Exhibit 2

GFK Consulting Review
6.4.13

DECISION TABLE

Proposed Amendments to the "Council Review Draft" ECA code

This table is intended to assist the City Council in their deliberations on the proposed amendments to the "Council Review Draft" Environmentally Critical Areas regulations. This table is organized intentionally to allow for the Council to make decisions starting at item 1 and continuing sequentially through the table. The table begins by listing amendments identified by the City Council during their review, and public and / or agency comments that support those amendments are noted. The table then lists amendments proposed in public and / or agency comments. This table attempts to list all amendments proposed, but does not attempt to list all comments submitted. Staff comments have been provided for selected items.

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
Potential Amendments Identified by the City Council				
1. **Identification of "Wetlands of Local Significance":** Identify Category I Bog wetlands as "Wetlands of Local Significance" and provide for additional protection.	Gerend			Staff has identified 12 wetlands meeting this definition. Additional direction on the amount of proposed protection is requested.
2. **Critical Aquifer Recharge Areas:** An amendment to prohibit the use of "vertical" geothermal wells within Class 1 and 2 Critical Aquifer Recharge Areas. a. Open loop geothermal wells that could be used to recirculate water or groundwater prohibited in all CARA areas b. Closed loop horizontal and vertical geothermal wells used to recirculate a chemical heat transfer fluid other than potable water prohibited in all CARA areas. c. Closed loop vertical geothermal wells used to recirculate potable water for heat exchange prohibited in all Class 1 & 2 CARA areas d. Closed loop (vertical geothermal wells allowed in Class 3 CARA areas, if they comply with WAC 173-160.	Whitten		Agency Comment #CC018	

EXHIBIT NO. CC#90

Exhibit 2

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
e. City tracking of closed loop geothermal wells in Class 3 zones f. Allow horizontal heat exchange systems in all CARA areas.				
3. **Site Specific Stream Buffer Location:** Site specific stream buffer location, originally considered by the Planning Commission as item 2-10	Gerend	Public Comment #CC026, #CC004		The Planning Commission did not recommend this amendment. Best Available Science does not support this type of approach to stream protection and there is no recognized system available for implementation.
4. **Stream and Wetland Fee-in-Lieu mitigation:** Modify the fee-in-lieu mitigation program to: a. Limit the use of fee-in-lieu mitigation for streams and wetlands to city capital projects and single family homes. Fee-in-lieu mitigation would be prohibited for subdivisions and non-residential development. b. Require that fee-in-lieu mitigation only be allowed if in the same sub-basin as the altered wetland or stream.	Whitten			a. The proposed limitations may limit the value of this tool in some cases.
c. Set up a Sammamish fee-in-lieu mitigation program d. Prioritize fee-in-lieu mitigation sites to expand the habitat for Lake Sammamish kokanee or provide for expanded educational opportunities	Gerend			c. The staff explored the option of a city operated pilot program as part of the Planning Commission process – this program would be costly to operate. d. Council direction to prioritize sites could be discussed in an inter-local agreement with King

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
				County
e.				
5. **Allowances for Existing Urban Development and Other Uses:** Modify the Council Review Draft to include the following change(s): a. Amend the code to replace the term "building" with "single family dwelling units". b. If "a" is not adopted, allowances would only be provided for expansions to existing single family residences	Vance	Public Comment #CC004	Agency Comment #CC035	These amendments would return to the adopted SMP policy a. This amendment will result in single family dwelling units creating the "shadow" and benefitting from "shadows" b. This amendment will result in only single family dwelling units benefitting from the "shadow"
6. **Isolated / Small Wetland Flexibilities – Pilot Program:** a. Adopt a pilot program allowing for the alteration of up to 3 isolated wetlands associated with single family home construction b. Applies to Category III or Category IV isolated wetlands with an area of 4,000 square feet, and a low habitat score (<15 habitat score) c. Require all pilot projects to be responsible for monitoring and city management expenses related to the program. d. Require a bond or other financial surety to ensure successful implementation of pilot projects. e. Require that the applicant / developer indemnify and hold the city harmless for the consequences of a pilot program f. Provide for mitigation by: i. Participating in the King County fee-in-lieu	Valderrama - Aramayo		Agency Comment #CC035	a. and b. Staff observes that Ecology is likely more amenable to a pilot program that would apply only to hydrologically isolated wetlands that are under 2,500 square feet in size, and that have a 15 point or less habitat score and a 35 point or less total score (would include Category IV and low function Category III wetlands.) c. The current code includes language to this effect, which is unchanged in the

Exhibit 2

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mitigation program (prioritization given to in-City mitigation through interlocal with King County), or ii. Allowing on-site relocation of the wetland and associated wetland mitigation.				Council Review Draft d. and e. Staff understands that obtaining a financial surety for a period of more than 5 years may not be possible for many developers
7. **Isolated / Small Wetland Flexibilities:** Modify the Council Review Draft to incorporate provisions: a. A water quality / hydrology component in identifying which isolated wetlands would qualify for additional flexibility. b. Prohibit the exemption of wetlands within the Lake Management Areas of Beaver and Pine Lake.	Whitten		Agency Comment #CC035	Please see Staff comments on item #6a. & b. above Staff notes that this may prevent a known proponent for this amendment from qualifying for the pilot program (there may be other factors that will prevent their qualification too).
8. **Erosion Hazard near Sensitive Water Body (Non-Pilot Program Amendments):** Modify the Council Review Draft to allow single family homes to increase their impervious surface / footprint by up to 400 square feet	Whitten			Note that the 200 square foot area is the size currently approved by the Department of Ecology in the adopted Shoreline Master Program
9. **Erosion Hazard near Sensitive Water Body – Pilot Program:** Modify the Council Review Draft to incorporate the following: a. Do not adopt the pilot program for subdivision / development in the no-disturbance area b. As a component of the 2015 Comprehensive Plan Re-write process, undertake a zoning study that would consider a re-zone all properties in the no-disturbance area to R-1. c. Allow for subdivision of R-1 zoned properties in the no-disturbance area, provided:	Vance	Public Comment #CC070	Agency comment #CC035	Staff understands that Councilmember Vance intends these amendments to be a "package"

No

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
i. Storm mitigation is installed. ii. Clustering to minimize impervious surfaces and clearing / grading within the no-disturbance area. iii. Limit onsite impervious surface to avoid additional drainage discharge. d. Grandfather current zoned "lot yield" and allow sale of density transfer of development right (TDR) units as an alternative to subdivision at R-1 density. Increase TDR receiving areas elsewhere in Sammamish such as the commercial zones.				
10. **<u>Erosion Hazard near Sensitive Water Body – Revised Pilot Program</u>**: A revised pilot program would not be based on the Planning Commission recommended Item 4-15g (Carson proposal) nor the Item 4-15f (Osgood proposal)				
a. Retain re-organization of code and item 4-15e (Kapella) (page 23 line 18 through page 27 line 19, Council Review Draft)				
b. Framework" elements of a pilot program: i. Pilot program general provisions and administration (page 27 line 23 through 31 and page 29 line 33 through page 30 line 16, Council Review Draft) ii. Seasonal temporary and erosion sediment control restrictions (page 30 line 17 through page 31 line 29, Council Review Draft) iii. Installation of drainage system before lots (page 31 line 30 through page 32 line 6, Council Review Draft) iv. Post development phosphorous control (page 32 line 7 through line 11, Council Review Draft) v. Construction monitoring protocols (page 32 line 12 through page 33 line 7, Council Review Draft)		vi. Public		

Exhibit 2

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
1, vi. Pilot program evaluation (page 33 line 8 through 11, Council Review Draft)		Comment #CC070	— Aramayo	
Scale and scope elements c. Prohibit pilot program projects in the Ebright Creek, Pine Lake Creek, "mid-Monohon" and Zaccuse Creek sub-basins (reflected on reference map) d. Limit the number of pilot program projects to 6 proposed projects ~~e. Specify how many projects of each type of design would be allowed under the pilot program (e.g. tightline, LID, man-made conveyance)~~ ~~f. Limit the total pilot project area to 10-30 acres~~ ~~g. Limit the number of lots to an R-1 density, using a net~~ density calculation ~~h. Limit the total number of lots to 10~~	Gerend / Valderrama-Aramayo / Vance Whitten	d. Public Comment #CC070, #CC079 e. Public Comment #CC062, #CC070		
Stormwater elements i. Allow stormwater discharge via a tightline to Lake Sammamish j. Allow stormwater discharge via a "man-made" conveyance ~~k. Storm water quality should meet the 80% phosphorous removal goal under the AKART standard, with a minimum of 60% removal required~~ ~~l. Limit the stormwater volume leaving the site post~~ development, to a percentage of the stormwater ~~volume leaving the site pre-development~~ ~~m. Design drainage systems to accommodate the 200-year storm~~ ~~n. Require level 3 flow control where not otherwise required~~ o. Require energy dissipaters for any tightline design and meet Department of Ecology standards	Whitten / Vance			

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
p. Prohibit infiltration, except where located downslope of all erosion hazard areas.				
Elements that minimize disturbance q. Lots shall be clustered to the maximum extent feasible to minimize site grading in the no-disturbance area r. Limit the amount of site clearing per lot to 50% of the lot area s. Require 50% open space t. Require re-forestation of open space and developed lots post construction u. Limit the area of each lot (10,000 square feet) v. Require that the developer incorporate two substantive Low Impact Development design items into the plat design from the following menu: i. Minimal site disturbance (<50%) on created lots ii. 50% of the lots developed with green roofs iii. 50% of the lots developed with rain-water harvesting for bathrooms and laundry iv. Minimal foundation excavation v. Additional soil amendments w. Limit the amount of impervious surface on the gross lot area (10-30%)		w. Public Comment #CC070		
Monitoring / Bonding Elements x. Require all pilot projects to be responsible for monitoring and city management expenses related to the program. y. Require a bond or other financial surety to ensure successful implementation of pilot projects. z. Require that the applicant / developer indemnify and hold the city harmless for the consequences of a pilot program	Valderrama – Aramayo Whitten	z. Related to Public Comment #CC070		x. The current code includes language to this effect, which is unchanged in the Council Review Draft y. and z. Staff understands that obtaining a financial surety for a period of more than 5 years may not be possible for many

Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
				developers
Project Selection aa. Select properties for the pilot program based upon criteria: i. Evaluation of topography, ii. Presence of bodies of water iii. Overall chances of a successful project iv. Submissions for pilot project sites would be provided in a defined time frame Sites selected by a panel or other mechanism	Whitten			
Additional Elements bb. Pilot projects shall maintain adequate base flow to adjacent streams by setting aside open space and limiting impervious surface, in amounts determined on a case-by-case basis		bb. Public Comment #CC079		
cc. Designate an open space requirement to allow groundwater recharge to adequately sustain wetlands and streams, on a case-by-case basis		Public Comment #CC062		
dd. Limit subdivision and development projects to those that can directly discharge to Lake Sammamish via tightline or existing man made conveyance.				
ee. Retain the property specific overlay map as it was in the King County Code and the Surface Water Design Manual, identifying by parcel number all properties subject to overlay provisions ff. No exemptions or variances from the overlay should be approved by the city for buildings or impervious surfaces whether public or private gg. Require tree retention in the overlay		Public Comment #CC064		ee. The Council Review Draft does not reflect a change to the bounds of the EHNSWB overlay.
hh. If geologic conditions permit, stormwater should be harvested on site to contribute to the important aquifer recharge function		Public Comment #CC070		

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ii. Expand performance bond requirements (or other financial surety), to include financial protection for public investments as well as resource restoration jj. Monitoring of the pilot project should be required kk. No additional pilot programs until the performance of the first pilot program can be evaluated ll. Adopt the Low Impact Development approach for pilot program projects (page 28 line 8 through 27, Council Review Draft)	? PROJECT OR PILOT PROGRAM?	ll. Public Comment #CC079		ll. Staff recommends that the Council take separate action on this particular design approach
Amendments identified by Public Agency comments				
11. **Department of Ecology recommended amendments:** The Department of Ecology has recommended the Council adopt the following amendments: a. Revise the wetland definition such that the wetland rating information would be located in 21A.50 b. Revise the isolated wetland definition to note that the determination of hydrologically isolated status is made by the United States Army Corps of Engineers c. Revise the proposed language for isolated wetlands flexibilities to delete the reference to qualified professional being able to determine whether or not a wetland is hydrologically isolated. Ecology states that only the US Army Corps of Engineers can make this determination. d. Eliminate the allowance for a reduced wetland buffer of 15 feet for Category III and IV wetlands e. Wetland buffer averaging / reduction should be limited to a 25% reduction in buffer width f. Ecology recommends that allowed stormwater management activities in wetlands and buffers be consistent with Appendix I-D: Guidelines for Wetlands when Managing Stormwater from Stormwater		e. Public Comment #CC047	Agency Comment #CC035	c. This proposed amendment would clarify that only the United States Army Corps of Engineers has jurisdiction to determine isolated wetland status. d. Staff observes that Ecology may be amenable to code language to allow reduction of the buffer to no less than 25-feet and reduction of the 15-foot

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Management Manual for Western Washington, Volume I, August 2012, Publication #12-10-030 g. Ecology recommends that the city clarify the existing permitted alteration language related to allowing trails in the outer 25% of wetland buffers h. Ecology recommends that the City expand the allowed wetland restoration provision to be more inclusive rather than restricted to public agency sponsorship in order to reduce barriers to restoration i. Ecology recommends that the City revise the provisions for wetland restoration in order to allow temporary impacts to wetlands for restoration j. Ecology recommends that the City update a citation to the appropriate State documents on wetland mitigation k. Ecology recommends that the city allow for smaller trees in re-vegetating / reforesting portions of the wetland management overlay l. Ecology recommends SMC 21A.50.145 to clarify that mitigation monitoring may extend for up to 10 years in certain circumstances				building setback to 5-feet only for Category III or IV wetlands that are under 4,000 square feet in size that have a 15 point or less habitat score and a total score of 35 points, in addition to other proposed criteria including required mitigation. e. and g. The Council Review Draft does not include a change to the existing language. l. The Council Review Draft does not include a change to the existing language.
Amendments identified by Public comments				
12. <u>Amend the definition of "development proposal":</u> Consider an amendment to the definition to read as follows: *"21A.15.310 Development proposal. "Development proposal" ~~means any activities requiring~~ means any activities requiring is a permit or other approval from the City of Sammamish <u>required to proceed with activities</u> relative to the use or development of land."*		Verbal Comment from Reid Brockway		These amendments were not recommended by the Planning Commission. Staff and the city attorney discussed the amendments as well. Due to concerns about the potential unintended effects of the changes, they have not been incorporated in the Council Review Draft

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EXHIBIT NO. CC#90

Exhibit 2

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c. Set up a Sammamish fee-in-lieu mitigation program d. Prioritize fee-in-lieu mitigation sites to expand the habitat for Lake Sammamish kokanee or provide for expanded educational opportunities	Gerend			c. The staff explored the option of a city operated pilot program as part of the Planning Commission process – this program would be costly to operate. d. Council direction to prioritize sites could be discussed in an inter-local agreement with King

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vi. Pilot program evaluation (page 33 line 8 through 11, Council Review Draft)		Comment #CC070	— Abandoned	
Scale and scope elements c. Prohibit pilot program projects in the Ebright Creek, Pine Lake Creek, "mid-Monohon" and Zaccuse Creek sub-basins (reflected on reference map) d. Limit the number of pilot program projects to 6 proposed projects ~~e. Specify how many projects of each type of design would be allowed under the pilot program (e.g. tightline, LID, man-made conveyance)~~ ~~f. Limit the total pilot project area to 10-30 acres~~ ~~g. Limit the number of lots to an R-1 density, using a net density calculation~~ ~~h. Limit the total number of lots to 10~~	Gerend / Valderrama-Aramayo / Vance Whitten	d. Public Comment #CC070, #CC079 e. Public Comment #CC062, #CC070		
Stormwater elements i. Allow stormwater discharge via a tightline to Lake Sammamish j. Allow stormwater discharge via a "man-made" conveyance ~~k. Storm water quality should meet the 80% phosphorous removal goal under the AKART standard, with a minimum of 60% removal required~~ ~~l. Limit the stormwater volume leaving the site post-development, to a percentage of the stormwater volume leaving the site pre-development~~ m. Design drainage systems to accommodate the 200-year storm ~~n. Require level 3 flow control where not otherwise required~~ o. Require energy dissipaters for any tightline design and meet Department of Ecology standards	Whitten / Vance			

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Additional Elements bb. Pilot projects shall maintain adequate base flow to adjacent streams by setting aside open space and limiting impervious surface, in amounts determined on a case-by-case basis		bb. Public Comment #CC079		
cc. Designate an open space requirement to allow groundwater recharge to adequately sustain wetlands and streams, on a case-by-case basis dd. Limit subdivision and development projects to those that can directly discharge to Lake Sammamish via tightline or existing man made conveyance.		Public Comment #CC062		
ee. Retain the property specific overlay map as it was in the King County Code and the Surface Water Design Manual, identifying by parcel number all properties subject to overlay provisions ff. No exemptions or variances from the overlay should be approved by the city for buildings or impervious surfaces whether public or private gg. Require tree retention in the overlay		Public Comment #CC064		ee. The Council Review Draft does not reflect a change to the bounds of the EHNSWB overlay.
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Topic	Councilmember Amendment	Public Comment	Agency Comment	Staff Comment
				ECA code.
13. Clarify the "lead in language" at the start of SMC 21A.50.260, 290, 300, 340, and 350: Amendments intended to clarify that projects governed by SMC 21A.50.060 are not subject to these standards as well.		Verbal Comment from Reid Brockway		These amendments were not recommended by the Planning Commission. Staff and the city attorney discussed the amendments as well. Due to concerns about the potential unintended effects of the changes, they have not been incorporated in the Council Review Draft ECA code.
14. Amend the definition of Fish and Wildlife habitat corridor (SMC 21A.15.467): Amend the last sentence of this definition to read *"Fish and wildlife habitat corridors do not ~~parallel Type Np~~ increase streams buffers, except as required to provide a connection between two features as described above."*		Verbal Comment from Reid Brockway		
15. Citizens for Sammamish 2-6-13 C4S markup: a. Allowances for Existing development and other uses: i. Amendments related to the term building / single family detached unit (replacing the term "single detached dwelling unit" with the term "building") ii. Proposed amendments related to wetland and stream buffer delineation iii. Amend the provisions of SMC 21A.50.060(6)(a) to as follows: "Replacement may be allowed in a different location not meeting current regulations if a determination is made by the City that the new location results in ~~less~~ no greater impact to environmental critical area functions and values than replacement in the existing footprint."		Public Comment #CC004		a. These amendments were not recommended by the Planning Commission and are generally not consistent with Best Available Science

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b. Amend the language related to Reasonable Use Exceptions, to read: "(a) The director ~~may~~ shall approve alterations to critical areas, critical area buffers and setbacks to allow a reasonable use not otherwise allowed by this chapter when the following criteria are met" c. Amend the language related to critical areas study requirements (SMC 21A.50.120) to: i. Eliminate the director's discretion regarding the level of detail in a critical areas study ii. Determine if a critical areas study may be waived iii. Require additional information from an applicant d. Amend the language related to the contents of a critical areas study (SMC 21A.50.130) to: i. Limit the director's discretion on the content of the critical areas study ii. Limit the city's authority to review critical areas studies except when challenged based upon fraud, questionable credentials, or license status e. Amend the language related to mitigation plan requirements to limit the director's discretion in determining what items are required for a mitigation plan.				b., c., d., and e. Staff recommends retaining current code language that allows for greater flexibility and tailoring of requirements to meet individual circumstances
f. Amend the erosion hazard regulations to i. Replace the term "no disturbance area" with the term "special overlay district" ii. Require "justifiable cause" for requiring additional studies in the erosion hazard area g. Amend the erosion hazard near sensitive water body overlay to: i. Replace the term "no disturbance area" with the term "special overlay district"				f. g., h. Staff observes that these amendments may decrease clarity and may not be consistent with other proposed amendments.

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ii. Reduce the size of temporary water quality treatment facilities to only handle stormwater generated in the dry season iii. Require annual reporting to the Council on the pilot program h. Amend the Wetlands – Development Flexibilities section to delete section (a) which reads: "The total area of wetland alterations shall be limited to 2,500 square feet; and" i. Amend the fish and wildlife habitat corridors to require that the director modify wildlife habitat corridor widths on sites where development already exists j. Amend the stream buffers to: i. Type F stream – 50 foot buffer ii. Type Np stream – 20 foot buffer iii. Type Ns stream – 15 foot buffer k. Amend the stream – mitigation requirements (SMC 21A.50.350) to note that restoration is required, when a stream is altered without required specific permission or approval by the city. l. Amend the definition of "Alteration" to exclude maintenance of existing improvements. m. Amend the definition of "Steep Slope hazard areas" to delete subsection 3, which identifies the location of a distinct topographic break				i. Staff recommends retaining current code language that allows for greater flexibility and tailoring of requirements to meet individual circumstances. j. This amendment is not supported by Best Available Science k., l., m. Staff recommends retaining current code language that allows for greater flexibility and tailoring of requirements to meet individual circumstances.
16. <u>Proposed amendment to the Landslide hazard area regulations:</u> a. The City shall approve proposals in a geologically hazardous area as appropriate based upon the effective mitigation of risks posed to property, health and safety, in accordance with WAC 365-190-120. The		Public Comment #CC078		a. Staff does not recommend this amendment, and instead recommends retaining current code language that allows for

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objective of mitigation measures shall be to render a site containing a geologically hazardous site as safe as one not containing such hazard. Avoidance sequencing of 21A.50.135 does not apply. b. Subject to the conditions and requirements of 21A.50.260 (2), for slopes with a vertical elevation change up to 30 ft, the buffer may be reduced to a minimum of 10ft and the building setback may be reduced to a minimum of 5 ft.				greater flexibility and tailoring of requirements to meet individual circumstances b. These amendments were not recommended by the Planning Commission and is not recommended is not supported by Best Available Science
17. **<u>Proposed amendments to the fee-in-lieu mitigation requirements.</u>** a. Prioritize off-site mitigation if applicant or qualified professional determines that on-site mitigation is not feasible <u>and</u> off-site mitigation will achieve equivalent or greater environmental benefit. This amendment eliminates the city's review of the these findings. b. Clarify that fee-in-lieu mitigation is within the bounds of a state and/or federally approved fee-in-lieu mitigation program c. Allow for fee-in-lieu mitigation in a state and/or federally approved fee-in-lieu mitigation program, even if the mitigation site is located outside of Sammamish and the WRIA 8 watershed.		Public Comment #CC009		a. Staff recommends that the city retain current codes and authority to review and confirm critical area report findings c. This proposed amendment will allow applicants to participate in fee-in-lieu mitigation programs that do not directly benefit Sammamish or the watershed.