



**2026 Draft Critical Areas Ordinance (CAO) Amendments
Level V Review Staff Report
File# PLN5-26-0001**

I. GENERAL INFORMATION:

Application Date: June 29, 2026

Public Hearing Date: September 14, 2026

Applicant: City of Walla Walla Development Services
55 E Moore Street, Walla Walla, WA 99362

Amendment Description:

Amendments to the Critical Areas Ordinance, Walla Walla Municipal Code (WWMC) Chapter 21.04, to implement the Walla Walla Comprehensive Plan 2046. The proposed code amendments would apply citywide. New sections are bolded. Under the Washington State Growth Management Act (GMA), the City of Walla Walla must incorporate “best available science” (BAS) when developing policies and regulations to protect the functions and values of critical areas. Additionally, “special consideration” must be given to conservation, or protection measures to preserve or enhance anadromous fisheries, or species that hatch in fresh water, migrate to the ocean to grow as adults, and return to fresh water to spawn. Amendments to the following Municipal Code sections include:

Title 21: Environment

Code Section	Amendment Summary	Category
Chapter 21.04 Critical Areas		
21.04.005(B) Purpose	Adds clarification relating to no net loss of ecological functions and values of critical areas.	State Mandated RCW 36.70A.172
21.04.015 Applicability	Removes outdated Figure 1, which identified how critical areas review was incorporated into the application process for the underlying permit.	Outdated
21.04.020 Definitions	Updates, removes, or adds several definitions per state law.	State Mandated and Clarification

Code Section	Amendment Summary	Category
		RCW 36.70A.172 and WDFW Comments
21.04.035(A) Critical area maps	Renames the “development services” department to the “community development” department and removes outdated numbering of maps.	Outdated
21.04.060(4)(a) Permit processing	Minor clarification.	Clarification
21.04.085(B) (2-3) and (7- 23) Allowed Activities	Clarifies the use and installation of fences in critical areas buffers and adds clarification regarding the removal of noxious weed species.	State Mandated RCW 36.70A.172 and WDFW Comments
21.04.090(B) (2-3) Reasonable use	Adds clarification relating to application requirements for a reasonable use exception.	State Mandated RCW 36.70A.172
21.04.095 (E) Critical area reports – General requirements	Adds clarification that critical area reports shall be valid for five years.	State Mandated RCW 36.70A.172 and WDFW Comments
21.04.105(C) Mitigation requirements	Provides clarification regarding compensatory off-site mitigation requirements.	State Mandated RCW 36.70A.172
21.04.115(C)(1) and (4) and (H) Mitigation plan requirements	Adds clarification relating to vegetation planting plans and critical area tracts and designations.	State Mandated RCW 36.70A.172
21.04.130(A) Building setbacks	Increases the building setback from critical area buffers from five feet to 15-feet.	State Mandated RCW 36.70A.172
21.04.200(B) Critical aquifer recharge areas – Designation.	Adds clarification relating to Washington State Department of Ecology guidance.	State Mandated RCW 36.70A.172
21.04.210(A) Mapping of critical aquifer recharge areas	Clarifies the location of the critical aquifer recharge areas map.	Clarification

Code Section	Amendment Summary	Category
21.04.220 Activities allowed in critical aquifer recharge areas.	Adds clarification relating to the Washington State Water Pollution Control Act.	State Mandated RCW 36.70A.172
21.04.230(D)(5) Critical area report – Additional requirements for critical aquifer recharge areas.	Adds clarification relating to best management practices or mitigation.	State Mandated RCW 36.70A.172 New
21.04.240(B) Performance standards – General requirements	Minor clarification relating to the City.	Clarification
21.04.260(G) Uses prohibited in critical aquifer recharge areas.	Adds a new section relating to dry wells used for vehicle repair and servicing or dry cleaners being prohibited in critical aquifer recharge areas.	State Mandated RCW 36.70A.172 New
21.04.300(B)(1) Wetlands critical areas – Designation	Clarification regarding Category I wetlands.	State Mandated RCW 36.70A.172
21.04.310 Mapping of wetland areas	Clarification regarding the Comprehensive Plan critical areas map.	Clarification
21.04.320(B)(3) Critical area report – Additional requirements for wetland areas	Clarifies that areas within 250 feet of the project area shall be addressed in a critical area report for wetlands.	State Mandated RCW 36.70A.172
21.04.330(F) Activities allowed in wetlands	Language change from “native herbs” to “native plants”.	Clarification
21.04.340(C)(2) and (4) Performance standards – General requirements	Adds and clarifies standards for disconnected buffers, or areas where an existing man-made structure is within the buffer zone. Allowances for modifying the standard buffer width are proposed, when certain conditions are met.	State Mandated RCW 36.70A.172

Code Section	Amendment Summary	Category
21.04.344(B-D) Performance standards – wetland buffer decrease	Adds and clarifies allowances for reductions in the standard buffer widths.	State Mandated RCW 36.70A.172
21.04.345(A-C) Performance standards – Buffer management plan.	Section removed for clarification.	Clarification
21.04.346(B)(1) and (C)(3)(a-h) Performance standards – specific activities and uses	Clarification relating to walkways and trails meeting the Americans with Disabilities Act (ADA) accessibility standards. New section regarding Low Impact Development (LID) and Flow Control best management practices.	State Mandated RCW 36.70A.172
21.04.347 (A-E) Performance standards – Mitigation requirements	Updates ratios for compensatory mitigation.	Outdated
21.04.348(B)(1) Performance standards – specific activities and uses.	Adds clarification regarding the watershed approach and consistency with Ecology publications.	State Mandated RCW 36.70A.172
21.04.400 Mapping of frequently flooded areas	Updates information regarding mapping and designation of frequently flooded areas.	State Mandated RCW 36.70A.172
21.04.410(A) Mapping of frequently flooded areas	Adds information regarding critical areas maps and their data source.	Clarification New
21.04.420 Frequently flooded areas – regulation	Adds clarification regarding the requirements for development in frequently flooded areas.	Clarification New
21.04.500(B)(4); (D); (E) Geologically hazardous areas – designation	Adds clarification relating to geologically hazardous areas, including erosion hazard areas, seismic hazard areas, and mine hazards.	State Mandated RCW 36.70A.172

Code Section	Amendment Summary	Category
21.04.510 Mapping of geologically hazardous areas	Clarification relating to the Comprehensive Plan.	Clarification
21.04.600(A)(1)(b); (C) Fish and wildlife habitat conservation areas – Designation	Updates information relating to the Priority Habitats and Species List.	Clarification
21.04.610 Fish and wildlife habitat conservation areas – Mapping	Clarification relating to the Comprehensive Plan.	Clarification
21.04.620(F)(1); (3) and (5) (G-K) Fish and wildlife habitat conservation areas – Water bodies – Allowed uses.	Adds clarification relating to the requirements for in-stream structures such as dams and weirs.	Clarification
21.04.630(B)(2) Critical area report – Additional requirements for habitat conservation areas	Clarifies that areas to be addressed in the critical areas report shall be areas within 250 feet of the project area.	State Mandated RCW 36.70A.172
21.04.640(G)(3)(c) and (H)(3)(b) Performance standards – General requirements	Clarifies requirements relating to monitoring and maintenance plans and wildlife passable fencing around habitat conservation areas.	State Mandated RCW 36.70A.172 and WDFW comment
21.04.650(A)(1)(a); (B)(C)(D)(2-5)(a)(iii-viii); (6); (E-F) Performance standards – Specific habitats	Adds clarification relating to Washington State Department of Fish and Wildlife (WDFW) Priority Habitats and Species lists; clarifies requirements for wetland habitats and riparian habitat areas, including provisions for riparian habitat buffers. Proposes an increase to 100 feet for riparian buffers in the City. Adds standards for	State Mandated and Clarification RCW 36.70A.172

Code Section	Amendment Summary	Category
	water bodies used by anadromous fish.	
21.04.660(D) Performance standards – Subdivisions	Adds a requirement relating to development projects and wildlife habitat corridors.	State Mandated RCW 36.70A.172
21.04.670(C) Fish and wildlife habitat conservation areas – Piped streams	Adds clarification relating to the daylighting of piped streams.	State Mandated RCW 36.70A.172
21.04.700 Landfill vicinity development standards	Relocates this section to Title 20 Zoning.	Clarification Moved

II. SEPA STATUS:

The Notice of Application and Washington State Environmental Policy Act (SEPA) checklist was circulated to the SEPA distribution list and Washington State Department of Ecology SEPA register on August 18, 2026.

The City of Walla Walla Development Services has determined that this proposal is unlikely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). Staff reviewed the following: Submitted SEPA Checklist, dated June 29, 2026, and the existing environmental documents: Walla Walla Comprehensive Plan Final Environmental Impact Statement (FEIS), issued May 22, 2018, and Walla Walla Comprehensive Plan - Walla Walla 2040, Ordinance 2018-15, adopted June 13, 2018.

Pursuant to WAC 197-11-600(4)(c) and the addendum procedures in WAC 197-11-625, the City is issuing this Addendum to the 2018 FEIS. This Addendum provides additional information and analysis based on the June 29, 2026, Environmental Checklist. The information presented does not substantially change the analysis of probable significant adverse impacts or the range of alternatives considered in the 2018 FEIS. The original FEIS remains valid and is not modified or replaced by this Addendum.

III. FINDINGS OF FACT:

1. In accordance with Walla Walla Municipal Code (WWMC) Section 20.02.130, the Development Services staff and the Planning Commission review the WWMC throughout the year to ensure consistency with newly passed Washington State legislation, to clarify confusing sections that Development Services staff have observed to be difficult to administer, or to amend and

remove outdated language or land uses. The Zoning Code is thoroughly examined as part of the Planning Commission's regular work program, in coordination with the required periodic update of the Comprehensive Plan.

2. The City hired a consultant, Facet, to support the 2026 critical areas ordinance (CAO) periodic update. City staff kicked off the project with Facet in fall 2025 and began initial discussions and review of the draft critical area ordinance amendments.
3. Draft critical areas ordinance amendments were presented to the Planning Commission at the August 3, 2026, workshop.
4. The formal critical areas ordinance amendments were initiated (application submitted) on June 29, 2026. The 60-day notice was submitted to the Washington State Department of Commerce on August 4, 2026, and the submittal receipt was received on August 4, 2026.
5. Zoning code text amendments are a Level V review under Walla Walla Municipal Code (WWMC) Chapter 20.28, which requires the Planning Commission to hold a public hearing and make a recommendation to the City Council. The City Council is the decision authority.
6. A Notice of Application/ Notice of Public Hearing was published in the Union Bulletin newspaper on August 18, 2026, and posted on the City of Walla Walla website on August 18, 2026, as required by WWMC 20.14.065.
7. **Public Comments:** Two agency comments from the Washington State Department of Fish and Wildlife (WDFW) and the Department of Natural Resources (DNR) and one public comment have been received.
8. WWMC Chapter 20.48, Amendments, outlines the requirements for processing amendments as follows:

20.48.020 Who may initiate.

A. Amendments may be initiated by:

1. The City Council;
2. The City Manager;
3. The Planning Commission;
4. The Zoning Administrator;
5. Any person requesting amendment to the text of this Code;
6. Any property owner or contract purchaser or authorized agent requesting a rezone of his property; or
7. Any property owner(s) requesting annexation to the City.

20.48.030 Procedure.

- C. The City Council is responsible for the approval or denial of a rezone or text amendment. When considering a rezone request or a text amendment, the City Council will act on the request at a public meeting upon the hearing record of the initial reviewing body.

20.48.045 Review criteria for prezones, area-wide rezones, and text amendments.

The decision on a prezone, area-wide rezone, or text amendment shall be based on a legislative finding upon whether or not the proposal is consistent with and implements the Walla Walla Comprehensive Plan.

20.48.050 Record of amendments.

All amendments to the zone code will be recorded and indexed in the Development Services Department according to Section 20.14.100 of this code.

9. The proposed code amendments are supported by the City of Walla Walla Comprehensive Plan as identified in the conclusions of law section of this staff report as required by RCW 36.70A.130(1)(d), which reads in part: "Any amendment of or revision to development regulations shall be consistent with and implement the comprehensive plan."
10. Pursuant to WAC 197-11-600(4)(c) and the addendum procedures in WAC 197-11-625, the City is issuing this Addendum to the 2018 FEIS. This Addendum provides additional information and analysis based on the June 29, 2026, Environmental Checklist. The information presented does not substantially change the analysis of probable significant adverse impacts or the range of alternatives considered in the 2018 FEIS. The original FEIS remains valid and is not modified or replaced by this Addendum.
11. The Planning Commission is scheduled to conduct a Public Hearing on September 14, 2026.

IV. CONCLUSIONS OF LAW:

1. Pursuant to Walla Walla Municipal Code Chapter 20.48 Amendments, the following applies:

20.48.020 Who may initiate.

A. Amendments may be initiated by:

1. The City Council;
2. The City Manager;
3. The Planning Commission;
4. The Zoning Administrator;
5. Any person requesting an amendment to the text of this Code;
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20.48.050 Record of amendments.

All amendments to the zone code will be recorded and indexed in the Development Services Department according to Section 20.14.100 of the Walla Walla Municipal Code.

Staff analysis of how the proposed code amendments meet the requirements of WVMC Chapter 20.48:

1. Procedural Elements-

The proposed code amendments were initiated by the Development Services Department (Zoning Administrator) to revise and update sections of the code to improve clarity and usability, to align with recently passed State legislation, and to remove and update outdated language.

The review by the Planning Commission was conducted at the regularly scheduled work session on August 3, 2026.

A notice of application and notice of public hearing for the Planning Commission Public Hearing on September 14, 2026, was published in the Union Bulletin on August 18, 2026, and posted on the City's website on August 18, 2026. The public comment period concluded on September 4, 2026, for inclusion in the staff report for the Planning Commission.

Two agency comments from the Washington State Department of Fish and Wildlife (WDFW) and the Department of Natural Resources (DNR) and one public comment have been received.

The Planning Commission shall conduct a Public Hearing and make a recommendation to the City Council.

The review criterion for municipal code text amendments is that the amendments are consistent with and implement the Walla Walla Comprehensive Plan – Walla Walla 2046. Staff will outline how the proposed code amendments are consistent with the Comprehensive Plan in the next conclusion analysis below.

Staff finds that the proposed code amendments meet the requirements of WVMC Chapter 20.48 Amendments based on the above staff analysis.

2. Walla Walla Comprehensive Plan -

The proposed code amendments are supported by the Walla Walla Comprehensive Plan – Walla Walla 2046 Goals and Policies, as follows:

Environment and Natural Resources (ENR) Goal 1: Water, air, and soil resources in Walla Walla are protected.

ENR Policy 1.3: Identify and protect critical areas, and keep the City's Critical Areas Ordinance updated, in accordance with the Periodic Update Cycle.

ENR Goal 4: The integrity of Walla Walla’s riparian ecosystem is protected by avoiding development and other land use activities within Riparian Management Zones (RMZs).

ENR Policy 4.1: Take measures to safeguard existing wetlands to prevent continual loss and degradation.

ENR Policy 5.1: Ensure that buffers are adequately defined, regulated, and controlled to limit the disturbance of vegetation and disruption of ecological function.

Climate Resilience (CR) Policy 1.4: Address climate change impacts (such as increased flooding, reduced winter streamflow, extreme heat risks, heightened wildfire threats, and broader ecosystem vulnerabilities), in future planning, design, and management of critical infrastructure, services, and natural resources.

CR Policy 4.1: Prioritize the protection and restoration of critical habitats such as floodplains, wetlands, and riparian ecosystems and other critical areas to reduce the severity of climate impacts, support long-term ecosystem health, and improve climate adaptability.

CR Policy 4.2: Continue to support fish and habitat recovery efforts to improve the climate resilience of streams and watersheds.

CR Policy 4.3: Coordinate climate resilience efforts in future updates of other city plans, including the Shoreline Master Program and critical areas regulations, through conservation area designations, buffers, and the development of open space corridors.

Staff analysis of how the proposed critical areas ordinance amendments align with the Comprehensive Plan:

The proposed 2026 periodic critical areas ordinance amendments fall into the categories of outdated, clarification, and state mandated. The majority of the code amendments relate to a state mandate under RCW (Revised Code of Washington) 36.70A.172. This RCW requires “best available science” (BAS) to be incorporated when developing policies and regulations to protect the functions and values of critical areas. The associated code amendments are aligned with the Comprehensive Plan Environment and Natural Resources (ENR) Policy 1.3 and Climate Resilience (CR) Policy 4.1.

The above legislation also includes new requirements related to preserving or enhancing anadromous fisheries, which are species that hatch in fresh water, migrate to the ocean to grow as adults, and return to fresh water to spawn, such as salmon. To this end, the riparian buffer zones on either side of the City’s creeks and streams are proposed to increase from 35 or 50 feet, depending on the waterway, to 100 feet. These code amendments are supported by and aligned with Comprehensive Plan ENR Goal 4 and CR Policies 4.2 and 4.3.

Code amendments are proposed relating to disconnected buffers, or areas where an existing man-made structure is within the buffer zone. Allowances for modifying the standard buffer width are proposed when certain conditions are met. Comprehensive Plan ENR Policy 5.1 supports these code amendments.

As noted above, comments were received from WDFW, and changes were made to reflect the agency's comments. These code changes include adding clarification to the definition of "mitigation"; adding a section regarding the removal of noxious weed species; adding a new section specifying that critical area reports are valid for five years; removing the exception for single-family residential lots to provide monitoring and maintenance plans; and clarifying that fencing around habitat conservation areas or buffers shall be wildlife-passable fencing.

Staff reviewed the existing Municipal Code for inconsistencies, lack of clarity and usability, and places where the existing code was out of alignment with recently passed state legislation.

3. Growth Management Act -

The Growth Management Act (GMA) RCW 36.70A.020 goals that apply to the proposed Municipal Code Text Amendments are as follows:

Goal 1 Urban Growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Goal 6 Property Rights. Private property shall not be taken for public use without just compensation having been made. The property rights of landowners shall be protected from arbitrary and discriminatory actions.

Goal 7 Permits. Applications for both state and local government permits should be processed in a timely and fair manner to ensure predictability.

Goal 9 Open Space and Recreation. Retain open space and green space, enhance recreational opportunities, enhance fish and wildlife habitat, increase access to natural resource lands and water, and develop parks and recreation facilities.

Goal 10 Environment. Protect and enhance the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.

Goal 11 Citizen Participation and Coordination. Encourage the involvement of citizens in the planning process and ensure coordination between communities and jurisdictions to reconcile conflicts.

The public hearing notice was posted on August 18, 2026, and published on August 18, 2026, advertising the Planning Commission's public hearing on September 14, 2026, and soliciting comments from the public.

The intent is to take public input and feedback and bring forth the proposed amendments in this legislative process. Staff concludes that the proposed text amendments will implement the goals and policies of the City of Walla Walla Comprehensive Plan 2046 and of the Growth Management Act.

V. STAFF RECOMMENDATION

Staff recommend the Planning Commission recommend approval to the Walla Walla City Council for the Walla Walla Critical Areas Ordinance Amendments to Title 21 Environment.

Prepared by Lisa Wasson-Seilo, Planner: 

VI. EXHIBITS

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|---|--------------------|
| 1. Draft Critical Areas Ordinance Amendments Table for Application and Public Comment | September 14, 2026 |
| 2. SEPA Checklist | June 29, 2026 |
| 3. SEPA Addendum to the 2018 FEIS | August 17, 2026 |
| 4. Planning Commission Workshop Draft Minutes | August 3, 2026 |
| 5. WA Department of Commerce Submittal Receipt | August 4, 2026 |
| 6. Notice of Application/ Notice of Public Hearing | August 18, 2026 |
| 7. Public Comment – Department of Natural Resources | August 7, 2026 |
| 8. Public Comment – Howard Boggs | August 26, 2026 |
| 9. Public Comment – Department of Fish and Wildlife | August 28, 2026 |

2026 Draft Critical Areas Code (CAO) Amendments Table

Planning Commission Public Hearing – September 14, 2026

KEY:

BOLD (NEW)

STRIKEOUT (PROPOSED DELETION)

CATEGORIES: OUTDATED, CLARIFICATION, STATE MANDATED

WWMC	Section	Proposed Amendment	Category and Notes
Title 21: Environment			
Chapter 21.04.005 (B) Critical Areas	Purpose	B. This chapter is to implement the goals, policies, guidelines, and requirements of the city of Walla Walla ("city") urban area comprehensive plan and the Growth Management Act. Development regulations must protect all functions and values of critical areas to ensure no net loss of ecological functions and values. The city must give special consideration to conservation and protection measures necessary to preserve or enhance anadromous fisheries (WAC 365-190-080).	State Mandated RCW 36.70A.172
21.04.015 Critical Areas	Applicability	Figure 1 <pre> graph TD A[Development/land Use Permit Application] --> B[CAC Review preliminary] B --> C{Activity within 100 feet of critical area?} C -- No --> D[Permit Issued] C -- Yes --> E[Activity within 100 feet of critical area?] E --> F[Impact Determination] F --> G{Potential Risk?} G -- No --> H[Permit Issued] G -- Yes --> I[Provide report or other required information] I --> J{Protective mitigation measures} J -- No --> K[Permit Issued] J -- Yes --> L[Permit Issued/Completed CAC Review] L --> D </pre>	Outdated

WWMC	Section	Proposed Amendment	Category and Notes
Chapter 21.04.020 Critical Areas	Definitions	"Best available science" means current scientific information used in the process to designate, protect, or restore critical areas that is derived from a valid scientific process as defined by WAC 365-195-900 through 365-195-925. Sources of best available science are included in "Citations of Recommended Sources of Best Available Science for Designating and Protecting Critical Areas" published by the state Office of Community Development. The Washington State Department of Commerce's Critical Areas Handbook; A Handbook for Reviewing Critical Areas Regulations. "Critical aquifer recharge areas" means areas designated by WAC 365-190-080(2) 100 that are determined to have a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2). and are areas with geologic conditions associated with critical recharging of aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge. "Erosion hazard areas" means at least are those areas identified by the containing soils which, according to the United States Department of Agriculture Natural Resources Conservation Service as having a Soil Survey Program, may experience significant erosion, including severe rill and inter-rill erosion hazard. Erosion hazard areas also include channel migration zones in WAC 365-190-030. "Frequently flooded areas" as defined in WAC 365-190-030 means lands in the flood plain subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater. These areas include, but are not limited to, streams, rivers, lakes, wetlands, and areas where high groundwater forms ponds on the ground surface.	State Mandated and Clarification RCW 36.70A.172 And WDFD Comments

WWMC	Section	Proposed Amendment	Category and Notes
		"Groundwater" means water in a saturated zone or stratum beneath the surface of land or a surface water body;whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves as defined in WAC 173-100-040. "Habitats of Local Importance." These areas include a seasonal range or habitat element with which a given species has a primary association and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited in availability or high vulnerability to change alterations, such as cliffs, talus, and wetlands as defined in (WAC 365-190-030.) "Hazard areas" means areas designated as frequently flooded areas or geologically hazardous areas due to potential for erosion, landslide, seismic activity, extreme slopes, or other geological conditions. "Landslide hazard areas" means as defined in WAC 365-190-120, includes areas that are potentially subject to landslides based on risk of mass movement due to a combination of geologic landslide resulting from a combination of geologic, topographic, and hydrologic factors. They include areas are typically susceptible to landslides because of a combination of factors including: bedrock, soil, slope gradient, slope aspect, geologic structure, hydrology ground-water, or other factors, and include, at a minimum, the following: 1. Areas of historic failures, such as: a. Those areas delineated by the United States Department of Agriculture Natural Resources Conservation Service as having a significant limitation for building site development; b. Areas designated as quaternary slumps, earthflows, mudflows, lahars,	

WWMC	Section	Proposed Amendment	Category and Notes
		or landslides on maps published by the United States Geological Survey or Washington Department of Natural Resources. 2. Areas with all three of the following characteristics: a. Slopes steeper than 15 percent; b. Hillsides intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and c. Springs or groundwater seepage. 3. Areas that have shown movement during the Holocene epoch (from 10,000 years ago to the present) or which are underlain or covered by mass wastage debris of this epoch; 4. Slopes that are parallel or subparallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials; 5. Slopes having gradients steeper than 80 percent subject to rockfall during seismic shaking; 6. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and undercutting by wave action, including stream channel migration zones; 7. Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows or catastrophic flooding; 8. Any area with a slope of 40 percent or steeper and with a vertical relief of 10 or more feet except areas composed of bedrock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least 10 feet of vertical relief. “Mitigation” means avoiding, minimizing or compensating for adverse critical areas impacts and • <i>Occurs at the same time as, or in advance of, a project's planned environmental impacts;</i> • <i>Is located in a site either on, near, or distant from the project's impacts; and</i>	

WWMC	Section	Proposed Amendment	Category and Notes
		• <i>provides either the same or different biological functions and values as the functions and values impacted by the project. (RCW 90.74.010)</i> Mitigation, in the following order of preference, is: 1. Avoiding the impact altogether by not taking a certain action or parts of an action; 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project redesign, relocation, or timing, to avoid or reduce impacts; 3. Rectifying the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project; 4. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods; 5. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action; 6. Compensating for the impact to wetlands, critical aquifer recharge areas, and habitat or critical areas by replacing, enhancing, or providing substitute resources or environments; and 7. Monitoring the hazard or other required mitigation and taking remedial action when necessary. Mitigation for individual actions may include a combination of the above measures. "On-site mitigation" means on or adjacent to the project impact site or in the same watershed, stream reach; based on resource needs. "Shorelands or shoreland areas" means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams and	

WWMC	Section	Proposed Amendment	Category and Notes
		lakes which are subject to the provisions of the City of Walla Walla Shoreline Master Program; the same to be designated as to location by the Department of Ecology. "Shorelines" means all of the water areas of the state as defined in RCW 90.58.030, including reservoirs and their associated shorelands, together with the lands underlying them except: 1. Shorelines of statewide significance; 2. Shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and 3. Shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes. "Shorelines of statewide significance" means those areas defined in RCW 90.58.030(2)(e). "Shorelines of the state" means the total of all shorelines, as defined in RCW 90.58.030(2)(d), and shorelines of statewide significance within the state, as defined in RCW 90.58.030(2)(e). "Water typing system" means waters classified according to WAC 222-16-030, including the following: 1. "Type S Water" means all waters, within their bankfull width, inventoried as shorelines of the state under Chapter 90.58 RCW and the rules promulgated pursuant to Chapter 90.58 RCW including periodically inundated areas of their associated wetlands. For purposes of this definition: a. "Dwelling unit" means a home, apartment, residential condominium unit or mobile home, serving as the principal place of residence. b. "Camping unit"	

WWMC	Section	Proposed Amendment	Category and Notes
		means an area intended and used for: i. Overnight camping or picnicking by the public, containing at least a fireplace, picnic table and access to water and sanitary facilities; or ii. A permanent home or condominium unit or mobile home not qualifying as a dwelling unit because of part-time occupancy. c. "Public accommodation facility" means a business establishment open to and licensed to serve the public, such as a restaurant, tavern, motel or hotel. d. "Natural waters" only excludes water conveyance systems which are artificially constructed and actively maintained for irrigation. e. "Seasonal low flow" and "seasonal low water" mean the conditions of the seven-day, two-year low water situation, as measured or estimated by accepted hydrologic techniques recognized by the department. f. "Channel width and gradient" means a measurement over a representative section of at least five hundred linear feet with at least ten evenly spaced measurement points along the normal stream channel but excluding unusually wide areas of negligible gradient such as marshy or swampy areas, beaver ponds and impoundments. Channel gradient may be determined utilizing stream profiles plotted from United States Geological Survey topographic maps (see board manual section 23). g. "Intermittent streams" means those segments of streams that normally go dry. h. "Fish habitat" means habitat which is used by any fish at any life stage at any time of the year, including potential habitat likely to be used by fish which could be recovered by restoration or management, and includes off-channel habitat. 2, "Type F Water" means segments of natural waters, other than Type S Waters, which are within the bankfull widths of defined channels and periodically	

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		inundated areas of their associated wetlands, or within lakes, ponds, or impoundments having a surface area of one-half acre or greater at seasonal low water and which in any case contain fish habitat or are described by one of the following four categories: a. Waters which are diverted for domestic use by more than ten residential or camping units or by a public accommodation facility licensed to serve more than ten persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type F Water upstream from the point of such diversion for one thousand five hundred feet or until the drainage area is reduced by fifty percent, whichever is less; b. Waters which are diverted for use by federal, state, tribal or private fish hatcheries. Such waters shall be considered Type F Water upstream from the point of diversion for one thousand five hundred feet, including tributaries if highly significant for protection of downstream water quality. The department may allow additional harvest beyond the requirements of Type F Water designation, provided the department determines after a landowner-requested on-site assessment by the Department of Fish and Wildlife, Department of Ecology, the affected tribes and interested parties that: i. The management practices proposed by the landowner will adequately protect water quality for the fish hatchery; and ii. Such additional harvest meets the requirements of the water type designation that would apply in the absence of the hatchery; c. Waters which are within a federal, state, local, or private campground having more than ten camping units; provided, that the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within one hundred feet of a camping unit, trail or other park improvement; d. Riverine ponds, wall-based channels, and other channel features that are used by fish for off-channel habitat. These areas are critical to the maintenance	

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		of optimum survival of fish. This habitat shall be identified based on the following criteria: i. The site must be connected to a fish habitat stream and accessible during some period of the year; and ii. The off-channel water must be accessible to fish. 3. "Type Np Water" means all segments of natural waters within the bankfull width of defined channels that are perennial non-fish-habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow. 4. "Type Ns Water" means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, non-fish-habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Type Ns Waters must be physically connected by an above-ground channel system to Type S, F, or Np Waters. "Wetland category" means wetlands that are categorized into Category I, II, III or IV based upon the categorization procedures in the Washington State Wetland Rating System for Eastern Washington 2014 update, as amended (Hruby T. 20014). "Wetlands" as defined by WAC 365-190-030 means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation 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 from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were	

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		unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local government shall use the approved federal delineation manual and regional supplement, as amended.	
21.04.035(A) Critical Areas	Critical area maps.	A. The approximate location and extent of critical areas will be displayed on various inventory maps available at the city community development services department or online. These maps will be updated as inventories are completed in compliance with the requirements of the Growth Management Act, and additional maps may be added as appropriate. These Comprehensive Plan maps include: 1. City of Walla Walla Critical Area Map 4: Critical Aquifer Recharge Areas; 2. City of Walla Walla Critical Area Map 2: Wetlands; 3. City of Walla Walla Critical Area Map 3: Frequently Flooded Areas; 4. City of Walla Walla Critical Area Map 4: Geologically Hazard Areas; 5. City of Walla Walla Critical Area Map 5: Fish and Wildlife Habitat Conservation Areas;	Clarification
Chapter 21.04.060(4)(a) Critical Areas	Permit processing.	Field markings are intended to prevent disturbance of critical areas and buffers and may include such items such as temporary fences;	Clarification
Chapter 21.04.085(B)(2-3, 7-23) Critical Areas	Allowed activities.	The following developments, activities, and associated uses are allowed in critical areas, and do not require approval or submission of a critical area report, provided they are consistent with the provisions of other local, state, and federal laws and requirements. Activities may intrude into the critical area or required buffer provided such activities are otherwise consistent with this chapter and other applicable regulations. The director may apply conditions to an underlying permit or approval to ensure that the activities are consistent with the provisions of this chapter, subject to any listed conditions, related permits, and in conformance with other portions of the	State Mandated RCW 36.70A.172 and WDFW Comments

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		Walla Walla Municipal Code and applicable state or federal law or regulation. Any proposal to modify a critical area or its buffer must demonstrate compliance with mitigation sequencing under WWMC 21.04.110. (B)(2) Maintenance, operation and/or repair of existing rights-of-way, trails, roads, utilities, fences, buildings and other facilities within critical areas and buffers; provided, that the activity does not further alter, impact, or encroach upon the sensitive area or buffer or further affect the functions of sensitive areas, and there is no increased risk to life or property as a result of the proposed operation, maintenance, or repair; and provided further, that: (B)(3) Maintenance of existing, lawfully established landscaping being features and gardens within a regulated critical area or its buffer, including but not limited to maintaining fences, trellises, pathways and patio, mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden crops, pruning and planting native vegetation, pruning of existing ornamental vegetation to maintain the condition and appearance of such areas as they existed prior to adoption of this code; provided, that native growth protection areas, mitigation sites, or other areas protected via conservation easements or similar restrictive covenants are not covered by this exception. (B)(7) Low-impact activities such as hiking, canoeing, nature study, photography, fishing, education or scientific research. Replacement modification, installation, or construction of fences; provided, wildlife passage is considered where feasible, and no fill or discharge occurs outside the existing improved area and with appropriate best management practices to control erosion, sedimentation and other potential impacts. Excluded is work within a water body or wetland, including but not limited to fence posts.	

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		(B)(8) Low-impact activities such as hiking, canoeing, nature study, photography, fishing, education or scientific research. Public and private pedestrian trails, provided they are subject to the following: a. The trail surface shall not exceed five feet in width; b. The trail surface shall consist of gravel, a pervious surface or a boardwalk; c. The trail shall meet all other city requirements including water quality standards; d. Sensitive area and/or buffer widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas; and e. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion and in accordance with an approved geotechnical report. Low-impact activities such as hiking, canoeing, nature study, photography, fishing, education or scientific research: (B)(9) Public and private pedestrian trails, provided they are subject to the following: a. The trail surface shall not exceed five feet in width; b. The trail surface shall consist of gravel, a pervious surface or a boardwalk; c. The trail shall meet all other city requirements including water quality standards; d. Sensitive area and/or buffer widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas; and e. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion and in accordance with an approved geotechnical report. The following vegetation removal activities: a. The removal of the noxious weed species designated by Washington State in Chapter 16-750 WAC or the local weed control authority with hand labor and light equipment, or other invasive species;	

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		b. The removal of hazard trees from sensitive areas and buffers that are posing a threat to public safety, or an imminent risk of damage to a permanent structure with consultation from a certified arborist. Public and private pedestrian trails, provided they are subject to the following: a. The trail surface shall not exceed five feet in width; b. The trail surface shall consist of gravel, a pervious surface or a boardwalk; c. The trail shall meet all other city requirements including water quality standards; d. Sensitive area and/or buffer widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas; and e. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion and in accordance with an approved geotechnical report. (B)10) The following vegetation removal activities: a. The removal of the noxious weed species designated by Washington State in Chapter 16-750 WAC or the local weed control authority, other invasive species with hand labor and light equipment, or with the use of only WA Dept. of Ecology-approved aquatic herbicides and, when necessary, avoidance of hazardous substances, prevention of soil compaction, and timing restrictions to protect fish and wildlife during sensitive periods; b. The removal of hazard trees from sensitive areas and buffers that are posing a threat to public safety, or an imminent risk of damage to a permanent structure with consultation from a certified arborist. Minor site investigative work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads, removal of native trees or shrubs, or displacement of more than five cubic yards of material. Investigations involving displacement of more than five cubic yards of material, including geotechnical soil borings, groundwater monitoring wells, percolation tests, and similar activities, shall require submittal of specific plans and	

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		restoration plans. In every case, impacts to the sensitive area shall be minimized and disturbed areas shall be immediately restored. (B)(11) The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, if necessary; provided, that their use shall be conducted in accordance with applicable state and federal law. Minor site investigative work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads, removal of native trees or shrubs, or displacement of more than five cubic yards of material. Investigations involving displacement of more than five cubic yards of material, including geotechnical soil borings, groundwater monitoring wells, percolation tests, and similar activities, shall require submittal of specific plans and restoration plans. In every case, impacts to the sensitive area shall be minimized and disturbed areas shall be immediately restored. (B)(12) Activities undertaken to comply with a United States Environmental Protection Agency superfund-related order, or a Washington Department of Ecology order pursuant to the Model Toxics Control Act that specifically preempts local regulations in the findings of the order. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, if necessary; provided; that their use shall be conducted in accordance with applicable state and federal law. (B)(13) Projects and facilities for restoration and enhancement of ecological functions of critical areas and related resources may be allowed within critical areas and buffers, upon approval of a restoration and mitigation plan in accordance with the provisions of this chapter, or for restoration and enhancement programs in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to RCW 89.08.460, a salmonid recovery plan, the Salmon Recovery Funding Board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to	

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		RCW 77.55.290. Activities undertaken to comply with a United States Environmental Protection Agency superfund-related order, or a Washington Department of Ecology order pursuant to the Model Toxics Control Act that specifically preempts local regulations in the findings of the order. (B)(14) The repair and maintenance of existing drainage ditches. Projects and facilities for restoration and enhancement of ecological functions of critical areas and related resources may be allowed within critical areas and buffers, upon approval of a restoration and mitigation plan in accordance with the provisions of this chapter, or for restoration and enhancement programs in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to RCW 89.08.460, a salmonid recovery plan, the Salmon Recovery Funding Board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to RCW 77.55.290. (B)(15) The installation of individual service lines for agricultural purposes and to existing uses. The repair and maintenance of existing drainage ditches. (B)(16) Normal and routine activities conducted by a public agency to control mosquitoes and weeds. The installation of individual service lines for agricultural purposes and to existing uses. (B)(17) Agricultural activities including farming, horticulture, normal maintenance and repair of irrigation delivery systems and drainage systems; ranching and grazing of animals and pest and weed control. This includes land lying idle under a government program, agricultural set-aside land and changes between agricultural activities. Normal and routine activities conducted by a public agency to control mosquitoes and weeds. (B)(18) Normal and routine maintenance of agricultural ponds, livestock watering ponds and fish ponds. Agricultural activities including farming, horticulture, normal maintenance and repair of irrigation delivery systems	

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		and drainage systems, ranching and grazing of animals, fence maintenance, and pest and weed control. This includes land lying idle under a government program, agricultural set-aside land, and changes between agricultural activities. (B)(19) The maintenance and repair of stormwater facilities under this chapter and designed in accordance with Chapter 13.16. Normal and routine maintenance of agricultural ponds, livestock watering ponds and fish ponds. (B)(20) Normal maintenance and repair of the concrete-lined Mill Creek channel within the city's jurisdiction from Rooks Park to Gose Street for flood control purposes. The maintenance and repair of stormwater facilities under this chapter and designed in accordance with Chapter 13.16. (B)(21) Normal dredging required to maintain ongoing water navigational facilities including boat and barge slips, docking facilities, entrance channels and agricultural irrigation facilities; provided, that other applicable permits are obtained. Normal maintenance and repair of the concrete-lined Mill Creek channel within the city's jurisdiction from Rooks Park to Gose Street for flood control purposes. (B)(22) Cases where a federal or state agency has jurisdictional control over a wetland and the director determines that those permit conditions would satisfy the requirements of this chapter. Normal dredging required to maintain ongoing water navigational facilities including boat and barge slips, docking facilities, entrance channels and agricultural irrigation facilities; provided that other applicable permits are obtained. (B)(23) Cases where a federal or state agency has jurisdictional control over a wetland and the director determines that those permit conditions would satisfy the requirements of this chapter.	
Chapter 21.04.090(B)(2-3) Critical Areas	Reasonable use.	B. Exception Request and Review Process. An application for a reasonable use exception shall be made to the city and shall include a critical area report, prepared by a qualified professional , including mitigation plan, if necessary,	State Mandated RCW 36.70A.172

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		and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW) (SEPA documents). The director shall determine whether an exception request shall be granted based on review of the submitted information, a site inspection, and the proposal's ability to comply with reasonable use exception criteria. The director shall approve with conditions or deny the request based on the proposal's ability to comply with all of the following reasonable use exception review criteria: 2. No other reasonable use of the property has less impact on the critical area and the applicant demonstrates that other permitted uses in the areas that have less impact on the critical area and buffer are not technically feasible as an alternative. 3. The proposed impact to the critical area is the minimum necessary to allow for reasonable economic use of the property; and upon request, the director may require the applicant to provide a neighborhood analysis that evaluates the surrounding conditions in the immediate vicinity to verify that the applicant's request is consistent with the minimum necessary reasonable use criteria.	
Chapter 21.04.095 (E) Critical Areas	Critical area reports – General requirements.	Critical area reports shall be valid for a period of five years. After such date, the Director shall determine whether a revision or additional assessment is necessary.	State Mandated RCW 36.70A.172 and WDFW Comments
Chapter 21.04.105(C) Critical Areas	Mitigation requirements.	The director may approve off-site mitigation if the applicant demonstrates that no viable on-site mitigation opportunities exist. Compensatory mitigation proposed off-site is required by state and/or federal permitting agencies, and/or shall be provided in the location that will provide the greatest ecological benefit and have the greatest likelihood of success. Preference will be given to off-site mitigation as close as possible to the impact area and within the same	State Mandated RCW 36.70A.172

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		watershed sub-basin as the permitted alteration; provided; that off-site mitigation may occur within the city or within water resource inventory area (WRIA) 32 upon demonstration through a watershed- or landscape-based analysis that mitigation within an alternative sub-basin of the watershed would have greater ecological benefit. Off-site mitigation sites preference shall be given to sites and restoration activities identified in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to RCW 89.08.460, a salmonid recovery plan, the Salmon Recovery Funding Board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to RCW 77.55.290.	
Chapter 21.04.115 (C)(1) and (4) and (H) Critical Areas	Mitigation plan requirements.	C. Detailed Construction Plans. The mitigation plan shall include written specifications and descriptions of the mitigation proposed, such as: 1. The proposed construction sequence, timing, of impact and mitigation activities, and duration; 2. Grading and excavation details; 3. Erosion and sediment control features; 4. A vegetation planting plan specifying plant species, including those species identified in Walla Walla County Conservation District Homeowner's Guide to Riparian Buffers, quantities, locations, size, spacing, and density; and 5. Measures to protect and maintain plants until established. H. Critical Area Tracts and Designations. A notice on title or critical area tract shall be used to delineate and protect those critical areas and buffers in development proposals for subdivisions, short subdivisions, or other affected lots as detailed under WWMC 21.04.125 at the discretion of the director.	State Mandated RCW 36.70A.172
Chapter 21.04.130(A) Critical Areas	Building setbacks.	Unless otherwise provided, buildings and other structures shall be set back a distance of fifteen five feet from the edges of all critical area buffers or from the edges of all critical areas, if no buffers are required. Minor reduction of the	State Mandated RCW 36.70A.172

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		standard building setback to a minimum of five feet may be permitted by the director if adequate protection of the critical area buffer will be maintained as documented by a qualified professional in a critical areas report. The following may be allowed in the setback area: A. Landscaping vegetation;	
Chapter 21.04.200(B) Critical Areas	Critical aquifer recharge areas – Designation.	Critical aquifer recharge areas (CARA) are those areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2). CARA have prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water. CARA in the city of Walla Walla are designated as follows: B. The ten-year time of travel as defined in the wellhead protection plans submitted by communities and water providers to the Department of Health as of 2007. The city of Walla Walla maintains these groundwater capture zones. The CARA delineated by the ten-year capture zones are is defined in Critical Area Map 4 in the Comprehensive Plan. Table 1 lists the communities and water providers in the city of Walla Walla that have designated wellhead protection areas. Table 1 also lists the total area encompassed by the ten-year time of travel. The entire extent of the gravel aquifer as delineated in Critical Area Map 4 in the Comprehensive Plan is not defined as a CARA; however, it is an aquifer of significance/consideration. The city will encourage voluntary implementation of best management practices, consistent with Critical Aquifer Recharge Areas Guidance (Ecology Publication # 05-10-028) current or as revised, associated with development in this area.	State Mandated RCW 36.70A.172
21.04.210(A) Critical Areas	Mapping of critical aquifer	A. The approximate location and extent of critical aquifer recharge areas are shown on the following adopted critical areas map in the Comprehensive Plan : City of Walla Walla Critical Area Map 4: Critical Aquifer Recharge Areas.	Clarification

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	recharge areas.		
Chapter 21.04.220 Critical Areas	Activities allowed in critical aquifer recharge areas.	The following activities are allowed in critical aquifer recharge areas pursuant to Section 21.04.085, Allowed activities, must be consistent with the Washington State Water Pollution Control Act (RCW 90.48) , and do not require submission of a critical area report	State Mandated RCW 36.70A.172
Chapter 21.04.230(D)(5) Critical Areas	Critical area report – Additional requirements for critical aquifer recharge areas.	5. Best Management Practices or Mitigation. The applicant must document implementation of presumptive best management practices, integrated pest management, or mitigation as applicable.	State Mandated RCW 36.70A.172
Chapter 21.04.240(B) Critical Areas	Performance standards – General requirements.	The proposed activity must comply with the water source protection requirements and recommendations of the United States Environmental Protection Agency, Washington State Department of Ecology, Washington State Department of Health, and the eCity of Walla Walla health department.	Clarification
Chapter 21.04.260(G) Critical Areas	Uses prohibited in critical aquifer recharge areas.	G. Dry wells on sites used for vehicle repair and servicing or dry cleaners. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by the state Department of Ecology prior to commencement of the proposed activity.	State Mandated RCW 36.70A.172
Chapter 21.04.300(B(1) Critical Areas	Wetlands critical areas – Designation.	1. Category I Wetlands. Wetlands which are alkali wetlands, wetlands that are identified by scientists of the Washington Natural Heritage Program (DNR) as wetlands with high conservation value, bogs, mature old-growth forested wetlands over one-quarter acre with slow-growing trees, forests with stands of aspen, and wetlands that perform many functions very well function at a very	State Mandated RCW 36.70A.172

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		high level (scores twenty-two to twenty-seven points). They meet at least one of the following criteria: (a) represent a unique or rare wetland type; or (b) are more sensitive to disturbance than most wetlands; or (c) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; (d) provide a high level of functions (scores of twenty-two to twenty-seven points using the Eastside rating system); or (e) are documented wetlands of local significance. The city cannot afford the risk of any degradation to these wetlands because their functions and values are too difficult to replace. Generally, these wetlands are not common and make up a small percentage of the wetlands in the region.	
21.04.310 Critical Areas	Mapping of wetland areas.	A. The approximate location and extent of known wetlands are shown on the City of Walla Walla Comprehensive Plan Critical Area Map 2: Wetlands, or the latest revision of this map. This information is to be used as a guide for the city, project applicants and/or property owners, and may be updated as new information becomes available. In some instances (uncertified boundaries), it is a reference and does not provide a final critical area designation.	Clarification
Chapter 21.04.320(B)(3) Critical Areas	Critical area report – Additional requirements for wetland areas.	3. All shoreline areas, water features, flood-plains, and other critical areas, and related buffers within two hundred fifty feet of the project area.	State Mandated RCW 36.70A.172
Chapter 21.04.330(F) Critical Areas	Activities allowed in wetlands.	F. Enhancement of a wetland through the removal of nonnative invasive species. Weeding shall be restricted to hand removal and weed material shall be removed from the site. Bare areas that remain after weed removal shall be revegetated with native shrubs and trees at natural densities. Some hand seeding may also be done over the bare areas with native herb plants .	Clarification

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Chapter 21.04.340(C)(2) and (4) Critical Areas	Performance standards – General requirements.	2. Buffers shall not include areas that are functionally and effectively disconnected from the wetland by a road or impervious surfaces, other substantially developed surfaces of sufficient width and with use characteristics such that buffer functions are not provided. The director may approve modification of the standard buffer width to the edge of development, provided: a. The disconnected part of the buffer does not provide additional protection of the wetland; and b. The disconnected part of the buffer provides insignificant biological, geological, or hydrological buffer functions relating to the wetland; and c. If the resulting buffer distance is less than 75% of the standard or optional buffer for the applicable wetland category, no further reduction will be allowed. d. The legally established development includes impervious surfaces a minimum of 20 feet wide that completely isolates the project area from the critical area. 4. Measurement of Wetland Buffers. All buffers shall be measured from the wetland boundary as surveyed in the field. Wetland delineations will be documented on a ground-verified map using either professional surveying methods or an equivalent professional method using GPS with sub-meter accuracy. The width of the wetland buffer shall be determined according to the wetland category and the proposed land use. The buffer for a wetland created, restored, or enhanced as compensation for wetland alterations shall be the same as the buffer required for the category of the created, restored, or enhanced wetland.	State Mandated RCW 36.70A.172
Chapter 21.04.344(B-D) Critical Areas	Performance standards – Wetland buffer decrease.	The director shall have the authority to reduce the standard buffer widths identified in Section 21.04.340; consistent with a reduction in the intensity of impacts from proposed land uses. The applied land use intensity buffer width may be reduced from high to moderate provided, that the general standards for avoidance and minimization per	State Mandated RCW 36.70A.172

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		Sections 21.04.110(A) and (B) shall apply; and provided further, that all of the following apply: B. The buffer of a Category I or II wetland shall not be reduced to less than seventy-five percent of the required buffer or fifty feet, whichever is greater; The applicant implements all reasonable measures to reduce the adverse effects of adjacent land uses and ensure no net loss of buffer functions and values. The specific measures that shall be implemented include, but are not limited to, the following: 1. Direct lights away from the wetland and buffer. 2. Locate facilities that generate substantial noise (such as some manufacturing, industrial and recreational facilities) away from the wetland and buffer. 3. Establish covenants limiting use of pesticides within two hundred feet of wetland. 4. Implement integrated pest management programs. 5. Integrate LID BMPs such as dispersion and downspout infiltration systems into the project design to infiltrate, filter, store, evaporate, and transpire stormwater runoff. 6. Post signs at the outer edge of the critical area or buffer to clearly indicate the location of the critical area according to the direction of the city. 7. Plant buffer with native vegetation appropriate for the region to create screens or barriers to noise, light, and human intrusion and discourage domestic animal intrusion. 8. Use low impact development principles such as minimizing impervious surfaces, native vegetation loss, and stormwater runoff where appropriate. 9. Establish a permanent conservation easement to protect the wetland and the associated buffer. C. The buffer of a Category III or IV wetland shall not be reduced to less than seventy-five percent of the required buffer or twenty-five feet, whichever is greater; For wetlands that score moderate or high for habitat (6 points or	

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		more), the width of the buffer can be reduced if both of the following criteria are met: 1. A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other priority habitats as defined by the Washington State Department of Fish and Wildlife. 2. Measures to minimize the impacts of different land uses on wetlands, such as measures under WWMC 21.04.344(B), are applied. D. The applicant implements all reasonable measures to reduce the adverse effects of adjacent land uses and ensure no net loss of buffer functions and values. The specific measures that shall be implemented include, but are not limited to, the following: 1. Direct lights away from the wetland and buffer. 2. Locate facilities that generate substantial noise (such as some manufacturing, industrial and recreational facilities) away from the wetland and buffer. 3. Establish covenants limiting use of pesticides within two hundred feet of wetland. 4. Implement integrated pest management programs. 5. Integrate LID BMPs such as dispersion and downspout infiltration systems into the project design to infiltrate, filter, store, evaporate, and transpire stormwater runoff. 6. Post signs at the outer edge of the critical area or buffer to clearly indicate the location of the critical area according to the direction of the city. 7. Plant buffer with native vegetation appropriate for the region to create screens or barriers to noise, light, and human intrusion and discourage domestic animal intrusion. 8. Use low impact development principles such as minimizing impervious surfaces, native vegetation loss, and stormwater runoff where appropriate. 9. Establish a permanent conservation easement to protect the wetland and the associated buffer.	

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		For wetlands that score less than 6 points for habitat, the buffer width can be reduced to that required for moderate land-use impacts by applying measures to minimize the impacts of proposed land uses (WWMC 21.04.344(B)).	
Chapter 21.04.345 (A-C) Critical Areas	Performance standards – Buffer management plan.	In order to maintain effective buffer conditions, values and functions, a vegetation management plan shall be required for all buffer areas. Specific provisions to be addressed in the plan include: A. Maintaining adequate cover of native vegetation including trees and understory at densities provided in Table 8, Walla Walla County Conservation District native riparian vegetation planting guidelines; B. Establishing a plan for control of invasive weeds, and removal of existing invasive plant species; C. Incorporating a monitoring and maintenance plan for a period of at least five years, except this provision may be waived for isolated single-family residential lots.	Clarification
Chapter 21.04.346(B)(1) and (C)(3)(a-h) Critical Areas	Performance standards – Specific activities and uses.	(B)(1). Walkways and trails shall not exceed five feet in width from shoulder to shoulder , shall meet American with Disability Act, ADA accessibility standards and the definition of a pervious surface, and require only limited excavation for foundation or stabilization; provided; that those walkways and trails that are generally parallel to the perimeter of the wetland shall be located in the outer twenty-five percent of the buffer area; (C)(3). A wetland or its buffer can be physically or hydrologically altered to meet the requirements of a Low Impact Development (LID) methodology or Flow Control BMP when the following criteria are met: a. The wetland is classified as a Category IV or a Category III wetland with a habitat score of 3-5 points. b. There will be no net loss of functions and values of the wetland. c. The wetland does not contain a breeding population of any native amphibian species.	State Mandated RCW 36.70A.172

WWMC	Section	Proposed Amendment	Category and Notes																									
		d. The hydrologic functions of the wetland can be improved as outlined in questions 3, 4, and 5 of Chart 4 and questions 2, 3, and 4 of Chart 5 in Selecting Mitigation Sites Using a Watershed Approach, [Western Washington or Eastern Washington] (Ecology Publication [#09-06-032 or #10-06-007], or as revised); or the wetland is part of a restoration plan intended to achieve restoration goals identified in a shoreline master program or a local or regional watershed plan. e. The wetland lies in the natural routing of the runoff, and the discharge follows the natural routing. f. All regulations regarding stormwater and wetland management are followed, including but not limited to local and state wetland and stormwater codes, manuals, and permits. g. Lost existing functions and values are compensated. h. A site-specific characterization is performed to determine whether an LID BMP is feasible at the project site.																										
21.04.347 (A-E) Critical Areas	Performance standards – Mitigation requirements	A. Definitions of Types of Compensatory Mitigation. The ratios presented are based on the type of compensatory mitigation proposed (e.g., restoration, creation, and enhancement). In its Regulatory Guidance Letter 02-02, the U.S. Army Corps of Engineers provided definitions for these types of compensatory mitigation. For consistency, the authors of this document use the same definitions which are provided under "compensatory mitigation" in Section 21.04.020. <table><tr><th>Category of impacted wetland (based on score for function)</th><th>Re-establishment or creation</th><th>Rehabilitation</th><th>Preservation</th><th>Enhancement</th></tr><tr><td>Category I</td><td>4:1</td><td>8:1</td><td>16:1</td><td>16:1</td></tr><tr><td>Category II</td><td>3:1</td><td>6:1</td><td>12:1</td><td>12:1</td></tr><tr><td>Category III</td><td>2:1</td><td>4:1</td><td>8:1</td><td>8:1</td></tr><tr><td>Category IV</td><td>1.5:1</td><td>3:1</td><td>6:1</td><td>6:1</td></tr></table>	Category of impacted wetland (based on score for function)	Re-establishment or creation	Rehabilitation	Preservation	Enhancement	Category I	4:1	8:1	16:1	16:1	Category II	3:1	6:1	12:1	12:1	Category III	2:1	4:1	8:1	8:1	Category IV	1.5:1	3:1	6:1	6:1	Outdated
Category of impacted wetland (based on score for function)	Re-establishment or creation	Rehabilitation	Preservation	Enhancement																								
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Category IV	1.5:1	3:1	6:1	6:1																								

WWMC	Section	Proposed Amendment	Category and Notes
		Notes: 1. Ratios for rehabilitation, preservation, and enhancement may be reduced when combined with 1:1 replacement through re-establishment or creation. See Table 6B-2 in Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance –Version 2 (Ecology et al., 2021 or as revised). 2. All proposed preservation sites need to meet the preservation criteria listed in Chapter 070.3.E of Appendix A, Sample Wetland Regulations. 3. The ratios are for permanent, direct impacts to wetlands. For recommended ratios for other types of impacts (e.g., long-term temporary, conversions), see Chapters 6B4.4 through 6B4.8 of Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance –Version 2 (Ecology et al., 2021 or as revised). 4. The category of impacted wetland is based on scores for functions. Compensation ratios generally do not apply when impacts involve a wetland whose category is based on special characteristics. B. The director shall have the authority to adjust these ratios when a combination of mitigation approaches is proposed. In such cases, the area of altered wetland shall be replaced at a one-to-one ratio through re-establishment or creation, and the remainder of the area needed to meet the ratio can be replaced by enhancement at a two-to-one ratio. For example, impacts to one acre of a Category II wetland requiring a three-to-one ratio for creation can be compensated by creating one acre and enhancing four acres (instead of the additional two acres of creation that would otherwise be required):	

WWMC	Section	Proposed Amendment	Category and Notes																																																																		
		Table 5: Mitigation Ratios for Eastern Washington* <table><tr><th>Category and Type of Wetland Impacts</th><th>Re-establishment or Creation</th><th>Rehabilitation Only*</th><th>Re-establishment or Creation (R/G) and Rehabilitation (RH)*</th><th>Re-establishment or Creation (R/G) and Enhancement (E)*</th><th>Enhancement Only*</th></tr><tr><td>All Category IV</td><td>1:5:†</td><td>3:†</td><td>1:1 R/G and 1:1 RH</td><td>1:1 R/G and 2:1 E</td><td>6:†</td></tr><tr><td>All Category III</td><td>2:†</td><td>4:†</td><td>1:1 R/G and 2:1 RH</td><td>1:1 R/G and 4:1 E</td><td>8:†</td></tr><tr><td>Category II Forested</td><td>4:†</td><td>6:†</td><td>1:1 R/G and 4:1 RH</td><td>1:1 R/G and 6:1 E</td><td>16:†</td></tr><tr><td>Category II Vernal Pool</td><td>2:† Compensation must be seasonally ponded wetland</td><td>4:† Compensation must be seasonally ponded wetland</td><td>1:1 R/G and 2:1 RH</td><td>Case-by-case</td><td>Case-by-case</td></tr><tr><td>All other Category II</td><td>3:†</td><td>6:†</td><td>1:1 R/G and 4:1 RH</td><td>1:1 R/G and 6:1 E</td><td>12:†</td></tr><tr><td>Category I Forested</td><td>6:†</td><td>12:†</td><td>1:1 R/G and 10:1 RH</td><td>1:1 R/G and 20:1 E</td><td>24:†</td></tr><tr><td>Category I based on score for functions</td><td>4:†</td><td>8:†</td><td>1:1 R/G and 6:1 RH</td><td>1:1 R/G and 12:1 E</td><td>16:†</td></tr><tr><td>Category I Natural Heritage site</td><td>Not considered possible*</td><td>6:† Rehabilitation of a Natural Heritage site</td><td>R/G Not considered possible*</td><td>R/G Not considered possible*</td><td>Case-by-case</td></tr><tr><td>Category I Alkali</td><td>Not considered possible*</td><td>6:† Rehabilitation of an alkali wetland</td><td>R/G Not considered possible*</td><td>R/G Not considered possible*</td><td>Case-by-case</td></tr><tr><td>Category I Bog</td><td>Not considered possible*</td><td>6:† Rehabilitation of a bog</td><td>R/G Not considered possible*</td><td>R/G Not considered possible*</td><td>Case-by-case</td></tr></table> * Mitigation ratios reference: Washington State Department of Ecology, U.S. Army Corps of Engineers Seattle District, and U.S. Environmental Protection Agency Region 10. March 2006. Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Version 1). Washington State Department of Ecology Publication No. 06-06-011a. Olympia, WA 1. These ratios are based on the assumption that the rehabilitation or enhancement actions implemented represent the average degree of improvement possible for the site. Proposals to implement more effective rehabilitation or enhancement actions may result in a lower ratio, while less effective actions may result in a higher ratio. The distinction between rehabilitation and enhancement is not clear-cut. Instead, rehabilitation and enhancement actions span a continuum. Proposals that fall within the gray area between rehabilitation and enhancement will result in a ratio that lies between the ratios for rehabilitation and the ratios for enhancement.	Category and Type of Wetland Impacts	Re-establishment or Creation	Rehabilitation Only*	Re-establishment or Creation (R/G) and Rehabilitation (RH)*	Re-establishment or Creation (R/G) and Enhancement (E)*	Enhancement Only*	All Category IV	1:5:†	3:†	1:1 R/G and 1:1 RH	1:1 R/G and 2:1 E	6:†	All Category III	2:†	4:†	1:1 R/G and 2:1 RH	1:1 R/G and 4:1 E	8:†	Category II Forested	4:†	6:†	1:1 R/G and 4:1 RH	1:1 R/G and 6:1 E	16:†	Category II Vernal Pool	2:† Compensation must be seasonally ponded wetland	4:† Compensation must be seasonally ponded wetland	1:1 R/G and 2:1 RH	Case-by-case	Case-by-case	All other Category II	3:†	6:†	1:1 R/G and 4:1 RH	1:1 R/G and 6:1 E	12:†	Category I Forested	6:†	12:†	1:1 R/G and 10:1 RH	1:1 R/G and 20:1 E	24:†	Category I based on score for functions	4:†	8:†	1:1 R/G and 6:1 RH	1:1 R/G and 12:1 E	16:†	Category I Natural Heritage site	Not considered possible*	6:† Rehabilitation of a Natural Heritage site	R/G Not considered possible*	R/G Not considered possible*	Case-by-case	Category I Alkali	Not considered possible*	6:† Rehabilitation of an alkali wetland	R/G Not considered possible*	R/G Not considered possible*	Case-by-case	Category I Bog	Not considered possible*	6:† Rehabilitation of a bog	R/G Not considered possible*	R/G Not considered possible*	Case-by-case	
Category and Type of Wetland Impacts	Re-establishment or Creation	Rehabilitation Only*	Re-establishment or Creation (R/G) and Rehabilitation (RH)*	Re-establishment or Creation (R/G) and Enhancement (E)*	Enhancement Only*																																																																
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WWMC	Section	Proposed Amendment	Category and Notes
		2. Wetlands of high conservation value, alkali wetland, and bogs are considered irreplaceable wetlands because they perform some functions that cannot be replaced through compensatory mitigation. Impacts to such wetlands would therefore result in a net loss of some functions no matter what kind of compensation is proposed. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance "Wetland Mitigation in Washington State Parts I and II," detailed in Table 5 in subsection B of this section (Ecology Publication No. 06-06-011a-b, Olympia, WA, March, 2006), the administrator may allow mitigation based on the "credit/debit" method developed by the Department of Ecology in "Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Eastern Washington: Final Report" (Ecology Publication No. 11-06-015, August 2012, or as revised). C. Credit/Debit Method. To more fully protect functions and values, and as an alternative to the mitigation ratios found in the joint guidance "Wetland Mitigation in Washington State Parts I and II," detailed in Table 5 in subsection B of this section (Ecology Publication No. 06-06-011a-b, Olympia, WA, March, 2006), the administrator may allow mitigation based on the "credit/debit" method developed by the Department of Ecology in "Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Eastern Washington: Final Report" (Ecology Publication No. 11-06-015, August 2012, or as revised). Buffers. Replacement wetlands established pursuant to these mitigation provisions shall have adequate buffers to ensure their protection and sustainability. The buffer shall be based on the category and land-use intensity in Section 21.04.340(C); provided that the director shall have the authority to approve a smaller buffer when existing site constraints (such as a road) prohibit attainment of the standard buffer. D. Buffers. Replacement wetlands established pursuant to these mitigation provisions shall have adequate buffers to ensure their protection and sustainability. The buffer shall be based on the category and land-use intensity in Section 21.04.340(C); provided, that the director shall have the authority to	

WWMC	Section	Proposed Amendment	Category and Notes
		approve a smaller buffer when existing site constraints (such as a road) prohibit attainment of the standard buffer. Mitigation Maintenance and Monitoring. Mitigation areas will be maintained and monitored for a minimum of five years or a period necessary to establish that performance standards have been met after the mitigation has been completed. Annual maintenance and monitoring reports will be submitted to the city and, where applicable, the Department of Ecology, and shall include: 1. Descriptive data for vegetation, soils, and hydrology; 2. Itemized list of dead, dying, and replaced vegetation; 3. Quantitative assessment of invasive species; 4. Descriptive photographs; 5. Statement of overall success of mitigation; 6. Schedule of activities for the next year of maintenance and monitoring. E. Mitigation Maintenance and Monitoring. Mitigation areas will be maintained and monitored for a minimum of five years or a period necessary to establish that performance standards have been met after the mitigation has been completed. Annual maintenance and monitoring reports will be submitted to the city and, where applicable, the Department of Ecology, and shall include: 1. Descriptive data for vegetation, soils, and hydrology; 2. Itemized list of dead, dying, and replaced vegetation; 3. Quantitative assessment of invasive species; 4. Descriptive photographs; 5. Statement of overall success of mitigation; 6. Schedule of activities for the next year of maintenance and monitoring.	
Chapter 21.04.348(B)(1) Critical Areas	Performance standards – Specific activities and uses.	The rationale for site selection, documenting how the watershed approach was applied consistent with Ecology publication #10-06-007, Selecting Wetland Mitigation Sites Using a Watershed Approach (Eastern Washington), current or as revised;	State Mandated RCW 36.70A.172

WWMC	Section	Proposed Amendment	Category and Notes
Chapter 21.04.400 Critical Areas	Mapping of frequently flooded areas.	21.04.400 Mapping of frequently flooded areas: A. The approximate location and extent of frequently flooded areas are shown on the following adopted critical areas map: City of Walla Walla Critical Area Map 3: Frequently Flooded Areas. This map is based on data obtained from the Federal Emergency Management Agency Flood Insurance Rate Maps, December 1983, or as later revised. B. These maps are to be used as a guide for the city, project applicants, and/or property owners and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation. (Formerly 21.04.410; Ord. 2009-07 § 1 (part), 2009; Ord. 2015-12 § 1 (part), 2015) Frequently flooded areas - designation. Frequently flooded areas are designated in accordance with WAC 365-190-110. These areas include the 100-year floodplain designated by FEMA and the NFIP.	State Mandated RCW 36.70A.172
Chapter 21.04.410(A) Critical Areas	Mapping of frequently flooded areas.	The approximate location and extent of frequently flooded areas are shown in the Comprehensive Plan on the following adopted critical areas map: City of Walla Walla Critical Area Map: Frequently Flooded Areas. This map is based on data obtained from the Federal Emergency Management Agency Flood Insurance Rate Maps, December 1983, or as later revised.	Clarification
Chapter 21.04.420 Critical Areas	Frequently flooded areas-regulation	Development in frequently flooded areas shall be subject to the provisions in WWMC Chapter 21.10 Floodplain Management.	Clarification
Chapter 21.04.500(B)(4),(D) and (E) Critical Areas	Geologically hazardous areas – Designation	(B)(4) The City may consult with the U.S. Department of Agriculture Natural Resources Conservation Service for data to help identify erosion hazard areas. D. Seismic hazards shall be as identified in Washington State Department of Natural Resources seismic hazard and liquefaction susceptibility maps for	State Mandated RCW 36.70A.172

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		eastern Washington and other geologic resources. Seismic hazard areas are prone to ground settlement or subsidence, soil liquefaction, and surface faulting. E. Other Hazard Areas. Geologically hazardous areas shall also include areas determined by the director to be those areas subject to severe risk of damage as a result of other geological events, including mass wasting, debris flows, rock falls, mine hazards, and differential settlement.	
21.04.510	Mapping of geologically hazardous areas.	A. The approximate location and extent of geologically hazardous areas containing known or suspected risk are shown in the Comprehensive Plan on the following adopted critical areas maps: City of Walla Walla Critical Area Map 4: Geologic Hazard Areas, or the latest revision of this map. The hazard areas outlined on these maps are based on the following data:	Clarification
Chapter 21.04.600(A)(1)(b), (C) Critical Areas	Fish and wildlife habitat conservation areas – Designation.	(A)(1)(b) State designated endangered, threatened, and sensitive species are those fish, wildlife and plant species native to the state of Washington identified by the state Department of Fish and Wildlife that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. State designated endangered, threatened, and sensitive species are periodically recorded in WAC 232-12-014 (state endangered species), and WAC 232-12-011 (state threatened and sensitive species). The Washington sState Department of Fish and Wildlife maintains the most current listing (Priority Habitats and Species List, WDFW 2023, current or as amended), and should be consulted as necessary for current listing status. C. The following is identified as an area of local importance: hawk habitat identified on Critical Area Map 6in the Comprehensive Plan.	Clarification
21.04.610 Critical Areas	Fish and wildlife habitat	The approximate location and extent of conservation areas are shown on the critical area maps adopted by the city in the Comprehensive Plan (Critical Area Map-5: Fish and Wildlife Habitat Conservation Areas, or the latest version of this	Clarification

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	conservation areas – Mapping.	map), as most recently updated, and the following critical area maps hereby adopted:	
Chapter 21.04.620 (F)(1),(3) and (5) (G-K) Critical Areas	Fish and wildlife habitat conservation areas – Water bodies – Allowed uses.	F. Stream bank stabilization, shoreline protection, and public or private launching ramps may be permitted subject to all of the following standards: 1. Natural shoreline riparian processes will be maintained to the maximum extent practicable. The activity will not result in increased erosion and will not alter the size or distribution of shoreline or stream substrate, or eliminate or reduce sediment supply from feeder bluffs; 3. Nonstructural measures, such as placing or relocating the development further from the shoreline stream, planting vegetation, or installing on-site drainage improvements, are not feasible or not sufficient; 5. Hard bank armoring may occur only when the property contains an existing permanent structure(s) that is in danger from shoreline erosion caused by riverine processes and not erosion caused by upland conditions, such as the alteration of natural vegetation or drainage, and the armoring shall not increase erosion on adjacent properties and shall not eliminate or reduce sediment supply. G. New public flood protection measures and expansion of existing measures may be permitted; provided, that bioengineering or soft armoring techniques shall be used where feasible. Hard bank armoring may occur only in situations where soft approaches do not provide adequate protection, and shall be subject to requirements of the shoreline master program, where applicable, hydraulic project approval and other permits. H. In-stream structures, such as, but not limited to, high flow bypasses, dams, and weirs, other than those regulated exclusively by the Federal Energy Regulatory Commission (FERC) shall be permitted only when multiple public benefits are provided, and ecological impacts are fully mitigated. New docks shall be permitted only for public access, as an accessory to water-dependent uses or associated with a single-family residence:	Clarification

WWMC	Section	Proposed Amendment	Category and Notes
		1. In-stream facility locations shall avoid areas of high habitat value for aquatic organisms, specifically anadromous fish. To limit the effects on ecological functions, the number of docks should be limited and new subdivisions should employ shared moorage whenever feasible. Docks on shorelines of the state must comply with policies and regulations of the city of Walla Walla shoreline master program. 2. In-stream facilities shall be designed to produce the least feasible effect on fluvial processes and shall minimize change in gradient. Docks shall be located and designed to minimize adverse effects on ecological processes through location where they will not interfere with fluvial and limnal processes including gradient and substrate; recruitment of woody debris; and fish habitat, including that related to anadromous fish. 3. In-stream facilities shall provide mitigation of all impacts on aquatic species and habitat. Docks shall minimize reduction in ambient light level by limiting width to the minimum necessary and shall not exceed four feet in width, except where specific information on use patterns justifies a greater width. Materials that will allow light to pass through the deck may be required, including grating on walkways or gangplanks in nearshore areas. 4. In-stream facilities shall provide fish passage, in accordance with Chapter 77.57 RCW. Approaches shall utilize piers or other structures to span the entire upper foreshore to the point of intersection with stable upland soils and shall be designed to avoid interfering with stream processes. 5. A construction bond for one hundred fifty percent of the cost of the structure and all mitigation measures shall be filed before construction. A maintenance agreement shall specify responsibility for maintenance, a maintenance schedule as determined by the design engineer, annual inspections by a civil engineer licensed in the State of Washington, and abandonment procedures including, where appropriate, provisions for site restoration. Pile spacing shall be the maximum feasible to minimize shading	

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		and avoid a wall effect that would block or baffle currents, sediment movement or movement of aquatic life forms, or result in structure damage from driftwood impact or entrapment. 6. Docks should be constructed of materials that will not adversely affect water quality or aquatic plants and animals in the long term. 1. In-stream structures, such as, but not limited to, high flow bypasses, dams, and weirs, other than those regulated exclusively by the Federal Energy Regulatory Commission (FERC) shall be permitted only when the multiple public benefits are provided and ecological impacts are fully mitigated. Dams on shorelines of the state shall be regulated in accordance with the shoreline master program. Clearing and grading, when allowed as part of an authorized use or activity or as otherwise allowed in these standards, may be permitted; provided that the following shall apply: 1. In-stream facility locations shall avoid areas of high habitat value for aquatic organisms, specifically anadromous fish. Appropriate erosion and sediment control measures shall be used at all times. The soil duff layer shall remain undisturbed to the maximum extent possible. 2. In-stream facilities shall be designed to produce the least feasible effect on fluvial processes and shall minimize change in gradient. The moisture-holding capacity of the topsoil layer shall be maintained by minimizing soil compaction or reestablishing natural soil structure and infiltrative capacity on all areas of the project area not covered by impervious surfaces. 3. In-stream facilities shall provide mitigation of all impacts on aquatic species and habitat. 4. In-stream facilities shall provide fish passage, in accordance with Chapter 77.57 RCW. 5. A construction bond for one hundred fifty percent of the cost of the structure and all mitigation measures shall be filed prior to construction and a maintenance agreement shall specify responsibility for maintenance, shall incorporate the maintenance schedule specified by the design engineer, shall require annual inspections by a civil engineer licensed in the state of	

WWMC	Section	Proposed Amendment	Category and Notes
		Washington and shall stipulate abandonment procedures which shall include, where appropriate, provisions for site restoration. J. Facilities permitted as shoreline-dependent or shoreline-oriented uses in accordance with the city shoreline master program may be located in water bodies and buffers; provided, that only those facilities that are water-dependent or water-oriented and facilities for necessary access may be located in water bodies and buffers; and provided, that the facility is located, designed, constructed and operated to minimize and, where possible, avoid critical area disturbance to the maximum extent feasible. Repairs to Existing On-Site Sewage Systems. Repairs to failing on-site sewage systems associated with an existing structure shall be accomplished by utilizing one of the following methods that results in the least impact: 1. Connection to an available public sanitary sewer system; 2. Replacement with a new on-site sewage system located in a portion of the site that has already been disturbed by development and is located landward as far as possible, provided the proposed sewage system is in compliance with the City of Walla Walla; or 3. Repair to the existing on-site septic system. K. Clearing and grading, when allowed as part of an authorized use or activity or as otherwise allowed in these standards, may be permitted; provided, that the following shall apply: 1. Appropriate erosion and sediment control measures shall be used at all times. The soil duff layer shall remain undisturbed to the maximum extent possible. 2. The moisture-holding capacity of the topsoil layer shall be maintained by minimizing soil compaction or reestablishing natural soil structure and infiltrative capacity on all areas of the project area not covered by impervious surfaces. L. Repairs to Existing On-Site Sewage Systems. Repairs to failing on-site sewage systems associated with an existing structure shall be accomplished by utilizing one of the following methods that results in the least impact:	

WWMC	Section	Proposed Amendment	Category and Notes
		1. Connection to an available public sanitary sewer system; 2. Replacement with a new on-site sewage system located in a portion of the site that has already been disturbed by development and is located landward as far as possible, provided the proposed sewage system is in compliance with city of Walla Walla environmental health department; or 3. Repair to the existing on-site septic system.	
Chapter 21.04.630(B)(2) Critical Areas	Critical area report – Additional requirements for habitat conservation areas.	All habitat conservation areas and recommended buffers within two hundred fifty feet of the project area or the extents of existing urban land use that functionally disconnect the site from habitat conservation areas; and	State Mandated RCW 36.70A.172
Chapter 21.04.640(G)(3)(c) and (H)(3)(b) Critical Areas	Performance standards – General requirements.	(B)(2) Provide for a monitoring and maintenance plan for a period of at least five years, except this provision may be waived for single-family residential lots. (H)(3)(b) The applicant shall be required to install a permanent wildlife passable fence around the habitat conservation area or buffer when domestic grazing animals are present or may be introduced on site.	State Mandated RCW 36.70A.172 and WDFW Comment
Chapter 21.04.650(A)(1)(a), (B)(C)(D)(2, 3,4) and 5)(a)(iii- viii), (6),(E) and (F) Critical Areas	Performance standards – Specific habitats.	(A)(1)(a) WDFW-mapped species within the City include, but are not limited to, Bull trout, Chinook salmon, Steelhead, and Ferruginous hawk. B. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall, at a minimum, conform to the wetland development performance standards set forth in Section 21.04.300, in addition to meeting the habitat conservation area standards in this chapter. Priority Habitats and Species (PHS). Habitats and species on the Department of Fish and Wildlife PHS List 1. PHS mapped by the Department of Fish and Wildlife within the City includes but is not limited to shrubsteppe. 2. Whenever activities are proposed adjacent to a habitat conservation area	State Mandated and Clarification RCW 36.70A.172

WWMC	Section	Proposed Amendment	Category and Notes
		with which a priority habitat or species has a primary association, such area shall be protected through the application of best management practices provided by the Department of Fish and Wildlife and documented in a critical area report prepared by a qualified professional and submitted to the City. Approval for alteration of land adjacent to the habitat conservation area or its buffer may also require consultation with the Department of Fish and Wildlife and the appropriate federal agency, if applicable. C. Riparian Habitat Areas. Unless otherwise allowed in this chapter, all structures and activities shall be located outside of the riparian habitat buffers. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall, at a minimum, conform to the wetland development performance standards set forth in Section 21.04.300, in addition to meeting the habitat conservation area standards in this chapter. 1. Establishment of Riparian Habitat Buffers. Buffers shall be established for habitats that include aquatic systems. 2. Standard Buffer Widths. a. A riparian habitat shall have at least the buffer width recommended in Table 6, unless a greater width is required pursuant to subsection (C)(4) of this section, or a lesser width is allowed pursuant to subsection (C)(6) of this section. b. Widths shall be measured outward, on the horizontal plane, from the ordinary high water mark or from the top of bank if the ordinary high water mark cannot be identified. c. The required buffer shall be extended to include any adjacent regulated wetland(s), landslide hazard areas and/or erosion hazard areas and required buffers, but shall not be extended across roads or other lawfully established structures or hardened surfaces that are functionally and effectively disconnected from the stream. 3. Buffers in Conjunction with Other Critical Areas. Where other critical areas defined in this chapter fall within the water body buffer, the buffer area shall be	

WWMC	Section	Proposed Amendment	Category and Notes
		the most expansive of the buffers applicable to any applicable critical area. D. Anadromous Fish. Riparian Habitat Areas. Unless otherwise allowed in this chapter, all structures and activities shall be located outside of the riparian habitat buffers. 1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards: a. Activities shall be timed to occur only during the allowable work window as designated by the Washington Department of Fish and Wildlife for the applicable species; b. An alternative alignment or location for the activity is not feasible; c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; d. Shoreline erosion control measures shall be designed to use bioengineering methods or soft armoring techniques, according to an approved critical area report; and e. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report. Establishment of Riparian Habitat Buffers. Buffers shall be established for habitats that include aquatic systems. 2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent fry and juveniles migrating downstream from being trapped or harmed. Standard Buffer Widths. a. A riparian habitat shall have at least the buffer width recommended in Table 6, unless a greater width is required pursuant to subsection (D)(4) of this section. b. Buffer measurements: Widths shall be measured outward, on the horizontal plane, from the ordinary high-water mark or from the top of bank	

WWMC	Section	Proposed Amendment	Category and Notes												
		if the ordinary high-water mark cannot be identified or the channel migration zone, whichever is greater. i. Where a stream exits a culvert, the open stream buffer width shall be measured perpendicular to the culvert opening. c. Functionally disconnected buffers: Where impervious surfaces or other lawfully established structures functionally and effectively disconnect the riparian buffer from the stream, the Department director may approve a complete or partial buffer modification of the standard width to exclude non-functional areas. 3. Fills, when authorized by the locally adopted shoreline management program, shall not adversely impact anadromous fish or their habitat or shall mitigate any unavoidable impacts and shall only be allowed for a water-dependent use. Buffers in Conjunction with Other Critical Areas. Where other critical areas defined in this chapter fall within the water body buffer, the buffer area shall be the most expansive of the buffers applicable to any applicable critical area. <table><tr><th colspan="3">Table 6: Minimum Riparian Buffer Widths for Watercourses within the City of Walla Walla</th></tr><tr><th>River</th><th>Minimum Riparian Buffer Width (per side)¹</th><th>Other Measures Recommended for Protection</th></tr><tr><td>Mill Creek</td><td>See SMP</td><td>See SMP</td></tr><tr><td>Creeks: Yellowhawk, Russell, Reser, Caldwell, Stone, Garrison, Bryant, Titus, and others within</td><td>100 Feet</td><td>No additional surface discharges of untreated runoff, restore degraded parts of the buffer, and maintain</td></tr></table>	Table 6: Minimum Riparian Buffer Widths for Watercourses within the City of Walla Walla			River	Minimum Riparian Buffer Width (per side) ¹	Other Measures Recommended for Protection	Mill Creek	See SMP	See SMP	Creeks: Yellowhawk, Russell, Reser, Caldwell, Stone, Garrison, Bryant, Titus, and others within	100 Feet	No additional surface discharges of untreated runoff, restore degraded parts of the buffer, and maintain	
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WWMC	Section	Proposed Amendment			Category and Notes
		city limits/UGA including intermittent open channels between piped sections.		connections to other habitat areas.	
		Notes: 1. In stream segments where the Conservation Reserve Enhancement Program (CREP) buffers are established, CREP buffers become the minimum streamside buffer width			
		Table 6: Recommended Minimum Riparian Buffer Widths for Waterways within the City of Walla Walla			
		Waterway Category	River Reach Included	Existing Conditions/Targeted Functions	Minimum Streamside Buffer Width (per side) [†]
		6a	Mitt Creek from Gose Street to Bennington Lake dam diversion	-Flood channel -No riparian vegetation allowed within the channel -Trees outside the concrete channel section with potential to shade the channel should remain	35 feet – See SMP
		6b	Yellowhawk Creek – Russell Creek to Mitt Creek	-Summer steelhead migration, limited rearing habitat and/or EDT priority protection reach -LWD recruitment -Shade -Existing riparian average = 31 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	50 feet
			Russell Creek – Dipping Road to Yellowhawk	-Influence on downstream habitat -Existing riparian average = 21 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet
			Reser Creek – Wilbur Avenue to Russell Creek	-Influence on downstream habitat -Existing riparian average = 23 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet

WWMC	Section	Proposed Amendment				Category and Notes
			Caldwell Creek = Headwaters to Yellowhawk	-Influence on downstream habitat -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet	
		6b	Stone Creek = Headwaters to Teat Street	-Influence on downstream habitat -Existing riparian average = 20 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet	
			Garrison Creek = Yellowhawk to Lions Park (excluding wetland)	-Influence on downstream habitat -Existing riparian average = 24 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff -Wildlife habitat	35 feet	
			Bryant Creek – Sprague Avenue to Fort Walla Walla Park	-Influence on downstream habitat -Existing riparian average = 14 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet	
			Titus Creek = Blackberry Lane to Mill Creek by community college	-Influence on downstream habitat -Existing riparian average = 25 ft -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet	
			All other creeks within city limits/UGA – Intermittent open channels with piped sections	-Influence on downstream habitat -Meet CREP minimum -Control sediment, nutrients, and stormwater runoff	35 feet	
		(5)(iv). The total area of the buffer after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge; Stormwater				

WWMC	Section	Proposed Amendment	Category and Notes
		management applies the City of Walla Walla Stormwater Design Standards Handbook, current or as amended, as necessary to maintain water quality; v. The buffer at its narrowest point is never less than seventy-five percent of the standard buffer width; The total area of the buffer after averaging is equal to the area required without averaging and all increases in buffer dimension for averaging are generally parallel to the wetland edge; vi. The slopes adjacent to the stream within the buffer area are stable and the gradient does not exceed thirty percent. The buffer at its narrowest point is never less than seventy-five percent of the standard buffer width; vii. The slopes adjacent to the stream within the buffer area are stable; and the gradient does not exceed thirty percent. viii. The averaged buffer line is recorded in a notice on title consistent with WWMC 21.04.125. 6. Decreased Buffer Widths. The director shall have the authority to reduce buffer widths on a case-by-case basis; provided, that the general standards for avoidance and minimization per Sections 21.04.110(A) and (B) shall apply, and when the applicant demonstrates to the satisfaction of the director that all of the following criteria are met: a. The buffer reduction shall not adversely affect the habitat functions and values of the adjacent habitat conservation area or other critical area. b. The slopes adjacent to the habitat conservation area within the buffer area are stable and the gradient does not exceed thirty percent. c. The buffer shall not be reduced to less than seventy-five percent of the standard buffer as defined in this section. A thirty-five-foot buffer cannot be decreased. Table 7 identifies potential buffer reductions with accompanying riparian habitat enhancement (see subsection D of this section).	

WWMC	Section	Proposed Amendment	Category and Notes																																				
		<table><tr><th colspan="4">Table 7: Modified Buffer Widths with Approved Habitat Enhancement/Water Quality Treatment</th></tr><tr><th>No Habitat Enhancement</th><th colspan="3">Modified Buffer Width with Approved Enhancement/Treatment</th></tr><tr><td>100'</td><td colspan="3">75'</td></tr><tr><td>75'</td><td colspan="3">56'</td></tr><tr><td>50'</td><td colspan="3">38'</td></tr><tr><td>35'</td><td colspan="3">35'</td></tr></table> d. Habitat enhancement plans prepared by a qualified professional must be provided to the city identifying existing conditions, and how the enhancement plan will improve riparian functions over existing conditions. A five-year monitoring plan must be included. The plan must also address how land outside a reduced buffer would protect surface water quality. Habitat enhancement plans must be consistent with riparian native vegetation planting guides developed by the city of Walla Walla conservation district, as provided in Table 8: <table><tr><th colspan="4">Table 8: Walla Walla County Conservation District Suggested Native Plants by Precipitation and Riparian Zone</th></tr><tr><th>County Area</th><th>Zone #1—Generally 0'—35'</th><th>Zone #2—Generally 35'—75'</th><th>Zone #3—Generally 75' and greater</th></tr><tr><td>Central Walla Walla County: Lowden-Walla Walla 10"—15" precipitation zone</td><td>Black Cottonwood—moist soils, silts, slightly alkaline soils (5'—20' from shoreline) Water Birch—moist soils, silts, pH neutral soils (3'—12' off shoreline)</td><td>Black Hawthorn—pH neutral to slightly alkaline silts and soils (25'—40' off shoreline) Ponderosa Pine—well drained soils, dry sites (25'—50' from shoreline)</td><td>Smooth Sumac—well drained soils, silts and loess, pH neutral to slightly alkaline (25'—100' off shoreline) Buffato Berry—well drained soils, slightly alkaline (25'</td></tr></table>	Table 7: Modified Buffer Widths with Approved Habitat Enhancement/Water Quality Treatment				No Habitat Enhancement	Modified Buffer Width with Approved Enhancement/Treatment			100'	75'			75'	56'			50'	38'			35'	35'			Table 8: Walla Walla County Conservation District Suggested Native Plants by Precipitation and Riparian Zone				County Area	Zone #1—Generally 0'—35'	Zone #2—Generally 35'—75'	Zone #3—Generally 75' and greater	Central Walla Walla County: Lowden-Walla Walla 10"—15" precipitation zone	Black Cottonwood—moist soils, silts, slightly alkaline soils (5'—20' from shoreline) Water Birch—moist soils, silts, pH neutral soils (3'—12' off shoreline)	Black Hawthorn—pH neutral to slightly alkaline silts and soils (25'—40' off shoreline) Ponderosa Pine—well drained soils, dry sites (25'—50' from shoreline)	Smooth Sumac—well drained soils, silts and loess, pH neutral to slightly alkaline (25'—100' off shoreline) Buffato Berry—well drained soils, slightly alkaline (25'	
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WWMC	Section	Proposed Amendment			Category and Notes
		Thin-leaf Alder = moist soils, pH neutral to slightly acidic silts and loess (3' – 15' off shoreline) White Alder = moist soils, pH neutral to slightly acidic silts, cobble (1' – 15' off shoreline) Coyote Willow = moist soils, pH neutral silts and clays (3' – 15' off shoreline) Peach-leaf Willow = moist soils, pH neutral to slightly alkaline (5' – 25' off the shoreline) Red-osier Dogwood = moist to well drained soils, pH neutral to slightly alkaline (2' – 25' off the shoreline) Antelope-brush (Bitterbrush) = well drained soils, pH	Mock-orange = well drained soils, slightly acidic (15' – 35' off shoreline) Chokecherry = moist-dry well drained soils, pH neutral to slightly acidic soils (5' – 25' off shoreline) Peach-leaf Willow = moist soils, pH neutral to slightly alkaline (5' – 25' off the shoreline) Smooth Sumac = well drained soils, silts and loess, pH neutral to slightly alkaline (25' – 100' off shoreline) Blue Elderberry = well drained soils, pH neutral to slightly alkaline (15' – 50' off the shoreline) Buffalo Berry = well drained soils, slightly alkaline (25'	= 100' + off the shoreline) Antelope-brush (Bitterbrush) = well drained soils, pH neutral to slightly acidic	

WWMC	Section	Proposed Amendment	Category and Notes
		neutral to slightly acidic = 100'+ off the shoreline) Antelope-brush (Bitterbrush) = well drained soils, pH neutral to slightly acidic E. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall conform to the wetland development performance standards set forth in Sections 21.04.300 through 21.04.350. If nonwetlands habitat and wetlands are present at the same location, the provisions of Sections 21.04.600 through 21.04.674 or Sections 21.04.300 through 21.04.350, whichever provide greater protection to the habitat, apply. Anadromous Fish. 1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards: a. Activities shall be timed to occur only during the allowable work window as designated by the Washington Department of Fish and Wildlife for the applicable species; b. An alternative alignment or location for the activity is not feasible; c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; d. Shoreline erosion control measures shall be designed to use bioengineering methods or soft armoring techniques, according to an approved critical area report; and e. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.	

WWMC	Section	Proposed Amendment	Category and Notes
		2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies currently or historically used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish and shall prevent fry and juveniles migrating downstream from being trapped or harmed. 3. Fills, when authorized by the locally adopted shoreline management program, shall not adversely impact anadromous fish or their habitat or shall mitigate any unavoidable impacts and shall only be allowed for a water-dependent use. F. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall conform to the wetland development performance standards set forth in Sections 21.04.300 through 21.04.350. If non-wetlands habitat and wetlands are present at the same location, the provisions of Sections 21.04.600 through 21.04.674 or Sections 21.04.300 through 21.04.350, whichever provide greater protection to the habitat, apply.	
Chapter 21.04.660(D) Critical Areas	Performance standards – Subdivisions.	Development projects must be located to preserve or achieve contiguous wildlife habitat corridors to minimize the isolating effects of development on habitat areas.	State Mandated RCW 36.70A.172
Chapter 21.04.670(C) Critical Areas	Fish and wildlife habitat conservation areas – Piped streams.	Daylighting. Opening up piped stream segments to restore a more natural condition with riparian functions means removing a stream from a culvert through a critical areas report (WWMC 21.04.095) and stream daylighting plan. Buffer widths for daylit stream segments will be determined on a case-by-case basis based on a site-specific analysis of water quality, riparian functions, and overall improvements to ecological functions.	State Mandated RCW 36.70A.172
Chapter 21.04.700 Critical Areas	Landfill vicinity	All enclosed structures, requiring a building permit, within one thousand feet of a sanitary landfill or former landfill site/parcel must be protected from potential landfill gas migration. The method for ensuring a structure's protection from	Clarification Moved

WWMC	Section	Proposed Amendment	Category and Notes
	development standards.	landfill gas shall be addressed in a report submitted by a licensed professional engineer, at the cost of the developer, to the city of Walla Walla for review. The report shall contain a description of the investigation and recommendation(s) for preventing the accumulation of explosive concentrations of landfill gas within or under enclosed portions of the proposed building or structure. Any changes to the design shall be documented in writing and stamped by the landfill gas design engineer and the contractor shall provide as-built drawings to the city documenting the changes.	

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

A. Background

[Find help answering background questions²](#)

1. Name of proposed project, if applicable:

Critical Area Ordinance (CAO) code amendments

2. Name of applicant:

City of Walla Walla c/o Jon Maland, Senior Planner

3. Address and phone number of applicant and contact person:

15 North 3rd Avenue, Walla Walla, WA 99362. (509) 524-4710

4. Date checklist prepared:

06/29/2026

5. Agency requesting checklist:

City of Walla Walla

6. Proposed timing of schedule (including phasing, if applicable):

To be determined; adoption tentatively scheduled for October/ November 2026

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No - non-project action. Any future projects that result from this code change will be evaluated under SEPA guidelines at that time, as appropriate.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

The 2018 Walla Walla Comprehensive Plan, and Final Environmental Impact Statement, issued May 22, 2018.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No specific property or parcel is covered by this non-project/ non-site-specific action.

10. List any government approvals or permits that will be needed for your proposal, if known.

Washington State Department of Commerce review for code changes is required.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Critical Area Ordinance (CAO) code amendments

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section,

township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

No specific site - city wide.

B. Environmental Elements

1. Earth

[Find help answering earth questions](#)³

a. General description of the site:

The Municipal Code amendments/update is not site specific.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

The City of Walla Walla is generally flat with a gradual slope that is higher in the east and lower in the west portions of the city.

b. What is the steepest slope on the site (approximate percent slope)?

Non-Project action. Review of potential steep slopes will be conducted on a site-by-site basis at the time of development proposal.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Walla Walla largely has Yakima series soils, loams that are well drained.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Walla Walla generally has a high to moderate liquefaction potential.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

N/A non-project action. Review of potential filling, excavation, and grading will occur at permit submittal.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

N/A non-project action - not specific to one parcel.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A - non-project action - not specific to one parcel.

³ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**
N/A - non project action.

2. Air

[Find help answering air questions](#)⁴

- a. **What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

N/A - non project/ non site-specific action.

- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

N/A - non project/ non site-specific action.

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

N/A - non project/ non site-specific action.

3. Water

[Find help answering water questions](#)⁵

- a. **Surface:**

[Find help answering surface water questions](#)⁶

1. **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

Walla Walla has many year-round streams throughout the city, including Mill Creek, Yellowhawk Creek, Stone Creek, Garrison Creek, and others.

2. **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

No - non-site-specific action.

3. **Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

N/A, Any fill or dredge would be subject to project specific review.

⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

No - non project action.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Some portions of the southern end of Walla Walla are within a 100-year floodplain for Russell Creek.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No - non project action.

b. Ground:

[Find help answering ground water questions](#)⁷

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

No – non-project action. Any water used within the city for any projects that might stem from this code update would use City Water, not wells.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None, non-project action. Any waste material that would be a result of any project from this code change would be required to use the City's municipal wastewater system.

c. Water Runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable - non-project action.

2. Could waste materials enter ground or surface waters? If so, generally describe.

No – non-project action.

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No. Any projects that might result from the code change would be required to handle their own stormwater impacts on the site.

⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

- d. **Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:**

Any project resulting from the code change would be subject to the City of Walla Walla stormwater code and the Eastern Washington Stormwater Manual.

4. Plants

[Find help answering plants questions](#)

- a. **Check the types of vegetation found on the site:** **Non-site specific action**
- ☐ deciduous tree: alder, maple, aspen, other
 - ☐ evergreen tree: fir, cedar, pine, other
 - ☐ shrubs
 - ☐ grass
 - ☐ pasture
 - ☐ crop or grain
 - ☐ orchards, vineyards, or other permanent crops.
 - ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
 - ☐ water plants: water lily, eelgrass, milfoil, other
 - ☐ other types of vegetation
- b. **What kind and amount of vegetation will be removed or altered?**
None, non-project action
- c. **List threatened and endangered species known to be on or near the site.**
Not applicable - non project action
- d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.**
Not applicable - non project action
- e. **List all noxious weeds and invasive species known to be on or near the site.**
Not applicable - non project action

5. Animals

[Find help answering animal questions](#)⁸

- a. **List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**
- Examples include:**

⁸ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

Non-site specific action/ project

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

b. List any threatened and endangered species known to be on or near the site.

Bull trout, steelhead

c. Is the site part of a migration route? If so, explain.

Pacific Flyway- nesting and migratory bird route

d. Proposed measures to preserve or enhance wildlife, if any.

The amendments to the CAO, should help protect wildlife habitat in the city.

e. List any invasive animal species known to be on or near the site.

Not applicable - non project action

6. Energy and natural resources

[Find help answering energy and natural resource questions](#)⁹

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None, non-project action

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No, non-project action

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

None, non-project action. Any project resulting will need to abide by Washington State Energy Code requirements.

7. Environmental health

[Health Find help with answering environmental health questions](#)¹⁰

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

No, non-project action.

⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

¹⁰ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

1. Describe any known or possible contamination at the site from present or past uses.

None - non site-specific action. Some sites in Walla Walla remain contaminated from past uses (former gas station sites, landfill, etc).

2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Natural gas pipelines run through Walla Walla. All ground-disturbing projects are required to call before digging to ensure no impact.

3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable - non project action.

4. Describe special emergency services that might be required.

None, non-project action.

5. Proposed measures to reduce or control environmental health hazards, if any.

N/A, non-project action. Any potential future project would be subject to SEPA unless categorically exempt.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

General traffic noise throughout Walla Walla, in northern portions of the city, some aircraft noise from Walla Walla Regional Airport flights.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

None, non-project action

3. Proposed measures to reduce or control noise impacts, if any:

Not applicable, non-project action. The CAO seeks to protect critical areas.

8. Land and shoreline use

[Find help answering land and shoreline use questions](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use)¹¹

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Land use depends on the specific site, this is a non-site specific action.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have

¹¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable, non site specific action

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

No, non-project action

- c. Describe any structures on the site.

Not applicable, non project action

- d. Will any structures be demolished? If so, what?

Not applicable, non site specific action

- e. What is the current zoning classification of the site?

Not applicable, non project action

- f. What is the current comprehensive plan designation of the site?

Not applicable, non project action

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable, non site specific action

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

No, non project action- many known critical areas throughout the City.

- i. Approximately how many people would reside or work in the completed project?

Not applicable, non site specific action

- j. Approximately how many people would the completed project displace?

None, non project action

- k. Proposed measures to avoid or reduce displacement impacts, if any.

Not applicable, non project action

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

None, non site-specific action. This is a non-project action that affects future development of the property.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

None, non site specific action. The City abides by the Growth Management Act (GMA)

9. Housing

[Find help answering housing questions](#)¹²

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**
Not applicable, non-project action.
- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**
Not applicable, non-project action.
- c. **Proposed measures to reduce or control housing impacts, if any:**
None, non-project action.

10. Aesthetics

[Find help answering aesthetics questions](#)¹³

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**
Not applicable, non-site-specific action. Height limits are regulated by the underlying zone, which is not proposed to change.
- b. **What views in the immediate vicinity would be altered or obstructed?**
Not applicable
- c. **Proposed measures to reduce or control aesthetic impacts, if any:**
Not applicable, non-project action

11. Light and glare

[Find help answering light and glare questions](#)¹⁴

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**
Not applicable, non-project action
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**
No, non-site-specific action.
- c. **What existing off-site sources of light or glare may affect your proposal?**
None, non project action.
- d. **Proposed measures to reduce or control light and glare impacts, if any:**
Not applicable.

¹² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

¹³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

¹⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

12. Recreation

[Find help answering recreation questions](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable, non project action

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No it would not, as this is a non site specific action

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None, non project action

13. Historic and cultural preservation

[Find help answering historic and cultural preservation questions](#)¹⁵

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

Walla Walla has multiple buildings on the local, state, and national registers. The Downtown District is listed on the national register of historic places. No impacts to structures, non-project action

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Walla Walla is the homeland of the Cayuse, Walla Walla, and Umatilla people. No impacts, non-project action.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

None, non site specific action

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

None, non project action

¹⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

14. Transportation

[Find help with answering transportation questions¹⁶](#)

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**
Walla Walla's Road network is made up of all street classifications, including private lanes. No impacts, non-project action
- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**
Walla Walla Valley Transit serves the City of Walla Walla.
- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**
No, non site specific action
- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**
No, non project action- individual proposed will be regulated by the CAO.
- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**
Not applicable, non project action
- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**
No, non site specific action
- g. **Proposed measures to reduce or control transportation impacts, if any:**
None, non project action

15. Public services

[Find help answering public service questions¹⁷](#)

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**
No, non project action
- b. **Proposed measures to reduce or control direct impacts on public services, if any.**
None, non project action

¹⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

¹⁷ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

16. Utilities

[Find help answering utilities questions¹⁸](#)

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

All of these utilities are available throughout Walla Walla

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None, non project action

C. Signature

[Find help about who should sign¹⁹](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X *Jon Maland*



Position and agency/organization:

Date submitted:

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet²⁰](#)

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

¹⁸ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

¹⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

²⁰ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

The proposed code changes are not expected to result in the above increases. CAO update provides protection of critical areas.

- **Proposed measures to avoid or reduce such increases are:**

None proposed. The amendments include limitations on development and a required mitigation sequence that includes avoidance of impacts to critical areas.

2. **How would the proposal be likely to affect plants, animals, fish, or marine life?**

The proposal is not anticipated to have significant impacts on plants, animals, or fish. The CAO attempts to reduce negative impacts.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

The CAO amendments/update will include measures to protect or conserve plants, animals, etc.

3. **How would the proposal be likely to deplete energy or natural resources?**

The code updates are not expected to deplete energy or natural resources.

- **Proposed measures to protect or conserve energy and natural resources are:**

The code updates are not expected to directly protect or conserve energy.

4. **How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The CAO amendments/update will provide for regulations that protect environmentally sensitive areas and critical area habitats.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

Updating the City's critical area regulations based on best available science will help to protect, avoid and reduce impacts. Any projects would be subject to SEPA review and

5. **How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The city code and shoreline management program regulates the compatibility of proposals with shoreline uses.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

None proposed.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

None proposed. The amendments update the critical areas code and should have no direct impacts on transportation or public services and utilities.

- **Proposed measures to reduce or respond to such demand(s) are:**

None proposed.

The proposed code changes are not expected to directly increase demands on transportation or public services.

- 7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

This amendment updates the critical areas code consistent with the growth management act. No conflicts with local, state, or federal laws or requirements for environmental protection.



Washington State Environmental Policy Act – SEPA
Adoption/Addendum of an existing Environmental Document
File# PLN5-26-0001

Date of Issuance: August 17, 2026

Description of Proposal: Walla Walla Municipal Code (WWMC) Amendments-amendments to Walla Walla Municipal Code Chapter 21.04 - Critical Area Ordinance.

WWMC Chapter 21.04 Amendments to the Critical Area Ordinance. Under the Washington State Growth Management Act (GMA), the City of Walla Walla must incorporate best available science” (BAS) when developing policies and regulations to protect the functions and values of critical areas. Additionally, “special consideration” must be given to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

Proponent: City of Walla Walla, 15 N. 3rd Avenue, Walla Walla, WA 99362

Location of current proposal: All of the City of Walla Walla and City of Walla Walla Urban Growth Area (UGA).

Title of document being adopted: The City of Walla Walla Comprehensive Plan, Walla Walla 2040, and the Final Environmental Impact Statement (FEIS).

The agency that prepared the document being adopted: City of Walla Walla

Date the adopted document was prepared: 5/18/2018

Description of document (or portion) being adopted: The City of Walla Walla Comprehensive Plan, Walla Walla 2040, and the Final Environmental Impact Statement (FEIS), dated May 22, 2018.

Addendum to the FEIS: Pursuant to WAC 197-11-600(4)(c) and the addendum procedures in WAC 197-11-625, the City is issuing this Addendum to the 2018 FEIS. This Addendum provides additional information and analysis based on the June 29, 2026, Environmental Checklist. The information presented does not substantially change the analysis of probable significant adverse impacts or the range of alternatives considered in the 2018 FEIS. The original FEIS remains valid and is not modified or replaced by this Addendum.

If the document being adopted has been challenged (WAC 197-11-630), please describe: No.

The document is available to be read at: City of Walla Walla Development Services office at 55 East Moore Street, Walla Walla, WA.

The City of Walla Walla has identified, adopted, and incorporated by reference this document as being appropriate for this proposal, after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision makers. We have determined that this

proposal will not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c).

Name of agency adopting document: City of Walla Walla

Contact person: Jon Maland, AICP, Sr. Planner, Phone:(509) 524-4710

Responsible Official: J Preston Frederickson, Director

Address: City of Walla Walla Development Services
55 East Moore Street, Walla Walla, WA 99362

Issue Date: August 17, 2026

Signature:  **Date:** August 17, 2026

	City of Walla Walla Planning Commission Development Services 55 E. Moore Street Walla Walla, WA 99362
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CITY OF WALLA WALLA PLANNING COMMISSION
DRAFT MEETING MINUTES
Monday, August 3, 2026 – 6:30 P.M.
Hybrid Meeting – In Person and via Zoom
Council Chambers, 15 N 3rd Avenue, Walla Walla

1. CALL TO ORDER

Chair Williams called the meeting to order at 6:30 p.m.

2. ROLL CALL

Members Present: Jim Williams, Chair
 Arlene Alen, Member
 Kristin Jensen, Member
 Liz Jessee, Member
 Jeff Strickler, Member
 Jennifer Walden, Vice-Chair

Members Excused: John Gahbauer, Member

Staff Present: Emily Arteche, Deputy Director
 Jon Maland, Sr. Planner
 Pam Ransier, Administrative Permit Coordinator
 Monte Willis, Council Liaison

Quorum was established.

3. PUBLIC COMMENT

No members of the public provided comment.

4. APPROVAL OF MINUTES

A. Regular Meeting – July 6, 2026

MOTION: **Commissioner Jensen** moved, and **Commissioner Alen** seconded to approve the regular meeting minutes for July 6, 2026 as presented.

Motion carried 6- 0

5. OLD BUSINESS

A. Comprehensive Plan Update

Commission Action

Chair Williams introduced the Comprehensive Plan Update and outlined the next steps to move the draft plan forward in the approval process, including a recommendation by the Planning Commission to City Council.

MOTION: **Commissioner Strickler** moved, and **Commissioner Walden** seconded to recommend approval of the draft 2046 Comprehensive Plan to the City Council.

Discussion: **Commissioner Jessee** noted that a county document related to extreme

weather is in the process of being revised and the document link from the county's website will be available to include in the final version of the 2046 Comprehensive Plan.

Motion carried 6- 0

- B. Emily Arteche**, Deputy Director, presented a minor change to the list of upcoming code amendments. This change is related to when the city will accept annexation petitions. The requested amendment was received in Development Services after the July workshop. No action is needed at this time.

6. NEW BUSINESS

A. Critical Area Ordinance Amendments

Workshop

Ms. Arteche, introduced **Nell Lund**, Senior Ecologist with Facet, the city's consultant for the 10-year Critical Areas Ordinance (CAO) update. Using a PowerPoint presentation, Ms. Lund gave an overview of the CAO and what the ordinance governs. Primarily wetlands, aquifer recharge areas, fish and wildlife conservation areas, frequently flooded areas, and geologically hazardous areas. She stressed the importance of using Best Available Science (BAS) during the update process. **Ms. Arteche** explained that Mill Creek was not included in this work as it is a waterway of the state and is included in the Shoreline Master Program, not the CAO.

Commissioners asked clarifying questions and staff and Ms. Lund responded.

Chair Williams asked staff to provide to the commission as soon as possible any public comments on the amendments received prior to the next meeting.

The final draft of the proposed code amendments will be presented to the Planning Commission September 14, 2026, for recommendation to City Council. The City Council will hold a workshop on the code amendments on September 21, 2026, with action at a future date.

7. STAFF UPDATES

- MC Gateway, a planned community near the airport, is working with the city on a development agreement outlining all aspects of the future development.
- A proposed 14-lot residential development on Fern Avenue will go before the Hearing Examiner on August 13, 2026.
- A variance request for a subdivision on E Sumach Street will also go before the Hearing Examiner on August 13. The variance is related to access to a 15-lot subdivision with geographical constraints that prevent a second access point. This variance was originally approved in 2023 but expired before the development could move forward.
- Staff are finalizing a binding site plan for the WinCo property that will create eight building pads.
- Shoreline review is underway for bridge replacement projects at 4th Avenue and 6th Avenue.
- Staff are working on the environmental review for a planned community located near Highway 125, south Myra Road and Village Way.

8. ADJOURNMENT

MOTION: **Commissioner Jessee** moved, and **Commissioner Jessen** seconded to adjourn.

Motion carried 6- 0

Meeting adjourned at 7:15 p.m.

THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2026-S-15148

Submittal Date Time: 08/04/2026

Submittal Information

Jurisdiction	City of Walla Walla
Submittal Type	60-day Notice of Intent to Adopt Amendment
Amendment Type	Critical Areas Ordinance

Amendment Information

Brief Description

Proposed Critical Areas Ordinance (CAO) Code Amendments

- Yes, this is a part of the 10-year periodic update schedule, required under RCW 36.70A.130.

Planning Commissions Date 09/14/2026

City Council Date 10/14/2026

Anticipated/Proposed Date of Adoption 10/28/2026

Categories

Submittal Category

Critical Areas Ordinance

Attachments

Attachment Type	File Name	Upload Date
Critical Areas Ordinance - Draft	2026 Draft Critical Areas Amendments.pdf	08/04/2026 10:55 AM

Contact Information

Prefix

Mr.

First Name	Jonathan
Last Name	Maland
Title	Senior Planner
Work	(509) 524-4710
Cell	
Email	jmaland@wallawallawa.gov

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

■ I certify that I am authorized to submit this Amendment for the Jurisdiction identified in this Submittal and all information provided is true and accurate to the best of my knowledge.

Full Name	Jonathan Maland
Email	jmaland@wallawallawa.gov



NOTICE OF APPLICATION and NOTICE OF PUBLIC HEARING

Walla Walla Municipal Code (WWMC) Amendments - Comprehensive Plan implementing Municipal Code Amendments – 2026

Amendments to Walla Walla Municipal Code Chapter 21.04 - Critical Area Ordinance.
FILE# PLN5-26-0001

Project Summary: This is a proposal to revise various sections of the Walla Walla Municipal Code. The specific code sections and details of the proposed revisions are described below.

Notice is hereby given on this date, **August 18, 2026**, that a development regulation amendment application/proposal described in this notice has been filed with the City of Walla Walla Development Services. The application documents may be reviewed at the City of Walla Walla Development Services Department at 55 E. Moore Street, Walla Walla, or by visiting the city's website at <https://www.wallawallawa.gov/government/development-services/public-notice>.

Public Hearing: Notice is also hereby given by the City of Walla Walla that a **Public Hearing will be held on the application/proposal by the City of Walla Walla Planning Commission on Monday, September 14, 2026, at 6:30 P.M. at the City Hall Council Chambers, 15 N. 3rd Avenue, Walla Walla, WA (N. 3rd Avenue and Rose Street).**

Members of the public may also attend and participate in the public hearing virtually using this Zoom meeting link <https://bit.ly/4pbogQ1> or listen to the meeting by calling 253-215-8782 and entering meeting ID 818 2953 1983.

State Environmental Policy Act (SEPA): The City of Walla Walla Development Services has determined that this proposal is unlikely to have a significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). The City of Walla Walla issued an Adoption/Addendum of an existing Environmental Document on August 18, 2026. We have reviewed the following existing environmental documents: Walla Walla Comprehensive Plan Final Environmental Impact Statement (FEIS), issued May 22, 2018, and Walla Walla Comprehensive Plan - Walla Walla 2040, Ordinance 2018-15, adopted June 13, 2018. The relevant content of these documents is briefly described as an Environmental Impact Statement for the Walla Walla Comprehensive Plan, which evaluates proposed actions, alternatives, and environmental impacts of activities allowed by the Walla Walla Comprehensive Plan & Environmental Impact Statement.

If reference is made below to the application or determination of completeness, copies of the referenced materials are attached hereto.

1. **Applicant:** City of Walla Walla Development Services Department, 55 E. Moore St., Walla Walla, WA 99362
2. **Date of Application:** June 29, 2026
3. **Complete Application:** June 29, 2026
4. **Location of Proposed Action:** Throughout the City Limits of Walla Walla.

5. **Proposed Code Amendments:** Updates to the following chapters and sections of the Walla Walla Municipal Code (WWMC) are summarized below and are being proposed; contact the Development Services Department for the complete text.

Chapter/Sections: 2.17, 2.27, 2.28, 3.23, 5.02, 5.04, 5.05, 5.09, 10.17, 10.27, 12.14, 13.050.060, 13.07.020, 15.36.020, 19.02.050, 19.06.020, 19.18.040, 19.26.015, 19.26.040, 19.30.010, 19.40.020, 20.10, 20.14.030, 20.14.065, 20.14.095, 20.36.020, 20.38.050, 20.42.020, 20.42.070, 20.46.080, 20.46.110, 20.48.050, 20.50.130, 20.50.170, 20.134.10, 20.139.040, 20.139.070, 20.139.100, 20.170.032, 20.171.070, 20.184.060, 21.040.010, 21.040.020, 21.04.035, 21.04.055, 21.04.075, 21.08.120, 21.08.170, 21.08.173, 21.10.050, 21.10.070 - Amend "Development Services" to "Community Development or Community Development department" and/or "Development Services director to Community Development director" within the applicable Titles and Sections of the Walla Walla Municipal Code.

WWMC 12.64.020 - Amend text to Future Land Use Map

WWMC 13.03.601 - City Manager's discretion on sewer services.

WWMC 13.04.040 and 13.04.150 - City Manager's discretion on water services.

WWMC 15.04.005 - Calculation of permit fees for a permit-ready accessory dwelling unit.

WWMC 19.02.030- Amend text for clarification with case law.

WWMC 19.020.050- Amend from Authorization to Permit

WWMC 20.02.040- Remove text of "This code is the principal means of implementing the Plan"

WWMC 20.02.050- Amend for the text of MHC | Mobile/Manufactured Home Park Community

WWMC 20.02.080 (B) (D), (I)(1) and (I)(2)(J)-new letter- Amend text for accepting annexation petitions anytime during the year and for clarification with case law.

WWMC 20.02.130- Amend text for clarification with case law.

WWMC 20.10.080 - Amend text for clarification on City Council decisions.

WWMC 20.14.065 – Amend text for designated permit responsible official and contact information

WWMC 20.18.050, 20.22.040, 20.28.020- Amend text for clarification with case law.

WWMC 20.34.040 - Amend text for the Hearing Examiner to conduct the public hearing and make a recommendation to the City Council on development agreements.

WWMC 20.48.045- Amend text for Future Land Use Map.

WWMC 20.50.020- Amend text for Affordable Housing Development on Properties Owned by Religious Organizations in RCW 35.63.280, RCW 35A.63.300, RCW 36.70A.545.

WWMC 20.50.105 (New Chapter A-F)- Landfill Vicinity Development Standards

WWMC 20.50.170- Urban planned community modifications, amend for "who has been formally"

WWMC 20.127.007 - Amend for downtown parking exemption.

WWMC 20.100.040 - Amend to comply with Washington State SB 5509 on daycares, HB 2266 on Emergency Housing/ Shelter, and SB 6026 on the prioritization of commercial uses along the street facing public frontage with residential in the rear of the building; will be applied.

WWMC 20.106.010 - Amend text for clarification with case law.

WWMC 20.110 - Amend this section for Retaining Walls within the Fence code.

WWMC 20.171.070 - Amend text section on the city's Comprehensive Plan.

WWMC 20.178.050- Amend this section on building height in the downtown design standards.

WWMC 21.04.700 - This section moved to Title 20.

WWMC 21.10.010 - Amend this section for text clarification and for clarification with case law.

WWMC Chapter 21.04 - Amendments to the Critical Area Ordinance. Under the Washington State Growth Management Act (GMA), the City of Walla Walla must incorporate best available science” (BAS) when developing policies and regulations to protect the functions and values of critical areas. Additionally, “special consideration” must be given to conservation or protection measures necessary to preserve or enhance anadromous fisheries.

Public Comment: Comments upon this application must be submitted in writing to the City of Walla Walla Development Services at 55 East Moore Street, Walla Walla, WA 99362, or by email to permits@wallawallawa.gov.

The comment period will open on August 18, 2026, and comments must be actually received by the Development Services Department before 5:00 P.M. on Friday, September 4, 2026. **Comments, both oral and written, may also be submitted at the Planning Commission Public Hearing on Monday, September 14, 2026, at 6:30 P.M.**

Interested persons and parties may also receive a copy of any decision(s) made on the proposal by filing a special notice request with the City of Walla Walla as provided in section 20.14.015 of the Walla Walla Municipal Code. Appeal rights are outlined in Chapter 20.38 of the Walla Walla Municipal Code and other code provisions referenced therein. A staff report and information packet with all submitted documents will be available for review on the City of Walla Walla Development Services Department website.

City of Walla Walla Development Services, 55 E. Moore Street, Walla Walla, WA 99362
(509) 524-4710 Email: permits@wallawallawa.gov

From: [Sears, Tricia \(DNR\)](#)
To: [Jon Maland](#)
Cc: [Sears, Tricia \(DNR\)](#); [Serr, Benjamin \(COM\)](#)
Subject: Walla Walla's critical areas ordinance amendments (2026-S-15148): WGS comments
Date: Friday, August 7, 2026 4:13:55 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jonathan,

In keeping with the interagency correspondence principles, I am providing you with comments on Walla Walla's critical areas ordinance amendments (2026-S-15148).

For this proposal submitted via Planview, I looked at the proposal and focused on areas related to WGS work. Of note, but not limited to, I look for language around the geologically hazardous areas, mineral resource lands, mining, climate change, and natural hazards mitigation plan.

Specifically in this proposal, for critical areas I reviewed the 2026 Draft Critical Areas Amendments.

The document has a table with four column headers of the code provision, the section, the proposed amendment, and the category and notes. It's an interesting format to show the proposed changes. It doesn't provide context for the changes as much as having a document with the chapters and sections in full, with the strikethrough and new language.

Section 21.04.015 Critical Areas. Figure 1 is being struck because it is outdated, according to the note. There is no proposed replacement for it.

Section 21.04.020 Critical Areas. Definitions. Best Available Science. Suggest "Sources of best available science are included" be revised to say "Sources of best available science are included, but not limited to,"

Section 21.04.035(A). Critical Areas. Great to see the critical areas maps listed.

Section 21.04.090(B)(2-3) Critical Areas. Reasonable Use. Good to see the addition of "prepared by a qualified professional." The definition of qualified professional is not included so it is not clear how it is defined.

Section 21.04.115(C) (1) and (4) and (H). Critical Areas. Great to see the addition "of impact and mitigation activities." Great to see the record to title requirement.

Section 21.04.500(B)(4), (D), and (E) and Section 21.04.510. Good to see these changes.

Below, I include our usual language for this and future endeavors.

Recognizing the limitations of the current proposals, I want to mention that it would be great for you to consider these in current or future work, be it in your comprehensive plan, development code,

and SMP updates, and in your work in general:

- Consider adding a reference to the definition of geologically hazardous areas, WAC 365-190-120, in other areas besides the CAO. In addition, consider adding a reference to WAC 365-196-480 for natural resource lands.
- Consider adding in other areas besides the CAO. If you have not checked our interactive database, the Washington Geologic Information Portal, lately, you may wish to do so. [Geologic Information Portal | WA - DNR](#)
- If you have not checked out our Geologic Planning page, you may wish to do so. [Geologic Planning | WA - DNR](#)

Thank you for considering our comments. If you have any questions or need additional information, please contact me. For your convenience, if there are no concerns or follow-up discussion, you may consider these comments to be final as of the 60-day comment deadline of 10/3/26.

Have a great day!

Tricia

Tricia R. Sears (she/her/hers)

Geologic Planning Liaison

Washington Geological Survey (WGS)

Washington Department of Natural Resources (DNR)

Cell: 360-628-2867 | Email: tricia.sears@dnr.wa.gov

Angelica Escalante

From: Howard Boggs <[REDACTED]>
Sent: Wednesday, August 26, 2026 2:36 PM
To: Permits
Subject: comments regarding proposed Critical Areas Ordinance changes

My comments that follow are in regards to the proposed riparian buffer and setback.

1. The majority of the land in the city that is adjacent to the streams is already developed. A lot of the development was prior to any stream setbacks. The balance was with the current setbacks. The result is most of the developed land has improvements that would not be allowed under the proposed changes. Further development of these lands will be a challenge, likely resulting in less infill. The undeveloped land will also be impacted resulting in less infill parcels. I doubt the future riparian buffer areas will improve enough to offset the loss of infill parcels.

2. The existing buffer setback is 5'. The proposed new setback is 15'.
With the buffer increasing from 35' or 50' to 100', why make it worst for property owners by making the setback bigger. I suggest a 0' setback. If that can't work, then keep it at 5'.

Thank you,

Howard Boggs

2549 Sandalwood Court

[REDACTED]



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

Eastern Region • Region 1 • 2315 North Discovery Place, Spokane Valley, WA 99216-1566
Telephone: (509) 892-1001 • Fax: (509) 921-2440

August 28, 2026

Jon Maland
City of Walla Walla Planning Office
55 E Moore Street,
Walla Walla WA 99362
jmaland@wallawallawa.gov

RE: WDFW Comments on City of Walla Walla Critical Areas Ordinance (Plan View Case #2026-S-15148)

Dear Mr. Maland,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to formally comment on the draft Critical Area Ordinance (CAO) for the City of Walla Walla during the city's periodic update. We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions. We may decide to submit additional comments on this topic in the future.

Within the State of Washington's land use decision-making framework, WDFW's role is that of technical advisor with respect to the habitat needs of fish and wildlife and the likely implications of various land use decisions on those resources over time. WDFW supports the City's ongoing efforts to integrate environmental protection with thoughtful planning and offers the following comments to help ensure continued alignment with the Growth Management Act (GMA), especially regarding fish and wildlife habitat conservation.

Overall, we found a high level of consistency between your draft CAO, our resources, and our conservation goals centered around anadromous fish and protected hawks. We are excited to be working alongside Walla Walla through these new updates.

The following comments are provided in order of appearance throughout the CAO. All edits in red are WDFW suggested language and policy additions, while broader thematic insertions and references will be indicated below the sample text.

Chapter 20.04.005(B) – Purpose

While WDFW recognizes all riparian ecosystems as important, thank you for adding in the extra sentence referencing the WAC and giving special attention to anadromous fish.

21.04.020 – Definitions

WDFW suggests adding or amending the following definitions to the City of Walla Walla's CAO:

- **Active channel:** The portion of a stream channel defined by the lower limit of continuous riparian vegetation, and it may be delineated by absence of both moss on rocks and rooted vegetation. The upper most elevation of the active channel is sometimes equated with the ordinary high-water mark. ([WDFW Vol 1](#))
- **Active floodplain:** A portion of floodplain that is located between the active channel and adjacent terrace or hillslopes. Depending on the watershed, the flood return interval of the active floodplain varies between 1 and 10 years. ([WDFW Vol 1](#))
- **Anadromous fish:** Fish that spawn and rear in freshwater and mature in the marine environment. (Knight 2009)
- **Compensatory mitigation:** The restoration, creation, enhancement, or preservation of uplands, wetlands, or other aquatic resources for the purposes of compensating for unavoidable adverse impacts that remain after all appropriate and practicable avoidance and minimization has been achieved. "Compensatory mitigation" includes mitigation that:
 - Occurs at the same time as, or in advance of, a project's planned environmental impacts;
 - Is located in a site either on, near, or distant from the project's impacts;
 - and provides either the same or different biological functions and values as the functions and values impacted by the project. (RCW 90.74.010 (1))

Comment: WDFW would like to note that 'compensatory mitigation' should be taking place for *all* critical areas, and not just wetlands, as stated in the current CAO definition.

- **Ecological improvement:** The ecological functions and values, that support biodiversity and resiliency of native plant, animal and fungi species, water quality and quantity, air quality, and food security for all species, are improved over current conditions, at a cumulative scale that can be incrementally implemented through site-specific actions, with any short-term loss of those functions and values being more than offset by overall ecological gains. ([WDFW 2024](#), [WDFW 2025](#))

NOTE: This is the new term replacing "net ecological gain."

- **Ecosystem-based management (EBM):** Management driven by explicit goals; executed by policies, protocols, and practices; and made adaptable by monitoring and research; based on our best understanding of the ecological interactions and processes necessary to sustain ecosystem composition, structure, and function. EBM acknowledges that humans are an important ecosystem component and focuses on managing human activities within ecosystems. EBM often involves balancing ecological, economic, and social objectives within the context of existing laws and policies. ([WDFW Vol 2](#))
- **Ecosystem functions:** The products, physical and biological conditions, and environmental qualities of an ecosystem that result from interactions among ecosystem processes and ecosystem structures. Ecosystem functions include, but are not limited to, sequestered carbon, attenuated peak stream flows, aquifer water level, reduced pollutant concentrations in surface and ground waters, cool summer in-stream water temperatures, and fish and wildlife habitats. ([WAC 365-196-210 \(17\)](#))
- **Ecosystem services:** The benefits that the public enjoys as a result of natural processes and biological diversity. ([RCW 76.09.020](#))
- **Ecosystem values:** The cultural, social, economic, and ecological benefits attributed to ecosystem functions. ([WAC 365-196-210 \(18\)](#))

- **Enhancement:** The manipulation of the physical, chemical, or biological characteristics of habitat to heighten, intensify, or improve a specific ecosystem function(s). Enhancement results in the gain of selected habitat function(s) but may also lead to a decline in other ecosystem function(s). Enhancement does not result in a gain in habitat area. ([WAC 173-700-104](#))
- **Fish and Wildlife Habitat Conservation Areas (FWHCAs):** Areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, areas with high relative population density or species richness, and habitat or habitat elements including seasonal ranges, breeding habitat, winter range, and movement corridors. ([WAC 365-190-030](#) (6)(a))

Comment: Please include these updated functions and values to your current definition such as, vulnerable ecological systems, seasonal ranges, and breeding habitats

- **Habitat Management Plan (HMP):** A project-based, site specific report for land use activities in a FWHCA that could affect critical area functions. ([WDFW Vol 2](#))
- **Hazard Tree:** A tree that a jurisdiction's building official or other recognized professional (e.g., certified arborist, registered landscape architect, or certified forester) has determined poses a near-term hazard to public safety or to an existing permanent structure or public utility. ([WDFW Vol 2](#))
- **Large Woody Debris (LWD):** Large dead woody material (such as fallen trees and branches) in various stages of decomposition that provide nutrients to forest and aquatic resources and serve as habitat in forest and riparian ecosystems. Large wood is usually defined as having a diameter greater than 4 in (10 cm) and length greater than 6 ft ($\approx$ 2 m). ([WDFW Vol 2](#))
- **Mitigation bank:** A site where wetlands and/or other aquatic resources or natural habitats are restored, created, enhanced, or in exceptional circumstances, preserved, expressly for the purpose of providing compensatory mitigation in advance of authorized impacts to similar resources. ([23 CFR 777.2](#))
- **No net loss:** Standards that are intended to limit the impacts from new development and other land uses by adopting a mitigation hierarchy to avoid, minimize, remediate, and offset negative impacts on ecosystems. ([WDFW 2024](#))
- **Ordinary High-Water Mark (OHWM):** That mark which is found by examining the bed and banks of a water body and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years that the soils and vegetation have a character distinct from that of the abutting upland area. It also can also be established by fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Where the ordinary high-water mark cannot be found, it shall be the line of mean high water in areas adjoining fresh water. ([WAC 173-22-030\(11\)](#))

- **Priority species:** Fish and wildlife species requiring protective measures and/or management actions to ensure their survival. A species identified and mapped as priority species fit one or more of the following criteria ([WDFW 2023](#), as amended):
 - State-listed endangered, threatened, sensitive, or candidate species;
 - Vulnerable aggregations;
 - Of recreational, commercial, and/or tribal importance.
- **Reasonable use exception:** A mechanism by which local jurisdictions may grant relief from code requirements where compliance leaves no reasonable use of the property. ([Municipal Research Services Center of Washington 2025](#))
- **Reestablishment:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Reestablishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area and functions. Reestablishment falls under the broader term of restoration. ([WAC 173-700-104](#))
- **Rehabilitation:** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function but does not result in a gain in ecological resource area. ([WAC 173-700-104](#))
- **Restoration:** A broad term referring to both reestablishment and rehabilitation. ([WAC 173-700-104](#))
- **Riparian management zone (RMZ):** The area that has the potential to provide full riparian functions. In forested ecoregions, this is the area within one SPTH_{200yr} (minimum 100 feet) measured from the wider of the OHWM, CMZ, or active floodplain. In dryland ecoregions the RMZ begins at the wider of OHWM, CMZ, or active floodplain; its width is equal to the greater of one SPTH_{200yr}, 100 feet, or the outermost point of the riparian vegetative community. (Folkerts et al. 2025)
- **Site-potential tree height (SPTH_{200yr}):** The average maximum height of the tallest dominant trees for a given age (200 years) and site class. ([WDFW Vol 1](#))

21.04.085. B - Allowed activities.

The following vegetation removal activities:

- a. The removal of the noxious weed species designated by Washington State in Chapter 16-750 WAC or the local weed control authority with hand labor and light equipment, or other invasive species; **Removal of noxious and invasive plants should minimize the impacts to fish, wildlife, and habitat through the use of hand removal or light equipment, use of only WA Dept. Of Ecology approved aquatic herbicides and when necessary, avoidance of hazardous substances, prevention of soil compaction, and timing restrictions to protect fish and wildlife during sensitive periods. These conditions should apply whether the activity is exempt or permitted.**
- b. The removal of hazard trees from sensitive areas and buffers that are posing a threat to public safety, or an imminent risk of damage to a permanent structure with consultation from a certified arborist

Comment: Many jurisdictions have some specific language regarding tree removal methods, replacement (usually 2:1), and standards if trees are removed from a buffer or critical area.

Please see the language below from [Whitman County's CAO Allowed Activities.6 – Vegetation Removal](#): “The applicant submits a report from a certified arborist, registered landscape architect, or professional forester that documents the hazard and provides a replanting schedule for the replacement trees;

- ii. Tree cutting shall be limited to pruning and crown thinning, unless otherwise justified by a qualified professional. Where pruning or crown thinning is not sufficient to address the hazard, trees should be removed or converted to wildlife snags;
- iii. All vegetation cut (tree stems, branches, etc.) shall be left within the critical area or buffer unless removal is warranted due to the potential for disease or pest transmittal to other healthy vegetation;
- iv. The landowner shall replace any trees that are removed with new trees at a ratio of two replacement trees for each tree removed (2:1) within one (1) year in accordance with an approved restoration plan. Replacement trees may be planted at a different nearby location if it can be determined that planting in the same location would create a new hazard or potentially damage the critical area. Replacement trees shall be species that are native and indigenous to the site and a minimum of one (1) inch in diameter-at-breast height (dbh) for deciduous trees and a minimum of six (6) feet in height for evergreen trees as measured from the top of the root ball;
- v. If a tree to be removed provides critical habitat, such as an eagle perch, a qualified wildlife biologist shall be consulted to determine timing and methods or removal that will minimize impacts; and
- vi. Hazard trees determined to pose an imminent threat or danger to public health or safety, to public or private property, or of serious environmental degradation may be removed or pruned by the landowner prior to receiving written approval from the county provided that within fourteen (14) days following such action, the landowner shall submit a restoration plan that demonstrates compliance with the provisions of this Chapter.”

21.04.095 Critical area reports – General requirements.

C.2.d - A map with latitude/longitude coordinates, GIS files, or township/range/section

C.9 Plans for adequate mitigation, **and monitoring**, as needed, to offset any impacts, in accordance with sections 21.04.105 through **21.04.120**, including, but not limited to:

C.9.c. The mitigation plan shall include a written report identifying environmental protection goals and objectives of the compensation proposed to ensure no net loss of ecological function and values through either, or a combination of, preservation, rehabilitation, and re-establishment.

E. Validity Period for Critical Areas Report. Critical area reports shall be valid for a period of five years. After such date, the Director shall determine whether a revision or additional assessment is necessary.

Comment: Walla Walla County added this into their CAO, and for consistency it would be nice for the City to also retain Reports and be able to utilize them for up to 5 years.

21.04.105: Mitigation requirements.

G. Mitigation sites shall be protected in perpetuity. This protection shall be through conservation easement, deed restriction, donation to a trust, or other legally binding method.

21.04.115: Mitigation plan requirements.

D. Monitoring ~~and Adaptive Management Program Plan~~. The mitigation plan shall include a program for monitoring construction of the compensation project, ~~and~~ for assessing a completed project, ~~and for potential changes in maintenance based on changing conditions or need for ecological uplift.~~

Comment: A monitoring and adaptive management (MAM) program differs from a monitoring plan, as a MAM “Program” involves monitoring and improving multiple permits, regulations, and programs to ensure the protection of critical areas with continued evaluation across multiple critical area uplift endeavors. A plan is typically project specific with timelines. However, if the City is interested in creating a MAM program, WDFW would be happy to advise.

H. Critical Area Tracts and Designations. A notice on title or critical area tract shall be used to delineate and protect those critical areas, buffers, ~~and mitigation and habitat plans,~~ ~~and~~ in development proposals for subdivisions, short subdivisions, or other affected lots as detailed under WWMC 21.04.125 at the discretion of the director.

I. Preservation and Protection Plan: This protection shall be through conservation easement, deed restriction, donation to a trust, or other legally binding method.

21.04.600: Fish and wildlife habitat conservation areas – Designation

A.1.b - The Washington State Department of Fish and Wildlife maintains the most current listing (Priority Habitats and Species List, WDFW 2023, current or as amended), and ~~should will~~ be consulted ~~as necessary~~ for current listing status.

A.8 - Land essential for preserving eco-connectivity between habitat blocks, ~~migration corridors,~~ ~~breeding grounds,~~ and open spaces.

21.04.630: Critical area report – Additional requirements for habitat conservation areas.

B.2. - All habitat conservation areas, ~~priority habitats and species,~~ and recommended buffers within two hundred and fifty feet of the project area

C.4 -A ~~discussion report detailing of~~ ongoing ~~and future~~ management practices that will protect habitat after the project site has been developed, including proposed ~~adaptive management,~~ monitoring and maintenance programs.

C.5 - A map of the project and/or survey area, TYPE OF coordinates, and GIS files if available

21.04.640: Performance standards – General requirements.

G.1 – “...Required buffer widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby and shall be consistent with the management recommendations issued by the Washington Department of Fish and Wildlife”

Comment: Our BAS is stating [site potential tree height \(SPTH200_{yrs}\)](#) should be the standard for buffer widths, with our [online mapping tool](#) being the best way to quickly determine the buffer needs for your area.

G.3.c - Provide for a monitoring and maintenance plan for a period of at least five years, ~~except this provision may be waived for single family residential lots.~~

Comment: WDFW recommends that critical areas, their restrictions, and maintenance plans, should be disclosed to property owners on their titles and deeds. Many jurisdictions have monitoring and maintenance requirements roll over and be continued despite a change in landowner. Adding the provision to be waived for residence lots seems to contradict added point H in [21.04.115: Mitigation plan requirements](#).

H.3.b - The applicant shall be required to install a permanent **wildlife friendly** fence around the habitat conservation area or buffer when domestic grazing animals are present or may be introduced on site.

Comment: Wildlife friendly fencing guidelines can be found [here](#) and usually include nonflammable materials and smooth wire to allow wildlife passage.

21.04.650: Performance standards – Specific habitats.

A.1 - No development shall be allowed within a habitat conservation area or buffer with which state or federal endangered, threatened, or sensitive species **or habitat** have a primary association.

A.1.a - WDFW-mapped species **and habitats** within the City include, but are not limited to, Bull trout, Chinook salmon, Steelhead, and Ferruginous hawk **and shrubsteppe**.

D.2.a - A riparian habitat shall have at least the buffer width recommended in Table 6, unless a greater width is required pursuant to subsection (D)(4) of this section **or best available science**.

Comment: Table 6 is recommending 100 ft, which may be compliant with our BAS of SPTH, however a site evaluation would be best to determine the correct buffer width.

D.2.c - Functionally disconnected buffers: Where impervious surfaces or other lawfully established structures functionally and effectively disconnect the riparian buffer from the stream, the Department director may approve a complete or partial buffer modification of the standard width to exclude non-functional areas **with the guidance of qualified professionals**.

Comment: Should be revised to include an additional condition on buffer averaging and prevention measures for no net loss (NNL). First, the buffer shall not be reduced below 100 feet at its narrowest point, regardless of the total area preserved, to ensure the minimum pollution removal function is maintained at all points along the corridor. Second, any portion of the buffer used to satisfy the averaging calculation, including any widened segments, shall be permanently protected through a deed restriction or equivalent legal mechanism

recorded with the County Auditor prior to permit issuance. Without permanent protection, the wider segments that justify a narrowed area elsewhere can be subsequently altered, undermining the functional basis of the averaging approval. To strengthen it further, we offer this example, adopted by [Clark County](#): "Functionally Isolated Riparian Habitat Areas. Riparian habitat areas which are at least one hundred (100) feet from the ordinary high water mark and disconnected from the water body by a continuous public or private roadway serving three (3) or more lots shall be excluded from fish and wildlife habitat conservation areas."

D.5 – Buffer Averaging

Comment: WDFW does not recommend buffer width averaging for RMZs, and any intrusion into the buffer should be limited to the outer 25%. Buffer averaging does not align with WDFW's scientific recommendations ([Vol. 2](#)) because the RMZ represents the minimum width required to ensure no net loss of all ecological values and functions, including water quality, wildlife habitat, and flood mitigation. Reducing the buffer in any area below the RMZ will result in a net loss of these critical functions, as the RMZ is based on the best available science to fully protect all riparian ecosystem values and functions. See RMZ widths via WDFW's [mapping resource](#).

21.04.671 Fish and wildlife habitat conservation areas – Mitigation standards.

WDFW does not have specific mitigation standards or ratios, but we are working on it. We would recommend more specific language be incorporated into the City's CAO to create clear and consistent mitigation parameters. If you would like assistance with this, please reach out to staff.

WDFW RMZ guidance recommends that the RMZ be fully vegetated. See [Skagit County example](#) (Title 14.24.530.1.c.i). Standard riparian buffer widths presume the buffer is densely vegetated with a native plant community appropriate for the ecoregion, consisting of an average of 80% native cover, comprised of trees, shrubs and groundcover plants. If the existing buffer is sparsely vegetated or vegetated with invasive species, the buffer must either be enhanced through an approved mitigation plan or increased by 33% or to a 100 ft minimum, whichever is greater.

The preference for on-site, in-kind mitigation should also be explicitly stated within the FWHCA section. Fish-bearing streams depend on intact, site-specific ecological functions and values (including shading, large wood recruitment, filtration, and habitat connectivity) that occur at the impact location. These functions are inherently localized and cannot be fully replicated off-site, as aquatic species rely on distributed watershed processes for survival and recovery.

While off-site mitigation or mitigation banking may provide ecological benefits in some circumstances, it often does not replace the localized functions necessary to support fish populations at a watershed scale. Allowing off-site mitigation as a primary option may also create unintended incentives for project design that accepts degradation of on-site habitat, relying instead on compensatory actions elsewhere. Code provisions should therefore prioritize on-site, in-kind mitigation except where it is demonstrated to be infeasible.

Please review WAC 220-660-080 4.b. for guidance that specifies WDFW's requirements. For more information, please review the document [*State of Washington Alternative Mitigation Policy Guidance For Aquatic Permitting Requirements from the Departments of Ecology and Fish and Wildlife*](#).

A description of proposed riparian management zones See COM [Critical Areas Handbook](#), Chapter 3: Structuring Critical Areas Regulations.

- one conditions and how proposed conditions will increase riparian management zone functions in terms of fish habitat protection;
- Performance standards for measuring enhancement success through a monitoring period of at least five years;
- Provisions for monitoring and submission of monitoring reports documenting riparian management zone conditions, as compared to performance standards, for enhancement success; and
- A discussion of ongoing management practices that will protect riparian management zone functions and habitat value through maintenance of vegetation density within the riparian management zone.

WDFW is pleased to see the City of Walla Walla take special care to increase their buffers, address local species of importance, and updating the CAO to incorporate best available science. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you. We have assembled a list of [land-use planning priorities and resources](#) to help support your periodic update process. If you have any questions, need technical assistance, or resources at any time, please don't hesitate to contact Garrett LaCivita, the Land Use Lead, or your Regional Habitat Biologist.

Sincerely,



Mark Wachtel
Region 1 Habitat Manager
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