Person  In Writing  Telephone  Fax   
Email

Preferred Delivery:  Pick Up  U.S. Mail  Email (provide address)  Fax  
(provide number)  On-Site Inspection

**Record Request Information:** To expedite the request, be as specific as possible in describing the records being requested, including dates. Also, please include the type of access requested (copying or inspection) and the medium requested.

I agree to pay the actual cost of duplicating, scanning, and/or mailing copies of the requested public records. I understand that the City is prohibited from disclosing lists of individuals to requestors for commercial purposes and do hereby swear under penalty of law that I will not use or allow others to use such public records for commercial purposes.

\_\_\_\_\_  
Requestor's Signature

\_\_\_\_\_  
Date

CITY USE ONLY		
ROUTING	COST	DISPOSITION
PRR No. _____	Est. Duplication Cost _____	<input type="checkbox"/> Request Granted
Date Received _____	Est. Delivery Cost _____	Date Delivered _____
Staff Name _____	Personnel Cost _____	<input type="checkbox"/> Record Withheld in part (explain)
Dept. _____	Est. Total Cost _____	<input type="checkbox"/> Req. Denied (attach explanation)
Dept Forwarded To _____	Deposit Amount _____	<input type="checkbox"/> Other: _____
Date _____	Actual Cost _____	_____
Request forwarded to Attorney for review:	Date Paid _____	_____
<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments: _____	Scanned Date _____
Date _____	_____	Filed request form with Clerk _____
Authorized for Release	_____	_____
<input type="checkbox"/> No (explain) <input type="checkbox"/> Yes	_____	Date
_____		

Fax: 253-939-6026, Attn: City Clerk  
 Email: [astevenson-ness@ci.pacific.wa.us](mailto:astevenson-ness@ci.pacific.wa.us)  
 Mail: City of Pacific, Attn: City Clerk, 100 3<sup>rd</sup> Ave SE, Pacific, WA 98047

**Section 2.** The City's Public Records Officer is hereby directed to publish this Resolution and the availability of these Rules, post and maintain the Rules on the City's website and make them available for inspection and copying at the City Clerk's Office.

**Section 3.** This resolution shall take effect and be in full force upon passage and signature hereon.

PASSED BY THE CITY COUNCIL this 9<sup>th</sup> day of November, 2015.

CITY OF PACIFIC

\_\_\_\_\_  
 LEANNE GUIER, MAYOR

ATTEST/AUTHENTICATED:

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AMY STEVENSON-NESS, CITY CLERK

APPROVED AS TO FORM:

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CAROL MORRIS, CITY ATTORNEY