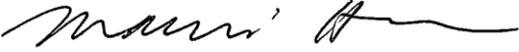


Title Qualifying Wetlands for Drainage Service Charge Exemption	Number FIN-211.3	Rev. No. 1
Responsibility Finance Division	Supersedes N/A	Pages 4
SPU General Manager/CEO's Approval  Mami Hara	Effective Date January 1, 2017	

1. PURPOSE

This Director's Rule ensures that owners of parcels requesting an exemption from drainage service charges pursuant to SMC 21.33.030.A.8 for qualifying wetlands are qualified fairly and consistently.

2. DEFINITIONS

Development means all components and activities related to construction or disturbance of a site, including but not limited to land disturbing activities (SMC 25.09.520), and including but not limited to impervious surfaces, hard surfaces, culverts, bulkheads, armored banks, and rockeries.

Hard Surface means an impervious surface, a permeable pavement, or a vegetated roof. (SMC 22.801.090)

Impervious Surface means any surface exposed to rainwater from which most water runs off. Impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, formal planters, parking lots or storage areas, concrete or asphalt paving, areas with underdrains designed to remove stormwater from subgrade (e.g. playfields, athletic fields, rail yards), gravel surfaces subjected to vehicular traffic, compact gravel, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.(SMC 22.801.100).

Wetlands as defined per SMC 25.09.020.C

3. RULE

In accordance with SMC 21.33.030.A.8, effective January 1, 2014, that portion of a parcel containing a wetland that meets all the following qualification criteria is exempt from the payment of drainage service charges.

A. Qualification Criteria

In addition to the requirements of SMC 21.33.030.A.8, that portion of a parcel containing a wetland is considered exempt from the payment of drainage service charges if:

- 1) The wetland is at least 1,000 square feet (not including the wetland buffer), and
- 2) Any development occurring on the parcel lies outside the wetland

That portion of the parcel meeting the above criteria will be considered exempt from the payment of drainage service charges. Documentation verifying qualification, as specified in Appendix A, shall be prepared by a wetland professional as defined per the Department of Planning and Development Director's Rule 19-2006.

B. Development Clarification

For the purposes of this Director's Rule, the following is not considered development:

- 1) Normal and routine pruning and maintenance of trees and vegetation that meets the requirements of SMC 25.09.320.A.3.a.
- 2) Restoring or improving vegetation and trees, including removing non-native vegetation, invasive plants, or noxious weeds by hand, to promote maintenance or creation of a naturally functioning condition that prevents erosion, protects water quality, or provides diverse habitat that meets the requirements of SMC 25.09.320.A.3.c.
- 3) Removing trees or vegetation when the General Manager/CEO determines the tree or vegetation is a threat to health or safety that meets the requirements of 25.09.320.A.3.d.
- 4) Qualifying streets per SPU Director's Rule FIN-211.1

C. Administrative Requirements

- 1) To be considered eligible for an exemption, the owner(s) of the parcel containing the wetland must submit an application form, provided by the Utility, and supporting documentation, as specified in Appendix A.
- 2) In accordance with SMC 21.33.070.A., qualifying documentation, as specified in Appendix A, must be dated no later than November 1 of any calendar year in order for an exemption to be considered for drainage service charges for the subsequent calendar year, with the exception of the 2014 billing year as described below.
 - a) An adjustment to 2014 drainage service charges will be allowed for approved applications and supporting documentation that are received no later than May 15, 2014. Applications received after this date will be subject to the November 1 cutoff date under SMC 21.33.070.A.
- 3) The Utility shall routinely inspect, subject to the conditions of SMC 21.33.120, qualifying wetlands to verify ongoing compliance with the requirements of this rule.
- 4) The Utility may terminate the wetland exemption for the following reasons:
 - a) The parcels changes ownership.
 - b) The parcel is re-developed or the parcel boundaries changed.
 - c) The parcel area no longer complies with the required wetland qualification criteria as specified in this rule.

4. AUTHORITY/REFERENCES

- SMC 21.33, Storm Drainage Utility Rates and Charges.
- SMC 21.33.030.A.8. Effective January 1, 2014, that portion of a parcel containing a wetland that contains highly infiltrative pervious surface and meeting all qualification criteria established by the Utility by Director's Rule under Section 3.32.020 of the Seattle Municipal Code. The Utility may consider Geographic Information System data and any other information determined necessary in identifying qualifying wetlands.
- DPD Director's Rule 19-2006, Requirements for Wetland Professionals and Wetland Delineation Reports.

APPENDIX

A. Supporting Documentation

The supporting documentation listed below shall be prepared by a wetland professional, as defined per the Department of Planning and Development Director's Rule 19-2006, except where the federal manual should take precedence when referenced in this Director's Rule. One copy of the supporting documentation shall be submitted with each wetland exemption application. (Note that this documentation exclusively satisfies the requirements for this rule and does not meet the requirements set forth by the City's Department of Planning and Development for development purposes.)

1) Qualification Report

a) At a minimum, the Qualification Report shall include the sections listed below:

i. Title Page and Introduction

A title page and introduction that includes the project location, legal description, assessor's parcel number, the name of the property owner(s) or designee as shown on the application, the date of the field investigation, the date of Report preparation, and the name of the party preparing the Report.

ii. Site Description

A site description that includes a description of the vegetation and topography of the site and the surrounding area and the existing land uses within 200 feet of the property's boundary lines. Include a description of any critical areas, streams, water bodies or floodplains located within 200 feet of the property lines.

iii. Background Resource Information

The wetland professional shall review all pertinent resource information, including at a minimum: the City of Seattle Wetland Environmentally Critical Areas map, and/or the National Wetland Inventory map and any available site specific soils information.

iv. Methodology

A section that describes the methodology (i.e. Routine Determination, Comprehensive Determination, Atypical Situations, Problem Areas) used for the delineation of wetland boundaries. Identification of wetlands and delineation of their boundaries shall be done in accordance with the approved federal wetland delineation manual and applicable regional supplement. Include completed data forms provided in the applicable regional supplement.

v. Discussion and Conclusions

A description of the rationale for the determination of the wetland(s) boundary. Include a detailed description of the hydrology, soils, and vegetation found on-site. Note the size (e.g. acreage/square footage) of each wetland identified and indicate how the area was calculated. Support the discussion with details from the background information and field work presented and describe any unusual problems or difficulties encountered in the field that may have affected the wetland boundary delineation.

vi. Other Report Attachments

- a. Vicinity map.
- b. A site plan showing the proposed project, all wetlands, and all riparian corridors as defined per SMC 25.09.020.D.5.a.
- c. City of Seattle Environmental Critical Areas Wetland Map.
- d. Wetland determination data sheets and map showing location of sample plots.
- e. Color photos of the wetland(s) and site.

- b) The reporting requirement may also be satisfied with a Wetlands Delineation Report which meets all of the requirements of DPD Director's Rule 19-2006.
- 2) Wetland boundary mapping file created in either ArcView shapefile, DXF file format or another file format, as approved by the Director, which identifies the following:
 - a) The location of wetland boundaries determined through the performance of a field investigation by a wetland professional applying the methods specified by the *Federal Manual*.

Previous reports and delineations or surveys (stamped and signed) of a wetland boundary, confirmed and approved by the Utility or by DPD or other authority having jurisdiction will be accepted by the Utility unless the Director determines that conditions have changed to warrant a new qualification report.

B. Fieldwork Standards

- 1) The boundaries of each wetland shall be identified in the field with colored, lettered, and sequentially numbered flagging. Flagging should be attached to woody vegetation or survey stakes and placed at intervals no greater than 25 feet unless site conditions allow for wider spacing without compromising the mapping of the wetland.
- 2) Each sample point (data point, test pits) for which data are recorded shall be identified in the field with colored, lettered, and sequentially numbered flagging attached to woody vegetation or survey stakes.

C. Obtaining Utility Approval

- 1) Utility staff may conduct a site visit to verify the wetland boundary delineation. To aid in field verification, wetland flagging shall be in place and easily visible.

Should Utility disagree with the wetland boundary, Utility may require additional seasonal wetland hydrology data including, but not limited to, the installation of groundwater monitoring tubes to determine the presence of wetland hydrology.