Wetlands

Within the CAO, wetlands are defined as non-aquatic areas that are inundated or saturated by ground water at a frequency and duration sufficient to support, and under normal circumstances supports, a prevalence of vegetation typically adapted for life in saturated soil conditions. Except for features intentionally made for the purpose of mitigation, a wetland does not include an artificial feature made from a non-wetland area.

There are many types of wetlands from open water, emergent, forested, scrub-shrub, to wetland meadows. Several new definitions have been added or modified in the CAO regarding wetlands. Wetlands that are wet meadows, grazed or tilled have been redefined as an emergent wetland that has grasses, sedges, rushes or other herbaceous vegetation as its predominant vegetation and has been previously legally converted to agricultural activities.

A new definition, wetland complexes, has been added to the CAO. A wetland complex is a grouping of two or more wetlands with the establishment of vegetated corridors between the wetlands. Best available science (available at: http://www.metrokc.gov/ddes/cao), found that wetlands are also influenced by the immediate adjoining area, the watershed and the landscape. Grouping wetlands and connecting them with corridors will reduce wetland isolation and habitat fragmentation, results of development that lead to decreased species richness and local extinctions of wetlands. Wetland complexes are defined in more detail later in this chapter.

Development standards

General provisions

Wetland categories

Reference CAO Section 183

The CAO has adopted the Department of Ecology's Wetland Rating methodology. Wetlands are classified into four categories using the Washington State Wetland Rating System for Western Washington (Ecology publication #04-06-025). The Washington State Wetland Rating System categorizes wetlands based on specific attributes such as rarity, sensitivity, and function. The rating system uses a point system designed to differentiate between wetlands based on their sensitively to disturbance, their rarity, our ability to replace them and the functions that they

provide. It is important to recognize that wetlands of all categories have valuable functions in the landscape. The wetland rating system does not recognize illegal modification to wetlands. The Washington State Wetland Rating System for Western Washington is available at: http://www.ecy.wa.gov/biblio/0406025.html.

The wetland categories are:

Category I

Wetlands that represent a unique or rare wetland type, or are more sensitive to disturbance than most wetlands, or are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime, or provide a high level of functions, score of 70 points (out of 100) on the wetland rating form. Category 1 wetlands include estuarine, bogs, mature and old-growth forests, coastal lagoons, wetlands that perform many functions very well. Category 1 wetlands may be part of the "priority habitat" as defined by the Washington State Department of Fish and Wildlife (WDFW) http://www.wdfw.wa.gov/hab/phspage.htm, or be identified as a Natural Heritage wetland by the Washington Natural Heritage Program of the Department of Natural Resources (DNR) http://www.dnr.wa.gov/nhp/index.html.

Category II

Wetlands that are difficult, though not impossible to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands but still need a relatively high level of protection. Category II wetlands include, but are not limited to, wetlands that perform functions well and score 51 to 69 points for habitat.

Category III

Wetlands with a moderate level of functions, scores between 30 to 50 points for habitat and generally have been disturbed in some ways, and are often less diverse or more isolated.

Category IV

Wetlands that have the lowest levels of functions (scores less than 30 points for habitat) and are often heavily disturbed. These are wetlands that we should be able to replace or improve. These wetlands may provide some important function and also need to be protected.

Wetland buffers

Reference CAO Section 185

A wetland buffer is a designated area contiguous to and intended to protect and be an integral part of a wetland. Beyond providing protection for wetlands, buffers also serve valuable functions for a variety of wildlife species as they provide habitat for foraging, breeding, and protective cover. Buffers are generally upland areas of native or planted vegetation that protects the character and function of wetlands from indirect impacts and from the adverse impacts of an adjacent land use (McMillan, A. *The Science of Wetland Buffers and Its Implication for the Management of Wetlands* 2000). Buffers are measured horizontally from the edge of the delineated wetland. The buffer width is determined based on the category of the wetland, the location of the wetland inside or outside of the Urban Growth Area established by the King County Comprehensive Plan and habitat score based on the Department of Ecology's Wetland Rating System.

Required buffers

Table 1. Required buffer widths for wetlands located within the Urban Growth Area

WETLAND CATEGORY	BUFFER WIDTH
Category I	
Natural Heritage Wetlands	215
Bog	215
Estuarine	175
Coastal lagoon	175
Habitat score from 29 to 36 points	225
Habitat score from 20 to 28 points	150
Category I wetlands not meeting any criteria below	125
Category II	
Estuarine	135
Habitat score from 29 to 36 points	200
Habitat score from 20 to 28 points	125
Category II wetlands not meeting any criteria below	100
Category III	
Habitat score from 20 to 28 points	125
Category III wetlands not meeting any criteria below	75
Category IV	50

Buffer modification for urban wetlands

Urban buffers may be increased by 50 feet if they are Category I or II wetlands with habitat scores greater than 20 points and are located within 300 feet of a priority habitat area as defined by the Washington State Department of Fish and Wildlife unless:

- The applicant provides a relatively undisturbed vegetated corridor at least 100 feet wide between the wetland and all priority habitat areas located within 300 feet of the wetland. The corridor is protected through a conservation easement, native growth protection easement or equivalent; and
- The applicant implements all applicable mitigation measures identified in Table 2.

Urban buffers may be decreased by 25 feet if:

- The applicant implements all applicable mitigation measures identified in Table 2; or
- The applicant proposes alternate mitigation to reduce the impacts of the development and the department determines the alternative provides equivalent mitigation.

Table 2. Mitigation measures to reduce buffers for wetlands located within the Urban Growth Area

Disturbance	Measures to minimize impacts	Activities that may cause the disturbance
Lights	Direct lights away from wetland	Parking lots, warehouses, manufacturing, high density residential[1]
Noise	Place activity that generates noise away from the wetland	Manufacturing high density residential
Toxic runoff	Route all new untreated runoff away from wetland, or covenants limiting use of pesticides within 50 feet of wetland, or implement integrated pest management program[2]	Parking lots, roads, manufacturing, residential areas, application of agricultural pesticides, landscaping
Change in water regime	Infiltrate or treat, detain and disperse into buffer new runoff from impervious surfaces	Any impermeable surface, lawns, tilling
Pets and human disturbances	Privacy fencing[3] or landscaping to delineate buffer edge and to discourage disturbance of wildlife by humans and pets	Residential areas
Dust	BMPs for dust[4]	Tilled fields
Degraded buffer condition	Nonnative plants to be removed and replaced with native vegetation per an approved landscaping plan[5]	All activities potentially requiring buffers.

[1] High-density residential is defined as: residential parcels zone urban.

[2] Integrated Pest Management (IPM) is defined as: a holistic approach to pest (including weed) management. IPM stresses the prevention of pest problems through design and maintenance practices and uses a range of pest management techniques, including biological, cultural and mechanical. Chemical controls were to be considered a last resort. More information is available at: http://dnr.metrokc.gov/wlr/lands/weeds/index.htm.

[3] Privacy fencing in buffers must be wildlife passable. See fence requirements later in this chapter.

[4] BMPs for dust are available from King Conservation Service: http://www.kingcd.org.

[5] Approved Landscaping Plan: Plans must be bonded and monitored for 3 years after installation. Plan requirements, bond quantity worksheet (to determine bond amount), and monitoring plan guidelines can be found in the King County DDES publication, "Restoration & Enhancement Guidelines of Sensitive Areas in King County". Available on the King County Web site: http://metrokc.gov/ddes.

Table 3. Required buffer widths for wetlands located outside of the Urban Growth Area

	INTENSITY OF IMPACT OF ADJACENT LAND USE		
	HIGH IMPACT	MODERATE IMPACT	LOW IMPACT
WETLAND CATEGORY AND CHARACTERISTICS			
Category I			
Category I wetlands not meeting any of the criteria below	100 feet	75 feet	50 feet
Natural Heritage Wetlands	250 feet	190 feet	125 feet
Bog	250 feet	190 feet	125 feet
Estuarine	200 feet	150 feet	100 feet
Coastal lagoon	200 feet	150 feet	100 feet
Habitat score from 29 to 36 points	300 feet	225 feet	150 feet
Habitat score from 20 to 28 points	150 feet	110 feet	75 feet
Water quality improvement score from 24 to 32 points and habitat score less than 20 points	100 feet	75 feet	50 feet
Category II			
Category II wetlands not meeting any of the criteria below	100 feet	75 feet	50 feet
Estuarine	150 feet	110 feet	75 feet
Interdunal	150 feet	110 feet	75 feet
Habitat score from 29 to 36 points	300 feet	225 feet	150 feet
Habitat score from 20 to 28 points	150 feet	110 feet	75 feet
Water quality improvement score from 24 to 32 points and habitat score less than 20 points	100 feet	75 feet	50 feet
Category III			
Category III wetlands not meeting any of the criteria below	80 feet	60 feet	40 feet
Habitat score from 20 to 28 points	150 feet	110 feet	75 feet
Category IV	50 feet	40 feet	25 feet

Note: Refer to CAO Section 185 B2 for descriptions of high, moderate and low impact.

Buffer width modification for wetlands located outside of the urban growth area

Certain wetland buffer widths may be modified from Table 3 and include:

1. Buffer averaging based on ecological structure and functions of the buffer;
2. Wetlands containing documented habitat for endangered, threatened or species of local importance;
3. Wetland buffer that includes a steep slope or landslide hazard areas;
4. Wetland complex located outside of the Urban Growth Boundary;

5. Wetland complex located within the Urban Growth Boundary and designated as “high” on the Basin and Shoreline Conditions Map (attachment A in the CAO);
6. Wetland buffers where a legal roadway transects the buffer;
7. Wetlands that are voluntarily created, restored or enhanced as mitigation; and
8. Approved Rural Stewardship Plan (Section 139) or Farm Management Plan (Section 138).

Buffer width averaging

The concept of buffer width averaging involves decreasing an area of the buffer within the development proposal and increasing the buffer in another area of the wetland if the new buffer will provide additional protection to wetlands or enhance their functions and as long as the total area contained in the buffer on the development proposal site does not decrease. The department may approve on a case-by-case basis the minimum buffer width by buffer averaging. Criteria for reduction include:

- Ecological structure and function of the buffer after averaging is equivalent to or greater than before averaging;
- Averaging includes the corridors of a wetland complex;
- The total buffer area after averaging is equivalent to or greater than the area of the buffer before averaging;
- The additional buffer is contiguous with the standard buffer; and
- If buffer averaging allows a structure or landscape area to intrude into the area that was buffer area before averaging, the resulting landscaped area can not extend more than 15 feet from the edge of the structure’s footprint towards the reduced buffer.

Buffer width averaging criteria and implementation are detailed in the Public Rule which will be updated and will include methods for determining buffer function.

Wetlands with documented habitat

For wetlands that contain documented habitat for endangered, threatened or species[6] of local importance[7] the following applies:

---

[6] Documented habitat for endangered, threatened species is available at: WA Department of Fish and Wildlife http://wdfw.wa.gov

[7] Species of local importance are listed in the 2004 King County Comprehensive Plan (E-172) and include habitats for listed endangered, threatened or sensitive species, habitat for salmonids of local importance, habitat for raptors and herons of local importance, commercial and recreational shellfish areas, kelp and eelgrass beds, herring, sand lance and smelt spawning areas, wildlife habitat networks, riparian corridors. The King County Comp Plan is available at: http://metrokc.gov/ddes/compplan.

- The department will establish the appropriate buffer based on a habitat assessment to ensure that the buffer provides adequate protection for the sensitive species;
- The department may apply the buffer increase rules (CAO Section 185A2);
- The department may apply the buffer reduction rules (CAO Section 185A3); and
- The department may apply the buffer averaging rules (CAO Section 185C).

Steep slope or landslide hazard area

For a wetland that contains steep slope or landslide hazard, the buffer width is the greater of either the wetland buffer or 25 feet beyond the hazard area.

Wetland complex

The buffer widths for wetland complexes located outside of the Urban Growth Boundary or within the Urban Growth Boundary and designated as "high" on the Basin and Shoreline Conditions Map, the following applies:

- The buffer width for each wetland within the complex is the same width as the buffer width required for the category of the wetland;
- If the buffers of the wetlands in the complex do not touch or overlap with at least one other wetland in the complex, then a corridor is required between the two wetlands (see CAO Section 185.D.3 for the criteria for establishing the corridor width).

A wetland complex is defined as a grouping of two or more wetlands (not including grazed wetland meadows that include the following criteria:

- Each wetland included in the complex is within 500 feet of the delineated edge of at least one other wetland complex;
- The complex includes at least one Category I or II wetland, three Category III wetlands, or four Category IV wetlands;
- The area between each wetland and at least one other wetland in the complex is predominately vegetated with shrubs and trees.
- There are no barriers[8] to migration or dispersal of amphibian, reptile, or mammal species that are commonly recognized to exclusively or partially use

[8] Barriers such as roads (wide paved roads), roads with increased traffic, large exposed or maintained areas such as lawns, agriculture fields, clear cuts, and other areas that lack mature forest cover, fallen logs and organic debris. Barriers also include fences that are not wildlife passable, drift fences that are not removed, and walls, sidewalks, curbs and gutters. Depressions that direct and channelize animals away from other wetlands or hold animals until they desiccate are barriers and seasonal barriers such as roadside and farm ditches, and other water bodies with strong current velocity.

wetland and wetland buffers during a critical life cycle stage such as breeding, rearing, or feeding.

Roadway transects buffer

Where a legally established road transects a buffer, the minimum required buffer width may be reduced to the edge of the roadway if the buffer on the other side of the roadway:

- Does not provide additional protection from the proposed development or the wetland; and
- Provides insignificant biological, geological, or hydrological buffer functions.

A legally established roadway is defined as: the maintained areas cleared and graded within a road right-of-way or railroad prism. For a road right-of-way, "roadway" includes all maintained and traveled areas, shoulders, pathways, sidewalks, ditches and cut and fill slopes. For a railroad prism, "roadway" includes the maintained railbed, shoulders, and cut and fill slopes. "Roadway" is equivalent to the "existing, maintained, improved road right-of-way or railroad prism" as defined in the regional road maintenance guidelines.

No development proposal or alteration

The department may approve a modification of the minimum required buffer for voluntary enhancement or restoration projects that are not mitigation for a development proposal or alteration.

Rural Stewardship or Farm Management Plan

The department may approve a modification of the minimum buffer through a Rural Stewardship Plan (Section 139) or Farm Management Plan (Section 138).

Building and setback lines

Reference CAO Section 157

A building setback line (BSBL) of 15 feet is required between the edge of the wetland area buffer and any building or structure. Landscaping, uncovered decks, building overhangs that do not exceed more than 18 inches into the setback area, driveways, patios, and drainfields, and some utility connections are allowed within the BSBL.

Permanent survey marking, signs, and fencing

Reference CAO Section 154

Wetland in Tract

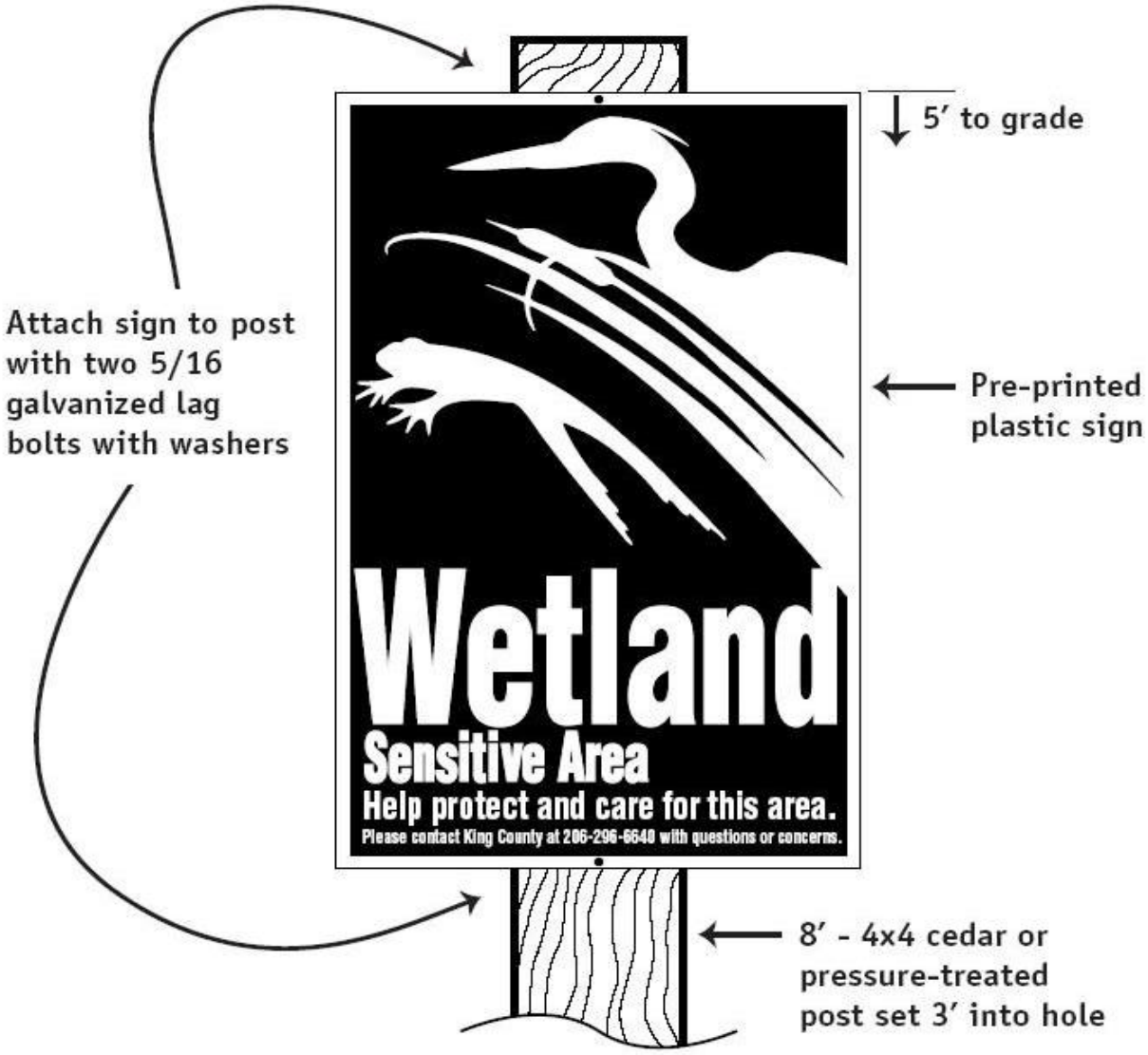
The development proposal must include permanent survey stakes delineating the boundary of the wetland tract and adjoining property. Wetland signs must be placed at the edge of the tract.

Wetland Not in Tract

Wetland signs and fences may be required by the department.

Sign and fence Requirements

The signs must be placed at the edge of the required buffer, between the buffer and the 15-foot BSBL. The spacing of the signs will be determined during the review of the development proposal. Generally signs are spaced every 50 feet to 150 feet and stationed in a prominent location (i.e. at the closest point to the proposed development). Signs may be attached to a post or fence. Wetland Areas Boundary signs are available from the King County Department of Development and Environmental Services for $2.50. A Stream Sign Installation Detail is available from DDES.



King County wetland sign installation detail

The fence should be permanent, a minimum 4 feet high, and be wildlife passable. Wildlife should be able to get into and out of the mitigation site through the fence. Small animals should be able to travel under the fence and large mammals should be able to jump over the fence. Often split rail or smooth wire fences are used.

Notice of Critical Areas

Reference CAO Section 155

The applicant/owner of any development proposal that contains a wetland, wetland buffer, or wetland mitigation, will be required to file a Notice of Critical Areas. The

paperwork for the Notice of Critical Areas will be approved and prepared by the Department. The applicant/owner will be responsible for filing the Notice of Critical Areas with King County Records and Elections.

Critical Area Tracts

Reference CAO Section 156

The applicant will use a recorded critical area tract to delineate and protect wetlands and buffers in development proposals for subdivisions, short subdivisions, or binding site plans.

Critical Area Review

Reference CAO Section 146

Prior to any clearing, grading, or site preparation for a development proposal permit application or any other reason to alter a site, a critical area review must be conducted to see if a wetland or buffer is located on or near the development site. Wetlands that are located off site may have a buffer that extends into the proposed development. The critical area review will identify all wetlands and buffers, wetland category, determine if the wetland or buffer will be altered due to the development proposal and determine if the development proposal is consistent with this chapter. If impacts are proposed, the review will determine if the proposal has avoided impacts to the wetland area and to insure that the mitigation measures and monitoring are consistent with the goals, objectives, and requirements of this chapter.

Report Requirements

Reference CAO Section 147

The applicant for the development proposal is required to submit a Critical Areas Report to the department for review. The department will determine whether a Level I, II, III, or IV four critical areas report is required.

A Level I report is required for development proposals requiring a critical area review and includes the following basic information:

- Wetland Delineation (CAO Section 114). The delineation will be consistent with the methods in the 1997 Washington State Wetlands Identification and Delineation Manual, titled Washington State Department of Ecology publication #96-94, available at http://www.ecy.wa.gov/biblio/9694.html. The delineation should be mapped accurately on a scaled site plan. In some cases the department may require that the wetland delineation is surveyed.

The wetland delineation must be conducted by an expert. The applicant may choose to hire a consultant or a King County DDES Environmental Scientist III to conduct the study. The department has a preferred wetland consultant list available at www.metrokc.gov/ddes and a handout called "Selecting a Wetland/Stream Consultant.

- Valid Critical Areas Designation. Results from the wetland delineation will be designated regarding the presence, type, and the location of sensitive area on the property. Additional information (Bulletin 51) and application form can be found at: www.metrokc.gov/ddes or by calling DDES at 206-296-6600.
- If applicable, a critical area review performed for the same site or portion of the site for another permit approval process in the prior five years.
- If applicable, an approved Farm Management Plan (approved after January 1, 1993 and consistent with CAO Section 138), rural stewardship plan (consistent with CAO Section 139), an approved forest stewardship plan (effective date of this section).
- A basic checklist for each critical area on or adjacent to the site and buffer including if relevant topographic features, general vegetation types and potential habitat and breeding sites, and any information related to the classification, type or category of the critical area. (A check list will be developed).

Level II, III, and IV reports are required when additional information beyond what is described above is needed to determine potential impacts or risks and appropriate mitigation.

Avoiding impacts to critical areas

Reference CAO Section 149

If the development is proposing impacts or alterations to the wetland or buffer then the applicant must try to avoid the impact to the extent possible by applying the sequential measures described in this section. Often referred to as mitigation sequencing, there are seven mitigation measures that are listed in order of priority. The applicant will be required to document in the critical area report that the appropriate measure was applied. For instance, the first measure is to avoid the impact by not taking the action. Avoidance includes redesigning the proposed development to avoid all impacts to the wetland and buffer. If the site conditions do not allow for redesigning the proposed development, then the second mitigation measure, minimizing the impact would be applied. Section 149 lists the avoidance measures.

Mitigation and monitoring

Reference CAO Section 150, 188

Mitigation is required to compensate for impacts to the wetland or wetland buffer. Prior to determining the appropriate mitigation, a Critical Areas Report has been verified and approved by the department. In addition, the sequential mitigation measures regarding avoidance of the impact have been applied and documented in the report.

Specific mitigation requirements are discussed later in this chapter. Once the mitigation plan has been approved by the department the applicant may implement the plan. When the plan is installed, the applicant will contact the department so that an inspection can be conducted. The applicant will also have to provide the department reasonable access to the property for future monitoring inspections during the monitoring period.

The purpose of the monitoring plan is to monitor the performance of the mitigation plan and includes; compliance with this title, provides a contingency plan in the event of a failure of mitigation or of unseen impacts. The monitoring schedule may extend throughout the impact of the activity. The duration, frequency, and methods of monitoring depend on the goals and objectives and performance standards for the project. In general, mitigation projects will be monitored for at least three to five-years.

There are several sources of information on how to prepare a mitigation plan and monitoring plan.

For single-family projects which involve minor encroachments into the buffer:

> King County DDES "Restoration & Enhancement Guidelines of Sensitive Areas in King County". Available on the King County Web site: http://metrokc.gov/ddes.

For larger projects:

> Ecology Publication "Guidance on Wetland Mitigation in Washington State Part 1 and Part 2. http://www.ecy.wa.gov/biblio/0406013b.html.

Off-site Mitigation

Reference CAO Section 151

The applicant should mitigate for impacts to wetlands and buffers on or contiguous to the site. If this is not possible, then the department may approve mitigation off the development site if the applicant:

- Can demonstrate that it is not practical to mitigate on the site or contiguous to the site; and

- The offsite mitigation will achieve equal or greater hydrological, water quality and wetland habitat features.

Priority will be given to locations that are within the same drainage subbasin and are mitigation banking sites, resource mitigation reserves, private mitigation sites, or public mitigation sites authorized by this chapter. The department may require documentation that the mitigation site has been permanently preserved from future development.

The department is in the process of developing a list of sites available for off-site mitigation projects, a fee in-lieu of program and resource mitigation reserve.

Specific mitigation requirements

Reference CAO Section 188

This section describes how to determine the mitigation for the adverse impacts from an alteration to the wetland or wetland buffer. The mitigation measures must achieve equivalent or greater wetland functions, including but not limited to:

- Habitat complexity, connectivity, and other biological functions; and
- Seasonal hydrological dynamics as provided in the 2004 King County Surface Water Design Manual, available at: http://metrokc.gov.

Criteria to determine these functions will be developed in a Public Rule.

To determine how large an area of mitigation is required, ratios of area of mitigation to area of alteration have been developed by the Washington State Department of Ecology. The ratios are based on wetland category, type of wetland, type of mitigation proposed, and whether or not the alteration is permanent or temporary. For alterations to a buffer a ratio of 1:1 (alteration:mitigation) is required.

Table 4. Required ratios of wetland mitigation area to area of permanent alteration

Category and Type of Wetland	Wetland Re-establishment or Creation	Wetland Rehabilitation	1:1 Wetland Re-establishment or Wetland Creation (R/C) and Enhancement (E)	Enhancement Only
Category IV	1.5:1	3:1	1:1 R/C and 2:1 E	6:1
Category III	2:1	4:1	1:1 R/C and 2:1 E	8:1
Category II Estuarine	Case-by-case	4:1 rehabilitation of an estuarine wetland	Case-by-case	Case-by-case
All other Category II	3:1	8:1	1:1 R/C and 4:1 E	12:1
Category I Forested	6:1	12:1	1:1 R/C and 10:1 E	Case-by-case
Category I based on score for functions	4:1	8:1	1:1 R/C and 6:1 E	Case-by-case
Category I Natural Heritage site	Not allowed	6:1 rehabilitation of a Natural Heritage site	Case-by-case	Case-by-case
Category I Coastal lagoon	Not allowed	6:1 rehabilitation of a coastal lagoon	Case-by-case	Case-by-case
Category I Bog	Not allowed	6:1 rehabilitation of a bog	Case-by-case	Case-by-case
Category I Estuarine	Case-by-case	6:1 rehabilitation of an estuarine wetland	Case-by-case	Case-by-case

Table 5 provides ratios of mitigation area for temporary impacts where wetlands will not be impacted by permanent fill material.

Table 5. Required ratios of wetland mitigation area to area of temporary alteration

Wetland category	Permanent conversion of forested and shrub wetlands into emergent wetlands			Mitigation for temporal loss of forested and shrub wetlands when the impacted wetlands will be revegetated to forest or shrub communities		
	Enhancement	Rehabilitation	Creation or restoration	Enhancement	Rehabilitation	Creation or restoration
Category I	6:1	4.5:1	3:1	3:1	2:1	1.5:1
Category II	3:1	2:1	1.5:1	1.5:1	1:1	.75:1
Category III	2:1	1.5:1	1:1	1:1	.75:1	.5:1
Category IV	1.5:1	1:1	.75:1	Not applicable	Not applicable	Not applicable

Increasing mitigation ratios

The department may increase the wetland mitigation ratios in Table 4 and Table 5. Specific criteria have been developed and are outlined in CAO Section 188D.

Decreasing mitigation ratios

- The department may decrease the wetland mitigation ratios in Table 4 and Table 5. Specific criteria can be found in CAO Section 188E.
- The department may enter into an agreement to modify mitigation ratios for entities that have demonstrated a strong tract record of success in terms of mitigation and have assurance of financial resources to be able to carry through a long-term (8 to 10+ years) monitoring program (CAO Section 189).

Allowed Alterations to Wetlands and Buffers

Reference CAO Sections 137 (subsection D), 187

The standards established in CAO Section 137 apply to all developments that are proposed within a wetland or its buffer. Alterations are allowed in the wetland and buffer if the alteration complies with the development standards, mitigation requirements, and other applicable requirements in this chapter. Refer to the table in CAO Section 137 that lists the allowed alteration (labeled as A) with the corresponding number (1-59) which refers to the alteration condition that applies.

Several general limitations have been added to the provisions in Section 137 regarding alterations within wetlands or their buffers (CAO Section 181). The additional standards include:

- The applicant cannot introduce non-indigenous plants or wildlife to the Puget Sound lowland unless authorized by state or federal permit approval;
- A Category IV wetland less than 2,500 square feet that is not part of a wetland complex may be altered by relocating its functions into a new wetland on the site in accordance with an approved mitigation plan;
- Alterations to Category I wetlands containing bogs or fens are limited to Section 137D.20 D.52 of this ordinance (regarding harvesting of plant material for restoration projects and data collection and research).

Allowed alterations

The allowed alterations from CAO Section 137 are summarized below.

Single detached dwelling unit

Construction of single detached dwelling units is limited to farm residences in grazed or tilled wet meadows and subject to the limitation of subsection D.3 (nonresidential farm structures).

Nonresidential farm structures

Construction of nonresidential farm structures is allowed within grazed or tilled wet meadows or buffers of wetlands or aquatic areas where:

- The site is predominately used for the practice of agriculture;
- The structure is in compliance with an approved Farm Management Plan (See CAO Section 138);
- The structure is either:
    1. on or adjacent to existing nonresidential impervious surface areas, additional impervious surface area is not created waterward of existing impervious surface areas and the area was not used for crop production,
    2. higher in elevation and no closer to the severe channel migration hazard area, or aquatic area or aquatic area buffer than its existing position,
    3. located away from existing impervious surface area that is determined to be the optimum site in the Farm Management Plan;
- Best management practices associated with the structure specified in the Farm Management Plan are installed and maintained; and

- Installation of fencing in accordance with K.C.C. chapter 21A.30 does not require the development of a Farm Management Plan if required best management practices are followed and the installation does not require clearing of critical areas or their buffers.

In severe channel migration hazard area portion of an aquatic buffer only if:

- There is on feasible location on site;
- The structure is not used to house animals or store hazardous substances; and
- The total footprint of all accessory structures within the severe channel migration.

The hazard area will not exceed the greater of 1,000 square feet within the severe channel migration hazard or 2 percent of the severe channel migration hazard area on site.

Existing structures

Existing structures may be maintained or repaired.

Expansion or replacement of existing primary structures is allowed only in the buffer or building setback outside a severe channel migration hazard area if:

- The expansion or replacement does not increase the footprint of a nonresidential structure;
- The expansion or replacement does not increase the footprint of a dwelling unit by more than 1,000 square feet and the location of the expanded area has the least adverse impact on the critical area;
- The structure was not established as the result of a variance, buffer averaging or Reasonable Use Exception; and
- To the maximum extent practical, the expansion or replacement is not located closer to the critical area or within the relic channel that can be connected to an aquatic area.

Allowed upon another portion of an existing impervious surface outside a severe channel migration hazard area if:

- The structure is not located closer to the critical area; and
- The existing impervious surface within the critical area or buffer is not expanded.

Remodeling

Interior remodeling is allowed.

Docks or piers

Construction of new docks or piers are limited to seasonal floating docks or piers in a Category II, III, or IV wetland or its buffer or along a lake shoreline or its buffer where:

- The existing and zoned density of all properties abutting the entire lake shoreline averages three dwelling units per acre or more;
- At least 75 percent of the lots abutting the shoreline or 75 percent of the lake frontage, whichever constitutes the most lake frontage, has been developed with dwelling units;
- There is not any significant vegetation where the alteration is proposed and the loss of vegetation was not the result of any violation of law;
- The wetland or lake shoreline is not a salmonid spawning area;
- Hazardous substances or toxic material are not used;
- Allowed on Type N or O aquatic areas if hazardous substances or toxic materials are not used; and
- Allowed on Type S or F aquatic areas outside of the severe channel migration hazard area and if in compliance with K.C.C. Title 25 (Shorelines);

Maintenance, repair, or replacement of dock or pier is allowed when located on a lake and if in compliance with K.C.C. Title 25.

Grading

Grading is not allowed in a wetland.

Construction of new slope stabilization is allowed only where erosion or landsliding threatens a structure, utility facility, roadway, driveway, public trails, aquatic area or wetland if to the maximum extent practical, stabilization work must not disturb the slope and its vegetation cover or any associated critical areas.

Maintenance of existing slope stabilization is allowed when not performed under the direction of a government agency only if:

- The maintenance does not involve the use of herbicides, hazardous substances, sealants or other liquid oily substances in aquatic areas, wetlands or their buffers; and
- When the maintenance or the replacement of bridges or culverts involves waters used by salmonids, the work is in compliance with ditch standards in a Public Rule and the maintenance of culverts is limited to removal of sediment and debris from the culvert and its inlet, invert and outlet and the stabilization of the disturbed or damaged bank or channel immediately adjacent to the culvert and does not involve the excavation of a new sediment trap adjacent

to the inlet. The King County Public Rule is available online at: http://www.metrokc.gov/ddes/pub_rule/#rules (Chapter 21A.24 Sensitive Areas: Maintenance of Ditches Used by Salmonids).

Clearing

Clearing is allowed for the removal of hazard trees (See CAO Section 107) and vegetation as necessary for surveying or testing purposes. Clearing is also allowed for harvesting of plants and plant materials, such as plugs, stakes, seeds or fruits, and for restoration and enhancement projects.

Cutting of firewood is subject to the following:

- Not allowed in a wildlife habitat conservation area;
- Allowed within a critical area for personal use with an approved forest management plan or rural stewardship plan; and
- Allowed within a wildlife network with an approved management plan under K.C.C.21A.14.270 as recodifed by this ordinance.

Removal of vegetation for fire safety is allowed in buffers if in accordance with best management practices approved by the King County Fire Marshal.

Removal of noxious weeds or invasive vegetation is allowed if:

- In accordance with an approved Forest Management Plan, Farm Plan, or Rural Stewardship plan; or
- Without an approved Forest Management Plan or Rural Stewardship Plan if:
  1. removal is undertaken with hand labor, including hand-held mechanical tools, unless King County Noxious Weed Control Board otherwise prescribes the use of riding mowers, light mechanical cultivating equipment or biological control methods. Call 206-296-0290 or visit the King County Noxious Weed Control Web site at: http://dnr.metrokc.gov/wlr/lands/weeds/index.htm. The area of noxious weed or invasive vegetation removal must be stabilized to avoid re-growth or regeneration and the area must be re-vegetated with native or non-invasive vegetation and stabilized against erosion, and
  2. herbicide use is in accordance with federal and state law.

Forest practices

Non-Conversion Class IV-G Forest Practice is allowed if conducted in accordance with chapter 76.09 RCW and Title 222 WAC and a Forest Management Plan is approved for the site by the King County Department of Natural Resources and Parks. The property owner must also provide a notice of intent in accordance with RCW 76.09.060 that the site will not be converted to non-forestry use within six

years. Additional information on Forest Management Plans is available at: http://dnr.metrokc.gov/wlr/lands/forestry/index.htm

Roads

Construction of new roads, right-of way structure on unimproved right-of way is allowed if:

- There is no feasible location with less adverse impact on an aquatic area and its buffer;
- The road corridor is not located over habitat used for salmonid rearing or spawning or by any species listed as endangered or threatened by the state and federal government unless the department determines there are no other feasible crossing sites;
- The road corridor width is minimized to the maximum extent practical;
- The construction occurs during approved periods for instream work; and
- The corridor will not change or diminish the overall aquatic area flow peaks, duration or volume or the flood storage capacity.

Maintenance of public road right-of-way structure is allowed:

- When performed by or at the direction of or authorized by a government agency in accordance with the regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.

Expansion beyond public road right-of -way structure is allowed when:

- There is no feasible location with less adverse impact on an aquatic area and its buffer;
- The road corridor is not located over habitat used for salmonid rearing or spawning or by any species listed as endangered or threatened by the state and federal government unless the department determines there are no other feasible crossing sites;
- The road corridor width is minimized to the maximum extent practical;
- The construction occurs during approved periods for instream work; and
- The corridor will not change or diminish the overall aquatic area flow peaks, duration or volume or the flood storage capacity.

Repair, replacement or modification within the roadway is allowed when performed by or at the direction of or authorized by a government agency in accordance with the regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.

Driveways and private access roads

Construction of driveways or private access roads is allowed if:

- An alterative access is not available;
- Impact to the critical area is minimized to the maximum extent practical including the use of walls to limit the amount of cut and fill necessary;
- The risk associated with landslide and erosion is minimized;
- Access is located where it is least subject to risk from channel migration; or
- Construction occurs during approved periods for instream work

Farm field access drives

Construction of farm field access drives are allowed if in compliance with an approved Farm Management Plan. See CAO Section 138 relating to Farm Management Plans.

Maintenance of a driveway, private access road, or farm field access drive is allowed. When the maintenance is not performed under the direction of a government agency, the maintenance is allowed only if:

- The maintenance does not involve the use of herbicides, hazardous substances, sealants or other liquid oily substances in aquatic areas, wetlands or their buffers; and
- When the maintenance or the replacement of bridges or culverts involves waters used by salmonids, the work is in compliance with ditch standards in a Public Rule and the maintenance of culverts is limited to removal of sediment and debris from the culvert and its inlet, invert and outlet and the stabilization of the disturbed or damaged bank or channel immediately adjacent to the culvert and does not involve the excavation of a new sediment trap adjacent to the inlet. The King County Public Rule is available online at: http://www.metrokc.gov/ddes/pub_rule/#rules (Chapter 21A.24 Sensitive Areas: Maintenance of Ditches Used by Salmonids).

Bridges or culverts

Maintenance or repair of a bridge or a culvert is allowed when:

- Performed by or at the direction of a government agency in accordance with regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm;
- The maintenance does not involve the use of herbicides, hazardous substances, sealants or other liquid oily substances in aquatic areas, wetlands or their buffers, and

- When the maintenance or the replacement of bridges or culverts involves waters used by salmonids the work is in compliance with ditch standards in a Public Rule and the maintenance of culverts is limited to removal of sediment and debris from the culvert and its inlet, invert and outlet and the stabilization of the disturbed or damaged bank or channel immediately adjacent to the culvert and does not involve the excavation of a new sediment trap adjacent to the inlet. The King County Public Rule is available online at: http://www.metrokc.gov/ddes/pub_rule/#rules (Chapter 21A.24 Sensitive Areas: Maintenance of Ditches Used by Salmonids).

Replacement of a bridge or culvert is allowed when:

- Performed by or at the direction of a government agency in accordance with regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.
- The replacement of a bridge or culvert is made fish passable in accordance with the most recent Washington State Department of Fish and Wildlife manuals or with the National Marine and Fisheries Services guidelines for federally listed salmonid species; the document Washington State Fish and Wildlife Service "Design of Fish Passage at Culverts" is available at: http://wdfw.wa.gov/hab/engineer/cm. The National Marine and Fisheries Services guidelines for federally listed salmonid species is available at: http://pacific.fws.gov/jobs/orojitw/standard/fish-std.htm.
- The site must be restored with appropriate native vegetation.

Expansion of a bridge or culvert is allowed if it is necessary to bring the bridge or culvert up to current standards; and

- There is no other feasible alternative solution available with less impact on the aquatic area and its buffer, and
- The bridge or culvert must be located to the maximum extent practical to minimize impacts to the aquatic area and its buffer.

Utilities and other infrastructure

New utility corridors or utility facilities are allowed if they are located within an existing roadway and are consistent with the regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.

New utilities and other infrastructure are limited to construction of pipelines, cables, wires and support structures of utility facilities within utility corridors. The following requirements must be met:

- New pipelines, cables, wires and support structures are allowed only when there is no alternative location with less adverse impact on the critical area and critical area buffer;
- New utility corridors must meet all of the following requirements to the maximum extent practical;
    1. do not locate over habitat used for salmonid rearing or spawning or by a species listed as endangered or threatened by the state or federal government unless the department determines that there is no other feasible crossing site. A list of species that are endangered or threatened is available at: http://wdfw.wa.gov/wlm/diversty/soc/concern.htm,
    2. do not locate a new utility corridor in an aquatic area if the mean annual flow rate is equal to or greater than 20 cubic feet per second, and
    3. paralleling the channel or following a down-valley route near the channel should be avoided.
- To the maximum extent practical, new utility corridors must be located as follows;
    1. minimize the width of the utility corridor;
    2. minimize the removal of trees greater than 12 inches diameter at breast height; and
    3. provide additional, contiguous and undisturbed critical area buffer, equal in area to the disturbed critical area buffer area including any allowed maintenance roads.
- To the maximum extent practical, access for maintenance of utility corridors must be at limited access points into the aquatic area buffer rather than by a parallel maintenance road. If a parallel maintenance road is necessary, the following standards must be met:
    1. minimize the width of the maintenance road to the maximum extent practical and in no event can it be greater than 15 feet; and
    2. locate the maintenance road contiguous to the utility corridor on the side of the utility corridor farthest from the critical area.
- New utility corridors or utility facilities must not change or diminish the overall aquatic area hydrology or flood storage capacity.
- Construction must occur during approved periods for in stream work. This period is usually from about June 15 to September 30, but work at other times can sometimes be approved on a site-by-site basis. The timing is usually specified in the HPA and in DDES permit conditions.
- The utility corridor must serve multiple purposes and properties to the maximum extent practical.
- Bridges or other construction techniques that do not disturb the critical areas must be used to the maximum extent practical.
- Bored, drilled or other trenchless crossings of the aquatic area or buffer must be laterally constructed at least 4 feet below the maximum depth of scour for the base flood.

- Bridge piers or abutments for bridge crossing must not be placed within the FEMA floodway or the ordinary high water mark.
- Open trenching may only be used during low flow periods and only within aquatic areas when they are dry. The department may approve open trenching of Type S or F aquatic areas only if there is no feasible alternative and equivalent or greater environmental protection can be achieved.
- Minor communication facilities may collocate on existing utility facilities if:
  1. no new transmission support structure is required; and
  2. equipment cabinets are located on the transmission support structure.

Maintenance, repair or replacement is allowed for private individual utility service connections on site or to public utilities if the disturbed area is not expanded and no hazardous substances, pesticides or fertilizers are applied.

Wells and on-site sewage disposal systems

Maintenance or repair of existing wells is allowed if the disturbed area is not expanded, clearing is limited to the maximum extent practical and no hazardous substances, pesticides or fertilizers are applied.

Maintenance or repair of onsite sewage disposal systems is allowed.

Surface water systems

Construction of new surface water conveyance systems is allowed if conveying the surface water into the wetland buffer and discharging into the wetland buffer or at the wetland edge has less adverse impact upon the wetland or wetland buffer than if the surface water was discharged at the buffer's edge and allowed to naturally drain through the buffer.

Maintenance, repair or replacement of existing surface water conveyance systems are allowed if:

- Performed by or at the direction of a government agency in accordance with the regional road maintenance guidelines. These guidelines are available online at http://www.metrokc.gov/kcdot/roads/esa/index.cfm;
- If they are located within an existing roadway and are consistent with the regional road maintenance guidelines; and
- Constructed only with vegetation.

Construction of new surface water flow control or surface water quality treatment facilities are allowed if they are located within an existing roadway and are consistent with the regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.

Maintenance or repair or existing surface water flow control or surface water quality treatment facility is allowed if performed by or at the direction of a government agency in accordance with the regional road maintenance guidelines. These guidelines are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.

Flood protection facilities

Construction of a new flood protection facility is allowed in a severe channel migration hazard area portion of an aquatic area buffer to prevent bank erosion only if consistent with the Washington State Integrated Stream Protection Guidelines and if bioengineering (See CAO Section 11) techniques are used to the maximum extent practical, unless the applicant can demonstrate that other methods provide equivalent structural stabilization and environmental function. The Washington State Integrated Stream Protection Guidelines are available online at: http://dnr.metrokc.gov/wlr/biostabl/.

New flood protection facilities are only allowed in a severe channel migration hazard area to protect the following:

- Public roadways;
- Sole access routes that were in existence before February 16, 1995; or
- New primary dwelling units, accessory dwelling units or accessory living quarters and residential accessory structures located outside the severe channel migration hazard area if:
    1. the site is adjacent to or abutted by properties on both sides containing buildings or sole access routes protected by legal bank stabilization in existence before February 16, 1995. The buildings, sole access routes or bank stabilization must be located no more than 600 feet apart as measures parallel to the migrating channel; and
    2. the new primary dwelling units, accessory dwelling units, accessory living quarters or residential accessory structures are located no closer to the aquatic area than similar structures on abutting adjacent properties.

Maintenance, repair or replacement of lawfully established flood protection facilities is allowed if:

- Maintained by a public agency;
- The height of the facility is not increased;
- The linear length of the affected edge of the facility is not increased;
- The footprint of the facility is not expanded waterward;

- If consistent with the King County's Guidelines for Bank Stabilization Projects and if bioengineering (See CAO Section 11) techniques are used to the maximum extent practical; and
- The site is restored with appropriate native vegetation.

Instream structures

New instream structures (See CAO Section 68) or instream work is allowed if performed by or at the direction of a government agency in accordance with the regional road maintenance guidelines, which are available online at: http://www.metrokc.gov/kcdot/roads/esa/index.cfm.

Existing instream structures may be maintained or repaired.

Recreation areas

Construction of a new trail is not allowed in a wildlife habitat conservation area. Otherwise, construction of a new trail is allowed as far landward as feasible in the buffer if:

- The trail surface is not made of impervious material except that public multipurpose trails may be made of impervious materials if they meet all the requirements in K.C.C. chapter 9.12; and
- To the maximum extent practical, buffers are expanded equal to the width of the trail corridor including disturbed area.

Maintenance of outdoor public park facilities, trails and publicly improved recreation areas is allowed only if the maintenance:

- Does not involve the use of herbicides or other hazardous substances except for the removal of noxious weeds or invasive vegetation;
- When salmonids are present, the maintenance must be in compliance with the King County Public Rule: Maintenance of Agricultural Ditches and Streams Used by Salmonids. This Public Rule is available online at: http://www.metrokc.gov/ddes/pub%5Frule/acrobat/21a-24AgDitch01.pdf; and
- Does not involve the expansion of any roadway, lawn, landscaping, ditch, culvert, engineered slope or other improved area being maintained.

Habitat and science projects

Habitat restoration or enhancement projects are limited to:

- Those sponsored by a public agency that has natural resource management as a primary function or by a federally recognized tribe;

- Habitat restoration or enhancement projects prepared by a qualified biologist; or
- Conducted in accordance with an approved Forest or Farm Management Plan or Rural Stewardship Plan.

Scientific sampling for salmonids is allowed if done in accordance with a scientific sampling permit issued by Washington State Department of Fish and Wildlife and where applicable, an incidental take permit issued under Section 10 of the Endangered Species Act. Contact: https://fortress.wa.gov/dfw/scp/scp/index.jsp.

Drilling and testing for critical areas reports is allowed for limited clearing and grading needed to prepare a Critical Areas Report. If associated spoils are contained on site (i.e. in a manner that the spoils will not mobilize or erode), the following are allowed:

- Data collection and research if carried out by non-mechanical or hand-held equipment to the maximum extent practical;
- Survey monument placement;
- Site exploration and gage installation if performed in accordance with state-approved sampling protocols and accomplished to the maximum extent practical by hand-held equipment; and
- Similar work associated with an incidental take permit issued under Section 10 or consultation under Section 7 of the Endangered Species Act.

Agriculture Activities

Horticulture activities, including tilling, disking, planting, seeding, harvesting, preparing soil, rotating crops and related activities, and grazing of livestock are allowed if these activities have been in existence since January 1, 2005, and there is no expansion into the critical area or critical area buffer. "Continuous existence" includes cyclical operations and managed periods of soil restoration, enhancement or other fallow states associated with these horticultural and agricultural activities.

The expansion of existing or new agricultural activities is allowed where:

- The site is predominately involved in the practice of agriculture;
- There is no expansion into an area that has been cleared under I, II, III, IV-S Forest Practice Permit; or
- Is more than 10,000 square feet with tree cover at a uniform density of more than 90 trees per acre and with the predominant mainstem diameter of the trees at least 4 inches in diameter at breast height, not including areas that are actively managed as agricultural crops for pulpwood, Christmas trees or ornamental nursery stock;
- The activities are in compliance with an approved Farm Management Plan (See CAO Section 138); and
- All best management practices associated with the activities specified in the Farm management plan are installed and maintained.

Livestock manure storage facilities

Construction or maintenance of livestock manure storage facilities are allowed under the same conditions above for horticultural activities, but are only allowed in grazed or tilled wet meadows or their buffers if:

- The facilities are designed to the standards of an approved Farm Management Plan (See CAO Section 132) or an approved Livestock Management Plan in accordance with K.C.C. chapter 21A.30;
- There is no feasible alternative location available on the site; and
- The facilities are located close to the outside edge of the aquatic area buffer to the maximum extent practical.

Livestock flood sanctuaries

Construction or maintenance of livestock flood sanctuaries is allowed.

Agricultural drainage

Construction of agricultural drainage is allowed if in compliance with an approved Farm Management Plan (See CAO Section 138) and all best management practices associated with the activities specified in the Farm Management Plan are installed and maintained.

Maintenance of agricultural drainage is allowed if these activities have been inexistence since January 1, 2005, and there is no expansion into the critical area or critical area buffer. "Continuous existence" includes cyclical operations and managed periods of soil restoration, enhancement or other fallow states associated with these horticultural and agricultural activities. Maintenance of agricultural drainage is allowed if:

- The site is predominately involved in the practice of agriculture;
- There is no expansion into an area that has been cleared under I, II, III, IV-S or Conversion IV-G Forest Practice Permits or where there is more than 10,000 square feet with tree cover at a uniform density of more than 90 trees per acre and with the predominant mainstem diameter of the trees at least 4 inches in diameter at breast height, not including areas that are actively managed as agricultural crops for pulpwood, Christmas trees or ornamental nursery stock;
- The activities are in compliance with an approved Farm Management Plan (See CAO Section 138); and
- All best management practices associated with the activities specified in the Farm Management Plan are installed and maintained.

Maintenance of an agricultural drainage that is used by salmonids is allowed if it is in compliance with an approved farm plan.

Farm ponds, fish ponds, livestock watering ponds

Construction or maintenance of farm ponds, fish ponds, or livestock watering ponds are allowed if these activities have been inexistence since January 1, 2005, and there is no expansion into the critical area or critical area buffer. "Continuous existence" includes cyclical operations and managed periods of soil restoration, enhancement or other fallow states associated with these horticultural and agricultural activities.

New farm ponds, fish ponds, or livestock watering ponds or expansion of existing farm ponds, fish ponds, or livestock watering ponds are allowed if:

- The site is predominately involved in the practice of agriculture;
- There is no expansion into an area that has been cleared under I, II, III, IV-S or Conversion IV-G Forest Practice Permits or where there is more than

10,000 square feet with tree cover at a uniform density of more than 90 trees per acre and with the predominant mainstem diameter of the trees at least 4 inches in diameter at breast height, not including areas that are actively managed as agricultural crops for pulpwood, Christmas trees or ornamental nursery stock;

- The activities are in compliance with an approved Farm Management Plan (See CAO Section 138); and
- All best management practices associated with the activities specified in the Farm Management Plan are installed and maintained.

Cemetery graves

Excavation of cemetery graves in an established and approved cemetery is allowed. Maintenance of cemetery graves is allowed, whether in an established and approved cemetery or not.

Lawns, landscaping and gardening

Maintenance of lawns, landscaping and gardening for personal consumption is allowed within existing landscaped areas or other previously disturbed areas.

Golf courses

Maintenance of golf courses is allowed when not performed under the direction of a government agency only if:

- The maintenance does not involve the use of herbicides, hazardous substances, sealants or other liquid oily substances in aquatic areas, wetlands or their buffers; and
- When the maintenance or the replacement of bridges or culverts involves waters used by salmonids the work is in compliance with ditch standards in a Public Rule and the maintenance of culverts is limited to removal of sediment and debris from the culvert and its inlet, invert and outlet and the stabilization of the disturbed or damaged bank or channel immediately adjacent to the culvert and does not involve the excavation of a new sediment trap adjacent to the inlet. The King County Public Rule is available online at: http://www.metrokc.gov/ddes/pub_rule/#rules (Chapter 21A.24 Sensitive Areas: Maintenance of Ditches Used by Salmonids).