Memorandum of Understanding
Big Finn Hill Park Field Conversion

This Memorandum of Understanding ("MOU") is entered into between the City of Kirkland (the "City") and King County ("County"). The City and the County are also referred to herein collectively as the "Parties."

WHEREAS, Big Finn Hill Park is located in the Juanita/Finn Hill/Kingsgate ("JFK") Annexation Area, which was annexed by the City effective June 1, 2011; and

WHEREAS, prior to the effective date of the JFK Annexation, Big Finn Hill Park was part of unincorporated King County; and

WHEREAS, after the effective date of the JFK Annexation, Big Finn Hill Park will remain owned and operated by King County; and

WHEREAS, prior to the effective date of the JFK Annexation, Kirkland Youth Lacrosse ("KYL") applied for a grading permit to convert existing grass fields in Big Finn Hill Park to synthetic turf fields and to install field lights (the "Project"); and

WHEREAS, the County issued a notice of proposed Determination of Non-Significance ("DNS") under RCW Chapter 43.21C, the State Environmental Policy Act ("SEPA"); and

WHEREAS, the City and the County entered into a Development Services Interlocal Agreement in which the Parties allocated responsibility for the processing of building, grading and land use permits; and

WHEREAS, the City is responsible under the Interlocal Agreement for being lead agency with respect to SEPA determinations; and

WHEREAS, the City is responsible under the Interlocal Agreement for determining whether permits filed with the County prior to the effective date of annexation are vested; and

WHEREAS, the Parties to this MOU would like to allocate responsibilities for the continued processing of the Big Finn Hill field conversion project and clarify roles, responsibilities and the approximate timeframes under which the application will continue to be processed.

NOW, THEREFORE, it is hereby understood and agreed between the Parties as follows:

1. SEPA Lead Agency Status. Pursuant to WAC 197-11-942, the Parties hereby agree that the City shall assume SEPA lead agency status and administer the SEPA process for the Project pursuant to the City's SEPA regulations.

2. Vesting of Grading Permit. KYL submitted a grading permit for the Project to the County on May 27, 2011 and provided additional information with respect to field lighting to the County on May 31, 2011. After reviewing the application materials and consulting with the County, the City determines and agrees that the grading permit is complete, including the lighting to be provided, as of May 31, 2011.

3. SEPA Process. The County issued a proposed DNS and received comments through July 21, 2011. As lead agency, the City will issue a SEPA threshold determination pursuant to its SEPA regulations (Kirkland Municipal Code ("KMC") Chapter 24.02). Because the City's SEPA regulations call for comments or appeals to be filed after issuance of the threshold determination, the Parties understand that there will be a comment and appeal period following the City's issuance of a threshold determination. See KMC 24.02.160 and 24.02.230.

4. Process and Scheduling. The County will respond to comments on the County's proposed DNS, including comments received from the City, prior to turning over SEPA documents to the City. Once received, the City will confirm all information is available to prepare the SEPA threshold determination. The determination will be issued in a timely manner once all information is received. The comment and appeal period will follow. When the SEPA process is complete, the grading permit will be issued by the City.

Agreed to and accepted this 28th day of September, 2011

KING COUNTY

By: Kevin R. Pr
Its: Director

CITY OF KIRKLAND

By:
Its: Planning Director

December 21, 2011

VIA FACSIMILE: 425-587-3232

Eric Shields, Director
Department of Planning and Community Development
City of Kirkland
123 Fifth Avenue
Kirkland WA 98033-6189

Appeal from
Determination of Non-Significance
Case#: SEP11-00020

Dear Director Shields:

The Finn Hill Neighborhood Alliance (FHNA), formerly the Denny Creek Neighborhood Alliance, submits this appeal on behalf of the Finn Hill neighborhood, whose residents FHNA now represents.

This appeal is focused on two aspects of the Determination of Non-Significance (DNS). These are:

- Section II.C, Noise: While FHNA is not qualified to address the accuracy of the decibel calculations presented page 6 of the DNS, FHNA feels strongly that the DNS should not issue unless King County explicitly confirms, as a condition to any permit for grading, that activity on the proposed field will not be allowed to exceed County noise standards, including the 45 dBA ceiling for activity after 10:00pm. The DNS notes that King County "should" provide this confirmation; FHNA believes it must be a mandatory condition for the issuance of the permit.

- Section II.E, Wetland Impacts: The DNS similarly states that King County should confirm that the project complies with County wetland regulations. Again, FHNA requests that the City require, as a condition to any grading permit, the County to commit that the project will comply with County wetland regulations. In particular, the County should be required to perform – or to commit to perform by a specific date in the near future – certain maintenance and repair procedures on the existing drainage system in order to restore it to working order. These maintenance and repair procedures are described below:

    - *Maintenance of bioswale and retention pond.* The attached inspection report and maintenance correction list prepared by King County Water and Land Resources Division outlines maintenance tasks to be completed on the bioswale and retention pond

adjacent to the field turf conversion project site at Big Finn Hill Park. The inspection report includes a maintenance correction list with an expected completion date of Jan-2011. Maintenance tasks that have not been completed should be scheduled and funded, or rolled into the field turf project plan.

- *Repair or replacement of standpipe*. Standpipe FCS-2 referenced in the attached inspection report must be repaired or replaced, as it is a critical flow control structure for the project site. In his inspection report, the inspector questions the validity of FCS-2 as a valid flow control structure, as FCS-2 does not appear on approved plans for the existing pond. For additional information about the flow control structure, see the attached report.

Thank you for considering these points of appeal. If you have any questions, please do not hesitate to contact the undersigned by phone at 206-972-9493 or by email at scottkmorris@comcast.net.

Respectfully submitted,

Scott Morris, President

cc: T.J. Davis
Steve Lytle

King County
Department of Natural Resources and Parks
Water and Land Resources Division
201 South Jackson Street, Suite 600
Seattle, WA 98104-3855
206-296-6519 206-296-0192 Fax

COPY

November 29, 2010

Parks Maintenance
KC Parks MS:KSC-NR-0700
201 S Jackson #700
Seattle, WA 98104

RE: Big Finn Hill Park - 8106 NE 138th St - D97125

Dear Property Owner :

The King County Water and Land Resources Division monitors storm drainage facilities within privately maintained developments to reduce flooding and improve water quality. By conducting drainage facility inspections, we are able to spot drainage system problems and alert property owners to these problems which, if not corrected, could cause flooding, degrade water quality, and create potential liability problems. King County Code Chapter 9.04.120 requires property owners to maintain stormwater drainage facilities on their properties to King County standards.

On Tuesday, November 16, 2010 Drainage Investigator Mike Malnerich visited your drainage system and found some items needing maintenance. Enclosed for your convenience is a work list of those items and a sketch of your facility. **You will qualify for a Surface Water Management fee discount if these problems are corrected before January 13, 2011 and required pollution prevention best management practices (BMPs) are implemented**. Please complete the work, sign, and return the enclosed Maintenance Correction List to the King County Water and Land Resources Division at the above address, Attn: Tom Lew. If you need assistance or have questions, please call 206-296-1900.

The enclosed work list contains maintenance items that are functionally critical to the performance of this facility. **If these maintenance items are not addressed by the date specified above, your facility will be in violation of King County Code, which means the County may issue a Citation or Notice and Order as authorized in King County Code Chapters 9.04 and 23.20. A Citation carries a minimum civil penalty of $100. A Notice and Order carries a minimum civil penalty of $500 plus daily fines for each day the violation is unresolved.**

By January 13, 2011 please make the following corrections, sign the form, and return to WLR Stormwater Services Section (201 Jackson St., Suite 600, Seattle WA 98104-3855).

Any changes to the MCL must be approved by the Manager of WLR Stormwater Services Section, or his or her designee, and noted on this form.

(To better interpret this Maintenance Correction List, please refer to the enclosed diagram.)

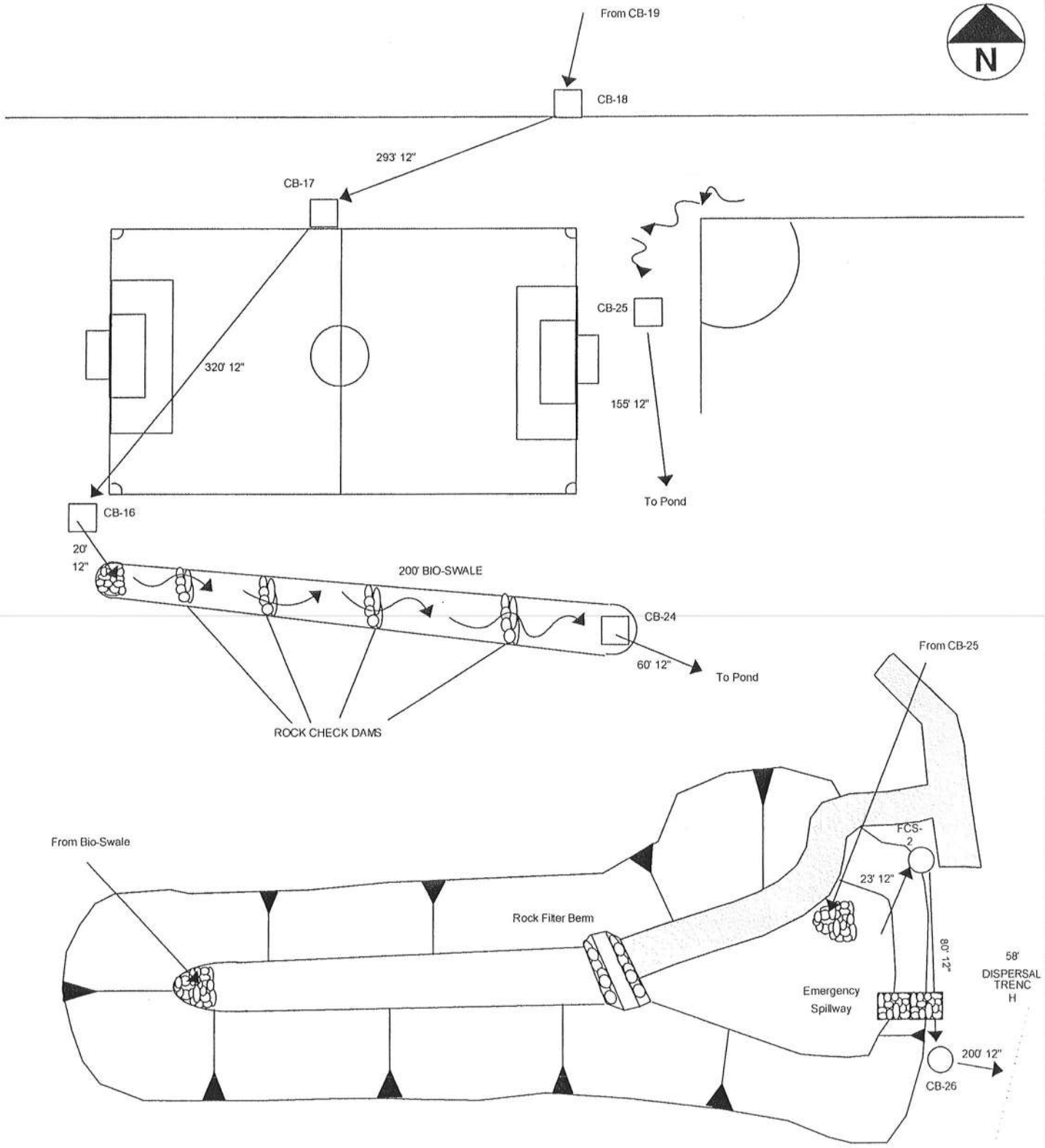
Item	Completed
Clean Conveyance CB/MH - Excessive sediment is affecting the operation of the following catch basin(s) and must be removed and disposed of in accordance with applicable regulations : CB-19, CB-20	
Maintain Conveyance Ditch - Vegetation is reducing the free movement of water in the trench. Cut and remove vegetation from site. Restore trench as required on approved plans. Clear vegetation/blackberries to expose dispersal trench and access path to trench.	
Hand Brushing - Vegetation is impeding flows in the biofiltration swale (bioswale). Remove nuisance vegetation from site. Cut sapplings to ground level, leave not spikes. Cut vegetation/blackberries. Remove clippings from site.	
Tree Removal - Remove trees that either impede maintenance activity or appear to be dead, diseased, or damaged. Cut sapplings to ground level, leave not spikes. Cut vegetation/blackberries. Remove clippings from site.	
Restore Pond - Remove trees from the pond's emergency overflow spillway. If tree is less than 4 inches in diameter, the root system may be left in place. Otherwise the roots should be removed and the berm restored. A licensed civil engineer should be consulted for proper berm/spillway restoration.	
Repair Control Structure - Locate and expose the following buried or paved over control structure catch basin: CS/CB-2	
Repair Conveyance CB/MH - Locate and expose the following buried or paved over catch basins: CB-17, CB-26	
Maintain Bioswale - Bioswale appears to have standing water in it. Possible solutions for this problem are as follows: 1. Remove any sediment or trash blocking swale. 2. Improve the grade from head to foot of swale. 3. Remove clogged check dams. 4. Add underdrains. 5. Convert to a wet biofiltration swale. First check dam at inlet end of Bio-swale is plugged. Remove material and replace check dam.	
Maintain Bioswale - Bioswale vegetation is too sparse. Determine the cause of poor vegetative growth, such as too much shading. After correcting the cause, re-plant with plugs, seeds, or sod into loosened fertile soil.	
Water Quality Requirements - A water quality site consultation needs to be conducted. This consultation will identify potential sources of stormwater pollution and provide you with guidance on the required Best Management Practices (BMPs) in order to comply with King County's water quality code and to qualify for a fee reduction. You will be contacted by one of our water quality engineers to schedule a consultation or you may call (206) 296-1900 to request a consultation.	

The stand pipe in the pond needs to be removed. It does not show up on approved plans and may have been put in place as part of the erosion control measure when pond was constructed.

KING COUNTY
Department of Natural Resources
Water and Land Resource Division

FACILITY SKETCH SHEET

PROJECT NO.	D97125		
PROJECT	Big Finn Hill Park IV		
LOCATION	NE 138th		
KROLL PAGE	416 E	SUB BASIN	Juanita Crk
TB PAGE	506 A3	TYPE	Pond
MAINT. DIVISION	1 N	DATE	12-19-00
OUT OF SERVICE	O	INITIALS -	CJT



TO: Dow Constantine
King County Executive

Bob Ferguson
King County
Council Member-District 1

FROM: Concerned Neighbors of Big Finn Hill Park
brybert5@yahoo.com
christoffersonbg@comcast.net

DATE: December 20, 2011

SUBJECT: SEPA Environmental Determination
Big Finn Hill Park-Field Conversion
File Sep 11-00020

We are in receipt of the SEPA Determination of Non-Significance for Big Finn Hill Park. It is unfortunate the response did not sufficiently address our neighborhood's concerns about the far-reaching impacts of this proposal. When the neighbors composed their letter to King County, there were several areas of concerns regarding the proposed revised usage of Big Finn Hill Park. These changes include:

--Security

--Noise

--Lack of sufficient parking

--Lights

--The installation of artificial turf

--Park closes at dusk

The last three of these concerns are specifically prohibited in the latest revision of the Master Plan for Big Finn Hill Park. The neighbors and neighborhood were here long before Big Finn Hill Park. When Big Finn Hill Park was built, the neighbors spent a lot of time working in concert with the County to insure that the park met the needs of the community as well as the neighborhood. The result of this collaboration was the creation of a Master Plan and later a revised Master Plan. With the proposal from the Kirkland Youth Lacrosse came a large sum of money causing this plan to now be referred to by the King County Park system as a set of "guidelines". The neighbors feel betrayed that the King County Park system, as stewards of the Big Finn Hill Park Master Plan we worked so hard to establish with the County, have reduced this agreement to merely being a set of "guidelines" that can be altered without community input. We also feel betrayed by King County Park system, who at the promise of a large sum of money, endorse the level of change this lacrosse field represents, the impacts of which will last

a lifetime or longer. We shudder to think of the level of change permitted with the next large sum of money promised to King County Parks system.

King County and Kirkland Youth Lacrosse had the luxury of time to design and structure their plan. The neighbors were not provided the same opportunities. Few attended a meeting in the spring because information was poorly circulated by King County. A meeting was held at Finn Hill Jr. High and was loaded with lacrosse supporters and children in their lacrosse uniforms pleading for approval of the field. A meeting was held for the neighbors only, but our concerns fell on deaf ears and as result of the SEPA determination basically ignored our concerns.

Over 70 neighbors signed the SEPA response and are now left wondering why the process allows for comment but their comments and concerns are not valued and are summarily dismissed.

We are a passionate group of neighbors who have lived in this area for more than 20 years and who fear their voice is lost and ignored. Although the users of the lacrosse and soccer field will be provided a place to play for an hour or two a week, the neighbors of the park will be forced to endure the results of these changes everyday and night. These changes will affect the neighbors well into the future, changes that will have a direct impact on the value of their homes and quality of their lives. This is a clear example of community leaders being driven by the financial influence of special interest groups instead of working together with the entire community to achieve the best outcome for everyone.

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cc: Bob Sternoff
City of Kirkland
Council Member

John Regala
Senior Planner
City of Kirkland

Jon Regala

From: Janice Gerrish [JGerrish@sjvkirkland.org]
Sent: Monday, December 19, 2011 3:27 PM
To: Jon Regala; tj.davis@kingcounty.gov
Cc: christoffersonbg@comcast.net; Scott Morris (Scott.Morris@trilogy-international.com)
Subject: Determination of Nonsignificance Case # SEP11-00020

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jon Regala and T.J. Davis,

I have decided after much careful thought, doing online research and discussion that I will write a letter about the Big Finn Hill Sports Field
Proposal SEPA and not do an appeal or a mediation. I basically agree that an improved sport field is a good idea, the field improvements
And field usage needs to take into consideration other people beyond the immediate sports proponents. If there are to be future developments at Big Finn
Hill Park, this sport field redevelopment should set a precedent of environmental, park utilization and neighborhood harmony. I don't wish to have the city
Spend money on legal proceedings over a dispute but I am hoping the city will have a meeting after the holidays with the Finn Hill Neighborhood about
The non-SEPA details such as police patrols and park lighting hours of operation. I am complaining, for the record, about the SEPA deadline
Of Dec. 21, 2011, right before a major holiday, and the long delay in creating the final SEPA document.

I decided the best way to address my concerns about the development of the sport field was by using standard city codes: Lighting, Noise and
Security. The 12/7/11 SEPA adequately addresses the issues of Lighting and Noise. My online search shows that sports field hour of operation for lighted
fields are very uniform though a few end at 10 p.m. I like the 1992 revisions made by in Magnusson Park after meeting with the neighborhood where now
closing and lights out are at 10 p.m. and the sports fields are closed on Sundays.

I would like to thank Jon Regala in taking the time to talk to me by phone on Dec. 15. He also pointed out some of my concerns and issues were
Not addressed under the SEPA because SEPA addresses environmental issues. The issue of Security, while it is in city code, has some nontangible aspects
Which are harder to address than state environmental regulations. The neighbors were complaining of past incidents of trespassing and disturbance of the
Peace. Some of this can be addressed by a fence to mark the park boundary, formalize park entry points and discouraging trespassing onto
Private properties. Police patrols and monitoring systems can greatly discourage theft and vandalism of sport facilities and equipment storage.
By restricting the hours of lighted operation in the sports field, closing the fields to traffic after sports hours and day and night police patrols, this should help
Keep the park more family and neighborhood friendly. None of this has been addressed by the sports field proponents in their plans. Is there allotted any
Of the field development money for daily maintenance details such as police security, field maintenance, garbage pickup and bathrooms? I don't think
The City or County should have to pick up the costs for this stuff that is generated by the teams playing there.

To end my letter I am hoping the sport field proponents will go beyond the ideal of good sportsmanship between players and teams and practice good
Stewardship of the new sports field, the park and the neighborhood that surrounds it.

Sincerely, Janice Gerrish

Jon Regala

From: Nygard, Kathy [Kathy.Nygard@kingcounty.gov] on behalf of Brown, Kevin [Kevin.Brown@kingcounty.gov]
Sent: Wednesday, December 28, 2011 3:37 PM
To: 'brybert5@yahoo.com'; 'christoffersonbg@comcast.net'
Cc: kcexec@kingcounty.gov; Ferguson, Bob; Jon Regala; Bob Sternoff; Myers, Paige
Subject: Concerned Neighbors of Big Finn Hill Park

Dear Concerned Neighbors of Big Finn Hill Park:

Thank you for contacting King County Executive Dow Constantine regarding the Big Finn Hill field project. Executive Constantine has asked that I respond to your concerns and assure you that your voice is not lost or ignored in this process. This project is an example of one of the many partnerships between King County Parks and youth sports organizations that provide additional recreation activities and amenities throughout our region. These partnerships bring outside funding to public projects that enhance park resources and facilities at a savings to taxpayers. Funds from these partnerships are dedicated to the development cost of facilities and amenities to benefit the partners as well as the community, other park users and user groups. Some funds may also be dedicated to assist with on-going maintenance and operation of the facility.

The latest version of the Big Finn Hill Master Plan (Master Plan), adopted in 1994 to provide guidance for the development of the park, reflects the dilemma of the Citizens Advisory Group that the plan balance the past, present and future needs of the community. Of course, much has changed since 1994. The community has grown, recreation choices have changed. For example, we are seeing increased participation and demand for facilities to accommodate emerging sports such as lacrosse, cricket and rugby. While the Master Plan states that "all soccer and baseball fields will be natural turf and unlighted," it is fortunate that the technology in ballfield surfacing and lighting available today is far superior to 20 years ago. New lighting technology allows for a highly focused light that illuminates only the field area with no sky glow or spill. These new technologies allow improvements that increase field capacity while preserving the same amount of natural and passive areas as per the spirit of the Master Plan.

It was determined that increasing capacity of existing fields such as the single soccer field by upgrading its surface and adding lights addresses some of the critical community need without having to add additional fields or change the layout of the Master Plan. The project is intended to improve the quality of the existing fields, which currently are easily damaged and unplayable in wet weather. The proposed use is consistent with the existing use.

Your letter specifically identifies issues of security, noise, parking sufficiency, lights, installation of artificial turf and questions about operations and maintenance. These questions and concerns have been previously raised through SEPA public comments and responses. Security is expected to be enhanced by the increased presence of scheduled park users and Parks will work with users, neighbors and Kirkland Police to address any issues that arise. Areas beyond the field use will close at dusk, as is common at several other similar sites. Noise levels will be similar to current community recreational sports activities such as soccer and lacrosse. Facility use rules will include prohibition of air horns and amplified sounds, as well as use of car stereos in the parking lot. Facility use rules are enforced through use agreements with youth sports associations and/or rental agreements with community users. Penalties for violating field use rules include the loss of use privileges. In general, youth sports teams are highly organized and respectful users of King County's large collection of sportsfields and have not had problems enforcing use rules at dozens of other filed locations.

Parking and traffic studies conclude that while yearly field use will be increased, the field conversion will not create additional daily parking demand nor will traffic volumes rise due to increased use of the field. It is anticipated that traffic

volumes and parking demand should remain similar to existing conditions since the size of the field is not being expanded and therefore capacity of users of the field would not increase. Should problems arise with parking and/or traffic, it is King County Park's policy to make adjustments in scheduling to alleviate such problems.

New lighting technology allows for highly focused light that illuminates only the field area with no sky glow or spill. The immediate field area is surrounded by conifers and the distance from homes due to the field's central location within the park provides a buffer for typical sports activities. The closest home has 400 feet of buffer including trees with 99% of the homes between 700 feet and 2000 feet away from the field.

Many studies have been associated with the use of synthetic turf or crumb rubber and both the Centers for Disease Control and the Environmental Protection Agency have concluded there are no human health risks associated with this product. The material is 100% recycled and is 100% recyclable when replaced at the end of its useful life.

Public input is an important element in park projects. A public meeting for this project was held on April 18, 2011, with notification of the meeting mailed to over 500 residents within 500 feet of the park. Approximately six people attended this meeting. A follow-up public meeting was held on June 20, 2011, with notification mailed to the same residents as those notified of the April 18 meeting. Approximately 120 community members attended the follow-up meeting. Outreach to individual neighbors has been on-going. The majority of input has been supportive and King County made every effort to mitigate the concerns expressed by others. Additionally, aspects of the project have been revised or amended in response to concerns that came up during the public outreach process.

A SEPA checklist was prepared with Parks as lead agency. A Determination of Non-Significance (DNS) was signed on June 15. A notice was mailed to neighbors within 500ft. of the park and an extended public comment period followed.

Due to the recent annexation of the Big Finn Hill area to the City of Kirkland, this project has also been reviewed and will be permitted by the City of Kirkland. Both of our agencies are committed to ensuring this project meets the needs of the community and the neighborhood. Project information and documents are posted and available on the Parks website at www.kingcounty.gov/recreation/parks.aspx and the City's website at www.kirklandwa.gov/depart/Planning/Development/BFHP_Renovation.htm.

If you have any additional questions or comments, please contact Kevin Brown, Division Director of the Parks and Recreation Division at 206-296-8631 or T.J. Davis, Program Manager, at 206-263-6214.

Thank you for taking the time to write and share your concerns.

Sincerely,

Kevin Brown
Division Director
King County Parks and Recreation Division

MEMORANDUM

TO: Jon Regala, Senior Planner

FM: Steve Bottheim, Environmental Scientist/Section Supervisor

RE: Big Finn Hill Park Appeal Comments
King County Grading Permit # L11CG124

The purpose of this memo is to outline how this proposed project complies with King County codes.

<u>King County Wetlands Regulations</u>

The proposed turf field is located in the same footprint as the existing grass field. Under King County Code (KCC) 21A.24.045, Allowed Alterations, this project is allowed in a critical area or critical buffer provided note 48 is complied with:

Recreation

Maintenance of outdoor public park facility, trail or publicly improved recreation area	*A 48*	*A 48*	*A 48*	*A 48*	*A 4, 48*

48. Only if the maintenance:
a. does not involve the use of herbicides or other hazardous substances except for the removal of noxious weeds or invasive vegetation;
b. when salmonids are present, the maintenance is in compliance with ditch standards in public rule; and
c. does not involve any expansion of the roadway, lawn, landscaping, ditch, culvert, engineered slope or other improved area being maintained.

The determinant section of note 48 relative to this proposal is "c", requiring that the footprint of the recreation facility is not expanded.

Once the allowed alteration has been established, KCC 21A.24.100 requires that we determine whether there are critical areas on the project site, if special studies are required to review the proposal and whether mitigation is necessary:

21A.24.100 Critical area review.
A. Before any clearing, grading or site preparation, the department shall perform a critical area review for any development proposal permit application or other request for permission to alter a site to determine whether there is:
1. A critical area on the development proposal site;
2. An active breeding site of a protected species on the development proposal site; or
3. A critical area or active breeding site of a protected species that has been mapped, identified within three hundred fee of the applicant's property or that is visible from the boundaries of the site.
B. As part of the critical area review, the department shall review the critical area reports and determine whether:

1. There has been an accurate identification of all critical areas;
2. An alteration will occur to a critical area or a critical area buffer;
3. The development proposal is consistent with this chapter;
4. The sequence in K.C.C. 21A.24.125 has been followed to avoid impacts to critical areas and critical area buffers; and
5. Mitigation to compensate for adverse impacts to critical areas is required and whether the mitigation and monitoring plans and bonding measures proposed by the applicant are sufficient to protect the general public health, safety and welfare, consistent with the goals, purposes, objectives and requirements of this chapter.

The proposal was reviewed by King County Critical Area senior ecologists who determined that the field is an adequate distance from the wetland and stream that no alteration or impacts will occur to the critical areas.

King County Stream (Aquatic Area) Regulations.

The same code approach to wetlands applies to streams. In the urban zoned areas of the county, fish bearing streams have a 115 foot buffer when located in a basin designated “low” in the Basin and Shoreline Conditions Map.

21A.24.358 Aquatic areas — buffers.
A. Aquatic area buffers shall be measured as follows:
1. From the ordinary high water mark or from the top of bank if the ordinary high water mark cannot be identified;
2. If the aquatic area is located within a mapped severe channel migration area, the aquatic area buffer width shall be the greater of the aquatic area buffer width as measured consistent with subsection A.1. of this section or the outer edge of the severe channel migration area; and
3. If the aquatic area buffer includes a steep slope hazard area or landslide hazard area, the aquatic area buffer width is the greater of either the aquatic area buffer in this section or the top of the hazard area.
B. Within the Urban Growth Area, aquatic area buffers shall be as follows:
1. A type S or F aquatic area buffer is one-hundred-fifteen-feet;
2. A type S or F aquatic area buffer in a basin or shoreline designated as "high" on the Basin and Shoreline Conditions Map is one-hundred-sixty-five-feet;

This basin has been mapped as “low” so the 115 foot buffer applies. The senior ecologist reviewing the application determined that the stream was an adequate distance from the stream that there would be no impacts from the development proposal and no mitigation was required.