

Note: Governor Inslee's Proclamation 20-28 prohibits public meetings from being conducted in-person. Council will meet remotely for this meeting and anticipates future remote meetings until such time as Proclamation 20-28 terminates and the City is in a phase of the *Safe Start* plan that supports in-person meetings. The public may attend this meeting remotely by calling the phone numbers provided.



Agenda
City Council Regular Meeting
Tuesday, July 7, 2020 - 6:00 p.m.
Zoom- Public Telephone Access: 1-888-788-0099 or 1-833-548-0276
Meeting ID No. 973 2277 5519

This meeting will be conducted remotely via Zoom and will be broadcasted live on CityView Channel 192 and online at ci.richland.wa.us. If you wish to provide comments for the Public Hearing and/or Public Comments, please register [here](#) by 4:00 p.m. on July 7, 2020. Only those who register by the 4:00 p.m. deadline will be permitted to speak or have their comments read into the record during the meeting.

City Council Regular Meeting - 6:00 p.m.

Welcome and Roll Call

Pledge of Allegiance

Approval of Agenda: (Approved by Motion)

Presentations:

1. Proclamation of Appreciation and Plaque to Larry Lowry
- Ryan Lukson, Mayor
2. Fourth of July Fireworks Update
- Tom Huntington, Fire & Emergency Services Director
- John Bruce, Chief of Police
- Joe Schiessl, Parks & Public Facilities Director
3. COVID-19 Update
- Cindy Reents, City Manager

Public Hearing: Please limit public hearing comments to 3 minutes. Comments must speak only to the item for which the hearing is convened. Records intended for Council consideration must be given to the City Clerk.

4. Amending RMC Title 23 and the Official Zoning Map to Change Zoning on 98.16 Acres at Queensgate Drive and Legacy Lane (Sienna Hills), Ordinance No. 19-20
- Kerwin Jensen, Development Services Director
5. Amending the 2020 Budget to Include the 2019 Budget Carryovers, Ordinance No. 20-20
- Cathleen Koch, Administrative Services Director
6. Amending the 2020-2025 Transportation Improvement Program, Resolution No. 96-20
- Pete Rogalsky, Public Works Director

Public Comments: Please limit public comments to 2 minutes. The public comment period is not an opportunity for dialogue with councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information-gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. Records intended for Council consideration must be given to the City Clerk.

Consent Calendar: Approved by single vote; Councilmembers may transfer individual items to Items of Business for deliberation before voting.

Minutes:

7. Approval of the June 16, 2020 City Council Regular Meeting Minutes
 - Heather Kintzley, City Attorney.

Ordinances - First Reading:

8. Ordinance No. 14-20, Vacating Portions of Brantingham Road
 - Pete Rogalsky, Public Works Director
9. Ordinance No. 16-20, Amending Richland Municipal Code Sections 9.04.090 and 9.05.060 related to Coercion and Coercion – Domestic Violence
 - Heather Kintzley, City Attorney
10. Ordinance No. 19-20, Amending Title 23 and the Official Zoning Map to Change Zoning on 98.16 Acres at Queensgate Drive and Legacy Lane (Sienna Hills)
 - Kerwin Jensen, Development Services Director
11. Ordinance No. 20-20, Amending the 2020 Budget to Include the 2019 Budget Carryovers
 - Cathleen Koch, Administrative Services Director

Ordinances - Second Reading & Passage:

12. Ordinance No. 13-20, Amending Richland Municipal Code Section 21.01.020 related to Fence Permits
 - Heather Kintzley, City Attorney.

Resolutions - Adoption:

13. Resolution No. 88-20, Authorizing an Award of Bid to Northbank Civil & Marine, Inc. for the Columbia River Intake Screen Upgrade Project
 - Pete Rogalsky, Public Works Director
14. Resolution No. 89-20, Authorizing an Agreement with RH2 Engineering, Inc. for the Water System Risk and Resilience Assessment Study
 - Pete Rogalsky, Public Works Director
15. Resolution No. 90-20, Authorizing a Land Exchange Agreement with Martin and Jacqueline Stout
 - Kerwin Jensen, Development Services Director
16. Resolution No. 91-20, Authorizing an Interlocal Agreement with West Richland for the Tapteal I Booster Pump Station Upgrade Project
 - Pete Rogalsky, Public Works Director

17. Resolution No. 92-20, Approving the Final Plat of Quail Ridge Phase I & 2
 - Kerwin Jensen, Development Services Director
18. Resolution No. 94-20, Authorizing a Grant Application to the Washington State Department of Transportation Pedestrian and Bicycle Program
 - Pete Rogalsky, Public Works Director
19. Resolution No. 95-20, Authorizing a Consultant Agreement with Parametrix Inc. for Assessment Monitoring Services for the Horn Rapid Landfill
 - Pete Rogalsky, Public Works Director
20. Resolution No. 96-20, Authorizing Amendment to the 2020-2025 Transportation Improvement Program
 - Pete Rogalsky, Public Works Director
21. Resolution No. 97-20, Authorizing a Purchase and Sale Agreement with Michel and Solbrack related to the Center Parkway South Project
 - Pete Rogalsky, Public Works Director
22. Resolution No. 100-20, Designating Virtual Meeting Locations Consistent with *Safe Start – Washington’s Phased Reopening Plan*
 - Heather Kintzley, City Attorney
23. Resolution No. 101-20, Authorizing Award of Bid to Granite Construction Company for the Duportail Corridor Improvements Project
 - Pete Rogalsky, Public Works Director
24. Resolution No. 102-20, Authorizing the City Manager to issue temporary waivers to certain city regulations in order to promote local businesses operating under *Safe Start – Washington’s Phased Reopening Plan*
 - Heather Kintzley, City Attorney

Items - Approval:

25. Appointment to the Richland Public Facilities District Board: Bill King
 - Heather Kintzley, City Attorney

Expenditures - Approval:

Items of Business:

26. Resolution No. 98-20, Adopting Results and Recommendations of the Downtown Connectivity Study
 - Pete Rogalsky, Public Works Director
27. Resolution No. 99-20, Approving Commercial Facade Improvement Program Grant Funding
 - Kerwin Jensen, Development Services Director
28. Proclamation of Richland's Commitment to Inclusiveness and Community Safety
 - Ryan Lukson, Mayor

Reports and Comments:

1. City Manager
2. City Council
3. Mayor

Adjournment

City Council meetings are broadcast live on CityView Channel 192 and online at ci.richland.wa.us

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7389.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Proclamation of Appreciation and Plaque to Larry Lowry

Department:

City Council

Ordinance/Resolution Number:

Document Type:

Proclamation

Recommended Motion:

None.

Summary:

Mayor Lukson will present a Proclamation of Appreciation and plaque to Larry Lowry for his years of service to the Board of Adjustment.

Fiscal Impact:

None

Attachments:

I. Proclamation of Appreciation- Larry Lowry



Proclamation

WHEREAS, Larry Lowry was first appointed to the Board of Adjustment on February 16, 2020 and served ten (10) years until March 31, 2020; and

WHEREAS, Mr. Lowry served as the vice chair from 2012 through 2015, and as chair from March 2016 through March 2020;

WHEREAS, Mr. Lowry faithfully dedicated his time, knowledge and talents for the benefit of the citizens of Richland; and

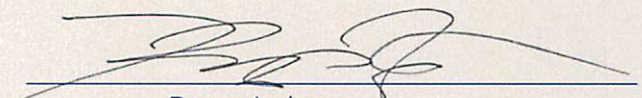
WHEREAS, while serving on the board, Mr. Lowry faithfully executed the duties of a city of Richland Board of Adjustment member through serving in a quasi-judicial capacity to decide matters related to special use permits and land use variances; and

WEHREAS, during his tenure, Mr. Lowry consistently endeavored to protect the best interests of the citizens of Richland through diligent interpretation and application of the Richland Municipal Code.

NOW, THEREFORE, I, Ryan Lukson, by virtue of the authority vested in me as Mayor of the city of Richland, do hereby express publicly and formally to Larry Lowry the City's appreciation for the services rendered during his tenure as a member of the Board of Adjustment. The City wishes Mr. Lowry the best in his future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereto the official seal of the city of Richland, Washington, on this 7th day of July, 2020.




Ryan Lukson
Mayor of Richland



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Presentations

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Subject:

Fourth of July Fireworks Update

Department:

Police Services

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

None.

Summary:

Staff will give a brief update on the impact to the city from the 4th of July holiday.

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Presentations

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:
COVID-19 Update

Department:
City Manager

Ordinance/Resolution Number:

Document Type:
Presentation

Recommended Motion:
None.

Summary:

Fiscal Impact:

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Public Hearing

Core Focus Area 3 - Increase Economic Vitality

Subject:

Amending RMC Title 23 and the Official Zoning Map to Change Zoning on 98.16 Acres at Queensgate Drive and Legacy Lane (Sienna Hills), Ordinance No. 19-20

Department:

Development Services

Ordinance/Resolution Number:

Document Type:

Public Hearing Item

Recommended Motion:

Summary:

Sienna Hills Development, LLC on behalf of Richland Properties, LLC (Greg Johnson) applied to change zoning of approximately 98.16 acres from AG (Agriculture) to Low Density Residential (R-10-10), Medium Density Residential (R-2), and C-LB (Limited Business).

The Richland Hearings Examiner conducted a public hearing on December 9, 2019 and after careful consideration of all of the evidence and testimony presented issued a written recommendation which determines that the proposed rezone, which has been requested in conjunction with a proposed 254-lot subdivision, would be consistent with the provisions of the City's Comprehensive Plan provided two (2) conditions are met in regards to the proposed subdivision (the Hearings Examiner's recommendation is included as an attachment).

In order to comply with local and state requirements, the proposed rezone needs to be approved prior to the proposed subdivision. As a result, this legislative action is coming before the City Council on July 7, 2020, while the second reading of the rezone ordinance will occur on July 21, 2020 at the same meeting that the proposed subdivision (Sienna Hills) will be provided for City Council review and approval.

Fiscal Impact:

The proposed rezone will result in the development of a new subdivision (Sienna Hills) which will contribute additional tax revenues to the City of Richland.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Public Hearing

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Amending the 2020 Budget to Include the 2019 Budget Carryovers, Ordinance No. 20-20

Department:

Administrative Services

Ordinance/Resolution Number:

Document Type:

Ordinance

Recommended Motion:

None.

Summary:

A public hearing is necessary for Ordinance No. 20-20, which amends the 2020 Budget to include the 2019 Budget carryovers.

The public hearing notice was posted on July 5, 2020. First reading of the ordinance amending the 2020 Budget will occur July 7, 2020, with second reading and passage scheduled for July 21, 2020.

For more information, see the staff report accompanying Ordinance No. 20-20.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Public Hearing

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Amending the 2020-2025 Transportation Improvement Program, Resolution No. 96-20

Department:

Public Works

Ordinance/Resolution Number:

Document Type:

Public Hearing Item

Recommended Motion:

None.

Summary:

Washington State Law requires a public hearing to consider amendments to the City's Transportation Improvement Program. Resolution No. 96-20 on tonight's agenda proposes to amend the 2020-2025 Transportation Improvement Program (TIP) to add a study project and reassign funds related to the SR-240/Aaron Drive Flyover project.

For more information, refer to the staff report accompanying Resolution No. 96-20.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Minutes

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Approval of the June 16, 2020 City Council Regular Meeting Minutes

Department:
City Attorney

Ordinance/Resolution Number:

Document Type:
Minutes

Recommended Motion:

Approve the minutes of the Council meeting held June 16, 2020.

Summary:

Draft minutes from the Richland City Council meeting held on June 16, 2020 are presented for Council's consideration and approval.

Fiscal Impact:

None.

Attachments:

I. Draft 2020.06.16 City Council Meeting Minutes



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Zoom- Public Telephone Access: (888) 788-0099 or (833) 548-0276

Meeting ID: 996 2449 3087

Tuesday, June 16, 2020 - 5:30 pm.

City Council Workshop - 5:30 p.m.

Mayor Lukson called the remote workshop to order at 5:30 p.m.

Attendance: Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Anderson, Christensen, Lemley were when the meeting was called to order.

Also present (remotely) were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Chief of Police Bruce, Fire & Emergency Services Director Huntington, Development Services Director Jensen, Administrative Services Director Koch, Public Works Director Rogalsky, Parks & Public Facilities Director Schiessl, Energy Services Director Whitney and City Clerk Rogers.

1. Executive Session Per RCW 42.30.110(1)(i): Discuss Current or Potential Litigation With Legal Counsel (30 minutes)

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER LEMLEY SECONDED THE MOTION TO ENTER EXECUTIVE SESSION AT 5:32 P.M. TO DISCUSS CURRENT OR POTENTIAL LITIGATION WITH COUNSEL FOR 30 MINUTES. THE MOTION CARRIED 7-0.

Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Anderson, Christensen, Lemley and Thompson were present at the executive session. City Manager Reents, City Attorney Kintzley, Public Works Director Rogalsky, and Attorney Ken Harper were also present.

MAYOR LUKSON MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO EXIT EXECUTIVE SESSION AT 5:59 P.M. THE MOTION CARRIED 7-0.

City Council Regular Meeting - 6:00 p.m.

Mayor Lukson called the Council meeting to order at 6:00 p.m.

Welcome and Roll Call

Mayor Lukson welcomed those attending the virtual meeting.

Pledge of Allegiance

Mayor Lukson led the Council and remote attendees in the Pledge of Allegiance.

Approval of Agenda

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE

MOTION CARRIED 7-0.

Presentations

2. COVID-19 Update

City Manager Reents reported that Benton and Franklin Counties both submitted applications to proceed to Phase II of the *Safe Start* reopening plan. Both applications are on pause. She added that though Benton County may not qualify to move on to Phase II, it may be possible to move to a modified Phase 1 under the plan.

City Manager Reents provided information on how certain city services have been impacted by COVID-19, then outlined the plan of action moving forward. She also provided information on the number of confirmed positive COVID-19 cases, and where testing is being conducted. The Benton-Franklin Health Department is still in need of additional contact tracers.

Budget shortfalls and a decline in revenue is expected to continue. The City will receive funding through the federal CARES Act to assist with immediate needs of the community.

Lastly, City Manager Reents shared that information encouraging COVID-19 safety has been communicated to the public via public service announcements, utility bill inserts and the city website. She emphasized the need to wear face coverings to reduce the spread of COVID-19 and to expedite the reopening of businesses.

Chief Bruce announced that he has not received any complaints from the Governor's Office since early May for businesses open in violation of state directives. Chief Bruce updated Council on protests held in the city, and commented that protesting is supported so long as it remains peaceful.

Chief Bruce reported that he met with protest organizers to provide information and rules to stay safe. Chief Bruce further shared that many programs currently implemented through the police department are focused on improving the community and quality of life. Chief Bruce stressed the importance of maintaining youth programs in order to continue to build positive relationships with law enforcement.

Chief Bruce then commented briefly on the Richland Police Department's use of force protocols, and responded to Mayor Lukson's inquiry regarding the Defend the Tri group.

Councilmember Thompson provided comments in response to City Manager Reents' COVID-19 update. Further discussion ensued and City Manager Reents answered questions from councilmembers.

Mayor Lukson shared COVID-19 information he received from a meeting with Governor Inslee and a lead epidemiologist.

City Manager Reents replied to Council comments regarding COVID-19 data and information provided by various agencies. She then listed some of the programs implemented through the Richland Police Department and funded in the Police Services budget.

Councilmembers Alvarez and Thompson provided commentary on the various police services provided to the community. Councilmember Thompson commended City Manager Reents, Police Chief Bruce and the Richland Police Department for their appropriate and professional interactions with citizens.

Mayor Lukson shared his thoughts on police services and the emails he received from citizens requesting to defund of the police department.

Council directed City Manager Reents and staff to review the City's welcoming proclamation for opportunities to reaffirm its contents in light of current events. Staff was asked to provide a draft on the next agenda.

3. 4th of July Message

Police Chief Bruce spoke to Richland's traditional safety campaign, *Be Safe, Not Sorry*, and emphasized the importance of being aware of fire hazards as the wildfire season begins.

Fire & Emergency Services Director Huntington gave a brief overview of the City's 4th of July communications plan, adding that the annual regional festivities have been cancelled due to COVID-19. The *Be Safe, Not Sorry* safety campaign will be published on social media and the city website, and banners will be hung at all Richland fire stations.

A joint public service announcement including the local area fire chiefs was created to encourage and remind residents to be safe if using fireworks.

Mr. Huntington also provided an overview of the draft agreement with the U.S. Department of Fish and Wildlife, Resolution No. 82-20, and answered questions from councilmembers.

Public Hearing

City Clerk Rogers read the Public Hearing and Public Comments procedures.

4. 2021-2026 Transportation Improvement Program, Resolution No. 85-20

Public Works Director Rogalsky showed a presentation detailing the 2021-2026 Transportation Improvement Program for Council consideration and approval. The state requires local jurisdictions to prepare and adopt a perpetual six-year TIP. The TIP outlines the priority transportation improvements to which the City intends to apply for state and federal grant funding.

Public Works Director Rogalsky reported that the COVID-19 pandemic eliminated the usual public participation process associated with TIP adoption. Instead, to still allow for robust public participation, the draft TIP was posted to the city's website with an opportunity for the public to submit comments. The draft TIP was also provided to the Planning Commission and Parks & Recreation Commission for comment. Both advisory bodies recommend approval of the 2021-2026 TIP.

Mayor Lukson opened the public hearing at 7:24 p.m.

City Clerk Rogers read written comments submitted by the following individuals:

Dori Luzzo Gilmour - 2051 Howell Avenue, Richland, WA: Ms. Gilmour requested the TIP be tabled until citizens have an opportunity to become involved with the planning. She expressed concerns with the lack of safety measures in place for cyclists, citing that the streets are too narrow to add additional bike lanes, and drivers are not adhering to speed limits.

No other comments were received. Mayor Lukson closed the public hearing at 7:26 p.m.

5. Proposed Vacation of a Portion of Brantingham Road, Ordinance No.14-20

Public Works Director Rogalsky showed a presentation detailing the proposed vacation of two segments of Brantingham Road, which are no longer necessary because the traffic network in the area has changed with development.

Mayor Lukson opened the public hearing at 7:33 p.m.

The following comments were provided telephonically:

Blaine Marlin - 159 Hills West Way, Richland, WA: Mr. Marlin stated that he is the owner of the eastside portion of the property proposed for vacation, and is in support of deeding the property back to adjacent owners. Mr. Marlin provided background information on the agreement established years ago, and thanked Council for following through with the agreement.

John Cadwell - 2001 Brantingham Road, Richland, WA: Mr. Cadwell expressed his support for this request and thanked the City for doing a great job supporting low-carbon transportation improvements for bike paths. Mr. Cadwell offered suggestions to improve the Brantingham/Melissa path.

Kimberly Williams Harper - 1721 Brantingham Road, Richland, WA: Ms. Harper stated that she is the only tenant residing in an abutting property to the proposed vacation, and added that she is in support of a bike path. Her only opposition is that the bike path would be abutting up to her property. She then provided recommended adjustments to the plan.

No other comments were received. Mayor Lukson closed the public hearing at 7:42 p.m.

Public Comments

The following comments were provided telephonically:

Susan Dobkins - 2059 Hudson Avenue, Richland, WA: Ms. Dobkins requested that Mayor Lukson and councilmembers take action against racism by renaming Lee Boulevard. Ms. Dobkins further recommended that the City consult the community of color to select a different individual to honor.

Randy Slovic - 74 Newcomer, Richland, WA: Ms. Slovic requested that the City immediately consider funding dash cams and body cameras for the Richland Police Department. Ms. Slovic also recommended that citizens take extra precautions and wear face coverings to help flatten the COVID-19 curve until a vaccination is available.

Erik Nicholson - 2059 Hudson Avenue, Richland, WA: Mr. Nicholson requested that Council immediately consider renaming both Lee Boulevard and Smith Avenue to honor individuals whose values are consistent with the residents of Richland. He then extended his gratitude to the City of Richland employees for keeping the city operational during the COVID-19 pandemic.

City Clerk Rogers read public comments submitted by the following individuals:

Dan Glenn - 1915 McMurray Avenue, Richland, WA: Mr. Glenn is in support of renaming Lee Boulevard.

Tracey Glenn - 1305 Hains Avenue, Richland, WA: Ms. Glenn is in support of renaming Lee Boulevard.

Drew Gale - 4 N. Newport Street, Kennewick, WA: Drew Gale opposes continued honoring of General Lee by continuing to have a street named for him.

Mr. Evett - W. Entiat Avenue, Kennewick, WA: Mr. Evett is in favor of renaming Lee Boulevard after an African-American engineer to maintain consistency with the street-naming theme used throughout Richland.

Richard Monlux - Kennewick, WA: Mr. Monlux encouraged Council to research General Lee before making a decision to rename Lee Boulevard.

Jerry Rosenthal - 570 Holly Street, Richland, WA: Mr. Rosenthal asked what steps the City Council will be taking to combat systemic racism in the community.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER ALVAREZ SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS PUBLISHED. THOSE IN FAVOR: MAYOR LUKSON, MAYOR PRO TEM KENT AND

COUNCILMEMBERS ALVAREZ, ANDERSON, CHRISTENSEN AND LEMLEY. OPPOSED: NONE. ABSENT FOR THE VOTE: THOMPSON. THE MOTION CARRIED 6-0. Note: Councilmember Thompson's internet connection to the virtual meeting was lost during the roll call vote. For this reason, he is marked as being absent for the vote.

Minutes- Approval

6. Approval of the June 2, 2020 City Council Regular Meeting Minutes

Ordinances - First Reading

7. Ordinance No. 13-20, Amending Richland Municipal Code Section 21.01.020 related to Fence Permits

Ordinances - Second Reading & Passage

8. Ordinance No. 09-20, Authorizing a Franchise Agreement with ExteNet Systems, Inc.
9. Ordinance No. 12-20, Authorizing a Franchise Agreement with Cellco Partnership d/b/a Verizon Wireless

Resolutions - Adoption

10. Resolution No. 82-20, Authorizing an Agreement with the United States Department of Fish and Wildlife for Wildland Firefighting Services
11. Resolution No. 85-20, Adopting the 2021-2026 Transportation Improvement Program
12. Resolution No. 86-20, Authorizing a Grant Application to the Washington State Library for 2020 CARES Act Funding
13. Resolution No. 87-20, Authorizing an Agreement with the State of Washington Department of Commerce for Coronavirus Relief Funds for Local Governments

Items - Approval

None.

Expenditures - Approval

14. Expenditures from April 27, 2020 - May 31, 2020 for \$31,758,309.26 including Check Nos. 278954-280050, Travel Check Nos. 19924-19925, Wire Nos. 8117- 8160, Payroll Check Nos. 164368-165971, Payroll Wire/ACH Nos. 11486- 11543, and Pension Check Nos. 5450-5509.

Items of Business

None.

Reports and Comments

City Manager

City Manager Reents did not make any comments during Reports and Comments.

City Council

Mayor Pro Tem Kent stated that if Council is to pursue renaming Lee Boulevard, input from groups representing the community should be received. She also encouraged citizens, regardless of political affiliation, to use face coverings to protect against the coronavirus.

Councilmember Thompson rejoined the meeting and replied to statements made by Mayor Pro Tem Kent. Councilmember Thompson agreed with statements made by Randy Slovic to implement the use of dash cams and body cameras for law enforcement. He shared additional thoughts on the COVID-19 pandemic and its effects.

Councilmember Anderson voiced his support for receiving input from citizens on renaming Lee Boulevard. He also stated concerns regarding the Centers for Disease Control (CDC) reports on COVID-19 statistics. He shared additional beliefs and concerns relating to the COVID-19 mandates.

Councilmember Christensen provided commentary on the school district's plan to reopen in the fall, and expressed concern for students falling behind academically based on lost instructional time.

Councilmember Lemley encouraged citizens to follow rules set out by health officials, and to wear face coverings to aid in slowing the spread of COVID-19. Councilmember Lemley shared that he has lived in numerous cities, and believes that Richland is a safe place to live.

Councilmember Alvarez thanked those who provided public comments. He added that though he did not have any additional comments to make, he would consider the comments made by fellow councilmembers.

Mayor

Mayor Lukson stated that members of Council hold diverse opinions regarding the COVID-19 pandemic and Governor Inslee's mandates. He agreed that additional tests and contact tracing is needed since the number of positive cases are increasing in the community. Mayor Lukson promoted the use of face coverings to assist in advancing to

the next phase of Washington's *Safe Start* reopening plan.

With respect to Lee Boulevard, Mayor Lukson stated that he is in support of receiving public input on renaming Lee Boulevard. Lastly, Mayor Lukson announced that he met with Richland school board members to discuss the plan to reopen schools this fall.

Adjournment

Mayor Lukson adjourned the meeting at 8:30 p.m.

APPROVED:

ATTEST:

Ryan Lukson, Mayor

Jennifer Rogers, City Clerk

DATE APPROVED:

DATE PUBLISHED:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Ordinances - First Reading

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Ordinance No. 14-20, Vacating Portions of Brantingham Road

Department:
Public Works

Ordinance/Resolution Number:
14-20

Document Type:
Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 14-20, vacating portions of Brantingham Road.

Summary:

Ordinance No. 14-20 will vacate two segments of Brantingham Road right-of-way between Keene Road and Melissa Street as requested by adjacent property owners. The right-of-way segments in question are no longer needed for public road purposes because subdivision actions in the vicinity have changed the street network.

On June 16, 2020, Richland City Council conducted a public hearing as required by state law to receive public testimony on the proposed vacation. Public testimony supported vacating the northerly segment as proposed, and supported vacating the southerly segment subject to maintaining a property right to support pedestrian traffic.

Staff supports preservation of pedestrian access across the proposed vacated right-of-way. To preserve that access, an easement deed has been prepared and recorded to allow for construction of a sidewalk within the vacated right-of-way.

Public testimony also sought to direct the location of the sidewalk and the new property boundaries created by the vacation. Disposition of the vacated right-of-way is governed by state law and does not occur at the City's direction through the vacation process. Therefore, the City's vacation action does not direct the disposition of the underlying fee property.

To ensure placement of the sidewalk, the City's recently recorded easement includes the flexibility to place the sidewalk within any portion of the vacated right-of-way once property boundaries are settled between the interested private parties.

Staff recommends approval of Ordinance No. 14-20 for first reading, by title only.

Fiscal Impact:

Minor staff time is needed to administer the vacation.

Attachments:

I. Ordinance No. 14-20

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 14-20

AN ORDINANCE of the City of Richland vacating
portions of Brantingham Road.

WHEREAS, adjacent property owners have requested that the City vacate two segments of Brantingham Road right-of-way between Keene Road and Melissa Street; and

WHEREAS, the right-of-way, as depicted by hatching on **Exhibits A** and **B**, is no longer needed for public road purposes because surrounding development has changed the street network; and

WHEREAS, easements for public infrastructure will be produced or reserved for utilities that will remain within the proposed vacated rights-of-way; and

WHEREAS, on May 5, 2020, Richland City Council adopted Resolution No. 57-20, setting June 16, 2020 at 6:00 p.m. in the City Hall Council Chambers as the time and place for said hearing; and

WHEREAS, on June 7, 2020, notice was published that a virtual public hearing would be held on June 16, 2020 to take public testimony on the proposed vacation action; and

WHEREAS, on June 16, 2020, a virtual public hearing consistent with Governor Inslee's Proclamation 20-28 was held by Richland City Council to receive public testimony; and

WHEREAS, public testimony supported vacation of the northerly segment, illustrated in **Exhibit B**, as proposed, and supported vacation of the southerly segment, illustrated in **Exhibit A**, subject to maintaining a property right to support pedestrian traffic across this segment; and

WHEREAS, consistent with the public testimony received, the City has prepared and recorded an easement deed to allow for accommodation of the pedestrian traffic.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The portions of Brantingham Road, as described and shown on **Exhibit A** and **Exhibit B**, are hereby declared to be vacated.

Section 2. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached exhibits, duly certified by the City Clerk as a true copy.

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2020.

Ryan Lukson, Mayor

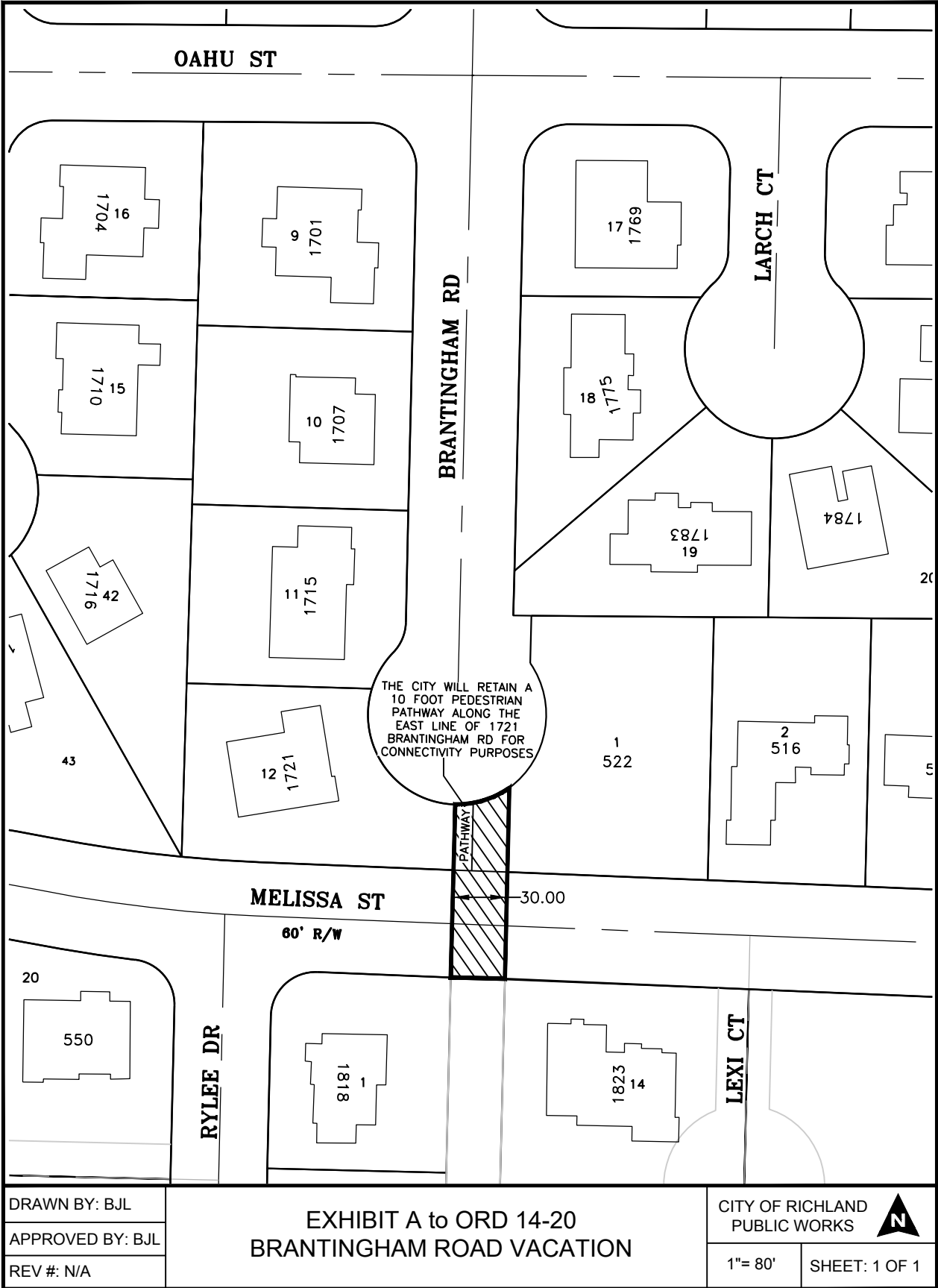
Attest:

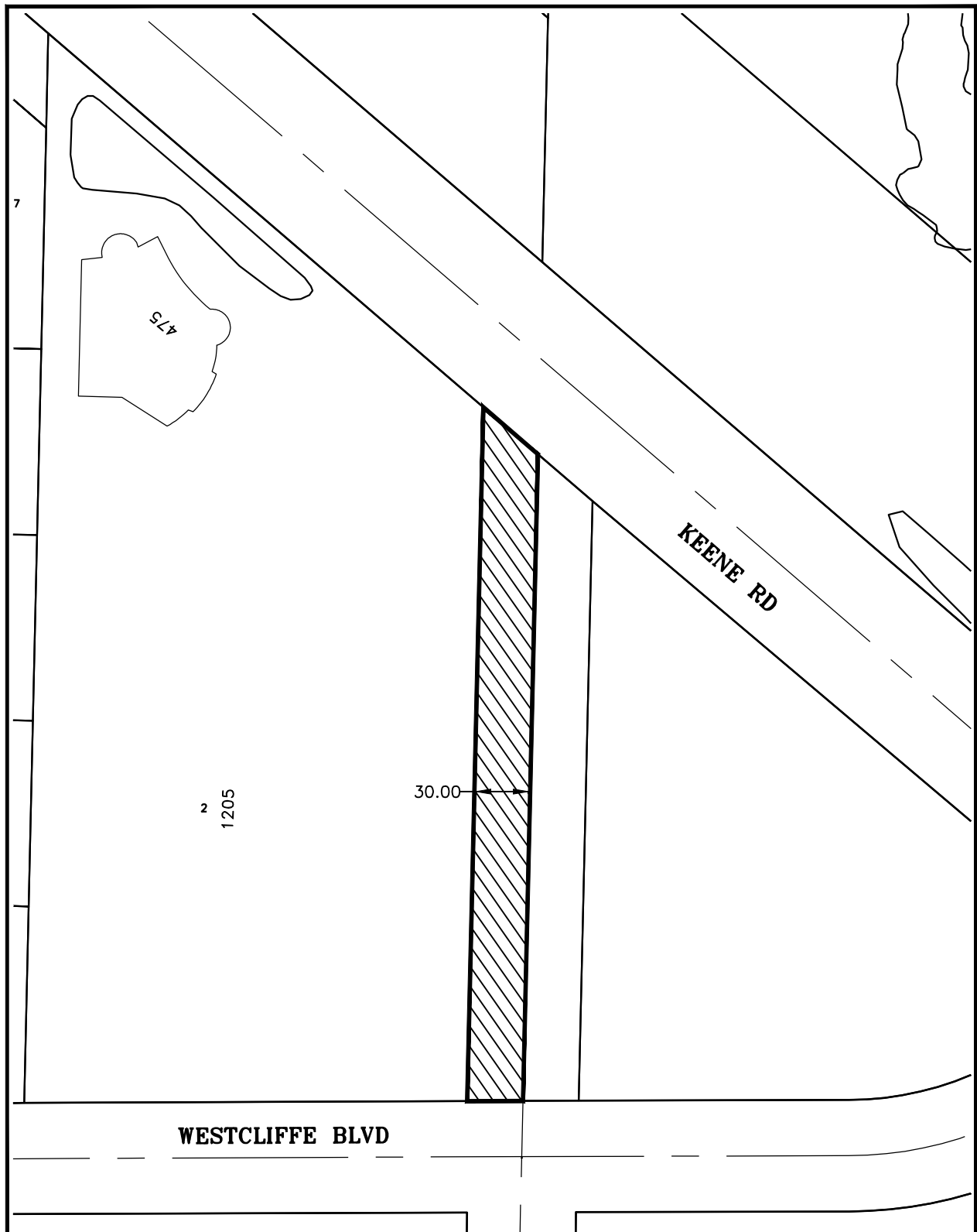
Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____





DRAWN BY: BJL	EXHIBIT B to ORD 14-20 BRANTINGHAM ROAD VACATION	CITY OF RICHLAND PUBLIC WORKS	
APPROVED BY: BJL		1"=100'	SHEET: 1 OF 1
REV #: N/A			



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 16-20, Amending Richland Municipal Code Sections 9.04.090 and 9.05.060 related to Coercion and Coercion – Domestic Violence

Department:

City Attorney

Ordinance/Resolution Number:

16-20

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 16-20, amending Richland Municipal Code Sections 9.04.090 and 9.05.060 to provide a penalty for the crimes of coercion and coercion – domestic violence.

Summary:

The City has need, from time to time, to amend the Richland Municipal Code (RMC) to remedy deficiencies or eliminate ambiguity.

It was recently discovered by the Richland City Prosecutor that when Richland Municipal Code Sections 9.04.090 and 9.05.060 were first adopted, the enabling legislation failed to include a penalty. Under state law, the crimes of coercion and coercion – domestic Violence (DV) are gross misdemeanors.

As part of the its broad police powers, the City is authorized to adopt the same or a less severe punishment for a crime provided for under state law, but cannot adopt a more severe punishment. This housekeeping update is necessary to adopt a penalty consist with that enforced under state law to avoid technical arguments related to perceived deficiencies in the City's criminal code.

Staff recommends approval of Ordinance No. 16-20 for first reading, by title only.

Fiscal Impact:

None.

Attachments:

I. Ordinance No. 16-20

ORDINANCE NO. 16-20

AN ORDINANCE of the City of Richland amending Richland Municipal Code Section 9.04.090 related to coercion and Richland Municipal Code Section 9.05.060 related to coercion – domestic violence.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code (RMC) to remedy deficiencies or eliminate ambiguity; and

WHEREAS, when Richland Municipal Code Sections 9.04.090 and 9.05.060 were first adopted, the enabling legislation failed to include a penalty; and

WHEREAS, under state law, the crimes of coercion and coercion – domestic Violence (DV) are gross misdemeanors; and

WHEREAS, the City is authorized to adopt the same or a less severe punishment for a crime provided for under state law, but cannot adopt a more severe punishment; and

WHEREAS, a penalty consist with that enforced under state law is appropriate and should be adopted to avoid technical arguments related to perceived deficiencies in the City's criminal code.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 9.04.090, entitled Coercion, as enacted by Ordinance No. 20-11, is hereby amended to read as follows:

9.04.090 Coercion.

A. A person is guilty of coercion if by use of a threat he or she compels or induces a person to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he or she has a legal right to engage in.

B. "Threat" as used in this section means:

1. To communicate, directly or indirectly, the intent to immediately use force against any person who is present at the time; or
2. Threats as defined in RCW 9A.04.110(27)(a) through (f) as those subsections may be amended from time to time.

[3. Coercion is a gross misdemeanor.](#)

Section 2. Richland Municipal Code Section 9.05.060, entitled Coercion – Domestic violence, as first enacted by Ordinance No. 20-11, is hereby amended to read as follows:

9.05.060 Coercion – Domestic violence.

A. A person is guilty of coercion if by use of a threat he or she compels or induces another family or household member to engage in conduct which the latter has a legal right to abstain from, or to abstain from conduct which he or she has a legal right to engage in.

B. “Threat” as used in this section means:

1. To communicate, directly or indirectly, the intent to immediately use force against another family or household member who is present at the time; or
2. Threats as defined in RCW 9A.04.110(27)(a) through (f) as those subsections may be amended from time to time.

[3. Coercion – Domestic Violence is a gross misdemeanor.](#)

Section 3. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 4. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener’s errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Ordinances - First Reading

Core Focus Area 3 - Increase Economic Vitality

Subject:

Ordinance No. 19-20, Amending Title 23 and the Official Zoning Map to Change Zoning on 98.16 Acres at Queensgate Drive and Legacy Lane (Sienna Hills)

Department:

Development Services

Ordinance/Resolution Number:

19-20

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 19-20, amending Richland Municipal Code Title 23 and the Official Zoning Map of the City of Richland to change zoning on 98.16 acres at Queensgate Drive and Legacy Lane.

Summary:

Sienna Hills Development, LLC on behalf of Richland Properties, LLC (Greg Johnson), applied to change zoning on approximately 98.16 acres from AG (Agriculture) to Low Density Residential (R-10-10), Medium Density Residential (R-2), and C-LB (Limited Business).

The Richland Hearings Examiner conducted a public hearing on December 9, 2019, and after careful consideration of all of the evidence and testimony presented, issued a written recommendation which determines that the proposed rezone, which has been requested in conjunction with a proposed 254-lot subdivision, would be consistent with the City's Comprehensive Plan so long as two (2) conditions are met regarding the proposed subdivision

In order to comply with local and state requirements, the proposed rezone needs to be approved prior to the proposed subdivision. As a result, this legislative action is coming before City Council on July 7, 2020, and the second reading of the rezone ordinance will occur on July 21, 2020 at the same meeting where preliminary plat approval for the proposed subdivision (Sienna Hills) will be considered.

Staff recommends approval of Ordinance No. 19-20 for first reading, by title only.

Fiscal Impact:

None

Attachments:

1. Ordinance No. 19-20
2. Z2019-106 - Sienna Hills Full Staff Report
3. Hearing Examiner's Sienna Hills Rezone Recommendation
4. Vicinity Map

WHEN RECORDED RETURN TO:

Richland City Clerk's Office
625 Swift Boulevard, MS-05
Richland, WA 99352

ORDINANCE NO. 19-20

AN ORDINANCE of the City of Richland amending Title 23: Zoning Regulations of the Richland Municipal Code and the Official Zoning Map of the City to change the zoning on 98.16 acres from Agriculture (AG) to Limited Business (C-LB), Medium Density Residential (R-2) and Low-Density Residential (R-1-10); said property being located approximately 900 feet south of the intersection of Queensgate Drive and Legacy Lane, and adopting the findings and conclusions of the Hearing Examiner as the findings and conclusions of the Richland City Council.

WHEREAS, on December 9, 2019, the Richland Hearing Examiner held a duly advertised public hearing to consider a petition from Sienna Hills Development, LLC on behalf of Richland Properties, LLC (Greg Johnson) to change the zoning of the property hereafter described in Section 2 and located approximately 900 feet south of the intersection of Queensgate Drive and Legacy Lane; and

WHEREAS, on March 3, 2020, the Richland Hearing Examiner issued a written decision recommending approval of the requested rezone; and

WHEREAS, the Richland City Council has considered the record created at the December 9, 2019 public hearing, and the written recommendation of the Richland Hearing Examiner.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. It is hereby found, as an exercise of the City's police power, that the best land use classifications for the land described below is Limited Business (C-LB), Medium-Density Residential (R-2), and Low-Density Residential (R-1-10) when consideration is given to the interest of the general public.

Section 2. Said property, depicted in **Exhibit A**, attached hereto and incorporated by this reference, is more particularly described as follows:

Legal Description: Parcel 1 of Record Survey No. 5031

Assessor's Tax Parcel No. 1-329-8300-0001-005

Section 3. Such property is rezoned from Agriculture (AG) to Limited Business (C-LB), Medium-Density Residential (R-2), and Low-Density Residential (R-1-10).

Section 4. Richland Municipal Code Title 23 and the Official Zoning Map of the City, as adopted by Section 23.08.040 of said Title, are hereby amended by amending Sectional Map Nos. 22 and 23, which are two of a series of maps constituting said Official Zoning Map, as shown on the attached **Exhibit B**, and bearing the number and date of passage of this Ordinance, and by this reference made a part of this Ordinance and of the Official Zoning Map of the City.

Section 5. The City Clerk is directed to file with the Auditor of Benton County, Washington, a copy of this Ordinance and the attached amended Sectional Map Nos. 22 and 23, duly certified by the City Clerk as a true copy.

Section 6. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

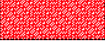
Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

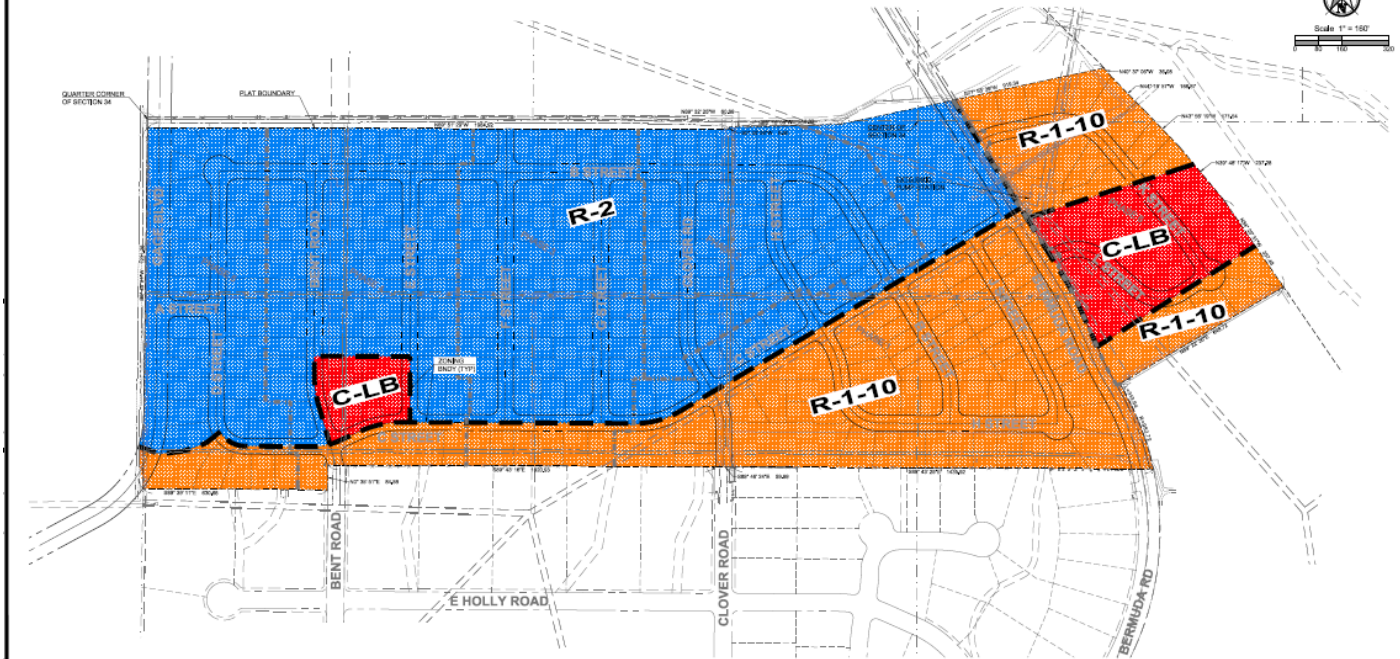
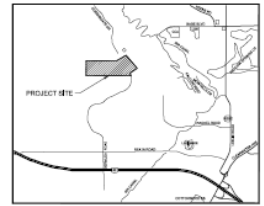
Date Published: _____

EXHIBIT A

ZONING BOUNDARY LEGEND

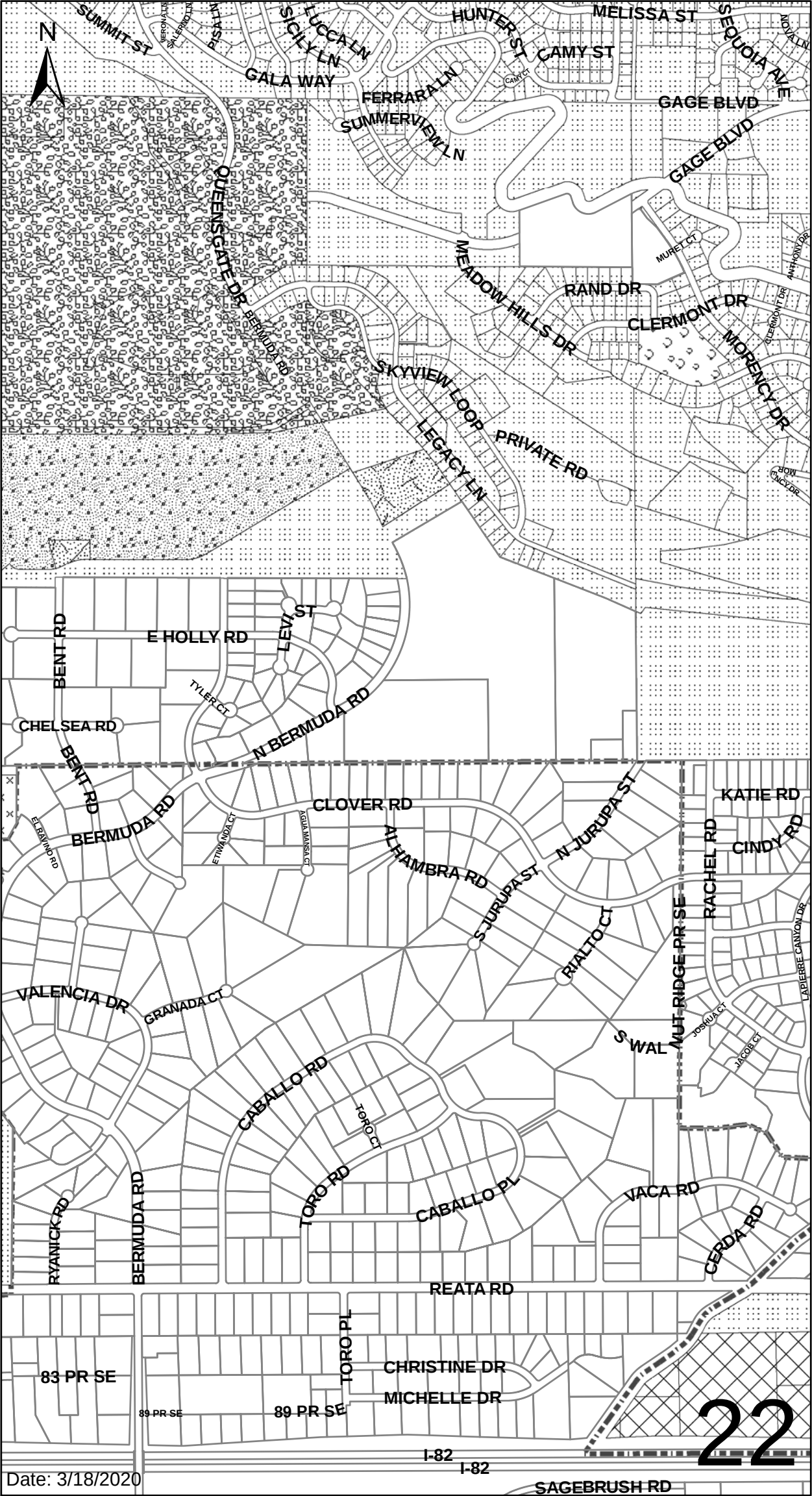
- ZONING BOUNDARY LINE
-  R-2 RESIDENTIAL ZONING
-  R-1-10 RESIDENTIAL ZONING
-  C-LB LIMITED BUSINESS ZONING

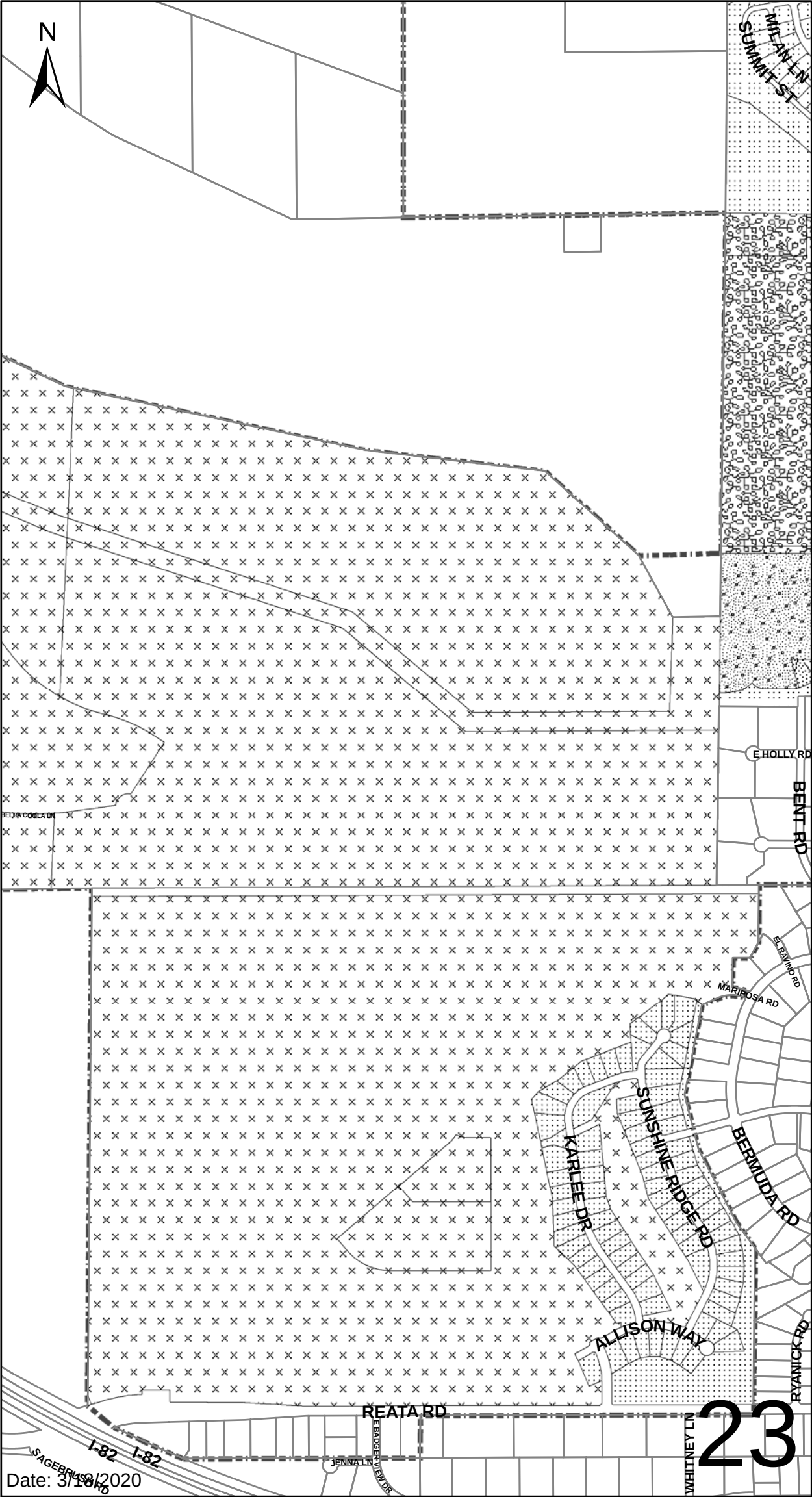
DATA SHOWN BASED ON CITY OF RICHLAND COMPREHENSIVE PLAN AND SIENNA HILLS DEVELOPMENT PROPOSED LOT LAYOUT.



11-18 City Street Frontal & 2004 R-1-10 Street Frontal No 1000, Year 10 Street Frontal No 1000 Modified & 1000 Street Frontal No 1000

Exhibit B
Official Zoning Maps Pages 22 & 23





**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Sienna Hills Rezone

LOCATION: The project site is located approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane (APN 1-34983000001005).

APPLICANT: Sienna Hills Development, LLC on behalf of Richland Properties, LLC (Greg Johnson)

FILE NO.: Z2019-106

DESCRIPTION: Request to change zoning of approximately 98.16 acres from AG (Agriculture) to Low Density Residential (R-1-10), Medium Density Residential (R-2), and C-LB (Limited Business).

PROJECT TYPE: Type 3 Site-Specific Rezone

HEARING DATE: December 9, 2019

REPORT BY: Mike Stevens, Planning Manager

RECOMMENDED ACTION: Approval

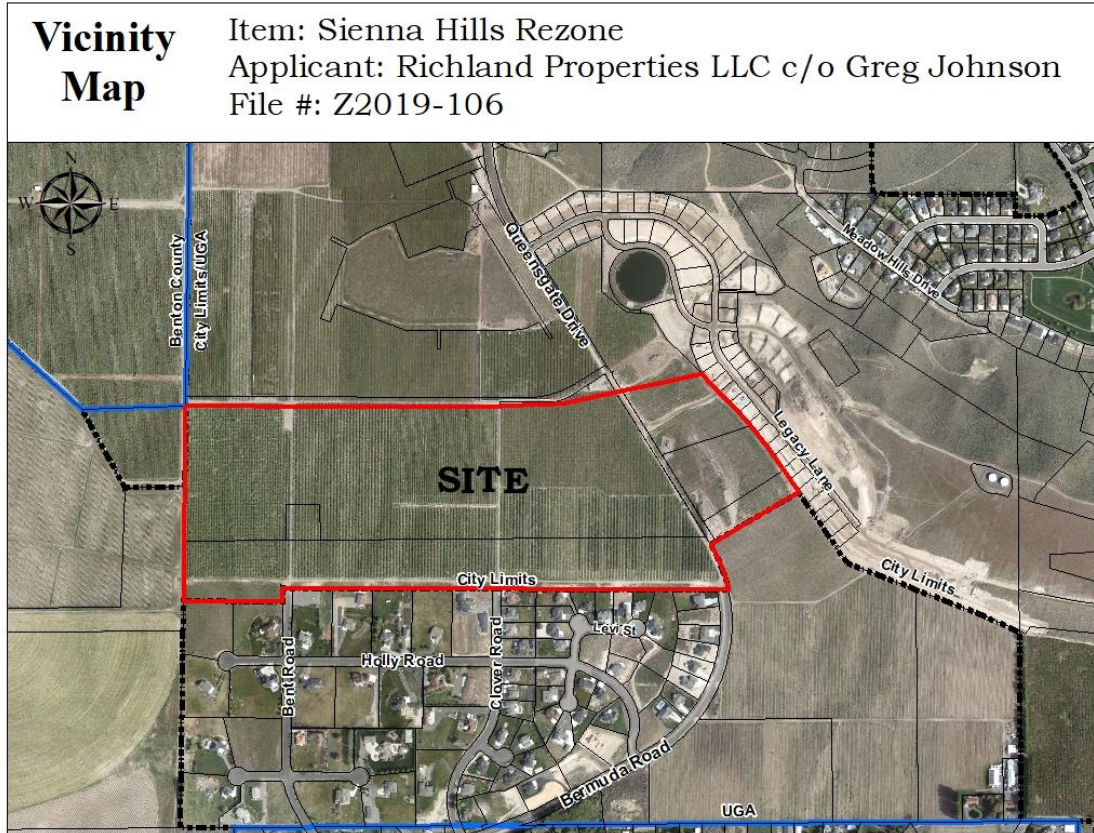


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

On October 8, 2019, Richland Properties, LLC filed an application (Exhibit 1) with the City petitioning to rezone a 98.16 acre site from Agriculture (AG) to Low Density Residential (R-1-10), Medium Density Residential (R-2) and C-LB (Limited Business). The purpose of this this request is to zone the site in a manner consistent with the city's Comprehensive Plan in order to prepare the site for subdivision and eventual sale.

SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of one parcel totaling approximately 98.16-acres lying approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane. The property is mostly rectangular in shape and measures approximately 1,150 feet north to south and approximately 3,824 feet east to west. The property slopes from north to south with an average grade change of approximately 60 feet. The site is accessed by an unimproved gravel driveway extending south from the Queensgate Drive/Legacy Lane intersection and north from the existing terminus of Bermuda Road.

The northern boundary abuts an existing orchard, while the southern boundary abuts residential homes located within unincorporated Benton County. The western boundary of the site abuts land used for various agricultural purposes, while the eastern boundary of the site abuts residential homes located within the city. An existing public road easement (Bermuda Road) bisects the site in the eastern portion of the property.

Until recently, the site was a productive apple orchard; however, the orchard was removed upon sale of the site to the current land owners.

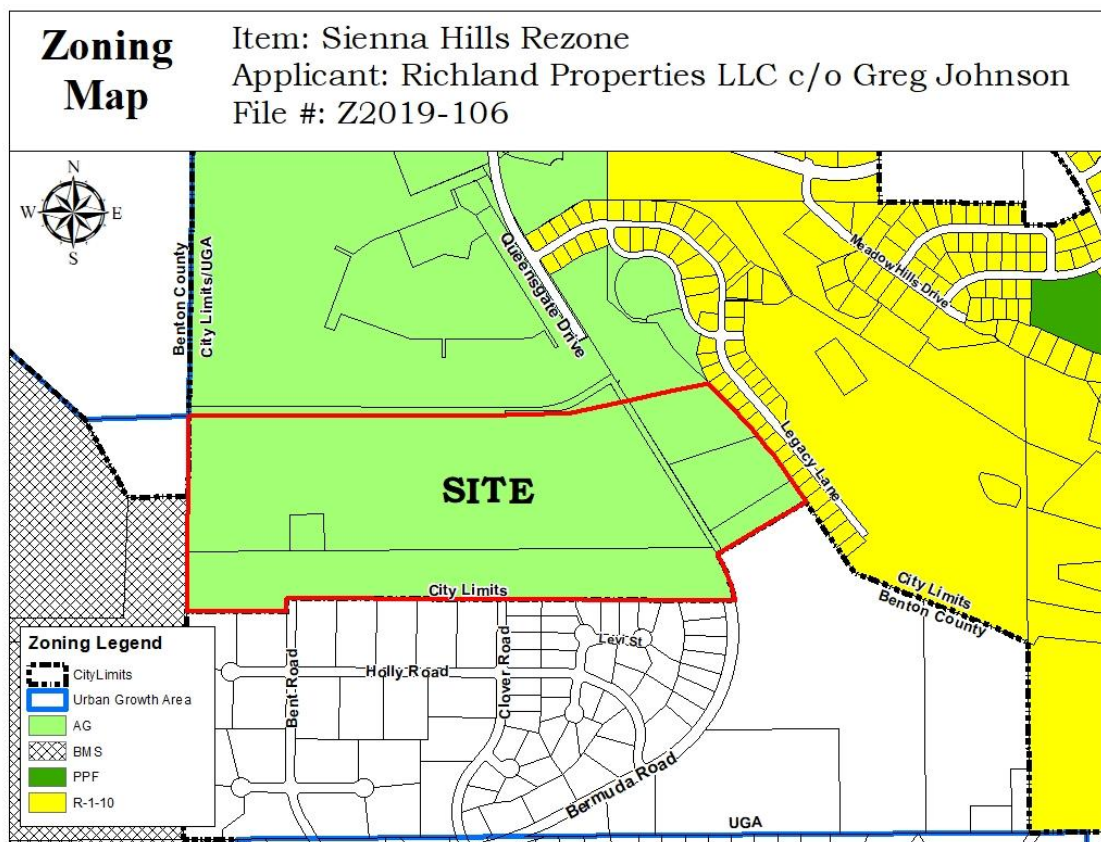


Figure 2 – Zoning Map

ZONING

The zoning map above illustrates the site's current AG zoning as well as the zoning assigned to adjacent and surrounding properties with properties located outside of the current city limits colored "white".

REQUESTED ZONING

Provided below is a list of zones being requested for assignment together with their associated cumulative acreages:

- 32.36 +/- acres to Low Density Residential (R-1-10)
- 58.96 +/- acres to Medium Density Residential (R-2)
- 7.83 +/- acres to Limited Business (C-LB)

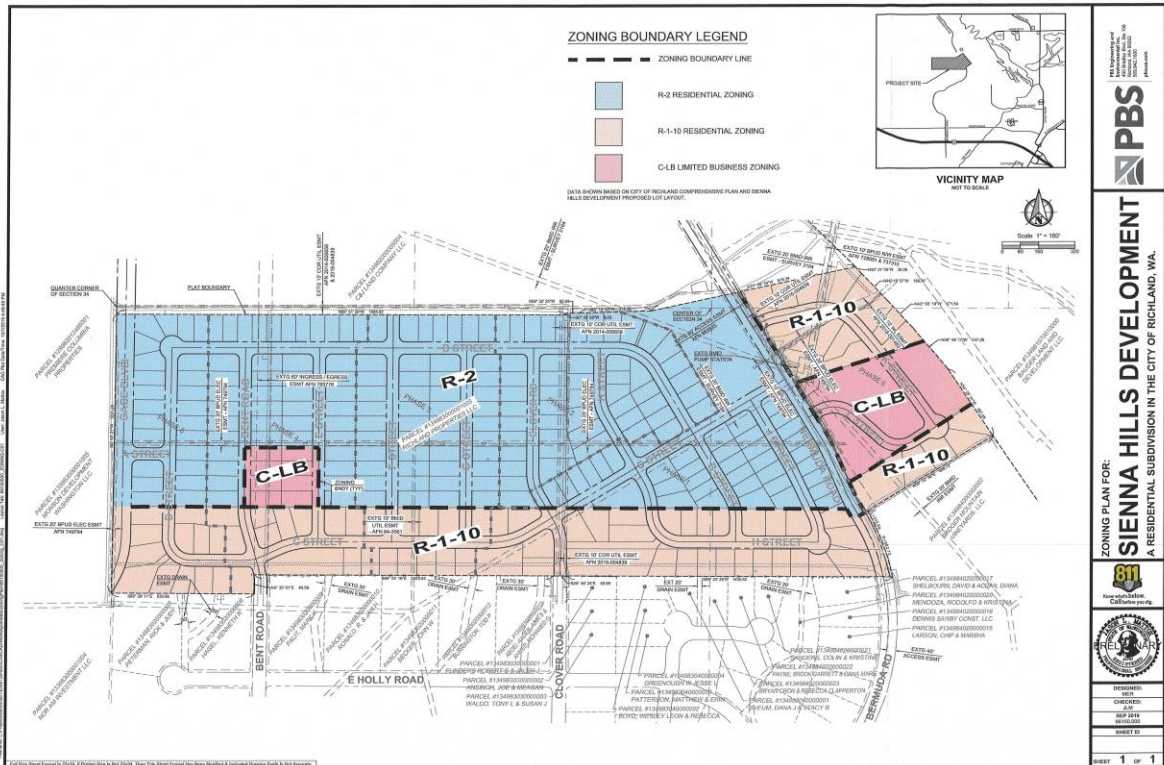


Figure 2.1 – Zoning Request Map

The R-1-10 (Single Family Residential) zone is a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan. Refer to RMC Section 22.18 for the list of land uses allowed in the R-1-10 zone.

The R-2 (Medium Density Residential) zone is a residential zone classification permitting a higher density of population including the establishment of duplex dwellings and providing for these single-and two-family residences a high degree of protection from hazards, objectionable influences, building congestion and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland

comprehensive plan. Refer to RMC Section 22.18 for the list of land uses allowed in the R-2 zone.

The C-LB (Limited Business) zone is a zone classification designed to provide an area for the location of buildings for professional and business offices, motels, hotels, and their associated accessory uses, and other compatible uses serving as an administrative district for the enhancement of the central business districts, with regulations to afford protection for developments in this and adjacent districts and in certain instances to provide a buffer zone between residential areas and other commercial and industrial districts. The zoning classification is intended to be applied to some portions of the city that are designated either commercial or high-density residential under the city of Richland comprehensive plan.

Cumulatively removing the AG zoning assignment from the site will take this 98.16-acres out of its reserved status; thereby opening the site to a variety of primarily residential development opportunities. Generally, AG zoning provides minimal purpose within a city's urban growth boundary as the zone is designed to restrict urban development which is counter to many of the goals found in the Comprehensive Plan aimed at promoting growth and development.

PUBLIC NOTICE

Application Date:	October 8, 2019
Notice of Hearing Mailed:	October 30, 2019
Notice of Hearing Posted:	October 31, 2019
Notice of Hearing Published:	November 10, 2019
Public Hearing:	December 9, 2019

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 2. As of the date of this report, several written public comment letters and two written agency comment letters were received. All comments are included herein as Exhibit 3.

UTILITY AVAILABILITY

Much of the utility infrastructure available to serve this site was installed as part of the neighboring plat to the east (Westcliffe Heights), through development of an extension of the Queensgate Drive right-of-way. Along with the southerly extension of Queensgate Drive came the extension of municipal sewer, water and electrical power (all underground). More detail about each service is provided below.

SEWER

The nearest sewer main available to serve Sienna Hills is located within the Queensgate right-of-way approximately 1,420 feet north of the subject plat site. The eight (8) inch sewer line was not extended to the end of the Queensgate right-of-way partly due to the fact that it does not serve Westcliffe Heights. Instead, sewage from Westcliffe Heights drains down the north slope of Little Badger Mountain. Said sewer main will need to be extended into the site to provide service.

WATER

A ten (10) inch water main was extended into the Sienna Hills site within the Queensgate Drive right-of-way and along the projected alignment of Queensgate Drive. This water main is available and is of adequate capacity to serve the site.

ELECTRICAL POWER

Richland Energy Services (RES), a municipal public utility district, will service development on the site. The site is currently crossed by power lines belonging to both RES and Benton PUD. A power line currently spans the entire north boundary of the plat site. Another power line extends from Clover Road to the north boundary of the site. These lines are in-place and cumulatively are of adequate capacity to serve the additional load demand created by the proposed Sienna Hills subdivision.

TRANSPORTATION

Access into the site and proposed plat will be achieved by connecting internal proposed roads to the following rights-of-way: Bermuda Road (County) from the south, Queensgate Drive (City) from the north, Clover Road and Bent Road (County) from the south.

SEPA

Environmental review was conducted as part of this rezone application as it is associated with and was noticed with the subsequent subdivision proposal. The city utilized the Optional DNS process (WAC 197-11-355). The comment period for the public notice and Optional DNS process expired on November 27, 2019. After comments were received and analyzed by staff, the city issued a Determination of Non-Significance (DNS) for the proposal on December 2, 2019 (Exhibit 4).

COMPREHENSIVE PLAN

The proposed rezone will occur upon property that is located within the City and, as proposed, will be consistent with the city's Comprehensive Plan, Badger Mountain Subarea Plan, which was adopted in 2010 (Exhibit 5).

It should be noted that the Badger Mountain Subarea Land Use Plan indicates that the subject property contains four (4) land use designations; however, the

city's GIS mapping database only includes three (3) land use designations. This discrepancy was discovered after the applicant's had conducted several pre-application meetings with the city and after the applicant's had made application for the rezone and associated preliminary plat. The fourth land use designation is titled Civic, which has been designated for parks, trails and open space, but does not include a corresponding zoning district. City staff has determined that due to the topography of the site, development of the three Open Space Tracts and three Stormwater Tracts, as has been proposed by the applicant as part of their subdivision proposal, along with additional right-of-way width associated with Gage Boulevard (room for future separated path) meets the intent of the Civic land use designation, although it will not be placed within the footprint of the Civic land use designation as shown on the Badger Mountain Subarea Land Use Map. The applicants had proposed the construction of an east/west pathway across the site; however, due to the topography of the site, the road crossings associated with such an amenity would have been difficult to construct and maintain given the topography of the site. Essentially, requiring the applicants to construct a park or trail within the area designated by the Badger Mountain Subarea Land Use Plan would likely result in a park or, more specifically, a trail/pathway that would not meet Americans with Disabilities Act (ADA) requirements or roadway slope requirements. As a result of these difficulties and the fact that the Civic Land Use Designation does not have a specific corresponding zoning district, city staff has determined that the intent of the Civic land use designation will be met with the Open Space and Stormwater Tracts and additional right-of-way width associated with Gage Boulevard.

The following Land Use Map illustrates the city's Comprehensive Plan Land Use Designations for the site as depicted by the city's GIS mapping database. As illustrated, the project site contains three (3) different land use designations; 1) Low-Density Residential 2) Medium-Density Residential and 3) Commercial. The R-1-10 zoning classification is intended to be applied to portions of the city that are designated Low-Density Residential. The R-2 zoning classification is intended to be applied to portions of the city designated Medium-Density Residential and C-LB is intended to be applied to portions of the city designated as either High-Density Residential or Commercial under the City of Richland Comprehensive Plan.

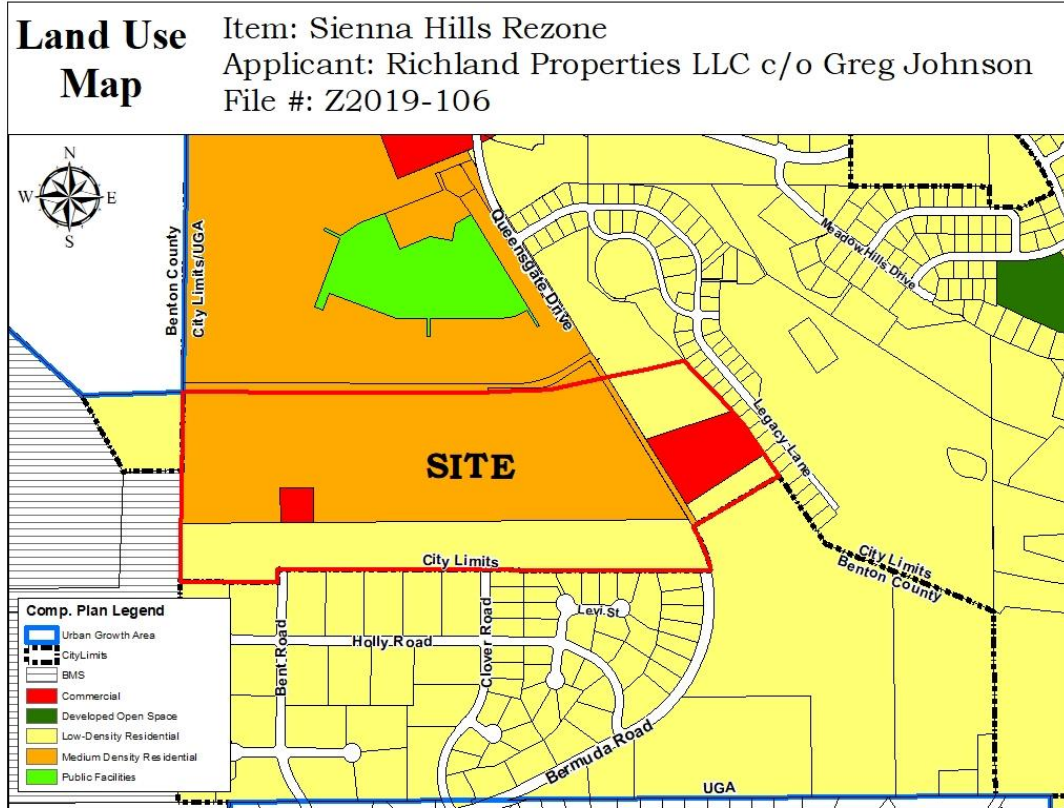


Figure 3 – Comprehensive Plan Map

The Comprehensive Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

Land Use Goal 1:

Plan for growth within the urban growth area and promote compatible land use.

Policy 2 - Facilitate planned growth and infill developments within the City.

Land Use Goal 2:

Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 - Maintain a variety of land use designations to accommodate appropriate residential [and] commercial... uses that will take advantage of the existing infrastructure network.

Land Use Goal 5:

Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1 – Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

The Badger Mountain Subarea Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

BMLU Policy 1.2 – Link development of the northeast portion of the Badger Mountain Subarea into the existing street network to the south and east, and over time, to the City's planned transportation network.

BMED Policy 6.7 – Capture emerging housing and commercial market growth by providing the necessary infrastructure.

BMHE Policy 3.1 – Support the development of residential neighborhoods that provide a variety of housing types, styles and densities to serve a broad spectrum of incomes, ages, and life stages.

BMLU Policy 5.6 Provide opportunities for multi-use civic facilities such as community centers, libraries, parks, schools, gazebos and other gathering places.

BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.

BACKGROUND

The subject site was annexed into the City in 2010 upon adoption of Ordinance No. 41-10.

The current Comprehensive Plan land use designation scheme (see Figure 3 above) is based off of the Badger Mountain Subarea Plan which was prepared in anticipation of the annexation. The rezone process at-hand is necessary to effectuate the land use planning efforts and to precisely establish permitted land uses as they apply to each proposed zoning district boundary.

It should be noted that the 2017 Comprehensive Plan Periodic Update contained a scrivener's error, which resulted in the entire site being designated as Low-Density Residential. This scrivener's error was discovered during the 2018-2019

annual Comprehensive Plan update and was rectified via Ordinance No. 38-19 (Exhibit 6).

ANALYSIS

The proposed zoning configuration (Figure 2.1) applies low-density residential (R-1-10) zoning to the southern portion of the site which sits adjacent to the properties located within unincorporated Benton County. This will result in larger lots being developed adjacent to the approximately one-acre sized lots located within the county's jurisdiction.

The remainder of the site will be zoned medium-density residential (R-2) or commercial (C-LB), which will be consistent with the adopted Badger Mountain Subarea Plan/City Comprehensive Plan. As indicated previously, the C-LB zoning allows for a variety of commercial and high-density residential uses, while the R-2 zoning is a medium-density residential district found throughout much of the city.

Finally, as discussed above, the applicant has proposed to develop and/or maintain several Open Space/Stormwater Tracts. These areas meet the intent of the Civic land use designation shown on the Badger Mountain Subarea Plan. The total acreage of the Civic land use designation is approximately 5.4 acres, while the total acreage devoted to Open Space, Stormwater and additional Gage Boulevard Right-of-Way totals over 6.6 acres.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2019-106) and recommends approval of the request based on the following:

1. The site is comprised of one parcel totaling approximately 98.16-acres in area;
2. The entire site is currently zoned AG (Agriculture);
3. The City of Richland Comprehensive Plan designates the subject site as suitable for low and medium-density residential land uses together with commercial land uses;
4. The site previously contained agricultural orchards, which were removed when the subject property was sold;
5. The site lies near or adjacent to segments of Queensgate Drive, Bermuda Road, Clover Road and Bent Road rights-of-way, contributing to potential access points;

6. Establishment of each respective zoning district is consistent with the intent of the Comprehensive Plan;
7. The proposed zoning district configuration is designed to ameliorate potential nuisances by provide a graduated increase in land use intensity as the distance away from existing residential neighborhoods increases;
8. The rezone request is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c); However, the City conducted SEPA review for the proposed rezone and associated preliminary plat. A SEPA DNS was issued by the City on December 2, 2019.
9. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland;
10. Much of the utility infrastructure available to serve this site was installed as part of the neighboring plat to the east (Westcliffe Heights), through development of an extension of the Queensgate Drive right-of-way. Along with the southerly extension of Queensgate Drive came the extension of municipal sewer, water and electrical power (all underground).
11. The Civic Land Use Designation does not have a specific corresponding zoning district.

EXHIBIT LIST

1. Rezone Application
2. Public Notices
3. Public Comments
4. SEPA DNS & Checklist
5. Badger Mountain South Subarea Plan
6. Ordinance No. 38-19
7. Comprehensive Plan Land Use Map (GIS version)
8. Zoning Map



Exhibit 1

City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
📠 (509) 942-7764

Zoning Map/Text Amendment Application

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Richland Properties LLC c/o Greg Johnson

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-888-9946

Email: greg@westparkco.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Sienna Hills Development, LLC

UBI#

Contact: Taylor Merrill

Address: 2463 E Gala Street, Suite 120, Meridian, ID 83642

Phone: 208-870-3432

Email: taylor@westparkco.com

DESCRIPTION OF WORK

Applicant is requesting that Parcel #134983000001005 consisting of approximately 98+ acres of land be rezoned from Agricultural (AG) designation to be consistent with the underlying comprehensive plan designations of Low Density Residential, Medium Density Residential and Commercial. The project would be seeking the following Zoning Designations: R-1-10 , R-2 , and C-LB. See attached mapping.

PROPERTY INFORMATION

Parcel #: 134983000001005

Legal Description: See attached title report

Current Zoning: AG

Current Comp Plan: See above

Requested Zoning: R-1-10, R-2, C-LB

Current Use: Vacant

Proposed Use: Residential

Area of Property: 98+ Acres

APPLICATION MUST INCLUDE

1. Completed Application and Filing Fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER QUESTIONS AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:

The property has been used as agricultural orchard ground for a number of years. Recently all the trees have been cut down on the site, and it is vacant.

Any hardship that may result in the event the rezone is not granted:

The ownership group purchased the property with the intention of developing for residential use, consistent with the comprehensive plan. If the rezone were not granted, the property would remain undeveloped and

The manner in which the proposed rezone conforms to patterns in adjacent zones:

Properties to the northeast have been developed for single family residential, properties to the south which are in the county have been developed for single family residential. The R-1-10 zone requested would be placed between the county residential properties and the R-2 zoned portion of the site.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

The property if remain undeveloped would not allow for extension of planned roadways in the area as identified on the City's transportation improvement plan. Extensions of both Queensgate and Gage are planned to extend through this property, if these transportation networks are not completed it will have effect on future properties transportation needs.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Granting of the rezone application would be consistent with the current comprehensive plan mapping for this areas as well as the goals and policies set in place by the City of Richland.

The benefits or detriments accruing to the city which would result from the granting or denial of this special permit:

A special permit is not being requested at this time.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The proposed rezone of the land represents a higher and better use to the City of Richland than the current designation of Ag. It achieves the goals set forth in the City's comprehensive plan goals related to residential development and seeks to achieve long range transportation goals set forth by the City.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The proposal does not represent spot zoning, at this time the applicant does not control any acreage outside the proposed parcel being considered for rezone.

Identify impacts on the environment and public safety:

There are no detrimental impacts to the environment or public safety that can be identified at this time by rezoning the property consistent with the current City of Richland comprehensive plan.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

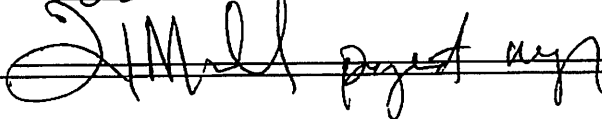
1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name:

BE DEVELOPMENT LLC

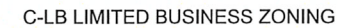
Applicant Signature:



Date

7.6.19

 ZONING BOUNDARY LINE

[illegible]

VICINITY MAP
NOT TO SCALE



Scale 1" = 160'

A horizontal scale bar with a black border. It is divided into four equal segments by three vertical tick marks. Below the bar, the numbers 0, 80, 160, and 320 are printed at the corresponding tick marks. The first segment (0 to 80) is white, the second (80 to 160) is shaded gray, the third (160 to 320) is white, and the fourth (320 to 320) is shaded gray.



Full Size Sheet Format Is 22x34; If Printed Size Is Not 22x34, Then This Sheet Format Has Been Modified & Indicated Drawing Scale Is Not Accurate.

ZONING PLAN FOR:

SIENNA HILLS DEVELOPMENT

A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



Know what's below.
Call before you dig.

DESIGNED:
MER

CHECKED:
JLM

SEP 2019
66150.000

SHEET ID

SHEET **1** OF **1**

SUBDIVISION

Issued By:



CHICAGO TITLE INSURANCE COMPANY

Guarantee/Certificate Number:

62241902202

CHICAGO TITLE INSURANCE COMPANY

a corporation, herein called the Company

GUARANTEES

Richland Properties LLC, an Idaho limited liability company

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Chicago Title Company of Washington
6416 W. Okanogan Avenue
Kennewick, WA 99336

Countersigned By:

Authorized Officer or Agent



ISSUING OFFICE:

Title Officer: Christopher Hull
Chicago Title Company of Washington
6416 W. Okanogan Avenue
Kennewick, WA 99336
Phone: 509-783-7833 Fax: 509-735-6297
Main Phone: (509)783-7833
Email: Christopher.Hull@ctt.com

SCHEDULE A

Liability	Premium	Tax
\$1,000.00	\$350.00	\$30.10

Effective Date: August 30, 2019 at 08:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is vested in:

Richland Properties LLC, an Idaho limited liability company

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

END OF SCHEDULE A

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 134983000001005 and 134983000001006

That portion of Section 34, Township 9 North, Range 28 East Willamette Meridian, Benton County, Washington, described as follows:

Beginning at the West Quarter corner of said Section 34; thence South 0°45'17" West 29.94 feet along the West line of said Section 34 to the North line of that parcel described as Parcel #1349883000001004 in Quit Claim Deed recorded in Auditor's File Number 2012-016993, records of Benton County and the True Point of Beginning; thence South 89°51'27" East 1985.27 feet along said North line; thence North 00°31'00" East 8.00 feet along said North line; thence leaving said North line South 89°32'23" East 60.90 feet; thence North 88°15'10" East 318.36 feet; thence North 77°55'41" East 919.16 feet to the East line of that parcel described in Quit Claim Deed recorded under Auditor's File No. 2017-023127, records of Benton County; thence South 40°37'06" East 36.56 feet along said East line; thence South 44°19'57" East 166.89 feet along said East line; thence South 43°56'19" East 171.56 feet along said East line; thence South 39°48'17" East 237.31 feet along said East line; thence South 34°28'56" East 357.52 feet along said East line; thence South 59°24'00" West 648.57 feet along said East line to the beginning of a non-tangent curve concave to the Southwest having a radius of 982.83 feet, thence Southeasterly 313.74 feet along the arc of said curve and along said East line through a central angle of 18°17'25" (The long chord of said curve bears South 21°21'36" East 312.41 feet) thence North 89°43'46" West, 73.91 feet to the Northeast corner of Lot 17 of the plat of Hidden Hills Phase 3, according to the plat thereof recorded in Volume 15 of Plats, Page 537, records of Benton County; thence the following 18 courses along the North line of said plat, and along the North lines of the Plat of Hidden Hills Phase 2 and the Plat of Hidden Hills Phase 1 and the Plat of Badger Mountain Plateau, recorded in Volume 15 of Plats, Pages 477, 402 and 196 respectively; thence North 89°43'18" West 281.61 feet; thence North 89°44'41" West 103.66 feet; thence North 89°44'00" West 148.45 feet; thence North 89°38'40" West 118.16 feet; thence North 89°44'19" West 114.71 feet; thence North 89°43'36" West 163.52 feet; thence North 89°42'15" West 212.10 feet; thence North 89°43'45" West 219.93 feet; thence North 89°55'56" West 60.07 feet; thence North 89°42'23" West 251.19 feet; thence North 89°42'18" West 252.59 feet; thence North 89°44'16" West 252.40 feet; thence North 89°42'49" West 60.00 feet; thence South 00°43'02" West 84.49 feet; thence North 89°40'06" West 315.56 feet; thence North 89°38'49" West 315.08 feet to the West line of said Section 34; thence North 00°45'17" East 1231.43 feet along said West line to the True Point of Beginning.

(ALSO KNOWN as New Parcel 1 of Record Survey 5031 recorded June 26, 2018 under Auditor's File No. 2018-018513)

SCHEDULE B

1. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2019
Tax Account No.: 134983000001005
Levy Code: R6
Assessed Value-Land: \$1,227,240.00
Assessed Value-Improvements: \$452,160.00

General and Special Taxes:
Billed: \$9,068.27
Paid: \$4,534.18
Unpaid: \$4,534.09
2. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2019
Tax Account No.: 134983000001006
Levy Code: R6
Assessed Value-Land: \$4,040.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:
Billed: \$60.47
Paid: \$30.27
Unpaid: \$30.20
3. Terms, covenants and conditions contained in application for Current Use Classification, entered into pursuant to RCW 84.34 (including potential liability for future applicable taxes, special benefit assessments levied by local governments, penalties and interest upon breach of, or withdrawal from, said classification); notice of approval being recorded, under Auditor's File No. 815369:
Classification: Farm and agricultural
4. Rights-of-way for pipelines, ditches, canals, flumes, if any cross said premises, together with the right to enter thereon for the purpose of repair and maintenance thereof.
5. Easement and the terms and conditions thereof:
Grantee: Badger Mountain Irrigation District, a public corporation
Purpose: to construct, repair, replace, operate and maintain pipelines and appurtenant structures
Area Affected: portion of said premises and other property
Recorded: 01/13/1977
Recording Number: 718936
6. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 05/26/1977
Recording Number: 728681
Affects: portion of said premises and other property

SCHEDULE B

(continued)

7. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 09/15/1977
Recording Number: 737310
Affects: portion of said premises and other property
- The effect of Quit Claim Deed recorded 10/23/2002 under Recording No. 2002-041154.
8. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 09/15/1977
Recording Number: 737311
Affects: portion of said premises and other property
- The effect of Quit Claim Deed recorded 10/23/2002 under Recording No. 2002-041156.
9. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 02/08/1978
Recording Number: 749794
Affects: Portion of said premises and other property
10. Easement and the terms and conditions thereof:
Purpose: Ingress and egress
Area Affected: 60 foot strip over portion of said premises and other property
Recorded: 07/28/1978
Recording Number: 765776
11. Easement and the terms and conditions thereof:
Purpose: Access
Area Affected: portion of said premises and other property
Recorded: 06/15/1982
Recording Number: 862635
12. Easement and the terms and conditions thereof:
Purpose: Ingress-egress, utility and irrigation
Area Affected: 60 foot strip over a portion of said premises and other property
Recorded: 07/17/1984
Recording Number: 898901

SCHEDULE B

(continued)

13. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Badger Mountain Irrigation District
Purpose: Utility Easement
Recording Date: October 9, 1984
Recording No.: 84-3561
14. Easement and the terms and conditions thereof:
Grantee: Milo Bauder and Donna L. Bauder, husband and wife
Purpose: Ingress and egress
Area Affected: portion of said premises and other property
Recorded: 10/08/1987
Recording Number: 87-16073
15. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: Public Utility District No. 1 of Benton County
Purpose: Electric Distribution Lines
Recording Date: October 13, 1988
Recording No.: 88-12284
16. Amended and restated interlocal agreement between Benton County and the City of Richland recorded December 12, 2006 under Auditor's File No. 2006-040708.
17. Terms and Conditions of Ordinance No. 41-10 recorded January 5, 2011 under Auditor's File No. 2011-000610.
18. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Utility Easement
Recording Date: March 24, 2014
Recording No.: 2014-006658
19. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Utility Easement
Recording Date: February 23, 2016
Recording No.: 2016-4839
20. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:
- Granted to: City of Richland
Purpose: Waterline Easement
Recording Date: January 17, 2018
Recording No.: 2018-1483
21. Sewer Latecomers Ageement and the Terms and Conditions thereof between the City of Richland and Pahlisch Homes at Westcliffe Heights LLC recorded September 5, 2018 under Auditor's File No. 2018-26345 and First Amendment recorded June 3, 2019 under Auditor's File No. 2019-014443.

SCHEDULE B

(continued)

22. A Mortgage to secure an indebtedness in the amount shown below,

Amount: \$2,600,000.00
Dated: January, 2019
Mortgagor: Richland Properties, LLC, an Idaho limited liability company
Mortgagee: John Roeder
Recording Date: January 18, 2019
Recording No: 2019-001555

23. A financing statement as follows:

Debtor: Richland Properties, LLC
Secured Party: John Roeder
Recording Date: January 18, 2019
Recording No.: 2019-001556

END OF SCHEDULE B

FILED BY 87-16073

OCT 8 2 55 PM '87

RECORDED IN VOL 496
DEPUTY

EASEMENT

PARTIES

1.1 Grantor. BADGER MOUNTAIN ORCHARDS, a Washington general partnership, and DAVID G. DETRO and PATRICIA A. DETRO.

1.2 Grantee. MILO BAUDER and DONNA L. BAUDER, husband and wife.

EASEMENT

2.1 Grant of Perpetual Easement. Grantor hereby grants to Grantee an easement as described herein of the type described herein for the purposes described herein.

2.2 Purpose. The purpose of this easement is ingress and egress.

2.3 Consideration. This easement is for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration.

2.4 Benefited Property. This easement is to benefit the following described real property situated in the County of Benton, State of Washington:

See Exhibit "A".

1% EXCISE TAX NOT REQUIRED
BENTON CO. TAX DIVISION
BY L. Oldfield DEPUTY
110-8-87

JEFFERS, DANIELSON, SOHN & AYLWARD, P.S.
ATTORNEYS AT LAW
317 N. Mission, P.O. Box 1688
Telephone (509) 652-3695
Wenatchee, Washington 98801

Easement

- 1 -

SAFECO TITLE INSURANCE CO.

1 2.5 Burdened Property. This easement is an easement
2 to burden the following described real property situated in the
3 County of Benton, State of Washington:

4 See Exhibit "B"

5 2.6 Term of Easement. The term of this easement is
6 perpetual.

7 2.7 Type of Easement. This easement is an appurtenant
8 easement.

9 2.8 Maintenance and Repair. The cost of any mainte-
10 nance and repair of the above easement shall be borne by the
11 Grantee herein.

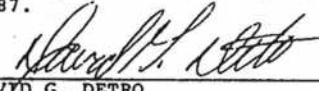
12 The benefits and burdens granted and imposed by this
13 instrument shall run with the lands described herein.

14 DATED this 6 day of October, 1987.

15 "GRANTOR"

16 BADGER MOUNTAIN ORCHARDS,
17 a Washington General Partnership

18 
19 DAVID G. DETRO, Partner Acting
20 on behalf of all partners
21 pursuant to Badger Mountain
22 Orchards Amendment to Partner-
23 ship Agreement dated September 30,
24 1987.

25 
26 DAVID G. DETRO

JEFFERS, DANIELSON, SONN & AYLWARD, P.S.
ATTORNEYS AT LAW
317 N. Mission, P.O. Box 1088
Telephone (509) 862-3885
Wenatchee, Washington 98801

Easement

- 2 -

1 Patricia A. Detro
2 PATRICIA A. DETRO, by

3 David G. Detro
4 DAVID G. DETRO, Her Attorney In
5 Fact pursuant to a Power of
6 Attorney dated September 29,
7 1987.

8 STATE OF WASHINGTON)
9) ss.
10 COUNTY OF Celan)

11 I CERTIFY that I know or have satisfactory evidence
12 that DAVID G. DETRO signed this instrument, on oath stated that
13 he was authorized to execute the instrument and acknowledged it
14 as Acting Partner on behalf of all partners to BADGER MOUNTAIN
15 ORCHARDS Amendment to Partnership Agreement dated September 30,
16 1987, to be the free and voluntary act of such party for the uses
17 and purposes mentioned in the instrument.

18 DATED this 6th day of October, 1987

19 John A. Bader
20 NOTARY PUBLIC for the State of
21 Washington.
22 My commission expires 10-21-88

23 STATE OF WASHINGTON)
24) ss.
COUNTY OF Celan)

25 I CERTIFY that I know or have satisfactory evidence
26 that DAVID G. DETRO ^{individually and} as Attorney In Fact of PATRICIA A. DETRO
27 under Power of Attorney dated September 29, 1987, signed this
28 instrument and acknowledged it to be his free and voluntary act
29 for the uses and purposes mentioned in the instrument.

30 DATED this 6th day of October, 1987

31 John A. Bader
32 NOTARY PUBLIC for the State of
33 Washington.
34 My commission expires 10-21-88

JEFFERS, DANIELSON & ASSOCIATES, P.S.
ATTORNEYS
317 N. Mission, P.O. Box 1888
Telephone (509) 662-3686
Wenatchee, Washington 98801

Easement
hul

EXHIBIT A

Section 34, Township 9 North, Range 28 East, W.M., Benton County,
Washington,
EXCEPT the North one-half of the Northeast Quarter: and
That portion of Section 35, Township 9 North, Range 28 East,
W.M., Benton County, lying Southerly and Westerly of the Kennewick
Irrigation District East Badger Lateral Canal Right-of-Way

EXHIBIT "B"

LEGAL DESCRIPTION

Easement for Ingress and Egress

Beginning at the Southwest corner of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington; thence North 89° 31'37" East along the South line thereof a distance of 2151.94 feet; thence North 73°58'01" East a distance of 6.05 feet to a point of curve; thence Northeasterly along a curve to the left having a central angle of 12°00'00" and a radius of 1000.00 feet, an arc distance of 209.44 feet; thence North 61°58'01" East a distance of 700.00 feet to a point of curve; thence along a curve to the left having a central angle of 92°33'37" and a radius of 982.83 feet, an arc distance of 1,587.74 feet; thence North 59°24'24" East, radial to said curve a distance of 40.00 feet to a point on a curve; thence Northwestwardly along a curve to the left having a central angle of 01°23'43", a radius of 1022.83 feet and a chord bearing North 31°17'15" West, an arc distance of 24.91 feet; thence North 31°59'19" West a distance of 1229.02 feet; thence North 58°00'41" East a distance of 199.00 feet to a point of curve; thence Northeasterly along a curve to the right having a central angle of 42°25'13" and a radius of 295.00 feet, an arc distance of 218.41 feet to the True Point of Beginning; thence South 79°34'06" East a distance of 1000.00 feet; thence North 10°25'54" East a distance of 60.00 feet; thence North 79°34'06" West a distance of 1000.00 feet; thence South 10°25'54" West a distance of 60.00 feet to the True Point of Beginning.

Return To: Benton P.U.D.
PO Box 6270
Kennewick, WA 99336



EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY Michael Johnson 10/23/02 DEPUTY
Easement

QUIT CLAIM DEED

The Grantor: PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON
for and in consideration of Mutual Covenants and Other Valuable Consideration, conveys and
quit claims to OWNERS OF RECORD, the following described real estate, situated in the
County of Benton, State of Washington:

Assessor's Property Tax Parcel Acct. #: 1-3498-100-0006-003

An easement 10.00 feet wide, 5.00 feet on each side of a centerline, described as follows:

Beginning at the Northeast corner of Section 34, Township 9 North, Range 28 East, W.M., in
Benton County, Washington; thence South 00°33'35" East, 1321.22 feet to the existing one-
sixteenth corner; thence South 00°33'35" East, 5.41 feet to the TRUE POINT OF BEGINNING;
thence South 84°44'34" West, 347.52 feet; thence South 69°19'30" West, 1779.30 feet, to the
final point, as shown on attached Exhibit "A"

This deed is given as a conveyance and abandonment of all right, title and interest in the above
described property as acquired under that certain easement of record under Auditor's File No.
737310.

PORTION ONLY, SEE ATTACHED EXHIBIT "A"

JO# Map# 92834
Eng. Sup.

Page 1 of 2

\\BPUD_1\VOL1\ENGINEER\ENG\W-qtclaims\bauderquitclaim1.doc

Dated this 22ND day of OCTOBER, 2002.

PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON

BY: Robert G. Graves
President

ATTEST: Jeffrey D. Hall
Secretary

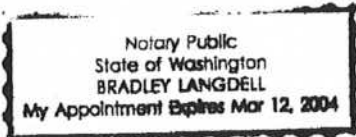
ACKNOWLEDGEMENT OF CORPORATION

STATE OF WASHINGTON

County of BENTON } ss.

On this 22ND day of OCTOBER, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, certify that I know or have satisfactory evidence that ROBERT G. GRAVES (VICE PRESIDENT) and JEFFREY D. HALL (ASSISTANT SECRETARY) known to me to be the President and Secretary of the Commission of Public Utility District No. 1 of Benton County and said person(s) acknowledged that he/they signed this instrument as his/their free and voluntary act for the uses and purposes mentioned in the instrument.

Witness my hand and an official seal hereto affixed the day and year first above written.

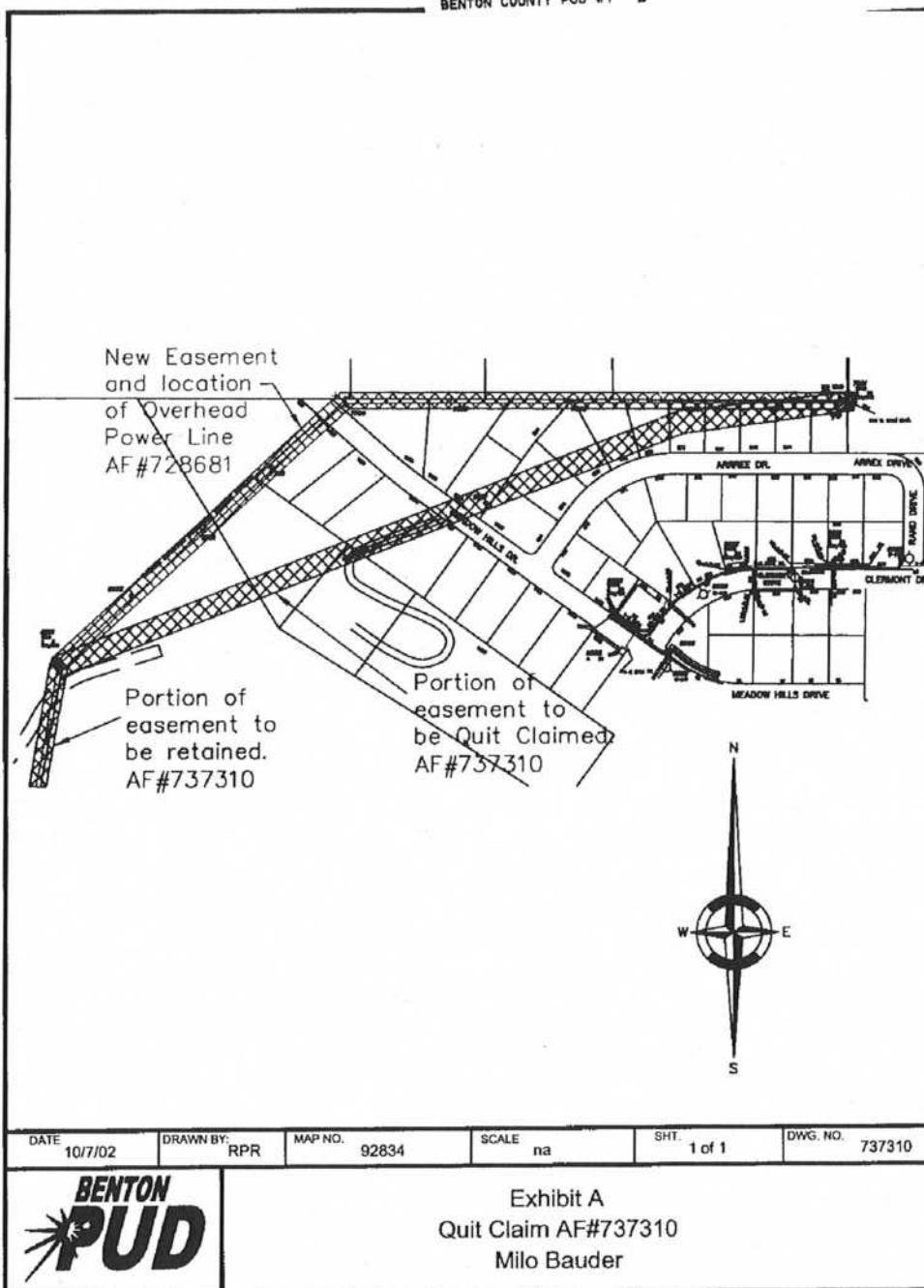


Notary Signature Bradley Langdell
My Commission Expires MAR 12, 2004

NOTARY SEAL-Recordable Document, Please follow RCW 65.04



2002-041154
Pg: 3 of 3
10/23/2002 02:49P
Benton County



Return To: Benton P.U.D.
PO Box 6270
Kennewick, WA 99336



EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY Michelle Johnson DEPUTY
Easement 10/23/02

QUIT CLAIM DEED

The Grantor: PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON
for and in consideration of Mutual Covenants and Other Valuable Consideration, conveys and
quit claims to OWNERS OF RECORD, the following described real estate, situated in the
County of Benton, State of Washington:

Assessor's Property Tax Parcel Acct. #: 1-3498-100-0006-003

Beginning at the Northwest corner of Section 34, Township 9 North, Range 28 East, W.M., in
Benton County, Washington; thence South 00°33'35" East a distance of 1321.22 feet to the
existing one-sixteenth corner; thence South 00°33'35" East a distance of 5.41 feet and the TRUE
POINT OF BEGINNING;

Thence South 84°44'34" West 347.52 feet to the POINT OF BEGINNING of Parcel "A"; thence
North 12°57'58" West 40.00 feet to the final point of Parcel "A"; thence continuing from the
final point of Parcel "A" South 12°57'58" East 40.00 feet; thence South 69°19'30" West 1779.03
to the TERMINUS of easement as shown on attached Exhibit "A"

This deed is given as a conveyance and abandonment of all right, title and interest in the above
described property as acquired under that certain easement of record under Auditor's File No.
737311.

PORTION ONLY, SEE ATTACHED EXHIBIT "A"

JO# Map# 92834
Eng. Sup.

Page 1 of 2

\\BPUD_1\VOL1\ENGINEER\ENG\W-qclaims\bauderquitclaim2.doc

Dated this 22ND day of OCTOBER, 2002.

PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON

BY:

Robert G. Graves
President

ATTEST:

Jeffrey D. Hall
Secretary

ACKNOWLEDGEMENT OF CORPORATION

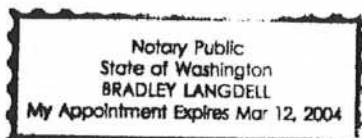
STATE OF WASHINGTON

County of BENTON } ss.

On this 22ND day of OCTOBER, 2002, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, certify that I know or have satisfactory evidence that

ROBERT G. GRAVES (VICE PRESIDENT) and JEFFREY D. HALL (ASSISTANT SECRETARY) known to me to be the President and Secretary of the Commission of Public Utility District No. 1 of Benton County and said person(s) acknowledged that he/they signed this instrument as his/their free and voluntary act for the uses and purposes mentioned in the instrument.

Witness my hand and official seal hereto affixed the day and year first above written.



Notary Signature Bradley Langdell

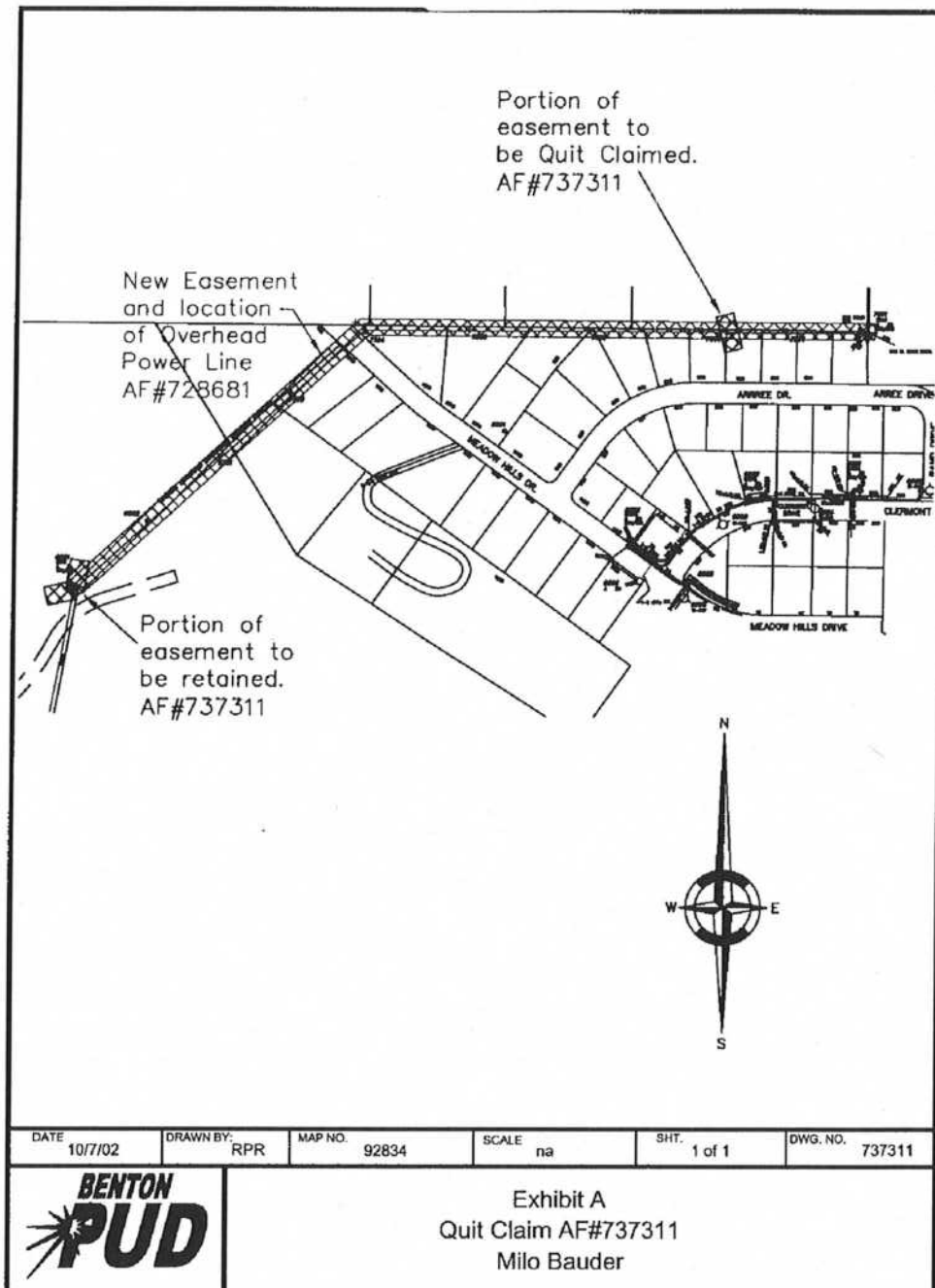
My Commission Expires MAR 12, 2004

NOTARY SEAL-Recordable Document, Please follow RCW 65.04



2002-041156
Pg: 3 of 3
10/23/2002 02:48P
Benton County

BENTON COUNTY PUD #1 D 21.00



Return Name and Address:
Benton County Commissioners

P.O. Box 190
Prosser, WA 99350

PLEASE PRINT OR TYPE INFORMATION:

Document Title(s)(or transactions contained therein):

1. Amended and Restated Interlocal Agreement

Grantor(s)(Last name first, first name, middle initials):

1. Benton County

2.

Additional names on page _____ of document.

Grantee(s)(Last name first, first name, middle initials):

1. City of Richland

2.

Additional names on page _____ of document.

Legal description (abbreviated: i.e., lot, block, plat or section, township, range, qtr./qtr.)

Additional legal is on page _____ of document.

Reference Number(s) of documents assigned or released: none

Additional numbers on page _____ of document.

Assessor's Property Tax Parcel/Account Number:

Additional parcel numbers on page _____ of document.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

**AMENDED AND RESTATED INTERLOCAL AGREEMENT
BETWEEN
BENTON COUNTY AND THE CITY OF RICHLAND
REGARDING CITY OF RICHLAND URBAN GROWTH AREA EXPANSION
REQUEST - FILE NO. CPA 03-2**

1. Date and Parties.

This Agreement, for reference purposes only, is dated the 4th day of December, 2006, and is entered into by and between Benton County (hereinafter the "County"), a political subdivision of the State of Washington, and the City of Richland, a non-charter code city, organized under the laws of the State of Washington (hereinafter "City").

2. Purpose and History.

A. On January 24, 2001, the County gave approval of the preliminary plans for the Badger Mountain Golf and Country Club Planned Development and granted preliminary approval of a zone change for the approximately 1707 acres therein from Agricultural to Planned Development under County File Nos. PD 94-1 and ZC 94-1 (hereinafter the "Badger Mountain PD"). The Badger Mountain PD application was submitted on January 3, 1994, and complied with the density restrictions then in effect in the County. More stringent density restrictions consistent with the Growth Management Act that preclude urban development outside of Urban Growth Areas were subsequently adopted by the County in July of 1994, but were not and could not be applied to the Badger Mountain PD application that was submitted before the effective date of the new density restrictions.

B. In 2003, the City requested that the County amend its Comprehensive Plan to expand the City's urban growth area ("UGA") by approximately 3000 acres in order to accommodate the City's projected population growth for the next 20 years. The City's request included the entire Badger Mountain PD as well as land not within the Badger Mountain PD and was assigned County file number CPA 03-2. County staff determined that the City had actually requested slightly more than 2900 acres. County staff, subject to certain conditions, subsequently recommended that approximately 454 acres not requested by the City be added to the UGA expansion under CPA 03-2 and that the approximately 78 acres south of I-82 designated as Urban Reserve Tracts X and Y on the Badger Mountain PD be excluded from the City's requested UGA expansion. These changes resulted in approximately 3322 acres being recommended for addition to the City's UGA under CPA 03-2. The City and the County entered into an Interlocal Agreement dated January 31, 2005 regarding that acreage, and the County Board of Commissioners approved the addition of 3322 acres to the City of Richland's

UGA. The County's approval was appealed to the Eastern Washington Growth Management Hearings Board (GMB).

C. In 2005, the GMB ruled that the approved expansion to the City's UGA was approximately 1200 acres in excess of what the City needed to meet its 20 year growth projection, and that the County and City erred in approving a UGA addition without an accompanying update of their Capital Facilities Elements and a plan for utilities and transportation facilities in the expanded UGA area. The GMB therefore ordered the County to take action to comply with the GMB decision.

D. In 2006, the City submitted to the County an amended proposal to add approximately 2100 acres to its UGA, and also submitted a Capital Facilities Plan to the County for the proposed UGA area and submitted information in response to questions from the County Planning Commission. After public hearings and deliberation on the proposed expansion and the capital facilities plan, the Benton County Planning Commission forwarded the City's submittal to the Benton County Board of Commissioners with a recommendation to approve them both. After hearings and deliberations, the Board of Commissioners approved the addition of the land described as attached hereto as Exhibit A and incorporated herein by reference to the City's UGA. This additional land set forth on Exhibit A is hereinafter referred to as the "Badger Mountain UGA Addition."

E. The Badger Mountain UGA Addition includes, but is not limited to, properties that are currently proposed for urban level development and lands that have been classified as urban reserve. It does not include the approximately 78 acres south of I-82 designated as Urban Reserve Tracts X and Y on the Badger Mountain PD.

F. The purpose of this Agreement is to address the following concerns identified by the County during the course of consideration of the City's request to expand its UGA: (1) assure that local jurisdiction over the development of the Badger Mountain PD is not split between the City and County by partial annexation thereof; (2) provide for open space within the Badger Mountain UGA Addition; and (3) protect long term financially viable commercial agricultural operations that are within or adjacent to the Badger Mountain UGA Addition.

G. The City acknowledges that the County is relying on the City's commitments in this Agreement when considering the City's request that the County amend its Comprehensive Plan to expand the City's UGA to include Badger Mountain UGA Addition.

3. Protection for Agricultural Lands

A. Both parties acknowledge the importance of preserving financially viable commercial agricultural lands. Washington State and Benton County have adopted identical provisions pursuant to RCW 7.48.300 through RCW 7.48.310 and Chapter 14.01 of the Benton County Code to protect agricultural uses from certain inconsistent urban uses. The City

currently has provisions in its Municipal Code for protecting and preserving agricultural lands, but agrees to amend its Municipal Code to provide additional protection as set forth below.

B. Prior to annexing any lands within the Badger Mountain UGA Addition, except for the Valley View area described on Exhibit B hereto and incorporated herein by reference, the City agrees that it shall adopt code provisions to implement an agricultural lands protection program. Such code provisions shall at a minimum protect the commercial vineyards and orchards currently located on parcels identified on Exhibit C attached hereto or on any parcels created therefrom from conflicting adjacent residential uses by requiring a 170-foot setback between the property boundaries of such parcels and all subsequently constructed residential structures and swimming pools on adjacent property. The above referenced setback requirement must be enforced with respect to every parcel identified on Exhibit C or to every parcel created therefrom so long as: (1) the parcel has vineyard plantings of five or more contiguous acres, orchard plantings of 10 or more contiguous acres, or any combination of these equal to or exceeding 10 acres; and (2) the vineyard or orchard on the parcel is continually maintained and nurtured as a crop producing operation by pruning, irrigating, spraying and other prudent agricultural practices. In addition to the above, the City's agricultural lands protection program may include the use of conservation easements, transfer of development rights, or such other mechanisms as authorized by RCW Chapter 84.34 for the purpose of protecting agricultural lands and other open space lands.

C. In lieu of adopting code provisions to implement the setback requirements stated above, the City may provide such protection by requiring all property owners of lands adjacent to the parcels identified on Exhibit C and all property owners of parcels created therefrom, to enter into development agreements with the City authorized by RCW 36.70B.170 prior to annexation of any such parcel. Each such agreement shall incorporate the setback requirements of paragraph 3 (B) above. The setback requirements set forth in such agreements shall remain in place so long as the code provision implementing the setback requirement required by paragraph 3(B) would otherwise be required to remain in force with respect to the parcel at issue.

4. Open Space Planning.

Prior to annexing any lands within the Badger Mountain UGA Addition, except for the Valley View area described on Exhibit B hereto and incorporated herein by reference, the City shall prepare and adopt a plan for a contiguous system of linked green belts and open space areas throughout the property to be annexed, with connectivity to other properties within the Badger Mountain UGA Addition. Said plan shall be incorporated into pre-annexation development agreements with the owner(s) of the properties within the Badger Mountain UGA Addition, as authorized by RCW 36.70B.170. No area within the Badger Mountain UGA Addition, except for the Valley View area described on Exhibit B, shall be annexed into the City until such time as it is demonstrated that adequate greenbelts and open spaces have been provided for in order to facilitate separation of uses and to provide linked recreational/aesthetic assets.

5. **Annexation of Entire Badger Mountain PD.**

A. The parties acknowledge that the owner(s) of the property within the Badger Mountain PD could seek to amend the boundary or other provisions of the approved Badger Mountain PD subsequent to execution of this Agreement. The parties further acknowledge that any such requested amendment must be considered on its merits at the time of such request and that this Agreement does not obligate the County to approve any such request(s) for amendment. Notwithstanding, the parties agree that if the County approves of an amendment to the boundary of the Badger Mountain PD, at such time the Badger Mountain PD shall be deemed for the purposes of this Agreement to be all the land within the planned development as amended.

B. The City agrees that it will not annex any of the land within the Badger Mountain PD unless such annexation is of the entire Badger Mountain PD as it exists at the time of annexation. This paragraph 5 does not restrict the City's authority to annex properties not within the Badger Mountain PD.

C. The City acknowledges that a portion of two parcels that currently are within the Badger Mountain PD lie southwest of I-82 and outside of the Badger Mountain UGA Addition, and the City agrees that it will not seek to annex any parcel or portion of a parcel that is outside of the Badger Mountain UGA Addition.

6. **Acceptance of Conditions of Approval of Badger Mountain PD.**

A. The City acknowledges that the owner(s) of the property subject to the Badger Mountain PD may at the request of the City or on its own accord request that the planned development be amended to reduce the amount of property within such development. The City further acknowledges that it has reviewed the conditions of approval of the Badger Mountain PD and understands that in case of a reduction of the size of the development, the existing conditions of approval of the Badger Mountain PD may require the developer to construct road or other improvements or take certain actions with respect to property within City limits at the time of such construction or action.

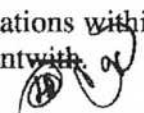
B. The City agrees that if the existing conditions of approval of the Badger Mountain PD require the owner(s) of that development to construct one or more roads or other improvements on, or take other actions with respect to, property annexed by the City subsequent to this Agreement, the City will accept such roads or improvements or allow such actions in accordance with the standards set by the County in the conditions of approval; provided, the City may impose additional requirements or standards if agreed to by the property owner(s) pursuant to a pre-annexation development agreement as authorized by RCW 36.70B.170.



7. **Boundary Review Board Review.**

The parties agree that the terms of this Agreement shall in no way restrict the County's authority to request that any annexation proposed by the City be reviewed by the Boundary Review Board.

8. **Release and Confirmation of Intent to Annex.**

A. The City, by entering into this Agreement, acknowledges that all annexations within the Badger Mountain UGA are subject to the terms and conditions of this Agreement with 

B. The City agrees it will accept and will not challenge a decision by the County on CPA 03-2 that approves an amendment of the County's Comprehensive Plan to add the Badger Mountain UGA Addition to the City's UGA.

9. **Specific Area Plan.**

The County agrees to cooperate with the City during its development of a Specific Area Plan (SAP) that includes the Badger Mountain UGA Addition by providing information upon request that the County possesses that would assist the City in developing this SAP.

10. **Duration/Termination.**

This Agreement shall automatically terminate upon annexation by the City of all lands within the Badger Mountain UGA Addition.

11. **Filing.**

This Agreement shall be filed with the Benton County Auditor.

12. **Notices.**

All Notices required by this Agreement shall be in writing, signed by the sending party, and shall be considered properly delivered when personally delivered, when received by facsimile, or on the third day following mailing, postage prepaid, certified mail, return receipt requested, to:

Benton County

Benton County Planning Director
PO Box 910
Prosser, WA 99350

City of Richland

Development Services Manager
PO Box 190
Richland, WA 99352



County


City

13. Administration.

This Agreement contemplates no joint or cooperative undertaking necessitating the formation of a new agency. Each party shall administer the Agreement as to its own responsibilities.

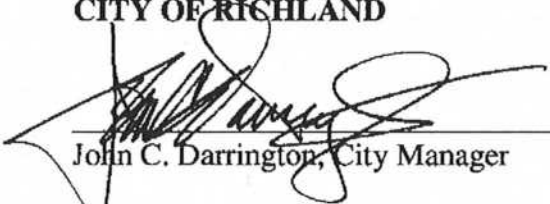
14. Integration and Amendment.

This Agreement represents the entire agreement of and supercedes any prior agreements between the parties with respect to the subject matter hereof and may be amended only on the written agreement of the parties made with the same formalities as those required for its original execution.

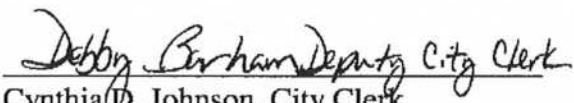
15. Effective Date.

This Agreement shall take effect upon its execution.

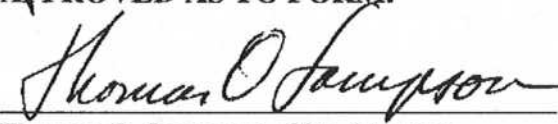
CITY OF RICHLAND


John C. Darrington, City Manager

ATTEST:


for Cynthia D. Johnson, City Clerk

APPROVED AS TO FORM:


Thomas O. Lampson, City Attorney

COUNTY OF BENTON

MAX E. BENITZ, JR. - OPPOSED

Max E. Benitz, Chairman of Benton County Board of Commissioners


Leo Bowman, Commissioner


Claude L. Oliver, Commissioner

12-4-06
Date

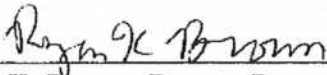
12-4-06
Date

12-4-06
Date



2006-040708
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Benton County

APPROVED AS TO FORM:



Ryan K. Brown, Deputy Prosecuting Attorney



County



City

**BADGER MOUNTAIN EXHIBIT A
URBAN GROWTH EXPANSION AREA ADDITION**

THAT PORTION OF BADGER HEIGHTS SUBDIVISION IN SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. DESCRIBED AS FOLLOWS:

LOT 9 OF BLOCK 1 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 13 OF BLOCK 2: TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438;

LOT 12 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 5 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 6 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 11 OF BLOCK 2; LOT 14 OF BLOCK 2 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680;

LOT 14 BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #91-16685 REC'D 9/17/91 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #95-438 REC'D 11/20/95 AF#95-26680 SUBJECT TO EASEMENTS OF SAID RESOLUTION.

LOT 15 OF BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION 95-438, AF#1995-026680;

LOT 10 OF BLOCK 2;

LOT 7 OF BLOCK 2;

LOT 2 BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182; AND,



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Benton County

THAT PORTION OF THE COUNTY ROAD WITHIN THE ABOVE DESCRIBED AREA
KNOWN AS TULIP LANE LOCATED BETWEEN WINDMILL ROAD AND I-182
RIGHT OF WAY.

SHORT PLAT 2727 LOCATED IN THE NORTHEAST QUARTER OF SECTION 28,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

THAT PORTION OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
BENTON COUNTY, WASHINGTON, LYING SOUTHERLY AND WESTERLY OF THE
FOLLOWING DESCRIBED LINE. BEGINNING AT THE SOUTHWEST CORNER OF SAID
SECTION 29: THENCE SOUTH 89 DEGREES 23 MINUTES 44 SECONDS EAST, 1951.66
FEET ALONG THE SOUTH LINE OF SAID SECTION TO THE TRUE POINT OF
BEGINNING: THENCE NORTH 65 DEGREES 57 MINUTES 03 SECONDS WEST, 116.18
FEET: THENCE SOUTH 89 DEGREES 48 MINUTES 41 SECONDS WEST, 641.83 FEET:
THENCE NORTH 00 DEGREES 38 MINUTES 28 SECONDS WEST, 324.30 FEET:
THENCE SOUTH 89 DEGREES 21 MINUTES 30 SECONDS WEST, 1154.45 FEET TO THE
EAST LINE OF DALLAS ROAD AND THE TERMINUS OF SAID LINE. EXCEPT THE WEST
40 FEET FOR COUNTY ROAD RIGHT OF WAY;

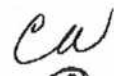
THAT PORTION OF SECTION 31, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
LOCATED EAST OF THE RIGHT OF WAY OF INTERSTATE 82;

THAT PORTION OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
BENTON COUNTY, WASHINGTON, LYING NORTHEASTERLY OF INTERSTATE 82
RIGHT-OF-WAY, EXCEPT THAT PORTION OF LOT 1 OF SHORT PLAT 2465 LOCATED
IN SECTION 32, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

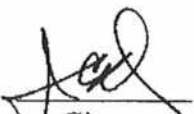
ALL OF SECTION 33, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. BENTON COUNTY,
WASHINGTON, EXCEPT THAT PORTION OF LOT 1 OF SHORT PLAT 2465 LOCATED IN
SECTION 33, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
LOCATED WEST OF THE EXISTING URBAN GROWTH BOUNDARY.

THAT PORTION OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M.,
LOCATED NORTH AND EAST OF THE RIGHT OF WAY OF INTERSTATE 82, EXCEPT
THAT PORTIONS OF SECTION 4 PLATTED AS EL RANCHO REATA NO. 3, LOT 4 OF
SHORT PLAT 1331, ALL OF SHORT PLAT 1550; AND THAT PLATTED AS BADGER
VIEW RANCHETTES.



County


City



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Benton County

COUNTY COMMISSIONERS MULTI 0.00

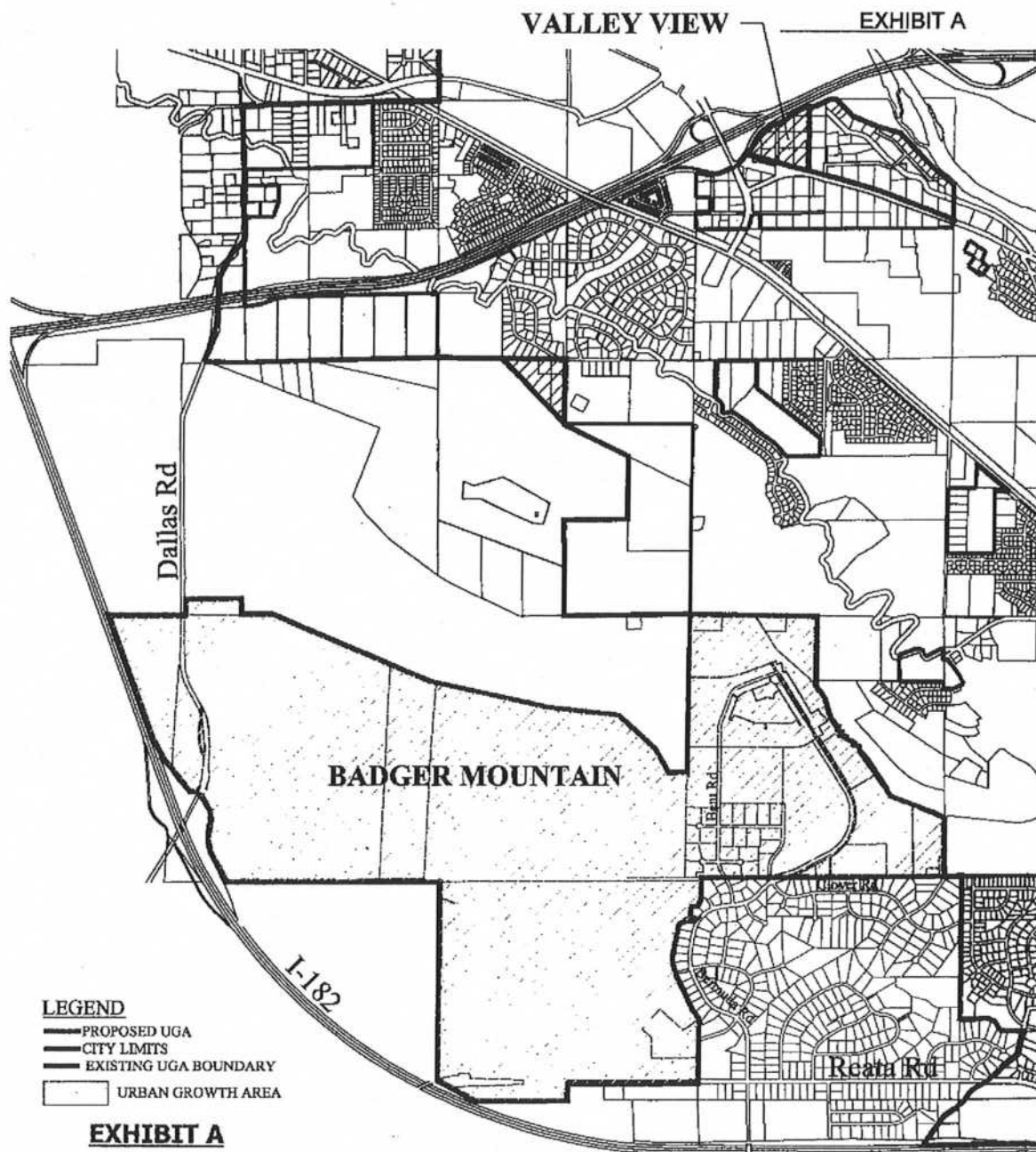


EXHIBIT A
URBAN GROWTH
EXPANSION AREA

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Benton County/City of Richland

ILA for Annexation

County City



EXHIBIT B
DESCRIPTION OF VALLEY VIEW AREA

THAT PORTION OF BADGER HEIGHTS SUBDIVISION IN SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M. DESCRIBED AS FOLLOWS:

LOT 9 OF BLOCK 1 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 13 OF BLOCK 2: TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438;

LOT 12 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 5 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 6 OF BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182;

LOT 11 OF BLOCK 2; LOT 14 OF BLOCK 2 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680;

LOT 14 BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #91-16685 REC'D 9/17/91 TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOL #95-438 REC'D 11/20/95 AF#95-26680 SUBJECT TO EASEMENTS OF SAID RESOLUTION.

LOT 15 OF BLOCK 2, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #91-16685, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION #95-438, AF#95-26680, TOGETHER WITH PORTION OF VACATED ROAD RIGHT OF WAY PER RESOLUTION 95-438, AF#1995-026680;

LOT 10 OF BLOCK 2;

LOT 7 OF BLOCK 2;

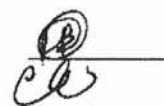
LOT 2 BLOCK 2 LESS PORTION DEDICATED TO INTERSTATE 182; AND,

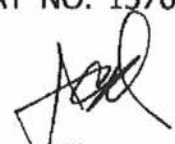
THAT PORTION OF THE COUNTY ROAD WITHIN THE ABOVE DESCRIBED AREA
KNOWN AS TULIP LANE LOCATED BETWEEN WINDMILL ROAD AND I-182
RIGHT OF WAY.



EXHIBIT C
COMMERCIAL VINEYARDS AND ORCHARDS SUBJECT TO SETBACK
REQUIRMENT

- (1) TAX PARCEL # 129982012465002 LEGALLY DESCRIBED AS FOLLOWS:
LOT 1 OF SHORT PLAT 2465;
- (2) TAX PARCEL # 134982010595001 LEGALLY DESCRIBED AS FOLLOWS:
LOT 1 OF SHORT PLAT #595;
- (3) TAX PARCEL # 134982010595002 LEGALLY DESCRIBED AS FOLLOWS:
LOT 2 OF SHORT PLAT #595;
- (4) TAX PARCEL # 134982010595003 LEGALLY DESCRIBED AS FOLLOWS:
LOT 3 OF SHORT PLAT #595;
- (5) TAX PARCEL # 134982010595004 LEGALLY DESCRIBED AS FOLLOWS:
LOT 4 OF SHORT PLAT #595;
- (6) TAX PARCEL # 134982011576001 LEGALLY DESCRIBED AS FOLLOWS:
LOT 1 OF SHORT PLAT #1576;
- (7) TAX PARCEL # 134982012049001 LEGALLY DESCRIBED AS FOLLOWS:
LOT 1 OF SHORT PLAT 2049;
- (8) TAX PARCEL # 134982012049002 LEGALLY DESCRIBED AS FOLLOWS:
LOT 2 OF SHORT PLAT 2049;
- (9) TAX PARCEL # 134984011576003 LEGALLY DESCRIBED AS FOLLOWS: THAT
PORTION OF LOT 2, SHORT PLAT NO. 1576, ACCORDING TO THE SURVEY THEREOF,
RECORDED UNDER AUDITOR'S FILE NO. 86-18748, RECORDS OF BENTON COUNTY,
WASHINGTON, LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE:
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2: THENCE SOUTH 89
DEGREES 31 MINUTES 37 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2,
A DISTANCE OF 276.65 FEET TO THE NORTHWEST CORNER OF LOT 6, BLOCK ONE
OF THE PLAT OF EL RANCHO REATA NO. 4 AND THE TRUE POINT OF BEGINNING:
THENCE NORTH 05 DEGREES 11 MINUTES 43 SECONDS WEST ALONG THE
NORTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 6 A DISTANCE OF
241.58 FEET TO THE NORTHERLY BOUNDARY OF LOT 2 AND TERMINUS OF SAID
LINE. COMMONLY KNOWN AS: THE WEST HALF OF LOT 2 SHORT PLAT NO. 1576.
(4/24/2000 AF#20000-009798);


County


City



(10) TAX PARCEL # 134984011576004 LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF LOT 2, SHORT PLAT NO. 1576, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 86-18748, RECORDS OF BENTON COUNTY, WASHINGTON, LYING EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2: THENCE SOUTH 89 DEGREES 31 MINUETS 37 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 276.65 FEET TO THE NORTHWEST CORNER OF LOT 6, BLOCK ONE OF THE PLAT OF EL RANCHO REATA NO. 4 AND THE TRUE POINT OF BEGINNING: THENCE NORTH 05 DEGREES 11 MINUTES 43 SECONDS WEST ALONG THE NORTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 6 A DISTANCE OF 241.58 FEET TO THE NORTHERLY BOUNDARY OF SAID LOT 2 AND TERMINUS OF SAID LINE. COMMONLY KNOWN AS: THE EAST HALF OF LOT 2 SHORT PLAT NO. 1576. (4/24/2000 AF#2000-009799);

(11) TAX PARCEL # 134984012275001 LEGALLY DESCRIBED AS FOLLOWS: LOT 1 OF SHORT PLAT #2275;

(12) TAX PARCEL # 134984012275002 LEGALLY DESCRIBED AS FOLLOWS: LOT 2 OF SHORT PLAT #2275;

(13) TAX PARCEL # 134984011406001 LEGALLY DESCRIBED AS FOLLOWS: LOT 1 OF SHORT PLAT #1406;

(14) TAX PARCEL # 134982000003000 LEGALLY DESCRIBED AS FOLLOWS: THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.;

(15) TAX PARCEL # 134982000001002 LEGALLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SECTION 34, TOWNSHIP 9 NORTH RANGE 28 EAST. THENCE SOUTH 00 DEGREES 33'25" EAST ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1320.72 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER. THENCE NORTH 89 DEGREES 34'14" WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER A DISTANCE OF 1812.32 FEET TO THE TRUE POINT OF BEGINNING. THENCE SOUTH 31 DEGREES 59'19" EAST A DISTANCE OF 693.29 FEET. THENCE SOUTH 58 DEGREES 00'41" WEST A DISTANCE 600.00 FEET. THENCE SOUTH 10 DEGREES 25'54" WEST A DISTANCE OF 228.30 FEET. THENCE NORTH 79 DEGREES 34'06" WEST A DISTANCE OF 120.00 FEET. THENCE SOUTH 10 DEGREES 25'54" WEST A DISTANCE OF 9.16 FEET. THENCE NORTH 79 DEGREES 34'06" WEST A DISTANCE



OF 131.71 FEET. THENCE SOUTH 53 DEGREES 33'55" WEST A DISTANCE OF 90.27 FEET. THENCE SOUTH 58 DEGREES 00'41" WEST A DISTANCE OF 199.00 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 112.50 FEET TO A POINT OF CURVE. THENCE IN A NORTHEASTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90 DEGREES 00'00" A RADIUS OF 20.0 FEET, AN ARC DISTANCE OF 31.42 FEET. THENCE NORTH 58 DEGREES 00'41" EAST A DISTANCE OF 84.00 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 170.00 FEET. THENCE NORTH 58 DEGREES 00'41" EAST A DISTANCE OF 206.00 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 110.12 FEET. THENCE NORTH 89 DEGREES 28'17" WEST A DISTANCE OF 4.61 FEET. THENCE NORTH 48 DEGREES 43'37" WEST A DISTANCE OF 99.64 FEET. THENCE NORTH 24 DEGREES 04'27" WEST A DISTANCE OF 100.31 FEET. THENCE NORTH 00 DEGREES 19'21" EAST A DISTANCE OF 9.04 FEET. THENCE SOUTH 58 DEGREES 00'41" WEST A DISTANCE OF 181.06 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 280.00 FEET. THENCE NORTH 22 DEGREES 31'35" WEST A DISTANCE OF 60.83 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 662.82 FEET TO A POINT ON CURVE. THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12 DEGREES 40'47", A RADIUS OF 280.00 FEET, A CHORD BEARING OF SOUTH 85 DEGREES 17'02" WEST, AND ARC DISTANCE OF 61.96 FEET. THENCE NORTH 11 DEGREES 03'22" WEST RADIAL TO SAID CURVE A DISTANCE OF 192.85 FEET. THENCE SOUTH 68 DEGREES 29'19" WEST A DISTANCE OF 93.00 FEET. THENCE NORTH 21 DEGREES 30'41" WEST A DISTANCE OF 80.00 FEET. THENCE NORTH 68 DEGREES 29'19" EAST A DISTANCE OF 207.91 FEET TO A POINT OF CURVE. THENCE IN A NORTHWESTERLY DIRECTION ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 36 DEGREES 20'33", A RADIUS OF 1040.00 FEET, A CHORD BEARING OF NORTH 86 DEGREES 39'34" EAST AN ARC DISTANCE OF 659.57 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 34. THENCE SOUTH 00 DEGREES 06'54" WEST ALONG SAID WEST LINE A DISTANCE OF 520.19 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER. THENCE SOUTH 89 DEGREES 34'14" EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 800.48 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 34.92 ACRES. LESS PORTION DEFINED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 34; THENCE SOUTH 00 DEGREES 33' 25" ALONG THE EAST LINE OF SAID SECTION 34, A DISTANCE OF 1320.72 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 34' 14" WEST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER A DISTANCE OF 1812.32 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 31 DEGREES 59' 19" EAST A DISTANCE OF 693.29; THENCE SOUTH 58 DEGREES 00' 41" WEST A DISTANCE OF 432.00 FEET; THENCE



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SOUTH 42 DEGREES 41' 01" EAST A DISTANCE OF 1280.13 FEET; THENCE SOUTH 50 DEGREES 21' 14" EAST A DISTANCE OF 332.42 FEET; THENCE SOUTH 61 DEGREES 15' 37" EAST A DISTANCE OF 283.14 FEET; THENCE SOUTH 73 DEGREES 05' 44" EAST A DISTANCE OF 328.70 FEET; THENCE SOUTH 78 DEGREES 09' 33" EAST A DISTANCE OF 153.04 FEET TO THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 540.20 FEET; THENCE NORTH 65 DEGREES 59' 57" WEST A DISTANCE OF 265.85 FEET; THENCE NORTH 68 DEGREES 51' 04" WEST A DISTANCE OF 907.79 FEET; THENCE NORTH 34 DEGREES 25' 29" WEST A DISTANCE OF 897.72 FEET; THENCE NORTH 39 DEGREES 48' 15" WEST A DISTANCE OF 237.31 FEET; THENCE NORTH 02 DEGREES 03' 01" WEST A DISTANCE OF 91.96 FEET; THENCE NORTH 74 DEGREES 42' 48" WEST A DISTANCE OF 120.00 FEET TO A POINT ON CURVE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT; SAID CURVE HAVING A CENTRAL ANGLE OF 10 DEGREES 20' 47", A RADIUS OF 280.00 FEET, A CHORD BEARING NORTH 20 DEGREES 27' 35" EAST, AN ARC DISTANCE OF 50.56 FEET TO A POINT OF TANGENT; THENCE NORTH 64 DEGREES 22' 01" WEST RADIAL TO SAID CURVE, A DISTANCE OF 196.70 FEET; THENCE NORTH 10 DEGREES 25' 54" EAST A DISTANCE OF 31.13 FEET; THENCE NORTH 79 DEGREES 34' 06" WEST A DISTANCE OF 120.00 FEET; THENCE NORTH 10 DEGREES 26' 01" EAST A DISTANCE OF 80.00 FEET; THENCE NORTH 79 DEGREES 34' 16" WEST A DISTANCE OF 60.00 FEET TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90 DEGREES 00' 00", A RADIUS OF 20.00 FEET AND A CHORD BEARING NORTH 34 DEGREES 33' 50" WEST, AN ARC DISTANCE OF 31.41 FEET; THENCE NORTH 79 DEGREES 34' 08" WEST A DISTANCE OF 3.82 FEET; THENCE NORTH 10 DEGREES 25' 54" EAST A DISTANCE OF 60.00 FEET; TO A POINT OF CURVE; THENCE WESTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 05 DEGREES 16' 26", A RADIUS OF 355.00 FEET AND A CHORD BEARING NORTH 82 DEGREES 12' 19" WEST, AN ARC DISTANCE OF 32.68 FEET; THENCE NORTH 31 DEGREES 59' 19" WEST A DISTANCE OF 233.81 FEET; THENCE NORTH 16 DEGREES 01' 55" WEST A DISTANCE OF 400.68 FEET; THENCE NORTH 31 DEGREES 59' 19" WEST A DISTANCE OF 155.71 FEET; THENCE NORTH 52 DEGREES 44' 43" WEST A DISTANCE OF 66.36 FEET; THENCE NORTH 31 DEGREES 59' 19" WEST A DISTANCE OF 120.21 FEET; THENCE NORTH 13 DEGREES 55' 25" EAST A DISTANCE OF 82.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 34; THENCE SOUTH 89 DEGREES 34' 14" EAST ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34 A DISTANCE OF 800.48 FEET TO THE TRUE POINT OF BEGINNING.*9/20/82***TOGETHER WITH PORTION DEFINED AS FOLLOWS: (PARCEL #10) THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, LYING NORTH OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE *NORTHWEST* CORNER OF SAID SECTION 34: THENCE SOUTH 00 DEGREES 45


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MINUTES 08 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1309.69 FEET TO THE TRUE POINT OF BEGINNING. THENCE SOUTH 89 DEGREES 30 MINUTES 41 SECONDS EAST A DISTANCE OF 578.80 FEET TO A POINT OF CURVE: THENCE NORTHEAST- ERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 22 DEGREES 00 MINUTES 00 SECONDS, A RADIUS OF 1560.00 FEET, AN ARC DISTANCE OF 599.00 FEET TO A POINT OF TANGENT: THENCE NORTH 68 DEGREES 29 MINUTES 19 SECONDS EAST A DISTANCE OF 862.96 FEET TO A POINT OF CURVE: THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 36 DEGREES 20 MINUTES 30 SECONDS, A RADIUS OF 1040.00 FEET, A CHORD BEARING NORTH 86 DEGREES 39 MINUTES 34 SECONDS EAST, AN ARC DISTANCE OF 659.65 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER AND TERMINUS OF SAID LINE. EXCEPT THE NORTH ONE-HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER. CONTAINING 59.95 ACRES. LESS THAT PORTION DEFINED AS FOLLOWS: THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., *LYING NORTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION: THENCE SOUTH 89 DEGREES 09 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION 34 A DISTANCE OF 1319.26 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 31 DEGREES 56 MINUTES 20 SECONDS EAST A DISTANCE OF 825.13 FEET: THENCE SOUTH 48 DEGREES 15 MINUTES 26 SECONDS EAST A DISTANCE OF 1100.06 FEET: THENCE NORTH 13 DEGREES 55 MINUTES 25 SECONDS EAST A DISTANCE OF 82.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER AND TERMINUS OF SAID LINE. SUBJECT TO RESERVATIONS, RESTRICTIONS, RIGHT-OF-WAY AND EASEMENTS OF RECORD. CONTAINING 24.00 ACRES;*

(16) TAX PARCEL # 134982000004000 LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 34: THENCE SOUTH 00 DEGREES 45'08" WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1309.69 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 89 DEGREES 30'41" EAST A DISTANCE OF 578.80 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 22 DEGREES 00'00", A RADIUS OF 1560.00 FEET, AN ARC LENGTH OF 599 FEET, TO A POINT OF TANGENT. THENCE NORTH 68 DEGREES 29'19" EAST A DISTANCE OF 655.05 FEET. THENCE SOUTH 21 DEGREES 30'41" EAST A DISTANCE OF 80 FEET THENCE NORTH 68 DEGREES 29'19" EAST A DISTANCE OF 93 FEET. THENCE SOUTH 11 DEGREES 03'22" EAST A DISTANCE OF 192.85 FEET TO A POINT ON CURVE. THENCE ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 12 DEGREES 40'47", A RADIUS OF 280



FEET AND A CHORD BEARING OF NORTH 85 DEGREES 17'02' EAST, AN ARC LENGTH OF 61.97 FEET TO THE END OF SAID CURVE. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 662.82 FEET. THENCE SOUTH 22 DEGREES 31'35' EAST A DISTANCE OF 60.83 FEET. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 280 FEET. THENCE NORTH 58 DEGREES 00'41' EAST A DISTANCE OF 181.06 FEET. THENCE SOUTH 00 DEGREES 19'21' WEST A DISTANCE OF 9.04 FEET. THENCE SOUTH 24 DEGREES 04'27' EAST A DISTANCE OF 100.31 FEET. THENCE SOUTH 48 DEGREES 43'37' EAST A DISTANCE OF 99.64 FEET. THENCE SOUTH 89 DEGREES 28'13' EAST A DISTANCE OF 4.61 FEET. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 110.12 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 206 FEET. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 170 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 331.40 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 32 DEGREES 07'47', A RADIUS OF 630 FEET, AN ARC LENGTH OF 353.28 FEET TO A POINT OF TANGENT. THENCE NORTH 89 DEGREES 51'32' WEST A DISTANCE OF 2160.64 FEET. THENCE NORTH 00 DEGREES 45'12' EAST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 30 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 34. THENCE NORTH 00 45'08' EAST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 1389.69 FEET TO THE TRUE POINT OF BEGINNING: LESS SHORT PLAT #595 DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28. THENCE SOUTH 00 DEGREES 45'08' WEST ALONG THE WEST LINE OF SAID SECTION 34 A DISTANCE OF 2699.38 FEET. THENCE SOUTH 89 DEGREES 51'32' EAST, A DISTANCE OF 850.40 FEET. THENCE NORTH 00 DEGREES 08'28' EAST, A DISTANCE OF 528.16 FEET TO THE TRUE POINT OF BEGINNING. THENCE, NORTH 20 DEGREES 10'32' EAST A DISTANCE OF 472.96 FEET. THENCE NORTH 62 DEGREES 01'18' WEST A DISTANCE OF 113.18 FEET TO A POINT ON A CURVE. THENCE NORTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 03 DEGREES 41'57' A RADIUS OF 310 FEET, A CHORD BEARING OF NORTH 29 DEGREES 49'40' EAST, AN ARC LENGTH OF 20.01 FEET. THENCE SOUTH 62 DEGREES 01'18' EAST A DISTANCE 115 FEET. THENCE NORTH 55 DEGREES 17'34' EAST A DISTANCE OF 150 FEET. THENCE NORTH 68 DEGREES 29'19' EAST A DISTANCE OF 575.33 FEET. THENCE NORTH 21 DEGREES 30'41' WEST A DISTANCE OF 115 FEET. THENCE NORTH 68 DEGREES 29'19' EAST A DISTANCE OF 253.30 FEET TO A POINT ON A CURVE. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 03 DEGREES 45'57' A RADIUS OF 1268.81 FEET A CHORD BEARING OF SOUTH 30 DEGREES 06'21' EAST AN ARC LENGTH OF 83.39 FEET TO A POINT OF TANGENCY. THENCE SOUTH 31 DEGREES 59'19' EAST A DISTANCE OF 1116.61 FEET. THENCE SOUTH 68 DEGREES 29'19' WEST A DISTANCE OF 81.36 FEET. THENCE NORTH 31 DEGREES 59'19' WEST A DISTANCE OF 1016.76 FEET. THENCE SOUTH 58 DEGREES 00'41' WEST A DISTANCE OF 115 FEET. THENCE SOUTH 31 DEGREES 59' 19' EAST A DISTANCE OF



979.45 FEET TO A POINT ON A CURVE. THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 02 DEGREES 07'36", A RADIUS OF 540 FEET A CHORD BEARING OF SOUTH 61 DEGREES 39'33" WEST, AN ARC LENGTH OF 20.04 FEET. THENCE NORTH 31 DEGREES 59'19" WEST A DISTANCE OF 130 FEET. THENCE SOUTH 60 DEGREES 35'40" WEST A DISTANCE OF 86.88 FEET. THENCE SOUTH 82 DEGREES 16'18" WEST A DISTANCE OF 94.27 FEET. THENCE NORTH 89 DEGREES 51'32" WEST A DISTANCE OF 455 FEET. THENCE SOUTH 00 DEGREES 08'28" WEST A DISTANCE OF 115 FEET. THENCE NORTH 89 DEGREES 51'32" WEST A DISTANCE OF 20 FEET THENCE NORTH 00 DEGREES 08'28" EAST, A DISTANCE OF 115 FEET. THENCE NORTH 89 DEGREES 51'32" WEST A DISTANCE OF 200.35 FEET. THENCE NORTH 69 DEGREES 49'28" WEST A DISTANCE OF 465.19 FEET. THENCE SOUTH 20 DEGREES 10'32" WEST A DISTANCE OF 115 FEET. THENCE NORTH 69 DEGREES 49' 28" WEST A DISTANCE OF 63.73 FEET TO THE TRUE POINT OF BEGINNING;

(17) TAX PARCEL # 134983000001003 LEGALLY DESCRIBED AS FOLLOWS: THAT PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST W.M. DEFINED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°31'37" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 1717.64 FEET; THENCE NORTH 73°58'01" EAST A DISTANCE OF 29.33 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 73°58'01" EAST A DISTANCE OF 395.10 FEET TO POINT OF CURVE; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°00'00" AND A RADIUS OF 883.50 FEET, AN ARC DISTANCE OF 185.04 FEET. THENCE NORTH 61°58'01" EAST A DISTANCE OF 700 FEET TO A POINT OF CURVE THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93°57'20" AND A RADIUS OF 866.33 FEET, AN ARC DISTANCE OF 1420.64 FEET. THENCE NORTH 31°59'19" WEST A DISTANCE OF 1229.03 FEET THENCE SOUTH 58°00'41" WEST, A DISTANCE OF 70.90 FEET TO A POINT OF CURVE. THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT. SAID CURVE HAVING A CENTRAL ANGLE OF 32°07'47", A RADIUS OF 630.00 FEET; AN ARC DISTANCE OF 353.29 FEET TO A POINT OF TANGENT; THENCE NORTH 89°51'32" WEST, PARALLEL TO AND 30 FEET SOUTH OF THE CENTERLINE OF SAID SECTION 34, A DISTANCE OF 175.59 FEET: THENCE SOUTH 00°30'55" WEST A DISTANCE OF 2169.93 FEET THENCE SOUTH 29°26'27" WEST A DISTANCE OF 279.73 FEET. THENCE SOUTH 37°52'10" WEST A DISTANCE OF 80.42 FEET; THENCE SOUTH 45°56'23" WEST A DISTANCE OF 125.10 FEET THENCE SOUTH 15°56'38" EAST A DISTANCE OF 79.79 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 62.14 ACRES. TOGETHER WITH THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY. WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST



CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°31'37" EAST, 1780.47 FEET TO A POINT ON A 400.00 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 66°29'47" EAST; THENCE NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 114.35 FEET THROUGH AN INCLUDED ANGLE OF 16°22'44" TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE AN ARC LENGTH OF 334.41 FEET THROUGH AN INCLUDED ANGLE OF 47°54'02"; THENCE NORTH 40°46'33" EAST, 110.64 FEET TO THE BEGINNING OF 460.00 FEET RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 171.81 FEET THROUGH AN INCLUDED ANGLE OF 21°24'00" THENCE SOUTH 00°30'55" WEST, 173.98 FEET; THENCE SOUTH 29°26'27" WEST, 279.73 FEET; THENCE SOUTH 37°52'10" WEST, 80.42 FEET; THENCE SOUTH 45°56'23" WEST, 88.28 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 1.05 ACRES MORE OR LESS. ALSO TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL; THAT PORTION OF SECTION 34 TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE NORTH 00°45'12" EAST, 1436.68 FEET ALONG THE WEST LINE OF SAID SECTION 34 TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°45'12" EAST, 1231.37 FEET ALONG SAID WEST LINE; THENCE SOUTH 89°51'32" EAST, 1985.05 FEET; THENCE SOUTH 00°30'55" WEST, 1152.19 FEET; THENCE NORTH 89°43'25" WEST, 1359.28 FEET; THENCE SOUTH 00°35'42" WEST, 84.59 FEET; THENCE NORTH 89°39'20" WEST, 630.73 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 53.68 ACRES. MORE OR LESS. EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°31'37" EAST, 1748.07 ; THENCE NORTH 15°56'38" WEST, 8.16 FEET TO THE TRUE POINT OF BEGINNING: THENCE CONTINUING NORTH 15°56'38" WEST, 79.79 FEET; THENCE NORTH 45°56'23" EAST, 36.82 FEET TO A POINT ON 400 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 82°52'31" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 97.39 FEET THROUGH AN INCLUDED ANGLE OF 13°57'01"; THENCE SOUTH 73°58'01" WEST, 29.35 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 2529 SQUARE FEET MORE OR LESS. EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS : BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE ALONG THE SOUTH LINE OF SAID SECTION 34; NORTH 89°31'37" EAST, 1780.47 FEET TO A POINT ON A 400.00 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 66°29'47" EAST; THENCE NORTHERLY ALONG



SAID CURVE AN ARC LENGTH OF 448.76 FEET; THROUGH AN INCLUDED ANGLE OF 64°16'46"; THENCE NORTH 40°46'33" EAST, 110.64 FEET. TO THE BEGINNING OF 460.00 FEET RADIUS CURVE TO THE LEFT: THENCE NORTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 171.61 FEET THROUGH AN INCLUDED ANGLE OF 21°24'00" TO THE TRUE POINT OF BEGINNING: THENCE CONTINUING NORTHEASTERLY ALONG SAID CURVE AN ARC LENGTH OF 153.34 FEET THROUGH AN INCLUDED ANGLE OF 19°06'00"; THENCE NORTH 00°16'33" EAST, 693.24 FEET; THENCE NORTH 89°43'25" WEST. 21.80 FEET; THENCE SOUTH 00°30'55" WEST. 843.76 FEET; TO THE TRUE POINT OF BEGINNING;

(18) TAX PARCEL # 134984000001002 LEGALLY DESCRIBED AS FOLLOWS: THE PORTION OF SECTION 34, TOWNSHIP 9, RANGE 28 DEFINED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SECTION 34, THENCE SOUTH 00 45' 08' WEST ALONG THE WEST LINE THEROF A DISTANCE OF 2669.38 FEET, THENCE SOUTH 89 51'32' EAST, PARALLEL WITH THE SOUTH LINE OF THE NORTH 1/2 OF SAID SECTION A DISTANCE OF 2160 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32 07'47' AND A RADIUS OF 570 FEET, AN ARC DISTANCE OF 319.64 FEET. THENCE NORTH 58 00'41' EAST A DISTANCE OF 227.40 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 31 59'19' EAST A DISTANCE OF 1289.03 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 01 23'43' AND A RADIUS OF 1022.84 FEET, AN ARC DISTANCE OF 24.91 FEET. THENCE NORTH 59 24'24' EAST RADIAL TO SAID CURVE A DISTANCE OF 608.78 FEET. THENCE NORTH 34 25'29' WEST A DISTANCE OF 357.72 FEET. THENCE NORTH 39 48'15' WEST A DISTANCE OF 237.31 FEET. THENCE NORTH 02 03'01' WEST A DISTANCE OF 91.96 FEET. THENCE NORTH 74 42'48' WEST A DISTANCE OF 120 FEET TO A POINT ON A CURVE. THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 10 20'47' A RADIUS OF 280 FEET AND A CHORD BEARING NORTH 20 27'35' EAST AN ARC DISTANCE OF 50.56 FEET. THENCE NORTH 64 22'01' WEST A DISTANCE OF 196.70 FEET. THENCE NORTH 10 25'54' EAST A DISTANCE OF 31.13 FEET. THENCE NORTH 79 34'06' WEST A DISTANCE OF 120 FEET. THENCE SOUTH 10 25'54' WEST A DISTANCE OF 9.16 FEET. THENCE NORTH 79 34'06' WEST A DISTANCE OF 131.71 FEET. THENCE SOUTH 53 33'55' WEST A DISTANCE OF 90.27 FEET. THENCE SOUTH 58 00'41' WEST A DISTANCE OF 199 FEET TO A LINE EXTENDED SOUTH 31 59'19' EAST. THENCE NORTHERLY ALONG SAID LINE TO THE TRUE POINT OF BEGINNING;

(19) TAX PARCEL # 134984000001003 LEGALLY DESCRIBED AS FOLLOWS: THE PORTION OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 DEFINED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE NORTH 89°31'37" EAST ALONG THE SOUTH LINE THERE OF A DISTANCE OF 1717.64 FEET



TO THE TRUE POINT OF BEGINNING; THENCE NORTH 73°58'01" EAST A DISTANCE OF 424.43 FEET TO POINT OF CURVE THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 12°00'00" AND A RADIUS OF 883.50 FEET, AN ARC DISTANCE OF 185.04 FEET. THENCE NORTH 61°58'01" EAST A DISTANCE OF 700 FEET TO A POINT OF CURVE. THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 93°57'20" AND A RADIUS OF 866.33 FEET, AN ARC DISTANCE OF 1420.64 FEET. THENCE NORTH 31°59'19" WEST A DISTANCE OF 1229.03 FEET. THENCE SOUTH 58°00'41" WEST A DISTANCE OF 70.90 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 32°07'47", A RADIUS OF 630.00 FEET, AN ARC DISTANCE OF 353.29 FEET TO A POINT OF TANGENT; THENCE NORTH 89°51'32" WEST, PARALLEL TO AND 30 FEET SOUTH OF THE CENTERLINE OF SAID SECTION 34, A DISTANCE OF 175.59 FEET; THENCE NORTH 00°30'55" EAST A DISTANCE OF 35.69 FEET; THENCE SOUTH 89°51'32" EAST, PARALLEL TO THE CENTERLINE OF SAID SECTION 34, A DISTANCE OF 318.02 FEET TO A POINT OF CURVE. THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 32°07'47" AND A RADIUS OF 233.97 FEET, AN ARC DISTANCE OF 131.20 FEET TO A POINT OF TANGENT. THENCE NORTH 58°00'41" EAST A DISTANCE OF 258.22 FEET, THENCE SOUTH 31°59'19" EAST A DISTANCE OF 1244.03 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 93°57'20" AND A RADIUS OF 982.83 FEET AN ARC DISTANCE OF 1611.68 FEET TO A POINT OF TANGENT; THENCE SOUTH 61°58'01" WEST A DISTANCE OF 700.00 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12°00'00" AND A RADIUS OF 1000.00 FEET AN ARC DISTANCE OF 209.44 FEET TO A POINT OF TANGENT; THENCE SOUTH 73°58'01" WEST A DISTANCE OF 6.05 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34, SOUTH 89°31'37" WEST A DISTANCE OF 434.30 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 10.68 ACRES. EXCEPT THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BENTON COUNTY, WASHINGTON AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SECTION 34. NORTH 89°31'37" EAST, 1717.64 FEET TO THE TRUE POINT OF BEGINNING: THENCE CONTINUING ALONG THE SOUTH LINE OF SAID SECTION 34, NORTH 89°31'37" EAST. 62.83 FEET TO A POINT ON A 400.00 FEET RADIUS CURVE WHOSE CENTER BEARS NORTH 66°9'47" EAST; THENCE NORTHWESTERLY ALONG SAID CURVE AN ARC LENGTH OF 16.95 FEET THROUGH AN INCLUDED ANGLE OF 2°25'43"; THENCE SOUTH 73°58'01" WEST, 58.68 FEET TO THE TRUE POINT OF BEGINNING; .



WHEN RECORDED RETURN TO:

Richland City Clerk
P.O. Box 190 MS-05
Richland, WA 99352

ORDINANCE NO. 41-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHLAND, Benton County Washington, annexing approximately 1,878 Acres including the Badger Mountain South Master Planned Community, providing for assumption of existing City indebtedness and amending the Official Zoning Map.

WHEREAS, the City received a notice of intent from the owners of more than ten percent in value of the real property legally described in Exhibit A attached hereto, to commence annexation proceedings for annexation into the City of Richland; and

WHEREAS, a meeting was held on the 17th day of August, 2010, between the initiating parties of this annexation and the Council of the City of Richland, at which time the Council passed Resolution No. 46-10, accepting the notice of intention to commence annexation proceedings for the real property legally described in Exhibit A attached hereto, subject to simultaneous adoption of the Badger Mountain Subarea Plan to serve as the Comprehensive Plan for the proposed annexation area, and the assumption of the appropriate share of all existing city indebtedness; and

WHEREAS, Resolution No 46-10 further authorized and directed the Richland Planning Commission to propose and forward a recommendation to the City Council as to the most appropriate zoning designations for the areas proposed to be annexed; and

WHEREAS, a notice of intention to annex was duly filed with the Boundary Review Board on September 10, 2010; Jurisdiction of the Boundary Review Board was not invoked within 45 days of filing, and thus the proposed annexation was deemed approved by the Boundary Review Board on October 25, 2010; and

WHEREAS, the Richland Planning Commission held a public hearing on October 27, 2010 to consider appropriate zoning designations for the proposed annexation area; and

WHEREAS, on November 2, 2010, the Council passed Resolution No. 73-10, authorizing the circulation of an annexation petition for annexation of the real property legally described in Exhibit A attached hereto; and

WHEREAS, a petition was circulated, filed with Benton County, and certified by the County Assessor as containing signatures of the owners of not less than 60% in value, according to the assessed valuation for general taxation, of the property to be annexed; and

WHEREAS, a City Council held a public hearing to consider the annexation on November 16, 2010, which hearing was duly noticed by the City Clerk through publication in a newspaper of general circulation in the City and the proposed annexation area, and through posting of a hearing notice in three public places within the territory proposed for annexation, specifying the time and place of the hearing and inviting interested persons to appear and voice approval or disapproval of the annexation; and

WHEREAS, the matter was duly considered by the City Council of the City of Richland and the Council has determined that the annexation would be of general benefit to the residents of the City of Richland;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richland as follows:

Section 1. The real property legally described in Exhibit A attached hereto is hereby annexed to the City of Richland and is hereby declared to be within the corporate limits of City of Richland, Benton County, Washington (the "Annexed Area")

Section 2. The Badger Mountain Subarea Plan, adopted September 7, 2010, by Ordinance No. 25-10, shall serve as the Comprehensive Plan for the Annexed Area.

Section 3. The property within the Annexed Area shall be assessed and taxed at the same rate and on the same basis as other property within the City, including assessments or taxes in payment for all or of any portion of the outstanding

indebtedness of the City, approved by the voters, contracted, or incurred prior to, or existing at the date of annexation.

Section 4. The zoning for the portion of the Annexed Area within the Badger Mountain South Master Planned Community shall be as set forth in the Master Agreement and associated Land Use and Development Regulation for the Badger Mountain Master Planned area adopted December 7, 2010 by Resolution No. 77-10 ("LUDR").

Section 5. It is hereby found, as an exercise of the City's police power, that the best zoning for the existing Reata Ridge Subdivision residential lots, located in the southeastern portion of the Annexed Area, shall be R-1-12 Single Family Residential zoning, when consideration is given to the interest of the general public.

Section 6. It is hereby found, as an exercise of the City's police power, that the best zoning for the remaining portion of the Annexed Area shall be Agricultural Use zoning, when consideration is given to the interest of the general public.

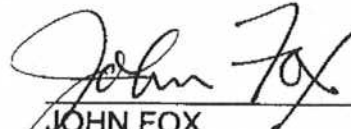
Section 7. A map identifying the zoning classifications for the Annexed Area is attached hereto as Exhibit B. The Official Zoning Map of the City, as adopted by RMC 23.08.040, is hereby amended by adding the Annexed Area with the zoning designations set forth in Exhibit B. Sectional maps shall be amended and new sectional maps shall be created as necessary to reflect the zoning designations set forth in Exhibit B. Said maps shall bear the number and date of passage of this ordinance, and be made a part of the Official Zoning Map of the City.

Section 8. The City Clerk is directed to file a copy of this annexation with the Board of County Commissioners of Benton County and the State of Washington in the manner required by law. The City Clerk is also directed to file with the Auditor of Benton County, Washington a copy of this ordinance and shall attach amended sectional maps and additional sectional maps as necessary and an amended Annexation Map, duly certified by the Clerk as a true copy.

Section 9. As authorized and required by RCW 35.13.280, the City shall negotiate a new franchise with the solid waste collection service provider currently serving the Annexed Area on terms that are acceptable to the City and that requires compliance with the City's Solid Waste Management Plan.

Section 10. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, at a regular meeting on the 7th day of December, 2010.



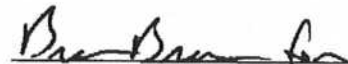
JOHN FOX
Mayor

ATTEST:



DEBRA C. BARHAM, CMC
Chief Deputy City Clerk

APPROVED AS TO FORM:



THOMAS O. LAMPSON
City Attorney

Date Published: December 12, 2010

**EXHIBIT A
LEGAL DESCRIPTION OF
ANNEXED AREA**

Parcel "A":

The East half of the East half of Section 31, Township 9 North, Range 28 East, W.M., Benton County, Washington; EXCEPT that portion described as follows:

The Southwest corner of the Southeast quarter of the Southeast quarter being the True Point of Beginning;

Thence East along the South line thereof 360.00 feet;

Thence Northwesterly in a straight line to a point on the West line of said Southeast quarter of the Southeast quarter, a distance of 360.00 feet North of the Southwest corner thereof;

Thence Southerly along said West line 360.00 feet to the True Point of Beginning;

AND EXCEPT that portion thereof lying Southerly and Westerly of the State Highway right-of-way.

AND EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed, recorded October 10, 1968, under Auditor's File No. 595151, records of Benton County, Washington;

AND EXCEPT State Highway right-of-ways;

AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

Parcel "B":

All of Section 32, Township 9 North, Range 28 East, W.M., Benton County Washington;

EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed, recorded October 10, 1968, under Auditor's File No. 595151, records of Benton County, Washington;

AND EXCEPT that portion thereof lying Southerly and Westerly of the State Highway right-of-way.

AND EXCEPT State Highway right-of-ways;

AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

AND ALSO EXCEPT any portion lying within Short Plat 2465.

Parcel "C":

Section 33, Township 9 North, Range 28 East, W.M., Benton county, Washington, EXCEPT that portion thereof lying Northerly and Easterly of the following described line:

Beginning at the Northwest corner of said section;

Thence South 02°34'20" West, 1330.20 feet along the West line of said section to the True Point of Beginning;

thence South 77°57'14" East, 2389.11 feet;

thence South 83°23'24" East, 1450.14 feet;

thence South 48°00'49" East, 1013.41 feet;

thence South 28°44'51" East, 566.24 feet;

thence North 88°55'28" East, 380.42 feet to the East line of said section and the terminus of said line, said point bears South 00°45'19" West, 3237.80 feet from the Northeast corner of said section.

(Also known as Tract 4 of Survey recorded August 31, 1998, under Recording No. 1998-025706, records of Benton County, Washington.)

EXCEPT State Highway right-of-way;

AND EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed in Benton County Superior Court Cause No. 82-2-00869-6;

Parcel "D":

Section 4, Township 8 North, Range 28 East, W.M., Benton County, Washington,
EXCEPT that portion lying within the plat of EL RANCHO REATA NO. 3, according to the Plat thereof recorded
in Volume 12 of Plats, Page 42, records of Benton County, Washington,
ALSO EXCEPT State highway right-of-way conveyed under Recording No. 870597, records of Benton County,
Washington;
AND EXCEPT that portion lying southerly of the Reata Road right of way
AND EXCEPT the South 420 feet of the Southeast quarter thereof;
AND ALSO EXCEPT that portion conveyed to Benton County by deed recorded May 1, 2007, under Auditor's
File No. 2007-013594, records of Benton County, Washington.

Parcel "E":

That portion of Section 29, Township 9 North, Range 28 East, W.M., Benton County, Washington, lying Southerly
and Westerly of the following described line:

Beginning at the Southwest corner of said Section 29;

Thence South 89°23'44" East 1951.66 feet along the South line of said Section to the True Point of Beginning;

Thence North 65°57'03" West, 116.18 feet;

Thence South 89°48'41" West, 641.83 feet;

Thence North 00°38'28" West, 324.30 feet;

Thence South 89°21'30" West, 1154.45 feet to the East line of Dallas Road and the terminus of said line.

EXCEPT the West 40 feet for County Road right-of-way;

AND EXCEPT that portion deeded to the County of Benton, State of Washington, under Quit Claim Deed dated
November 20, 1978, recorded February 13, 1979, under Auditor's File No. 783437, records of Benton County,
Washington;

AND EXCEPT State Highway right-of-way;

AND EXCEPT that portion conveyed to Benton County for road purposes under Auditor's File No's. 92-16778 and
92-16779;

AND ALSO EXCEPT those portions acquired by the State of Washington under eminent domain proceedings filed
in Benton County Superior Court Cause No. 82-2-00889-6;

Parcel "F":

That portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, described as
follows:

Beginning at the Northwest corner of said section; thence southerly on the West line of said section to the
Northwest corner of the plat of Badger Mountain Plateau, recorded in Volume 15 of Plats, at Page 196, records of
the County of Benton, Washington, said corner being coincident with the Southwest corner of Tract 2 as shown on
Record of Survey No. 3894, recorded May 29, 2008, under Auditor's File No. 2008-015497, records of Benton
County, Washington; thence easterly on the North line of said plat of Badger Mountain Plateau (and its extension
thereof), also being the South line of said Tract 2, to the Southeast corner of said Tract 2; thence northerly on the
East line of said Tract 2 to its intersection with the extension of the southerly line of New Parcel "C" as described
in Quit Claim Deed, recorded April 6, 2009, under Auditor's File No. 2009-009248, records of Benton County,
Washington; thence easterly on said southerly line of New Parcel "C" to its southeast corner, said corner being
coincident with the City Limits of Richland; thence northerly on the East line of said New Parcel "C" and the East
line of New Parcel "B" of same said Quit Claim Deed, both being coincident with said city limits to the Northeast
corner of said New Parcel "B", said Northeast corner lying on the North line of said section 34, and coincident with
said city limits; thence westerly on said north line and city limits line to the point of beginning.

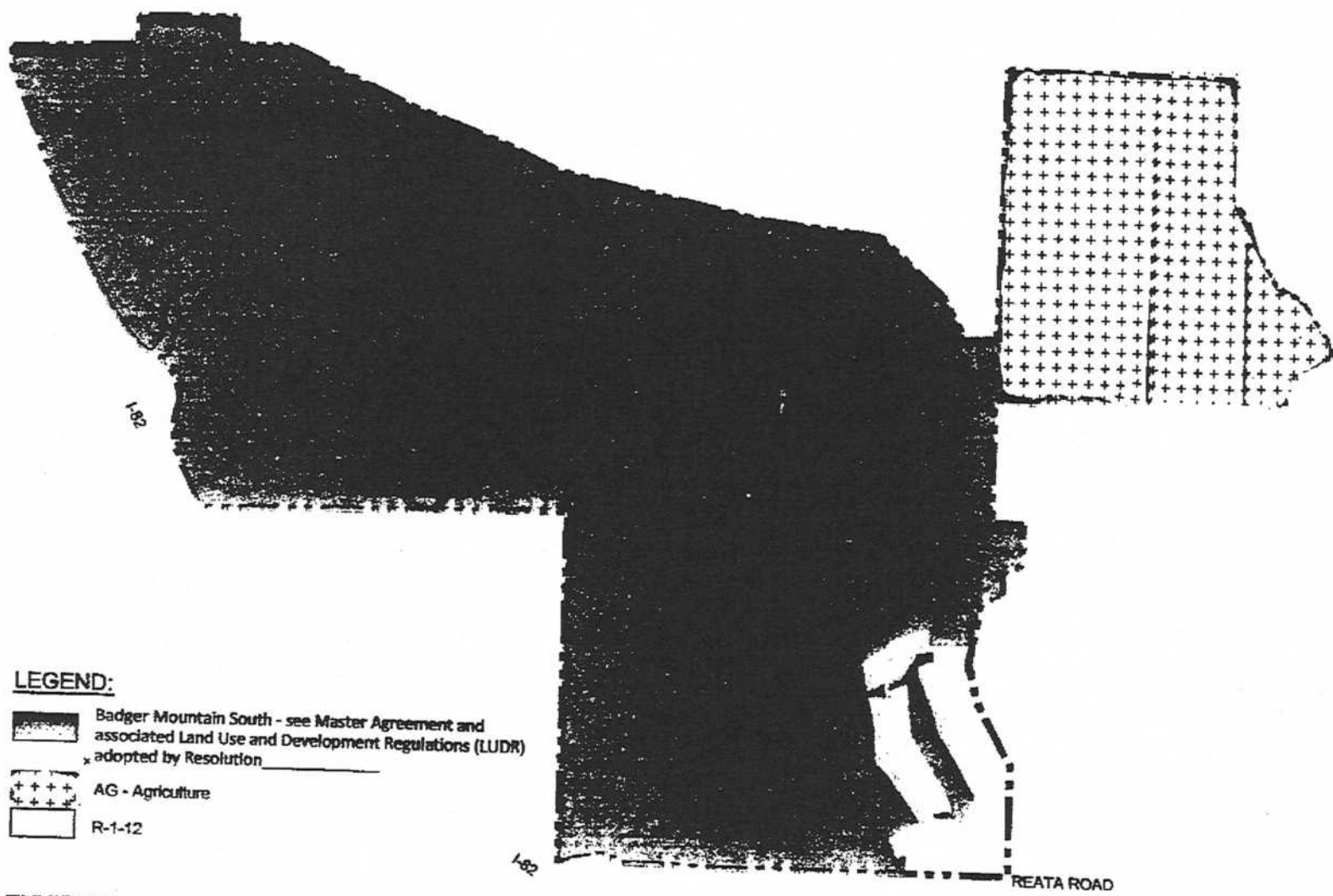
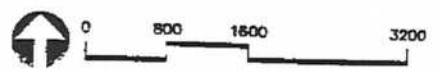


EXHIBIT B
Zoning Designations for Annexation Area



I-82

WHEN RECORDED PLEASE RETURN TO:

City Surveyor
City of Richland
840 Northgate Drive
Richland, WA. 99352
MS# 26

EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION

BY [Signature] 03/24/14 DEPUTY
Easement

Portion of Parcel # 1-3498-300-0001-004, 1-3498-200-0007-000

UTILITY EASEMENT

The Grantor, **C & J LAND COMPANY LLC & WILLIAM L JR & HOLLY D WILSON** for and in consideration of the transfer of interest in a portion of property and other valuable considerations, conveys to The **CITY of RICHLAND**, Washington, a municipal corporation, a **Utility Easement** in, over and under the following described property situated in the County of Benton, State of Washington.

A portion of the West ½ of Section 34, Township 9 North, Range 28 East, W.M. Benton County, Washington.

An easement being 10.00 feet wide and having 5.00 feet lying on each side of the following described centerline.

Beginning at the Southwest corner of said Section 34; Thence along the West line of said West ½ North 00°45'15" West a distance of 2,697.79 feet to the West ¼ corner (found rebar with no cap) of said Section 34; Thence leaving said West ¼ corner and continuing along said west line of said West ½ North 00° 45' 15" West a distance of 4.41 feet to a point on said West ½, said point is the **True Point Of Beginning**; Thence leaving said West line North 89°56'55" East a distance of 2,000.58 feet to a point hereafter referenced to as **Point "A"**; Thence South 00°43'57" West a distance of 1128.15 feet; Thence South 12°51'24" East a distance of 66.74 feet to a point on the Northerly line of Hidden Hills Phase 1 (as recorded in Volume 15 on Page 402) said point is also the terminus of said centerline line easement and bears South 89° 43' 24" East a distance of 250.00 feet from the Northeast corner of said Hidden Hills Phase 1 .

Together With: a 10.00 foot wide easement having 5.00 feet lying on each side of the following described centerline:

Beginning at the aforementioned **Point "A"** as described in above description; Thence North 00°43'57" East a distance of 10.00 feet to the point of terminus.

Together With: a 10.00 foot wide easement having 5.00 feet lying on each side of the following described centerline:

Beginning at the aforementioned **Point "A"** as described in above description; Thence North 89°56'55" East a distance of 30.00 feet to the point of terminus

The sidelines of said easement shall extend or foreshorten and project to create a continuous corridor around the above described centerlines, and shall terminate at right angles to said centerlines at all points of terminus. North line of said Hidden Hills Phase 1.





WHEN RECORDED PLEASE RETURN TO:

City Surveyor
City of Richland
840 Northgate Drive
Richland, WA. 99352
MS#26

EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY [Signature] 02/23/16 DEPUTY
[Signature]

Portion of Parcel # 1-3498-300-0001-004 / 1-3498-200-0005-002
1-3498-200-0007-000

UTILITY EASEMENT

The Grantor's, **William L. Wilson Jr. and Holly Douglas Wilson & C & J Land Company, LLC**, a Washington Limited Liability Company, and in consideration of the transfer of interest in a portion of real property for a **utility easement**, and upon receipt of good and valuable consideration, in hand paid, grants to the City of Richland, Washington, a municipal corporation, said easement in, over and under the following described property situated in said County and State, described as follows:

A portion Section 34, Township 9 North, Range 28 East, W.M. City of Richland, Benton County, Washington, described as follows:

An easement being 10.00 feet wide having 5.00 feet of said width lying on each side of the following described centerline.

Beginning at the Southwest corner of said Section 34; Thence North 00°45'12" East a distance of 2698.05 feet along the West line of said Section to the West ¼ corner of said Section 34; Thence continuing North 00°45'12" East a distance of 4.22 feet along said West line to the **TRUE POINT of BEGINNING**; Thence North 89°56'55" East a distance of 1734.78 feet leaving said West line to a point hereafter known as **Point "A"**; Thence continuing North 89°56'55" East a distance of 108.24 to a point of terminus.

Together with:

An easement being 10.00 feet wide having 5.00 feet of said width lying on each side of the following described centerline.

Beginning at the aforementioned **Point "A"** Thence South 00°03'05" East a distance of 10.00 feet; Thence North 89°32'00" East a distance of 265.74 feet to a point hereafter known as **Point "B"**; Thence continuing North 89°32'00" East a distance of 278.71 feet; Thence North 85°27'03" East a distance of 103.67 feet; Thence North 62°27'05" East a distance of 109.09 feet; Thence North 88°11'28" East a distance of 279.83 feet; Thence South 31°59'19" East a distance of 351.21 feet parallel to and 5.00 feet Easterly of an existing property line; Thence North 62°42'42" East a distance of 55.47 feet leaving said parallel line; Thence South 75°23'32" East a distance of 75.00 feet to the point of terminus.

Together with:

An easement being 10.00 feet wide having 5.00 feet of said width lying on each side of the following described centerline.

Beginning at the aforementioned **Point "B"** Thence South 00°37'21" West a distance of 1129.31 feet; Thence South 12°52'59" East a distance of 57.29 feet to a point on the North line of the Plat of Hidden Hills Phase 1 as recorded in Volume 15 of Plats on Page 402 records of said County and State. Said point is on the centerline of an existing 10.00 wide utility easement running along the West line of Lot 1 and the terminus of said easement.

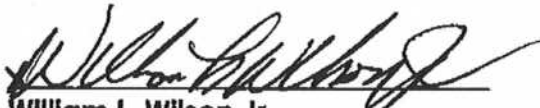
The sidelines of said easement shall extend or foreshorten to terminate at the West line of said Section 34 at the true point of beginning. At right angles to the centerline at the point of terminus, and at the North line of said Plat of Hidden Hills Phase 1.

See attached **Exhibits "A", "B", & "C"**.

For the purpose of constructing, installing maintaining, repairing, and operating a **utility easement** with full right to go upon said premises at any time for such purposes, together with the right to trim brush and trees that may interfere with the construction, maintenance and operation of same and **does** give the right to permit franchise holder and utility licensees of the City of Richland to place telephone and television cable circuits.

Terms and Condition:

1. The Grantor will not be responsible for any costs associated with relocating the 750mcm Feeder Facilities that will be providing service to the Badger Mountain Irrigation District pump station due to future development of public right of way. These new facilities start at Point "A" and continue from Line 1 thru Line 10 as depicted on exhibits "B and C", and as described by the above legal description. The costs involved in the future relocation of these facilities due to development of public right of way, will be fully borne by the City of Richland Energy Services Department. If for any reason the grantor wishes to relocate these facilities for his or her benefit, the costs shall be borne by the grantor and not the City of Richland Energy Services Department.
2. The Grantor will be responsible for any costs to relocate the existing 336 overhead Line and the 1/0 Lines that serves Hidden Hills. These existing facilities are described from the True Point of Beginning to Point "A" and from point "B" to the North line of Lot 1 of Hidden Hills Phase I, as depicted on exhibit "A, B, and C", and described by the above legal description. The 336 overhead Line and the 1/0 Lines that serves Hidden Hills was originally covered by easement "Auditor File No. 2014-006658, but was relinquished due to a Scrivener's error.


 William L. Wilson Jr.

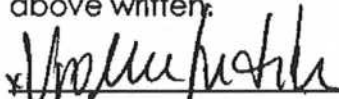

 Holly Douglas Wilson

STATE OF ARIZONA

COUNTY OF Maricopa)
 : ss)

On this 15th day of February 2016, before me, the undersigned, a Notary Public in and for the State of Arizona, duly commissioned and sworn, personally appeared, **William L. Wilson Jr.** and **Holly Douglas Wilson**, to me proved to be authorized representative for **C & J Land Company, LLC.** and the owners, and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument.

Witness my hand and official seal hereto affixed the day and year first above written.


 Sign Name: _____

Notary Public in and for the State of
 Washington; residing at 1276 N Bermuda Rd
 My appointment expires



seal

Yollca Sadiku
 Print Name: _____

APPROVED AS TO FORM:

CITY OF RICHLAND, WASHINGTON

Heather Kintzley
 HEATHER D. KINTZLEY
 City Attorney

Cynthia D. Reents
 CYNTHIA D. REENTS, ICMA-CM
 City Manager

Bob Hammond
 BOB HAMMOND
 Energy Services, Director

Marcia Hopkins
 MARCIA HOPKINS
 City Clerk

STATE of WASHINGTON)
 : ss
 COUNTY of BENTON)

On this 5 day of February, 2016, before me the undersigned, Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Cynthia D. Reents**, and **Marcia Hopkins**, to me known to be the, City Manager and City Clerk, respectively, of the City of Richland, Benton County, Washington, the corporation that executed the foregoing instrument and acknowledged the same instrument to be the free and voluntary act and deed of said corporation, for the uses and purposed therein mentioned, and on oath stated that they are authorized to execute the said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

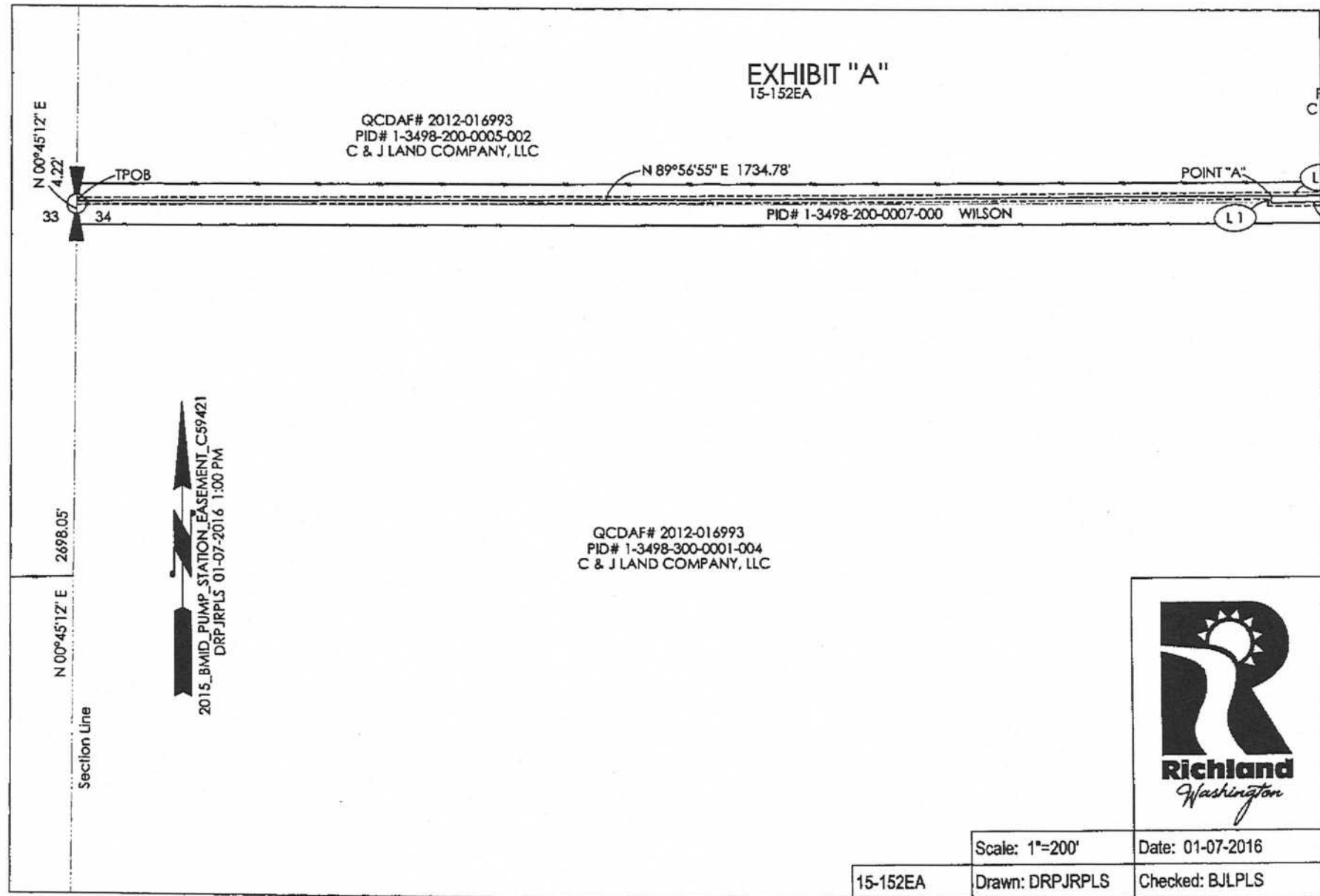
Debra C Barham
 Sign Name:

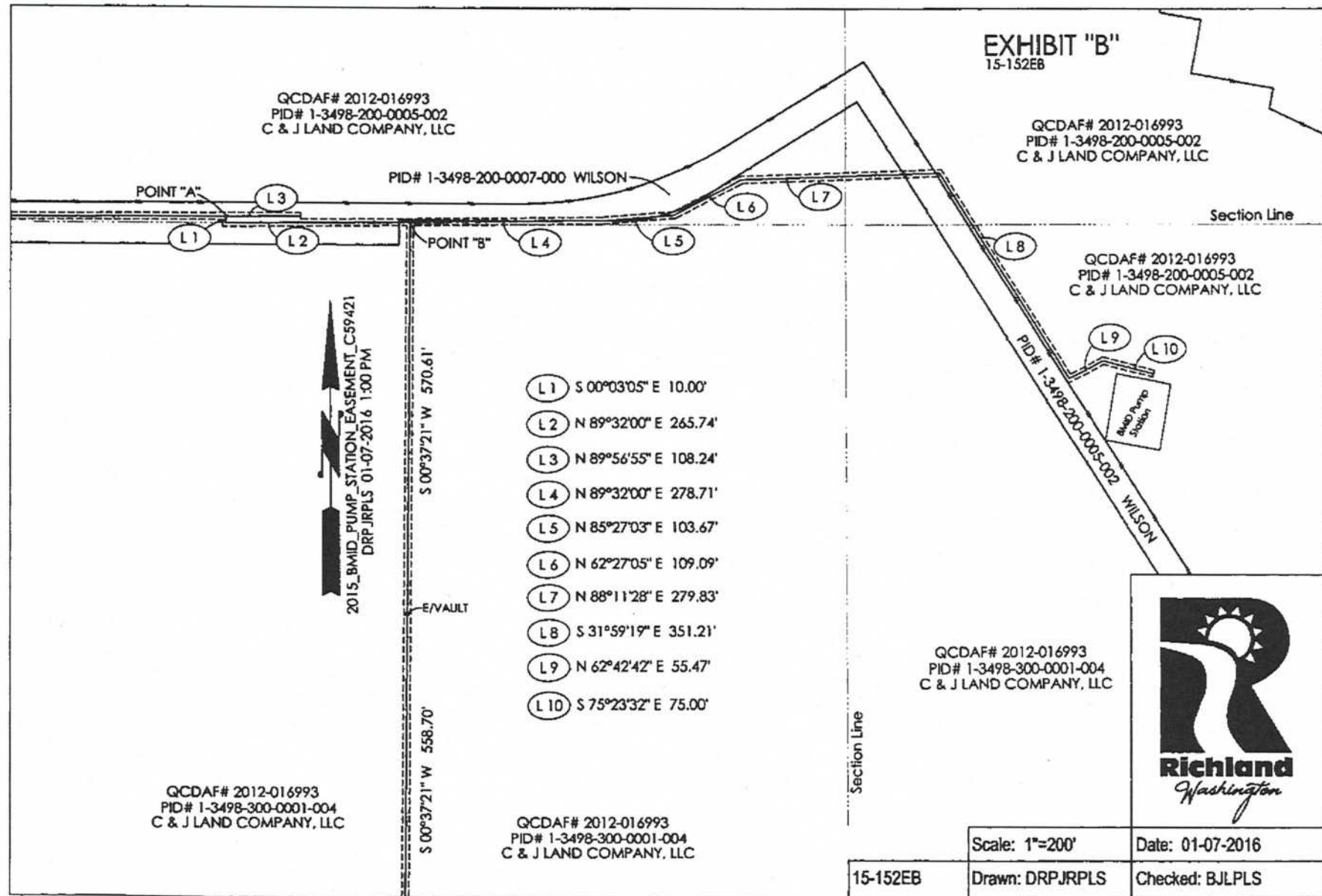
Notary Public in and for the State of WASHINGTON
 Residing at BENTON COUNTY
 My Commission Expires 11/16/16

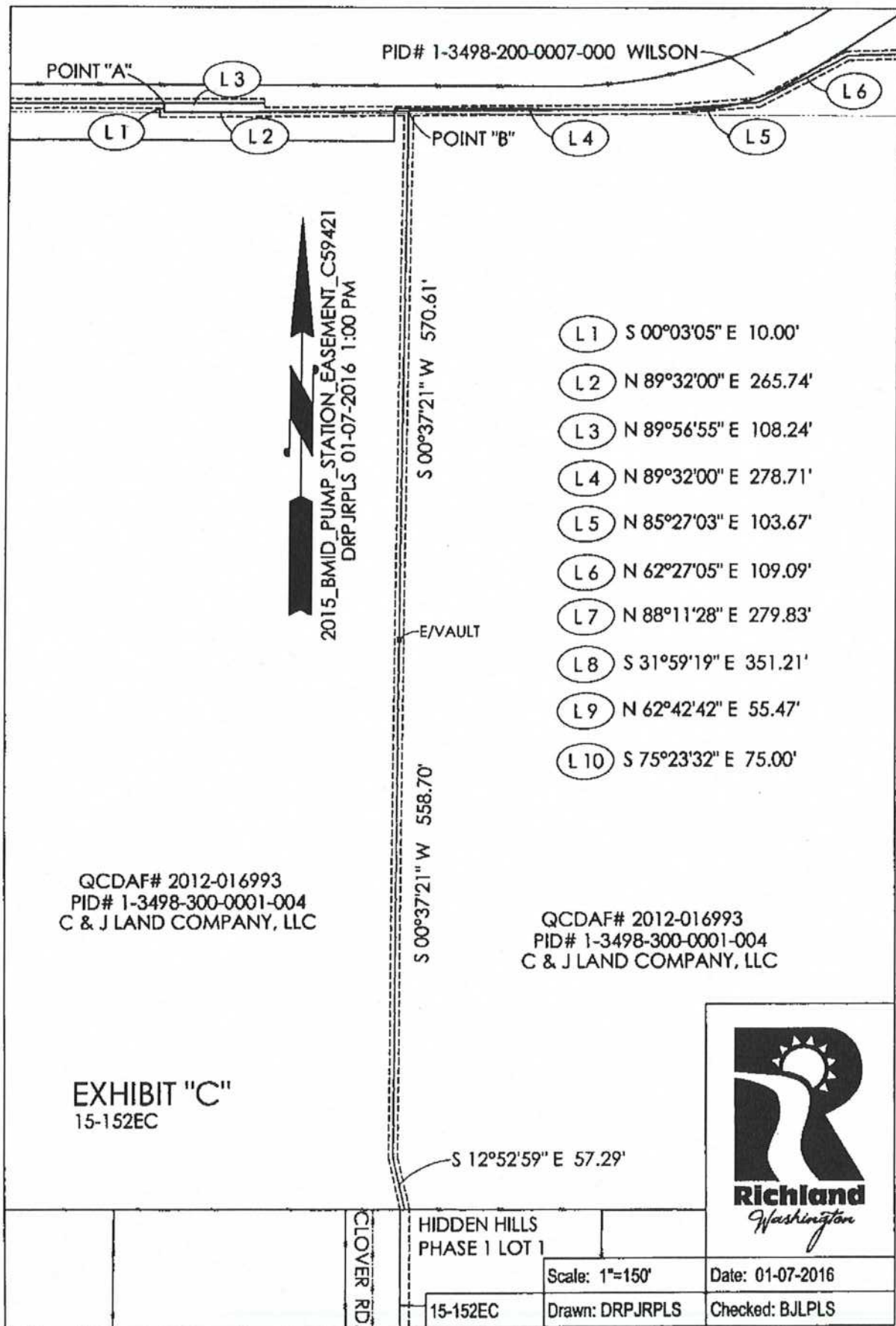
DEBRA C BARHAM
 Print Name

15-152
 Drpjrp1s









WHEN RECORDED RETURN TO:

City Surveyor
City of Richland
505 Swift Blvd MS# 26
Richland, WA 99352

EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY [Signature] 1/18/18 DEPUTY
earmont

Portion of Parcel #1-3498-300-0001-004

WATERLINE EASEMENT

The Grantor, **C & J Land Company LLC.**, for and in consideration of the transfer of interest in a portion of real property for a **waterline easement** and upon receipt of good and valuable considerations, in hand paid, grants to the **CITY OF RICHLAND**, Washington, a municipal corporation, said easement in, and under the following described real property situated in the County of Benton, State of Washington, described as follows:

An easement 10 feet in width being 5 feet each side of the following described center line located in a portion of the Southwest 1/4 of the Northeast 1/4, the Northwest 1/4 of the Southeast 1/4 of Section 34, Township 9 North, Range 28 East of the Willamette Meridian, City of Richland, Benton County, State of Washington:

See attached Exhibit's "A" & "B" for the full description and site plan.

Together with and subject to easements, reservations, covenants and restrictions of record and in view.

For the purpose of constructing, installing maintaining, repairing, and operating a **waterline easement** with full right to go upon said premises at any time for such purposes, together with the right to trim brush and trees that may interfere with the construction, maintenance and operation of same and **does not** give the right to permit franchise holder and utility licensees of the City of Richland to place telephone and television cable circuits.

Grantor:

Holly D. Wilson

Sign Name:

HOLLY D. WILSON

Print Name:

An authorized representative for:
C & J Land Company LLC.

STATE OF WASHINGTON)
 : SS
COUNTY OF BENTON)

On this 15 day of December, 2017, before me the undersigned, Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared, Holly D. Wilson, an authorized representative for: **C & J Land Company LLC.**, to me known to be authorized and who executed the executed the within and foregoing instrument, and acknowledged that he/she signed the same as his/her free and voluntary act and deed, for the use and purposes therein mentioned, and on oath stated that he/she are authorized to execute the said instrument.

IN WITNESS WHEREOF, my hand and official seal hereon affixed the day and year above written.

Stephanie Price

Sign Name:

Notary Public in and for the State of Washington;
Residing at Richland WA
My appointment expires 6/1/2020

Stephanie Price

Print Name:



EXHIBIT "A"
AN EASEMENT FOR WATER MAIN
THROUGH BENTON COUNTY TAX PARCEL 134983000001004

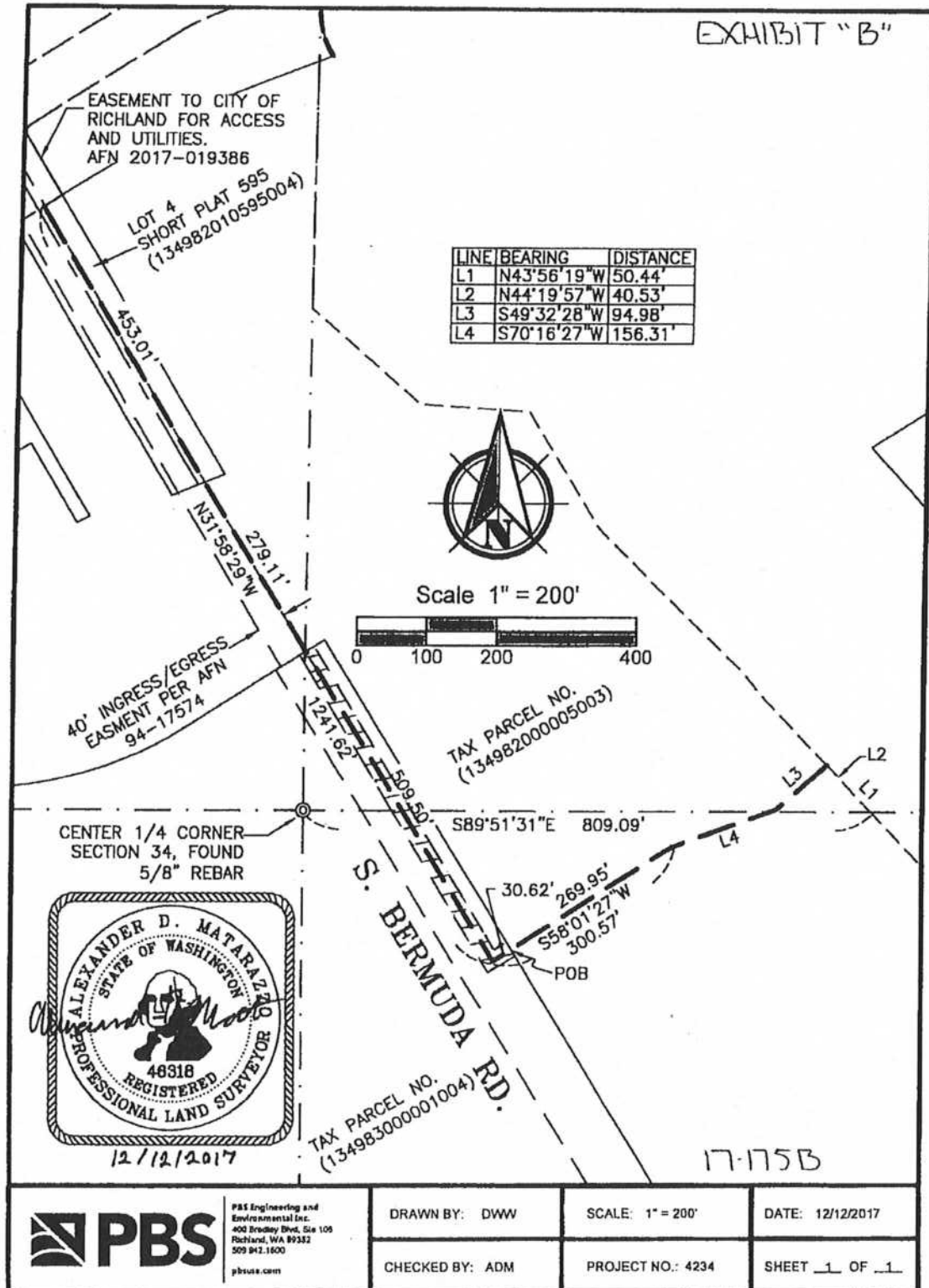
AN EASEMENT 10 FEET IN WIDTH BEING 5 FEET EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE LOCATED IN A PORTION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, STATE OF WASHINGTON:

COMMENCING AT THE CENTER OF SECTION MONUMENT OF SAID SECTION 34, SAID MONUMENT BEING A FOUND 5/8 INCH IRON REBAR; THENCE SOUTH 89°51'31" EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 809.09 FEET TO THE INTERSECTION OF THE EAST BOUNDARY LINE OF THE LANDS DESCRIBED ON SAID QUIT CLAIM DEED FILED UNDER AUDITOR'S FILE NUMBER 2017-0123127; THENCE NORTH 43°56'19" WEST ALONG SAID EAST PARCEL BOUNDARY LINE, A DISTANCE OF 50.44 FEET; THENCE CONTINUING ALONG SAID EAST PARCEL BOUNDARY LINE, NORTH 44°19'57" WEST, A DISTANCE OF 40.53 FEET; THENCE LEAVING SAID EAST PARCEL BOUNDARY LINE SOUTH 49°32'28" WEST, A DISTANCE OF 94.98 FEET; THENCE SOUTH 70°16'27" WEST, A DISTANCE OF 156.31 FEET; THENCE SOUTH 58°01'27" WEST, A DISTANCE OF 269.95 FEET TO THE BOUNDARY OF SAID PARCEL THE TRUE POINT OF BEGINNING;

THENCE SOUTH 58°01'27" WEST, A DISTANCE OF 30.62 FEET; THENCE NORTH 31°58'19" WEST, A DISTANCE OF 509.50 FEET TO THE BOUNDARY OF SAID PARCEL, AND THE TERMINUS OF THIS EASEMENT.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

17-175A



Licb to assessment by Badger mtn Irrig Dist

RIGHT OF WAY EASEMENT

718936

THE GRANTOR(S) MILO BAUDER and DONNA L. BAUDER, Husband and Wife, and
BRET L. BAUDER, A Single Man

of BENTON County, State of WASHINGTON, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to BADGER MOUNTAIN IRRIGATION DISTRICT, a public corporation, and its successors or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

See attached schedule.

JAN 13 9 55 AM '77

VERNER MILLER, ALCLTOR

RECEIVED

319

NOTED BY mv
RECORDED BY mv

and to construct, repair, replace, operate and maintain across the above described lands pipelines and appurtenant structures.

The Grantor(s) agree(s) that pipelines and structures installed upon the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

DATED this 12th day of January, 19 77.

Milo Bauder

Donna L. Bauder

Bret L. Bauder

ACKNOWLEDGEMENT OF INDIVIDUAL

STATE OF Washington)
) ss.
County of Benton)

I, Candace J. Stutz, a Notary Public in and for the State and County aforesaid, do hereby certify that on this 12th day of January, 19 77, personally appeared before me Milo Bauder and Donna L. Bauder, husband and wife, and Bret L. Bauder, a single man.

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes there expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate above written.

Candace J. Stutz
Notary Public in and for the State of
Washington, residing at Kennewick.

MILO EASEMENT

Those portions of the South half of the Northeast quarter of Section 34, T9N, R28E, W.M., Benton County Washington, described as follows:

1. A strip of land 20.00 feet in width and lying Northwesterly from, and adjacent to, the following described line:

Beginning at the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 34; Thence S89°29'31"E along the North Line of said Southeast quarter of the Northeast quarter a distance of 30.38 feet to the True Point Of Beginning; Thence S17°58'22"W a distance of 22.10 feet; Thence S53°37'01"W a distance of 1058.42 feet to the Terminus of this described line.

Containing 0.48 Acres more or less

ALSO including

2. A rectangular parcel of land situated in the Southwest quarter of the Northeast quarter of Section 34, being more particularly described as follows: Beginning at the Northeast corner of said Southwest quarter of the Northeast quarter; Thence S89°29'31"E a distance of 30.38 feet; Thence S17°58'22"W a distance of 22.10 feet; Thence S53°37'01"W a distance of 1058.42 feet to the True Point Of Beginning; Thence S71°56'04"W, a distance of 360.00 feet; Thence N18°03'56"W a distance of 360.00 feet; Thence N71°56'04"E a distance of 360.00 feet; Thence S18°03'56"E a distance of 360.00 feet to the True Point Of Beginning.

Containing 2.98 Acres more or less.

ROGERS SURVEYING, INC.

TN/kp
#30775
Easement "O"
10/30/75

executed, signed and sealed the same as well as my hand and voluntary act and deed for the uses and purposes therein expressed.
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year in this certificate above written.

Notary Public for the State of
Washington, residing at Kennewick.

J. O. 6492

RIGHT OF WAY EASEMENT

728681

THE GRANTOR(S)

Milo Bauder and Donna L. Bauder, Husband and Wife

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

An easement 10 feet wide, 5 feet on each side of a centerline, described as follows:

Beginning at the NE corner of Section 34, Township 9N, Range 28E. W.M. in Benton County, Washington; thence S.00°33'35"E. 1321.22 feet to the existing 1/16 corner. Thence S.00°33'35"E. 5.0 feet to the true point of beginning. Thence N.89°33'35"W. 1264.31 feet, thence S.47°53'26"W. 1000.7 feet. Thence S.10°25'54"W. 975.79 feet to the final point

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this

16

day of

may

19 77

Milo B. Bauder
GRANTOR'S SIGNATURE

Donna L. Bauder
GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

INDEXED BY *AV*

CHECKED BY

MAY 26 2 21 PM '77

VERNON W. LYNCH, AUDITOR

DEPUTY

326

STATE OF Washington
COUNTY OF Benton

ACKNOWLEDGMENT OF INDIVIDUAL

I, Candace J. Stutz
certify that on this 16th day of May, 19 77
and Donna L. Bauder, Husband and Wife.

a Notary Public in and for the State and County aforesaid, do hereby
personally appeared before me Milo Bauder

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year in this certificate above written.

Candace J. Stutz
Notary Public in and for the State of Washington residing at
Kennewick.

737310

RIGHT OF WAY EASEMENT

THE GRANTOR(S) Milo Bauder and Donna L. Bauder

SEP 15 2 28 PM '77

VERNER MILLER, AUDITOR

DEPUTY

RECORDED IN VOL

333

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

CHECKED BY

An easement 10 feet wide, 5 feet on each side of a centerline, described as follows:

Beginning at the Northeast corner of Section 34, Township 9 North, Range 28 East, W.M. in Benton County, Washington; Thence S00°33'35"E, 1321.22 feet to the existing 1/16th corner. Thence S00°33'35"E, 5.41 feet to the True Point of Beginning. Thence S84°44'34"W, 347.52 feet; Thence S69°19'30"W, 1779.03 feet; Thence S10°25'54"W, 975.79 feet to the final point.

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 26th day of August, 1977

Milo B. Bauder
GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

Donna L. Bauder
GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

STATE OF Washington
COUNTY OF Benton

ACKNOWLEDGMENT OF INDIVIDUAL

I, *Carbace J. Stout*,
certify that on this 26 day of *Aug*, 1977
and *Donna L. Bauder*

a Notary Public in and for the State and County aforesaid, do hereby personally appeared before me *Milo E. Bauder*

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and date in the certificate above written.

Carbace J. Stout
Notary Public in and for the State of Washington residing at

VOL 333 PAGE 453 J.O. 6492

737311
RIGHT OF WAY EASEMENT

THE GRANTOR(S) Milo E. Bauder and Donna L. Bauder

SEP 15 2 28 PM '77

VERNER MILLER, AUDITOR

DEPUTY

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

CHECKED BY

An easement 10 feet wide, 5 feet on each side of a centerline described as follows:

Beginning at the Northeast corner Section 34, Township 9 North, Range 28 East, W.M. in Benton County, Washington; Thence S00°33'35"E, 1321.22 feet to the existing 1/16th corner; Thence S00°33'35"E a distance of 5.41 feet; Thence S84°44'34"W, 347.52 feet to the point of beginning of Parcel "A"; Thence N12°57'58"W, 40.00 feet to the final point of Parcel "A". (Continued)

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 26th day of August, 1977

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

STATE OF Washington
COUNTY OF Benton

ACKNOWLEDGMENT OF INDIVIDUAL

I, Candace J. Stutz
certify that on this 26 day of Aug, 1977
and Donna L. Bauder

a Notary Public in and for the State and County aforesaid, do hereby personally appeared before me Milo E. Bauder

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year in the certificate above written.

Candace J. Stutz
Notary Public and for the State of Washington residing at

-2-

Continuing from the final point of Parcel "A" S12°57'58"E, 40.00 feet; Thence S69°19'30"W, 1779.03 feet to the point of beginning of Parcel "B"; Thence continuing S69°19'30"W, 40.00 feet to the final point of Parcel "B".

Continuing from the final point of Parcel "B" N69°19'30"E, 40.00 feet to the point of beginning of Parcel "C"; Thence N10°25'54"E, 40.00 feet to the final point of Parcel "C" and this easement.

therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and date first above written.

David R. [Signature]
Notary Public for the State of Washington residing at

J.O. 7063
7064

RIGHT OF WAY EASEMENT 749794

THE GRANTOR(S) Milo Bauder

P.U.D.
FEB 6 2 58 PM '78

343

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessees or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

INDEXED BY l 21

CHECKED BY _____

Legal descriptions per Exhibits A and B hereto made a part of this easement.

and to construct, operate and maintain over and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or system, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system. The Grantor(s) agree to keep the above described lands free and clear of any structures, buildings, dwellings or other obstructions of the right of way, lawful fences excluded.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 16 day of January, 1978.

Milo B. Bauder
GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

STATE OF Washington
COUNTY OF Benton

ACKNOWLEDGEMENT OF INDIVIDUAL

I, Candace J. Stutz, a Notary Public in and for the State and County aforesaid, do hereby certify that on this 16th day of January, 1978, personally appeared before me Milo B. Bauder and

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal on this day of _____, 1978, in this certificate above written.

Notary Public in and for the State of Washington residing at _____

CANDACE J. STUTZ
NOTARY PUBLIC
STATE OF WASHINGTON
JAN 16 1978

LEGAL DESCRIPTION
Electrical Easement

An easement for electrical purposes, being 20.00 feet in width and situated in Sections 34, 33, 32, 30, 29, 20, and 19, Township 9 North, Range 28 East, W.M., Benton County, Washington, with 10.00 feet lying on each side of the following described centerline:

Beginning at the East quarter corner of Section 34; Thence N89°51'32"W along the North line of the Southeast quarter of Section 34 a distance of 2159.74 feet; Thence S00°08'28"W a distance of 86.19 feet to the True Point of Beginning at Station -(1+04.72); Thence S58°00'41"W a distance of 199.37 feet to Station 0+94.65; Thence S31°59'19"E a distance of 479.12 feet to Station 5+73.77; Thence N89°51'32"W a distance of 3187.43 feet to Station 37+61.40; Thence N00°45'12"E parallel to and 2.5 feet Easterly of the West line of Section 34 a distance of 358.00 feet to Station 41+19.40; Thence N04°39'20"W a distance of 371.37 feet to Station 44+90.78; Thence N00°45'08"E parallel to, and 32.5 feet Westerly of, the East line of Section 33 a distance of 1120.00 feet to Station 56+10.78; Thence N45°09'29"W a distance of 80.02 feet to Equation Station 56+90.80 back = Station 57+59.76 ahead; Thence S89°18'38"W parallel to, and 42.00 feet Southerly of the Northerly line of the South half (according to U.S. Surveys) of the Northeast quarter of Section 33 a distance of 2390.24 feet to Station 81+50; Thence S89°48'42"W a distance of 334.96 feet to Station 84+85; Thence N83°05'28"W, a distance of 344.63 feet to Station 88+30; Thence N73°56'54"W a distance of 339.64 feet to Station 91+70; Thence N64°36'19"W a distance of 359.58 feet to Station 95+30; Thence N56°00'31"W a distance of 400.45 feet to Station 99+30; Thence N54°52'28"W a distance of 1237.82 feet to a point on the West line of Section 33, said point lying S02°34'15"W a distance of 120.88 feet from the Northwest corner of Section 33; Thence continuing N54°52'28"W a distance of 213.15 feet to a point on the South line of Section 29, said point lying N89°23'57"W a distance of 179.76 feet from the Southeast corner of Section 29; Thence continuing N54°52'28"W a distance of 1749.03 feet to Station 131+30; Thence N51°32'01"W a distance of 344.79 feet to Station 134+35; Thence N44°34'47"W a distance of 344.79 feet to Station 138+20; Thence N37°40'29"W a distance of 339.80 feet to Station 141+60; Thence N31°25'27"W a distance of 369.92 feet to Station 145+30; Thence N30°27'55"W a distance of 2855.00 feet to Station 173+85; Thence N33°38'37"W a distance of 334.41 feet to Station 177+20; Thence N49°38'17"W a distance of 358.55 feet to Station 180+80; Thence N65°47'23"W a distance of 359.39 feet to Station 184+40; Thence N82°44'19"W a distance of 348.14 feet to Equation Station 187+88.14 back = Station 187+95.00 Ahead; Thence S88°32'40"W parallel to, and 5.00 feet Northerly of, the South line of Section 20, a distance of 155.85 feet to a point on the West line of Section 20, said point lying N01°05'31"W a distance of 5.00 feet from the Southwest corner of Section 20;

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal in this certificate above written

Notary Public for the State of Washington residing at

LEGAL DESCRIPTION

Electrical Easement

An easement for electrical purposes situated in Sections 34, 33 & 32, Township 9 North, Range 28 East, W.M., Benton County, Washington, being 20.00 feet in width, with 10.00 feet lying on each side of the following described line:

Beginning at the West quarter corner of Section 34; Thence S00°45'12"W along the West line of said Section 34 a distance of 597.98 feet; Thence S89°14'48"E a distance of 2.50 feet to the True Point of Beginning; Thence S89°14'48"E parallel to, and 2.50 feet Easterly of, said West line a distance of 715.99 feet to Station 7+15.99; Thence S89°36'20"W parallel to, and 35.00 feet Northerly of, the South line of the North half of the South half (according to U.S. Surveys) of said Section 33 a distance of 5293.97 feet to a point on the East line of Section 32, said point lying S02°34'14"W a distance of 1302.42 feet from the East quarter corner of Section 32; Thence S89°28'15"W parallel to, and 35.00 feet Northerly of the South line of the North half (according to U.S. Surveys) of the Southeast quarter of Section 32 a distance of 2637.42 feet to a point on the West line of said Southeast quarter, said point lying S03°04'03"W a distance of 1320.20 feet from the Northwest corner of said Southeast quarter of Section 32; Thence continuing S89°28'15"W a distance of 42.63 feet to Station 86 + 90 and Terminus of this described line.

TOGETHER WITH easements for the purpose of placing guy poles and wires, said easements being 10.00 feet in width with 5.00 feet lying on each side of the following described lines:

Beginning at Station 7+15.99; Thence N89°36'20"E a distance of 50.00 feet to the Terminus of line.

Beginning at Station 86+47.37; Thence S89°28'15"W a distance of 50.00 feet to the Terminus of line.

EXCEPT those portions lying in Sections 32 & 33.

ROGERS SURVEYING, INC.

#31777
Bauder Easement
JTN/mlr
12/14/77

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal this 18th day of December, 1977, in this certificate above written.

Notary Public and for the State of Washington residing at
Kern, Washington

Thence S89°25'29"W parallel to and, 5.00 feet Northerly of, the South line of Section 19 a distance of 2762.77 feet to a point on the West line of the Southeast quarter of Section 19, said point lying N00°19'04"E a distance of 5.00 feet from the South quarter corner of Section 19 and being the Terminus of this described centerline.

TOGETHER WITH easements for the purpose of placing guy poles and wires, said easements being 10.00 feet in width with 5.00 feet lying on each side of the following described lines:

Beginning at Station -(1+04.72); Thence N58°00'41"E a distance of 50.00 feet to the Terminus of line.

Beginning at Station 0+94.65; Thence S58°00'41"W a distance of 134.00 feet to Terminus of line.

Beginning at Station 5+73.77; Thence S31°59'19"E a distance of 50.00 feet to terminus of line.

Beginning at Station 5+73.77; Thence S89°51'32"E a distance of 50.00 feet to Terminus of line.

Beginning at Station 41+19.40; Thence N88°02'56"E a distance of 50.00 feet to Terminus of line.

Beginning at Station 44+90.78; Thence S88°02'54"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 56+10.78; Thence N00°45'08"E a distance of 50.00 feet to Terminus of line.

Beginning at Equation Station 56+90.80 back=Station 57+59.76 ahead; Thence N89°18'38"E a distance of 50.00 feet to Terminus of line.

Beginning at Station 84+85; Thence S02°18'15"W a distance of 50.00 feet to terminus of line.

Beginning at Station 88+30; Thence S11°30'49"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 91+70; Thence S20°35'23"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 95+30; Thence S29°41'35"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 134+75; Thence S42°26'36"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 138+20; Thence S48°53'53"W a distance of 50.00 feet to Terminus of line.

Beginning at Station 141+60; Thence S55°27'02"W a distance of 50.00 feet to Terminus of line.

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal at this certificate above written



Beginning at Station 173+85; Thence N61°07'26"E a distance of 135.00 feet to Terminus of line.

Beginning at Station 177+20; Thence N49°16'05"E a distance of 135.00 feet to Terminus of line.

Beginning at Station 180+80; Thence N31°27'21"E a distance of 135.00 feet to Terminus of line.

Beginning at Station 184+40; Thence N33°30'08"E a distance of 135.00 feet to Terminus of line.

Beginning at Equation Station 187+88.14 back Station 187+95.00 Ahead; Thence N09°10'04"E a distance of 50.00 feet to Terminus of line.

EXCEPT those portions lying in Sections 19, 20, 29, 30, 32 & 33.

ROGERS SURVEYING, INC.

#31777
Bauder Easement
JTN/mlr
12/14/77

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me that he executed, signed and sealed the same as his free and voluntary act, and deed for the uses and purposes therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal in this certificate above written.



765776

Jul 28 3 02 PM '78

GRANT OF EASEMENT

VERIFIED BY NOTOR

DEPUTY

355

THIS INDENTURE, made and given this 28 day of July, 1978,
by and between:

Milo B. Bauder & Donna L. Bauder, husband and wife, hereinafter
referred to as "GRANTOR",

and

INDEXED BY

CHECKED BY

All now and further owners of the hereinafter described property,
or any portion thereof hereinafter referred to as "GRANTEE"

WITNESSETH, GRANTOR, for good and valuable consideration, receipt
of which is hereby acknowledged, hereby conveys and grants to the
said grantees, and each of them and their heirs, devisees, personal
representatives, assigns and successors-in-interest, and each
of them:

An easement, 60 feet in width for the purpose of Ingress
and Egress, situated in the West Half of Section 34,
Township 9 North, Range 28 East, W.M., Benton County,
Washington, said 60' easement having 30 feet, as measured
at right angles or radial on both sides of the following
described centerline: Beginning at the Southwest corner
of said Section 34; Thence N 89°31'37" E along the South
line of said Section a distance of 813.53 feet to a point
on the centerline of BENT ROAD, as recorded in the Plat
of EL RANCHO REATA NO. 3, according to Plat thereof
recorded in Volume 12, page 42, records of Benton County
Washington, and True Point of Beginning; Thence N 30°
54'17" W along said described centerline a distance
of 115.37 feet to a point of curve; Thence along the arc
of a curve to the right, said curve having central angle
of 31°30'00", a radius of 600.00 feet, an arc length
of 329.87 feet to a point of tangent; Thence N 00°35'42"
E a distance of 2276.21 feet to a point on the South
line of The Northwest Quarter of said Section 34; Thence
N 00°08'28" E a distance of 367.01 feet to a point of
curve; Thence along the arc of a curve to the right;
said curve having a central angle of 20°02'04", a
radius of 310.00 feet, an arc length of 108.40 feet to a
point of tangent; (Here in after referred to as Point "A")
Thence N 20°10'32" E a distance of 557.60 feet to a
point of curve; Thence along the arc of a curve to the
right, said curve having a central angle of 48°18'47" a
radius of 340.00 feet, an arc length of 286.69 feet to
a point of tangent; Thence N 68°29'19" E a distance of
820.30 feet to the Terminus of said centerline.

TOGETHER WITH a portion of Holwagner Road described as
follows.

----CONTINUED----

Beginning at Point "A" herein before mentioned; Thence S 69°49'28" E a distance of 208.73 feet to the Terminus of Said Line.

Subject to easements, reservations, and restrictions of record.

To Afford access to and from the following described property:

A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows: Beginning at the Northwest corner of Section 34; Thence S 00°45'08" W along the West line of said Section 34 a distance of 2699.38 feet; Thence S 89°51'32" E a distance of 850.40 feet; Thence N 00°08'28" E a distance of 528.16 feet to the True Point of Beginning; Thence N 20°10'32" E a distance of 472.96 feet; Thence N 62°01'18" W a distance of 113.18 feet to a point on a curve; Thence Northwesterly along a curve to the right having a central angle of 03°41'57" a radius of 310.00 feet a chord bearing of N 29°49'40" E, an arc length of 20.01 feet; Thence S. 62°01'18" E a distance of 115.00 feet; Thence N 55°17'34" E a distance of 150.00 feet; Thence N 68°29'19" E, a distance of 575.33 feet; Thence N 21°30'41" W a distance of 115.00 feet; Thence N 68°29'19" E a distance of 253.30 feet to a point on a curve; Thence along a curve to the left, having a central angle of 03°45'57" a radius of 1268.81 feet, a chord bearing of S 30°06'21" E, an arc length of 83.39' to a point of tangency; Thence S 31°59'19" E a distance of 1116.61 feet; Thence S 68°29'19" W a distance of 81.36 feet; Thence N 31°59'19" W a distance of 1016.76 feet; Thence S 58°00'41" W a distance of 115.00 feet; Thence S 31°59'19" E a distance of 979.45 feet to a point on a curve; Thence southwesterly along a curve to the right, having a central angle of 02°07'36", a radius of 540.00 feet a chord bearing of S 61°39'33" W an arc length of 20.04 feet; Thence N 31°59'19" W a distance of 130.00 feet; Thence S 60°35'40" W a distance of 86.66 feet; Thence S 82°16'18" W, a distance of 94.27 feet; Thence N 89°51'32" W a distance of 455.00 feet; Thence S 00°08'28" W a distance of 115.00 feet; Thence N 89°51'32" W a distance of 20.00 feet; Thence N. 00°08'28" E a distance of 115.00 feet; Thence N 89°51'32" W a distance of 200.35 feet; Thence N 69°49'28" W a distance of 465.19 feet; Thence S 20°10'32" W a distance of 115.00 feet; Thence N 69°49'28" W a distance of 63.73 feet to the True Point of Beginning.

SUBJECT TO easements, reservations and restrictions on record.

----CONTINUED----

THE EASEMENT shall be binding upon the Grantors, and each of them, their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the first above described servient estate from Grantors; this easement shall further inure to the benefit of Grantees, and each of them, and their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the above described dominant estate from Grantors.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on the day and year first hereinabove written.

Milo B. Bardon
Donna L. Bardon

STATE OF WASHINGTON, }
County of Benton }

On this day personally appeared before me Milo B. Bardon + Donna L. Bardon to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this
28 Day of July, 1978

ACKNOWLEDGMENT, INDIVIDUAL
Form No. W-16



APPLICATION FOR CLASSIFICATION AS FARM AND AGRICULTURAL LAND
FOR CURRENT USE ASSESSMENT UNDER CHAPTER 84.34 REVISED CODE OF WASHINGTON

815369

FILE WITH THE COUNTY ASSESSOR

Name of applicant Milo B. Bauder Phone 283-4034
Address 1786 Greenbush Blvd Richland Wash 98581
Property location Budget Mountain area VERNER MINER, AUDITOR

1. Interest in property: ☒ Fee Owner ☒ Contract Purchaser ☐ Other (Describe) _____

2. Assessor's parcel or account number: See attached
Legal description of land to be classified: See attached
INDEXED BY AB
CHECKED BY _____

3. Acreage 497
Total in application 257 (approx) Cultivated 260 Grazed 497
Farm woodland _____ Is grazing land cultivated? ☐ Yes ☒ No

4. List property rented to others which is not affiliated with agricultural use and show the location on the map.
N/A

5. Is this land subject to a lease or agreement which permits any other use than its present use? ☐ Yes ☒ No. (If yes, attach a copy of the lease or agreement)

6. Describe the present current use of each parcel of land that is the subject of this application.
58-308-14 cultivated, 58-308-15 cultivated, Part of F
58-308-16 cultivated, balance is open land for grazing

7. Describe the present improvements on this property (building, etc.)
No Buildings, Irrigation system on cultivated land

8. Attach a map of the property to show an outline of the current use of each area of the property such as: livestock (type), row crops, hay land, pasture, woodland, woodlots, etc. Attached
Include on the map, if available, the soil qualities and capabilities. Also indicate the location of buildings.

9. To qualify for agricultural classification, an application on land of less than 20 acres must meet certain minimum income standards (see definition of agricultural land (b) and (c). Please supply the following or any other pertinent data to show that the land will qualify for classification.

Year	19	19	19	19	19	Avg.
List the yield per acre for the last five (5) years (bushels, pounds, tons, etc.)						
List the annual gross income per acre for the last five (5) years						
If rented or leased, list the annual gross rental fee for the last five (5) years						

NOTICE: The assessor may require the owners to submit pertinent data regarding the use of the classified land, productivity of typical crops, income, etc.

FORM REV 64 0024 (12-77)

35P59.5
34-9-28
35-9-28

FARM AND AGRICULTURAL LAND MEANS EITHER:

- (a) Land in any contiguous ownership of twenty or more acres devoted primarily to the production of livestock or agricultural commodities for commercial purposes; or
 - (b) Any parcel of land five acres or more but less than twenty acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to one hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter; or
 - (c) Any parcel of land of less than five acres devoted primarily to agricultural uses which has produced a gross income of one thousand dollars or more per year for three of the five calendar years preceding the date of application for classification under this chapter.
- Agricultural lands shall also include any parcel of land of one to five acres, which is not contiguous, but which otherwise constitutes an integral part of farming operations being conducted on land qualifying under this section as "farm and agricultural lands."
- Agricultural lands shall also include farm woodlots of less than twenty and more than five acres and the land on which appurtenances necessary to the production, preparation or sale of the agricultural products exist in conjunction with the lands producing such products.

STATEMENT OF ADDITIONAL TAX, INTEREST AND PENALTY DUE UPON REMOVAL FROM CLASSIFICATION UNDER RCW 84.34

1. Upon removal an additional tax shall be imposed which shall be due and payable to the county treasurer on or before April 30 of the following year. The amount of such additional tax shall be equal to:
 - (a) The difference between the property tax paid as "Farm and Agricultural Land" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified; plus
 - (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on the delinquent property taxes.
 - (c) A penalty of 20% shall be applied to the additional tax if the classified land is applied to some other use, except through compliance with the property owner's request for removal process, or except as a result of those conditions listed in (2) below.
2. The additional tax, interest and penalty specified in (1) above, shall not be imposed if the removal resulted solely from:
 - (a) Transfer to a government entity in exchange for other land located within the State of Washington.
 - (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
 - (c) Sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in such land.
 - (d) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
 - (e) Official action by an agency of the State of Washington or by the county or city within which the land is located which disallows the present use of such land.
 - (f) Transfer to a church and such land would qualify for property tax exemption pursuant to RCW 84.36.020.

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under the provisions of RCW 84.34. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct and complete statement.

Subscribed and sworn to before me this 28th day of December, 1979.

Notary Public
Residing at 1000 1st St

OWNER(S) OR CONTRACT PURCHASER(S)

Paul B. Boudier
Donald L. Boudier

(See MAC 458-30-125)

FOR ASSESSORS USE ONLY

Date application received 12/31/79

Amount of fee collected, \$ 30.00

Application was: ☒ Approved ☐ Approved in part ☐ Denied

Owner notified on _____

Auditors File Number # _____

By Law

Fee returned? ☐ Yes ☐ No

Date _____

Date 2/13/80 DC

LEGAL DESCRIPTION

Parcel #6

Tax No. 58-308-7

Lot 3 of Short Plat No. 595, as recorded in Volume 1 of
Short Plats page 595, records of Benton County, Washington.

*Melo
Bauder*

LEGAL DESCRIPTION

Parcel #10

Tax No. 58-308-13

✓ That portion of the Northwest quarter of Section 34; Township
9 North, Range 28 East, W.M., Benton County, Washington, lying
North of the following described line:

Beginning at the Northeast corner of said Section 34; Thence
S00°45'08"W along the West line of said Section 34 a distance
of 1309.63 feet to the True Point of Beginning; Thence
S59°30'41"E a distance of 578.80 feet to a point of curve;
Thence Northeasterly along the arc of a curve to the left,
said curve having a central angle of 22°00'00", a radius of
1507.00 feet, an arc distance of 599.00 feet to a Point of
Tangent; Thence N68°29'19"E a distance of 362.06 feet to a
point of curve; Thence Northeasterly along the arc of a curve
to the right, said curve having a central angle of 36°20'33",
a radius of 1040.01 feet, a chord bearing N86°39'34"E, an arc
distance of 659.65 feet to a point on the East line of said
Northwest quarter and Terminus of Said Line.

EXCEPT the North one-half of the Northwest quarter of the
Northwest quarter of the Northwest quarter.

Containing 51.75 Acres.

SUBJECT TO ENCUMBRANCES, reservations and restrictions of record.

ROGERS SURVEYING, INC.

#12778
2/2/77
LHM/lra
Parcel #1

LEGAL DESCRIPTION

Original Bill

Tax No. 58-308-11

W. H. Baudin

A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

Beginning at the Northeast corner of said Section 34; Thence S00°33'25"E along the East line of said Section 34, a distance of 1320.72 feet to the Southeast corner of the North half of the Northeast quarter; Thence N89°34'14"W along the South line of the North half of the Northeast quarter a distance of 1812.32 feet to the True Point of Beginning; Thence S31°59'19"E a distance of 693.29; Thence S58°00'41"W a distance of 600.00 feet; Thence S10°25'54"W a distance of 228.30 feet; Thence N79°34'06"W a distance of 120.00 feet; Thence S10°25'54"W a distance of 9.16 feet; Thence N79°34'06"W a distance of 131.71 feet; Thence S53°33'55"W a distance of 90.27 feet; Thence S58°00'41"W a distance of 149.00 feet; Thence N31°59'19"W a distance of 112.50 feet to a point of curve; Thence in a Northeasterly direction along the arc of a curve to the right, having a central angle of 90°00'00", a radius of 20.0 feet, an arc distance of 31.42 feet; Thence N58°00'41"E a distance of 84.00 feet; Thence N31°59'19"W a distance of 170.00 feet; Thence N58°00'41"E a distance of 206.00 feet; Thence N31°59'19"W a distance of 110.12 feet; Thence N89°28'17"W a distance of 4.61 feet; Thence N48°43'37"W a distance of 99.64 feet; Thence N24°04'27"W a distance of 100.31 feet; Thence N00°19'21"E a distance of 9.04 feet; Thence S58°00'41"W a distance of 181.06 feet; Thence N31°59'19"W a distance of 280.00 feet; Thence N22°31'35"W a distance of 60.83 feet; Thence N31°59'19"W a distance of 662.82 feet to a point on curve; Thence in a Southwesterly direction along the arc of a curve to the left, having a central angle of 12°40'47", a radius of 280.00 feet, a chord bearing of S85°17'02"W, an arc distance of 61.96 feet; Thence N11°03'22"W radial to said curve a distance of 192.85 feet; Thence S68°29'19"W a distance of 93.00 feet; Thence N21°30'41"W a distance of 80.00 feet; Thence N68°29'19"E a distance of 207.91 feet to a point of curve; Thence in a Northeasterly direction along the arc of a curve to the right having a central angle of 36°20'33", a radius of 1040.00 feet, a chord bearing of N86°39'34"E, an arc distance of 659.57 feet to a point on the West line of the Northeast quarter of the Northwest quarter of said Section 34; Thence S00°06'54"W along said West line a distance of 520.19 feet to the Southeast corner of said Northeast quarter of the Northwest quarter; Thence S89°34'14"E along the South line of the North half of the Northeast quarter of said Section 34 a distance of 800.48 feet to the True Point of Beginning.

Contains 34.92 Acres.

SUBJECT TO: easements, reservations and restrictions of record.

ROGERS SURVEYING, INC.

#20677 - Westcliffe No. 2
JDR/trk
11/27/78

LEGAL DESCRIPTION

Parcel #12 Tax No. 58-308-14

*Milo
Bauder*

✓ A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

Beginning at the Southwest corner of said Section 34 and the True Point of Beginning; Thence N00°45'12"E along the West line of Section 34 a distance of 2668.05 feet; Thence S89°51'32"E a distance of 2160.64 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left, said curve having a central angle of 32°07'47", a radius of 630.00 feet, an arc distance of 353.28 feet to a Point of Tangent; Thence N58°00'41"E a distance of 70.90 feet; Thence S31°59'19"E a distance of 1229.03 feet to a point of curve; Thence Southwesterly along the arc of a curve to the right, said curve having a central angle of 93°57'20", a radius of 866.33 feet, an arc distance of 1420.65 feet to a Point of Tangent; Thence S61°58'01"W a distance of 700.00 feet to a point of curve; Thence Southwesterly along the arc of a curve to the right, said curve having a central angle of 12°00'00", a radius of 383.50 feet, an arc distance of 185.03 feet to a Point of Tangent; Thence S73°58'01"W a distance of 424.23 feet to a point on the South line of Section 34; Thence S89°31'37"W along said South line a distance of 1717.64 feet to the Southwest corner of said Section 34 and the True Point of Beginning.

Containing 182.00 Acres.

SUBJECT TO: easements, reservations and restrictions of record.

#13778
2/7/79
DLM/trk
Parcel #12

LEGAL DESCRIPTION

Parcel #13 Tax NO. 53-305-15

Mylo Bander

A parcel of land situated in Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, said strip of land more particularly described as follows:

Beginning at the Southwest corner of said Section 34; Thence N89°31'37"E along the South line of said Section a distance of 1717.64 feet to the True Point of Beginning; Thence N73°58'01"E a distance of 424.43 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left having a central angle of 12°00'00", a radius of 883.50 feet, and an arc distance of 185.03 feet; Thence N61°58'01"E a distance of 700.00 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left having a central angle of 93°57'20", a radius of 866.33 feet, an arc distance of 1420.65 feet; Thence N31°59'19"W a distance of 1229.03 feet; Thence N58°00'41"E a distance of 156.50 feet; Thence S31°59'19"E a distance of 156.50 feet; Thence N58°00'41"E, a distance of 76.50 feet; Thence S31°59'19"E a distance of 1096.53 feet to a point of curve; Thence Southwesterly along the arc of a curve to the right having a central angle of 93°57'20", a radius of 1099.33 feet, an arc distance of 1802.73 feet; Thence S61°58'08"W a distance of 646.32 feet to a point on the South line of said Section; Thence S89°31'37"W along said South line a distance of 736.04 feet to the True Point of Beginning.

Containing 20.00 Acres.

SUBJECT TO easements, reservations, restrictions and covenants of record.

ROGERS SURVEYING, INC.

#13778
2/7/79
2/13/79 - Revised
DLM/ trk
Parcel #13

LEGAL DESCRIPTION

Parcel #14 Tax NC. 58-308-16

M. B. Baudin

A portion of Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

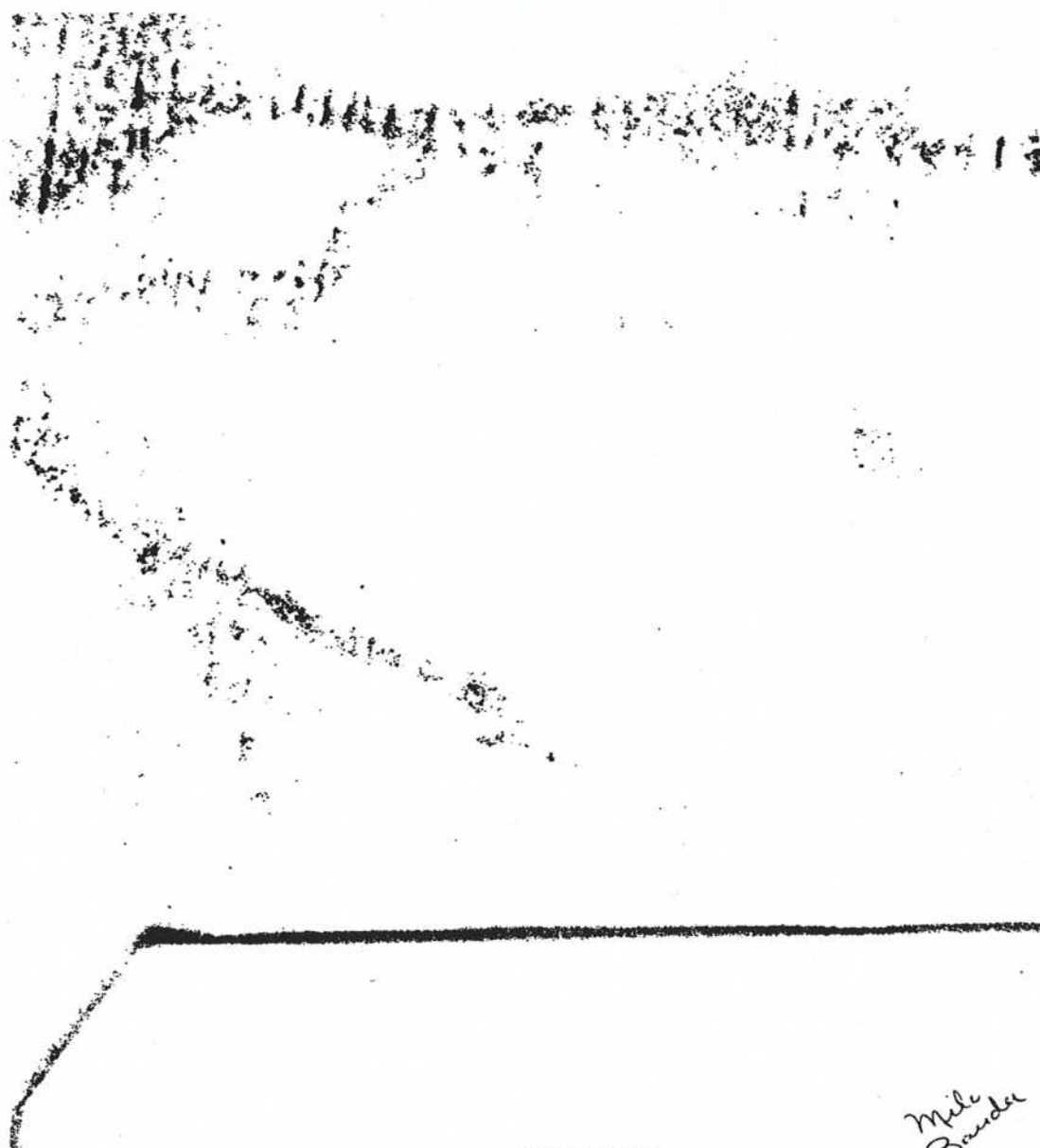
Beginning at the Southwest corner of said Section 34; Thence N89°31'37"E along the South line of said Section 34 a distance of 2453.68 feet to the True Point of Beginning; Thence N61°58'01"E a distance of 646.32 feet to a point of curve; Thence Northeasterly along the arc of a curve to the left, said curve having a central angle of 93°57'20", a radius of 1099.33 feet, an arc distance of 1802.73 feet to a Point of Tangent; Thence N31°59'19"W a distance of 1096.53 feet; Thence N58°00'41"E a distance of 122.50 feet; Thence N53°33'55"E a distance of 90.27 feet; Thence S79°34'06"E a distance of 131.71 feet; Thence N10°25'54"E a distance of 9.16 feet; Thence S79°34'06"E a distance of 120.00 feet; Thence S10°25'54"W a distance of 31.13 feet; Thence S64°22'01"E a distance of 196.70 feet to a point on curve; Thence Southwesterly along the arc of a curve to the left, said curve having a central angle of 10°20'47", a radius of 280.00 feet, a chord bearing S20°27'35"W, an arc distance of 50.56 feet to a Point of Tangent; Thence S74°42'48"E, radial to said curve, a distance of 120.00 feet; Thence S02°03'01"E a distance of 91.96 feet; Thence S39°48'15"E a distance of 237.31 feet; Thence S34°25'29"E a distance of 897.72 feet; Thence S68°51'04"E a distance of 907.79 feet; Thence S65°59'57"E a distance of 265.85 feet to a point on the East line of said Section 34; Thence S00°33'17"E along said East line a distance of 1199.83 feet to the Southeast corner of said Section 34; Thence S89°31'37"W along the South line of said Section 34 a distance of 2864.83 feet to the True Point of Beginning.

Containing 85.62 Acres.

SUBJECT TO easements, reservations and restrictions of record.

ROGERS SURVEYING, INC.

#13778
2/7/79
DLM/trk
Parcel #14



*Mile
Boulevard*

LEGAL DESCRIPTION

Parcel #15 Tax NO 58-308-8

/ Lot 4 of Short Plat No. 595, as recorded in Volume 1 of
Short Plats page 596, records of Benton County, Washington.

to said curve, a distance of 196.70 feet; Thence N10°25'54"E
a distance of 259.43 feet; Thence N58°00'41"E a distance of
164.00 feet; Thence S42°41'01"E a distance of 1280.13 feet;
Thence S50°21'14"E a distance of 332.42 feet; Thence
S61°15'37"E a distance of 283.14 feet; Thence S73°05'44"E
a distance of 328.70 feet; Thence S78°09'33"E a distance

LEGAL DESCRIPTION

Parcel #16 Tax No 58-308-12

BOUNDARY DESCRIPTION
for
MEADOW HILLS NO. 4

*Mile
Bander*

That portion of the East half of Section 34, Township 9 North, Range 28 East, and of the South half of Section 35, Township 9 North, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at the Southeast corner of said Section 34; Thence N00°33'17"W along the East line of said Section 34 a distance of 1199.83 feet to the True Point of Beginning; Thence N65°59'57"W a distance of 265.85 feet; Thence N68°51'04"W a distance of 907.79 feet; Thence N34°25'29"W a distance of 897.72 feet; Thence N39°48'15"W a distance of 237.31 feet; Thence N02°03'01"W a distance of 91.96 feet; Thence N74°42'48"W a distance of 120.00 feet to a point on curve; Thence Northeasterly along the arc of a curve to the right; said curve having a central angle of 10°20'47", a radius of 280.00 feet, a chord bearing N20°27'35"E, a arc distance of 50.56 feet to a Point of Tangent; Thence N64°22'01"W radial to said curve, a distance of 196.70 feet; Thence N10°25'54"E a distance of 259.43 feet; Thence N58°00'41"E a distance of 164.00 feet; Thence S42°41'01"E a distance of 1280.13 feet; Thence S50°21'14"E a distance of 332.42 feet; Thence S61°15'37"E a distance of 283.14 feet; Thence S73°05'44"E a distance of 328.70 feet; Thence S78°09'33"E a distance of 153.04 feet to the East line of said Section 34; Thence continuing along said bearing S78°09'33"E a distance of 1574.22 feet; Thence N64°58'14"E a distance of 95.01 feet; Thence N01°52'54"W a distance of 90.00 feet to a point on curve; Thence Northwesterly along the arc of a curve to the right, said curve having a central angle of 04°35'56", a radius of 828.47 feet, a chord bearing N89°34'56"W, a arc distance of 66.50 feet to a Point of Tangent; Thence N02°43'02"E radial to said curve a distance of 292.33 feet; Thence S68°41'48"E a distance of 256.00 feet; Thence S72°03'16"E a distance of 225.98 feet; Thence N29°21'52"E a distance of 228.62 feet; Thence S60°38'08"E a distance of 202.04 feet; Thence Southeasterly along the arc of a curve to the right, said curve having a central angle of 57°30'00", a radius of 340.00 feet, a chord bearing S31°53'08"E, a arc distance of 341.21 feet to a Point of Tangent; Thence S03°08'08"E a distance of 50.36 feet; Thence N86°09'54"E a distance of 437.61 feet to the Northwest corner of Meadow Springs Reservoir site; Thence S06°37'19"E along the Westerly line of said Reservoir site a distance of 217.80 feet to the Southwest corner thereof; Thence S26°31'51"E a distance of

786.25 feet; Thence S63°28'09"W a distance of 453.61 feet;
Thence N33°56'16"W a distance of 131.36 feet to a point on
curve; Thence Southwesterly along the arc of a curve to the
right, said curve having a central angle of 34°54'55", a
radius of 70.00 feet, a chord bearing of S85°55'43"W, an arc
distance of 42.66 feet to a Point of Tangent; Thence
S13°23'10"W radial to said curve a distance of 101.79 feet;
Thence N58°31'35"W a distance of 142.25 feet; Thence
N04°03'16"W a distance of 107.00 feet; Thence S87°37'58"W
a distance of 128.01 feet; Thence N66°38'48"W a distance
of 241.29 feet; Thence N38°15'38"W a distance of 257.19
feet; Thence N25°17'12"W a distance of 408.00 feet; Thence
S67°55'14"W a distance of 204.39 feet; Thence S78°04'40"W
a distance of 229.58 feet; Thence N84°02'03"W a distance
of 1490.24 feet; Thence S33°52'18"W a distance of 61.10
feet; Thence N65°59'57"W a distance of 44.15 feet to the
True Point of Beginning.
EXCEPT that portion lying within Section 35, Township 9 N., Range 28 E., W.M.
Containing 24.36 acres.

Milo Bauder

SUBJECT TO easements, reservations, restrictions and
covenants of record.

ROGERS SURVEYING, INC.

#19678
DLM/trk
11/17/78
2/7/79 - Revised
Parcel #16

LEGAL DESCRIPTION

Parcel #17 Tax No. 58-308-17

A parcel of land situated in Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, more particularly described as follows:

Beginning at the Northeast corner of said Section 34; Thence S00°33'25"E along the East line of said Section a distance of 1320.72 feet to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section, also being the True Point of Beginning; Thence continuing S00°33'25"E along the East line of said Section a distance of 1320.72 feet to the Southeast corner of the Southeast quarter of the Northeast quarter of said Section; Thence S00°33'17"E along the East line of said Section a distance of 901.05 feet; Thence N78°09'33"W a distance of 153.04 feet; Thence N73°05'44"W a distance of 328.70 feet; Thence N61°15'37"W a distance of 283.14 feet; Thence N50°21'14"W a distance of 332.42 feet; Thence N42°41'01"W a distance of 1280.13 feet; Thence N58°00'41"W a distance of 436.00 feet; Thence N31°59'19"W a distance of 693.29 feet to a point on the North line of the South half of the Northeast corner of said Section; Thence S89°34'14"E along said North line a distance of 1812.32 feet to the True Point of Beginning.

Containing 67.15 Acres.

SUBJECT TO easements, restrictions, reservations and covenants of record.

ROGERS SURVEYING, INC.

#13778
2/8/79
DLM/trk
Parcel #17

PARCEL A.

Tax NO. _____

That portion of the northwest quarter, Section 35, Township 9 north, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at the northwest corner of said Section 35; thence north 90°00'00" east along the north line of said Section a distance of 1887.27 feet to the True Point of Beginning; thence south 01°16'00" east a distance of 874.74 feet; thence north 90°00'00" west a distance of 688.00 feet; thence south 1°16'00" east a distance of 484.17 feet more or less to the northerly right of way line of the Kennewick Irrigation District Canal; thence southeasterly along said right of way line to a point on a line which is parallel to the west line of said Section and distant 2188.57 feet as measured along the north line thereof, from said west Section line; thence northerly along said parallel line a distance of 1946.20 feet to a point on the north line of said Section; thence north 90°00'00" west along said north line a distance of 301.30 feet more or less to the True Point of Beginning.

PARCEL B:

That portion of the northwest quarter, Section 35, Township 9 north, Range 28 East, W.M., Benton County, Washington, lying northerly and easterly of the northerly and easterly right of way line of the Kennewick Irrigation District Canal and west of a line described as beginning at a point on the north line of said Section which is 1199.27 feet, as measured along the north line thereof and the True Point of Beginning of said described line; thence south 01°16'00" east to the northerly right of way line of the Kennewick Irrigation District Canal and the terminus of said line and southerly and easterly of the following described line; beginning at the northwest corner of said Section 35; thence north 90°00'00" east along the north line of said Section a distance of 1199.79 feet; thence south 01°16'00" east a distance of 874.74 feet to the True Point of Beginning of said line; thence north 90°00'00" west a distance of 104.97 feet; thence south 01°16'00" east 69.70 feet to a point; thence south 88°44'00" west a distance of 258.68 feet to the northerly right of way line of the Kennewick Irrigation District Canal and the terminus of said line.

A+B

25.7 acres

58-311-22

58-311-25

58-311-26

A-17044
B-

VOL 424 PAGE 230

INDEXED BY 42

CHECKED BY _____

GRANT OF EASE - ENT

FILED BY DEPUTY

JAN 15 9 30 AM '82

VERNER MILLER, AUDITOR

DEPUTY

RECORDED IN VOL. 424

THIS INDENTURE, made and given this 11 day of June, 1982.
by and between:

WILCO B. BAUDER and DONNA L. BAUDER, husband and wife, hereinafter
referred to as "GRANTOR,"
and

All now and further owners of the hereinafter described property,
or any portion thereof hereinafter referred to as "GRANTEE",

WITNESSETH, GRANTOR, for good and valuable consideration, receipt
of which is hereby acknowledged, hereby conveys and grants to the said
grantees, and each of them and their heirs, divisses, personal rep-
resentatives, assigns and successors-in-interest, and each of them:

an easement in, over and under the following described property situated
in the County of Benton, State of Washington:

Beginning at the Southwest corner of said Section 34; Thence
N89°31'37"E along the South line thereof a distance of 2151.94
feet to the True Point of Beginning; Thence N73°58'01"E a
distance of 6.05 feet to a point of curve; Thence Northeasterly
along a curve to the left having a central angle of 12°00'00"
and a radius of 1000.00 feet, an arc distance of 209.44 feet;
Thence N61°58'01"E a distance of 700.00 feet to a point of
curve; Thence along a curve to the left having a central angle
of 92°33'37" and a radius of 982.83 feet, an arc distance of
1587.74 feet; Thence N59°24'24"E, radial to said curve a dis-
tance of 40.00 feet to a point on a curve; Thence Northwesterly
along a curve to the left having a central angle of 01°23'43",
a radius of 1022.83 feet and a chord bearing N31°17'15"W, an
arc distance of 24.91 feet; Thence N31°59'19"W a distance of
1229.02 feet; Thence N58°00'41"E a distance of 199.00 feet to a
point of curve; Thence Northeasterly along a curve to the right
having a central angle of 42°25'13" and a radius of 295.00 feet,
an arc distance of 218.41 feet; Thence N10°25'54"E radial to said
curve a distance of 60.00 feet to a point of curve; Thence West-
erly along a curve to the left having a central angle of 42°25'13",
a radius of 355.00 feet and a chord bearing S79°13'17"W, an arc
distance of 262.83 feet; Thence S58°00'41"W a distance of 279.00
feet; Thence S31°59'19"E a distance of 1289.02 feet to a point
of curve; Thence Southerly along a curve to the right having a
central angle of 93°57'20", a radius of 942.84 feet and a chord
bearing S14°59'22"W, an arc distance of 1546.09 feet; Thence
S61°58'01"W a distance of 700.00 feet to a point of curve; Thence
Southwesterly along a curve to the right having a central angle
of 12°00'00" and a radius of 960.00 feet; Thence S73°58'01"W a
distance of 149.71 feet to the South line of Section 34; Thence
N89°31'33"E along said South line a distance of 149.13 feet to
the True Point of Beginning.

To afford access to and from the following described property situated
in the County of Benton, State of Washington:

Section 34, Township 9 North, Range 28 East, W.M., Benton County,
Washington,

EXCEPT the North one-half of the Northeast Quarter; and

That Portion of Section 35, Township 9 North, Range 28 East, W.M.
Benton County, lying Southerly and Westerly of the Kennewick
Irrigation District East Badger Lateral Canal Right-of-Way.

(Cont'd. on Page 2)

1% EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY 6-15-82 DEPUTY

TRANSAMERICA LIFE INSURANCE CO. K

THIS EASEMENT shall be binding upon the Grantors and each of them, their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the first above described servient estate from Grantors; this easement shall further inure to the benefit of Grantees, and each of them, and their heirs, devisees, personal representatives, assigns, and successors in interest, and each of them, and any person who shall hereafter acquire title to the above described dominant estate from Grantors.

Subject to easements, reservations, and restrictions of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on the day and year first hereinabove written.

Milo B. Bauder
Donna L. Bauder

STATE OF WASHINGTON,) ss
 County of Benton)

On this day personally appeared before me Milo B. Bauder and Donna L. Bauder to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 14th day of June, 1982

Yamona R. Davis
 Notary Public in and for the State
 of Washington

FILED FOR RECORD AT REQUEST OF

FILED BY 898901

JUL 17 10 43 AM '84

VERNER MILLER, AUDITOR
DEPUTY
RECORDED IN VOL. 451

WHEN RECORDED RETURN TO

Name

Address

City, State, Zip

B-10756

EASEMENT DEED

~~QUIT CLAIM DEED~~

5.00

THE GRANTOR MILO B. BAUDER and DONNA L. BAUDER, husband and wife
for and in consideration of granting easement
conveys and quit claims to All now owners and future owners of (*see attached
Exhibit A)
the following described real estate, situated in the County of Benton State of Washington,
together with all after acquired title of the grantor(s) therein:

AS HERETO ATTACHED

10783
BENTON COUNTY
EXEMPTION PAID

Dated July 12, 1984

Milo B. Bauder
(Individual)

Donna L. Bauder
(Individual)

By Milo B. Bauder
her attorney in fact.

By

(President)

By

(Secretary)

STATE OF WASHINGTON, } ss.
County of Benton

On this 12th day of July, 1984 before me personally appeared
Milo B. Bauder self and also as attorney in fact for Donna L. Bauder
the foregoing instrument for self and also as his free and voluntary act and deed for him
and acknowledged that he signed and sealed the foregoing instrument in fact for said principal for the uses and
purposes therein mentioned, and on oath stated that the foregoing instrument authorizing the execution of this instrument
has not been revoked and that the said principal is now living and sane.

Given under my hand and official seal the day and year last above written.

ACKNOWLEDGMENT,
INDIVIDUAL AND AS ATTORNEY IN FACT

Form No. W-111

Notary Public in and for the State of Washington,
residing at Richland

LEGAL DESCRIPTION

A non-exclusive ingress-egress, utility and irrigation easement situated in Sections 34 and 35, Township 9 North, Range 28 East, W.M., Benton County, Washington, being 60.00 feet in width with 30.00 feet lying on each side of the following described line:

Beginning at the West quarter corner of Section 34; Thence S89°51'32"E along the East-West center section line thereof a distance of 2160.32 feet to a point of curve; Thence Northeasterly along a curve to the left having a central angle of 32°07'47" and a radius of 600.00 feet, an arc distance of 336.46 feet; Thence N58°00'41"E a distance of 426.40 feet to a point of curve; Thence Northeasterly along a curve to the right having a central angle of 42°25'13" and a radius of 325.00 feet, an arc distance of 240.62 feet to the True Point of Beginning; Thence S79°34'06"E a distance of 53.81 feet to a point of Non-tangent curve; Thence Northeasterly along a curve to the right having a central angle of 47°34'47", a radius of 372.98 feet and a chord bearing N34°13'18"E, an arc distance of 309.73 feet; Thence N58°00'41"E a distance of 221.70 feet; Thence S31°59'19"E a distance of 150.00 feet to a point of curve; Thence Southeasterly along a curve to the left having a central angle of 18°27'45" and a radius of 492.23 feet, an arc distance of 158.61 feet; Thence S50°22'04"E a distance of 1255.59 feet to a point of curve; Thence Southeasterly along a curve to the left having a central angle of 22°56'10", and a radius of 1380.00 feet, an arc distance of 552.43 feet; Thence S73°23'14"E a distance of 151.29 feet to the West line of aforesaid Section 35; Thence continuing S73°23'14"E a distance of 930.72 feet to the Terminus of Described Line.

ROGERS SURVEYING, INC.

#184
JTN/vmr
4/4/84

EXHIBIT "A"

That portion of Section 35, Township 9 North, Range 28 East, W. M. Benton County, Washington, described as follows:

Beginning at the Southwest corner of Section 35, thence North 00°33'17" West along the West line thereof a distance of 2050.52 feet to the TRUE POINT OF BEGINNING; thence continuing North 00°33'17" West a distance of 590.56 feet to the West quarter corner of Section 35; thence North 00°35'25" West along said West line a distance of 353.78 feet; thence South 65°34'14" East a distance of 217.63 feet; thence South 68°45'02" East a distance of 90.14 feet; thence South 73°23'35" East a distance of 108.77 feet; thence South 86°03'51" East a distance of 121.82 feet; thence North 82°03'01" East a distance of 119.74 feet; thence North 64°07'05" East a distance of 209.81 feet; thence South 23°37'11" East a distance of 40.00 feet; thence South 21°19'58" East a distance of 216.08 feet; thence South 00°00'00" East a distance of 921.14 feet; thence North 73°23'14" West a distance of 939.98 feet to the West line of Section 35 and the TRUE POINT OF BEGINNING.

SUBJECT TO: Reservations, restrictions, rights of ways and easements of record.

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, for and in consideration of one dollar and other good and valuable consideration the receipt whereof is hereby acknowledged, does hereby grant, sell and convey unto BADGER MOUNTAIN IRRIGATION DISTRICT, an easement for utilities as follows:

EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY [Signature] DEPUTY

An easement for the installation, operation and maintenance of utilities over, under and across a strip of land 10 feet in width, 5 feet of such width lying on each side of the following described line lying in Section 34, Township 9 North, Range 28 East, W.M., Benton County, Washington, described as follows:

Commencing at the Northwest corner of said Section 34; thence S89°09'36"E along the North line of said Section 34, for 1464.31 feet; thence S00°50'24"W for 3279.40 feet to an existing utility pole and the true point of beginning of the hereinafter described centerline; thence N89°41'00"W for 133.67 feet; thence S00°16'34"W for 745.00 feet to the terminus of the hereinabove described centerline.

TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF we have hereunto set our hands and seals this 24 day of September 1984.

BADGER MOUNTAIN ORCHARDS, LTD.

BY [Signature]
BY _____

STATE OF WASHINGTON)
County of Chelan) ss.

On this 24th day of September, 1984, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Russ Anderson III and [Signature] and stated that they are authorized to execute said instrument on behalf of the above-named Grantor.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

[Signature]
Notary Public in and for the State
of Washington, residing at Chelan County

LEAVY, SCHULTZ
& SWEENEY, P.S.
ATTORNEYS AT LAW
SOUTH THIRD STREET
P.O. BOX 551
SCO, WASHINGTON 99301
PHONE (509) 545-1434



THE GRANTOR(S) Badger Mountain Orchards, a Washington State General Partnership

of Benton County, State of Washington, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant(s) to PUBLIC UTILITY DISTRICT NO. 1 of Benton County, Washington, a municipal corporation and to its successors and sub-lessee or assigns, the right to enter upon the lands of the Grantor(s) situated in the County of Benton, State of Washington, and more particularly described as follows:

The West 10.00 feet of the South 1,450.00 feet of the Southwest one quarter of Section 34, Township 9 North, Range 28 East, W.M.

FILED BY

OCT 13 11 17 AM '88

BOSS' & BAGGER AUDITOR

DEPUTY
RECORDED IN VOL 509

1% EXCISE TAX NOT REQUIRED
BENTON COUNTY EXCISE TAX DIVISION
BY [Signature] DEPUTY
10-13-88

and to construct, operate and maintain upon and under the above described lands and the streets, roads, or highways abutting the said lands an electric transmission or distribution line or systems, with all convenient or necessary appurtenances (including but not limited to poles, crossarms, towers, transformers, one or more wires, props, guys, and other supports), and to cut and trim trees and scrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system. The Grantor(s) agree to keep the above described lands free and clear of any structures, buildings, dwellings or other obstructions of the right of way, lawful fences excluded.

The Grantor(s) agree(s) that all poles, wires and other facilities installed upon or under the above described lands at the Grantee's expense shall remain the property of the Grantee, and that the Grantee shall have the right of ingress and egress over the adjacent lands of the Grantor(s) for the purpose of exercising all rights hereby granted.

All rights hereunder shall cease when the grantee, its successors and sub-lessee or assigns abandons or removes said line or system.

Dated this 3rd day of October, 19 88

[Signature]
GRANTOR'S SIGNATURE
David G. Detro, Partner

[Signature]
GRANTOR'S SIGNATURE
Lawrence D. Knutson, Partner

GRANTOR'S SIGNATURE

GRANTOR'S SIGNATURE

STATE OF California
COUNTY OF Orange

ACKNOWLEDGEMENT OF INDIVIDUAL

I, Barbara M. Marshall a Notary Public in and for the State and County aforesaid, do hereby
certify that on this 3rd day of October, 19 88, personally appeared before me Laurence D. Knutson
and David G. Detro

personally known to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged to me
that they executed, signed and sealed the same as their free and voluntary act and deed for the uses and purposes
therein expressed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and Notarial Seal the day and year in this certificate above written.

Barbara M. Marshall
Notary Public in and for the State of California residing at
California

San Juan Capistrano, CA

BP-2 FORM NO. 49



BENTON COUNTY P U D #1
P.O. BOX 6270
KENNEWICK

UWA 99336

135772
BENTON CO TREASURER

Filed for Record at Request of:

C & J Land Company, LLC
1276 N. Bermuda Rd
Richland, WA 99352

\$101.00
JUN 18 2018
EXCISE TAX PAID
CERT-

Document Title: Quit Claim Deed

Reference Number of Related Document:

Grantor(s): C & J LAND COMPANY, LLC

Grantee(s): C & J LAND COMPANY, LLC

Legal Description: Portion Section 34, T9N R28E W.M.

Additional Legal Description is on Page 1 of Document.

Assessor's Tax Parcel Number: Ptns of 1-3498-200-0005-003, 1-3498-200-0007-000, 1-3498-300-0001-004

QUIT CLAIM DEED

THE GRANTORS: C & J LAND COMPANY, LLC, for and in consideration of Boundary Line Adjustment, conveys and quit claims to;

THE GRANTEES: C & J LAND COMPANY, LLC, the following described real estate, situated in the County of Benton, State of Washington, together with all after acquired title of the grantors therein:

THAT PORTION SECTION 34 TOWNSHIP 9 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 34; THENCE SOUTH 0°45'17" WEST 29.94 FEET ALONG THE WEST LINE OF SAID SECTION 34 TO THE NORTH LINE OF THAT PARCEL DESCRIBED AS PARCEL #134983000001004 IN QUIT CLAIM DEED RECORDED IN AUDITOR'S FILE NUMBER 2012-016993, RECORDS OF BENTON COUNTY AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 89°51'27" EAST 1985.27 FEET ALONG SAID NORTH LINE; THENCE NORTH 00°31'00" EAST 8.00 FEET ALONG SAID NORTH LINE; THENCE LEAVING SAID NORTH LINE SOUTH 89°32'23" EAST 60.90 FEET; THENCE NORTH 88°15'10" EAST 318.36 FEET; THENCE NORTH 77°55'41" EAST 919.16 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN QUIT CLAIM DEED RECORDED IN AUDITOR'S FILE NUMBER 2017-023127, RECORDS OF BENTON COUNTY; THENCE SOUTH 40°37'06" EAST 36.56 FEET ALONG SAID EAST LINE; THENCE SOUTH 44°19'57" EAST 166.89 FEET ALONG SAID EAST LINE; THENCE SOUTH 43°56'19" EAST 171.56 FEET ALONG SAID EAST LINE; THENCE SOUTH 39°48'17" EAST 237.31 FEET ALONG SAID EAST LINE; THENCE SOUTH 34°28'56" EAST 357.52 FEET ALONG SAID EAST LINE; THENCE SOUTH 59°24'00" WEST 648.57 FEET ALONG SAID EAST LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 982.83 FEET, THENCE SOUTHEASTERLY 313.74 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST LINE THROUGH A CENTRAL ANGLE OF 18°17'25" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 21°21'36" EAST 312.41 FEET) THENCE NORTH 89°43'46" WEST 73.91 FEET TO THE NORTHEAST CORNER OF LOT 17 OF THE PLAT OF HIDDEN HILLS PHASE 3, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 537, RECORDS OF BENTON COUNTY; THENCE THE FOLLOWING 18 COURSES ALONG THE NORTH LINE OF SAID PLAT, AND ALONG THE NORTH LINES OF THE PLAT OF HIDDEN HILLS PHASE 2 AND THE PLAT OF HIDDEN HILLS PHASE 1 AND THE PLAT OF BADGER MOUNTAIN PLATEAU, RECORDED IN VOLUME 15 OF PLATS, PAGES 477, 402, AND 196, RESPECTIVELY; THENCE NORTH 89°43'18" WEST 281.61 FEET; THENCE NORTH 89°44'41" WEST 103.66 FEET; THENCE NORTH 89°44'00" WEST 148.45 FEET; THENCE NORTH 89°38'40" WEST 118.16 FEET; THENCE NORTH 89°44'19" WEST 114.71 FEET; THENCE NORTH 89°43'36" WEST 163.52 FEET; THENCE NORTH 89°42'15" WEST 212.10 FEET; THENCE NORTH 89°43'45" WEST 219.93 FEET; THENCE NORTH 89°55'56" WEST 60.07 FEET; THENCE NORTH 89°42'23" WEST 251.19 FEET; THENCE NORTH 89°42'18" WEST 252.59 FEET; THENCE NORTH 89°44'16" WEST 252.40 FEET; THENCE NORTH 89°44'15" WEST 252.43 FEET; THENCE NORTH 89°43'34" WEST 252.59 FEET; THENCE NORTH 89°42'49" WEST 60.00 FEET; THENCE SOUTH 00°43'02" WEST 84.49 FEET; THENCE NORTH 89°40'06" WEST 315.56 FEET; THENCE NORTH 89°38'49" WEST 315.08 FEET TO THE WEST LINE OF SAID SECTION 34; THENCE NORTH 00°45'17" EAST 1231.43 FEET ALONG SAID WEST LINE TO THE TRUE POINT OF BEGINNING.

CONTAINS 99.19 ACRES, MORE OR LESS

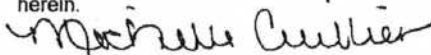
Dated this 18 day of 6, 20 18.


WILLIAM L. WILSON


HOLLY D. WILSON

STATE OF Washington)
County of Benton)ss.

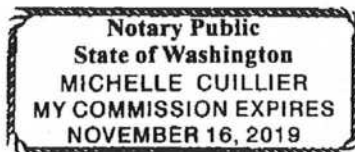
I certify that I know or have satisfactory evidence that WILLIAM L. WILSON AND HOLLY D. WILSON signed this instrument, on oath stated that they were authorized to execute this instrument and acknowledged it as the PRESIDENT AND VICE PRESIDENT of C & J LAND COMPANY, LLC to be the free and voluntary act of such party for the uses and purposes mentioned herein.

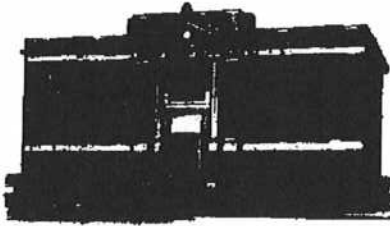


GIVEN under my hand and official seal this 18th day of June, 2018.

Notary Public in and for the State of Washington, residing at Franklin Co.

My appointment expires: 11/16/19





KENNETH SPENCER
Benton County Treasurer

PO Box 630, Prosser, WA 99350
Prosser 509-786-2255 Fax 786-5628
509-736-3087
Kennewick 509-735-8505 Fax 736-2705
www.bentoncountytax.com

TREASURER'S CERTIFICATE FOR REAL PROPERTY TAXES

Current Taxpayer of Record

Name C & J Land Company, LLC

Street 1276 Bermuda Rd

City: Richland

State: WA

Zip: 99352

Parcel # (s) 134982000005003, 134982000007000, 134983000001004

TCA R6

☒ Taxes ☐ Irrigation ☐ CRID

I hereby certify that property taxes due Benton
County on the above parcel number(s) have been
paid through 2018

6/18/2018

Date

Spencer

Signature

Treasurer

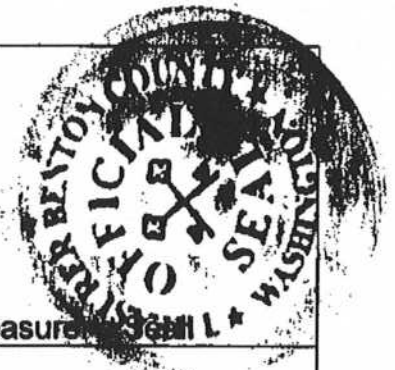




Exhibit 2

CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (S2019-101, Z2019-106 & EA2019-132)

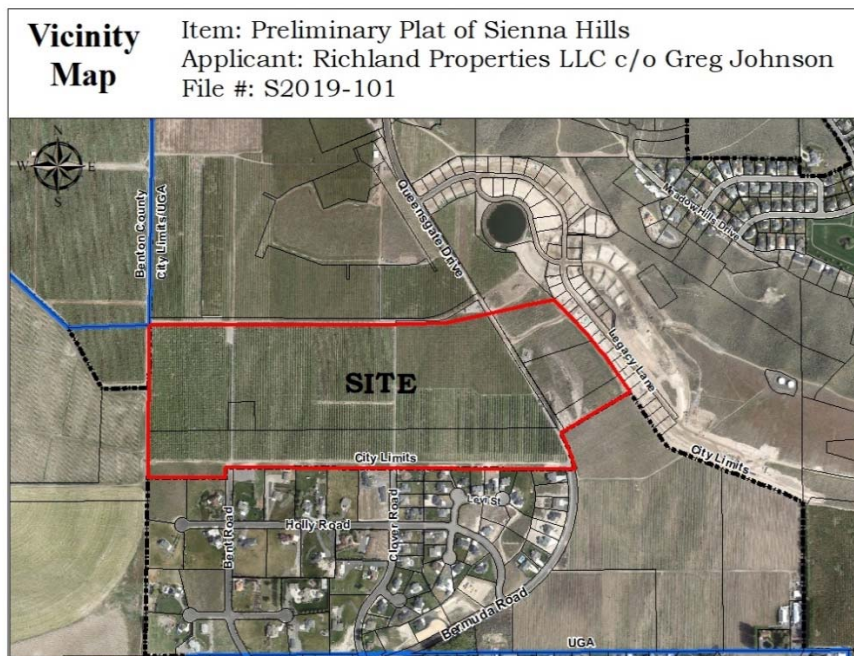
Notice is hereby given that Richland Properties LLC (Greg Johnson) has filed preliminary plat and rezone applications to: 1) subdivide a 98+ acre site into 285 lots (Preliminary Plat of Sienna Hills), and 2) rezone the site to R-1-10 (Single-Family Residential), R-2 (Medium-Density Residential) and C-LB (Limited Business) reflecting the City's Comprehensive Plan. The project site is located approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane (APN 1-34983000001005). The proposed plat will have an average lot size of 9,667 square feet.

The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, December 9, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, November 27, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.



AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

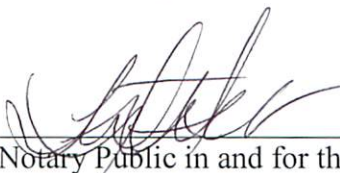
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 30th day of October, 2019, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (S2019-101) to the attached list of individuals via regular USPS on the date indicated above. Richland Properties LLC has filed preliminary plat and rezone applications to: subdivide a 98+ acre site into 285 residential lots, and to rezone the site to R-1-10 (Single-Family Residential), R-2 (Medium-Density Residential), and C-LB (Limited Business) reflecting the City's Comprehensive Plan. The project site is located approximately 900 feet south of the intersection of Queensgate Drive and Legacy Lane (APN: 1-34983000001005). The Richland Hearing Examiner will conduct a public hearing and review of the application on Monday, December 9, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard.

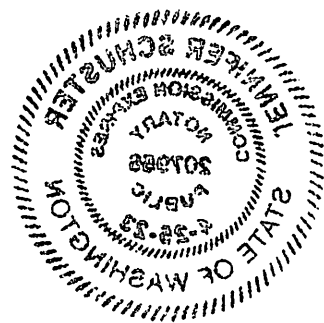

Signed: Briana Ghbein

SIGNED AND SWORN to before me this 30th day of October, 2019 by Briana Ghbein.




Notary Public in and for the State of Washington,

Print Name
Residing at 1025 Swift Blvd
My appointment expires: 4-25-23



AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 31st day of October, 2019, I posted the attached NOTICE OF PUBLIC HEARING, File Number S2019-101 (Sienna Hills Preliminary Plat) in the following locations:

The north terminus of the Bent Road right-of-way, the north terminus of the Clover Road right-of-way, and the north terminus of the Bermuda Road right-of-way, Richland, WA



Signed: Shane O'Neill

SIGNED AND SWORN to before me this 31st day of October, 2019, by SHANE O'NEILL.



Signature of Notary

Briana C. Ghbein

Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 4-25-23



Order Confirmation

Customer

RICHLAND CITY OF/LEGALS

Customer Account

450543

Customer Address

625 SWIFT BLVD.
 RICHLAND WA 99352 USA

Customer Phone

509-942-7547

Customer Fax

509-942-7397

Sales Rep

ibrown@mcclatchy.com

Payor Customer

RICHLAND CITY OF/LEGALS

Payor Account

450543

Payor Address

625 SWIFT BLVD.
 RICHLAND WA 99352 USA

Payor Phone

509-942-7547

Customer EMail

AccountsPayable@ci.richland.wa.us

Order Taker

ibrown@mcclatchy.com

<u>PO Number</u>	<u>Payment Method</u>	<u>Blind Box</u>	<u>Tear Sheets</u>	<u>Proofs</u>	<u>Affidavits</u>
D2586000 4401	Invoice		0	0	1

<u>Net Amount</u>	<u>Tax Amount</u>	<u>Total Amount</u>	<u>Payment Amount</u>	<u>Amount Due</u>
\$103.82	\$0.00	\$103.82	\$0.00	\$103.82

<u>Ad Order Number</u>	<u>Order Source</u>	<u>Ordered By</u>	<u>Special Pricing</u>
0004453052		Jana Duncan (TF)	
			<u>Promo Type</u>
<u>Invoice Text</u>			
NOA PHN & OPTIONAL SEPA REVIEW S2019- 101 Combined			
<u>Package Buy</u>			<u>Materials</u>

Ad Order Information

<u>Ad Number</u>	<u>Ad Type</u>	<u>Production Method</u>	<u>Production Notes</u>
0004453052-01	TRI-Legal Liner	AdBooker	

<u>External Ad Number</u>	<u>Ad Attributes</u>	<u>Ad Released</u>	<u>Pick Up</u>
		No	

<u>Ad Size</u>	<u>Color</u>
1 X 42 li	

<u>Product</u>	<u>Placement</u>	<u>Times Run</u>	<u>Schedule Cost</u>
TRI- Tri-City Herald	0300 - Legals Classified	1	\$103.82

<u>Run Schedule Invoice Text</u>	<u>Position</u>
NOA PHN & OPTIONAL SEPA REVIEW S2019- 10	0301 - Legals & Public Notices

Run Dates
11/10/2019

CITY OF RICHLAND
NOTICE OF APPLICATION, PUBLIC
HEARING & OPTIONAL SEPA RE-
VIEW

The Richland Hearing Examiner will conduct a public hearing on Monday, December 9, 2019 at 6:00 p.m. in the Council Chambers, Richland City Hall, 625 Swift Boulevard, to conduct a combined public hearing and to receive comments on Preliminary Plat No. 2019-101 and Rezone No. 2019-106 submitted by Richland Properties LLC. Copies of the application materials can be viewed online at www.ci.richland.wa.us. Comments may be emailed to soneill@ci.richland.wa.us or mailed to Shane O'Neill, Senior Planner, 625 Swift Blvd, MS #35, Richland, WA 99352. Comments received by 5:00 p.m., Monday, December 2, 2019 will be included in the staff report. Comments received after 5:00 p.m., Monday, December 2, 2019 will be provided to the Hearing Examiner during the public hearing. The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed text amendments. For more information contact Shane O'Neill, Senior Planner, at 509-942-7587 or soneill@ci.richland.wa.us.



11/19/19

Exhibit 3

Shane O'Neil
Senior Planner
City of Richland

Re: Benton County comments for Sienna Hills Preliminary Plat (S2019-101, Z2019-106 & EA2019-132)

There will be traffic added to county roads. A traffic impact analysis with recommended mitigations is required to address this traffic. The traffic impact analysis shall include all roads and intersections within the county and neighboring cities streets impacted.

Storm water generation will be increased in the area due to development over what currently occurs. A storm water analysis showing all additional storm water generated onsite will be captured and stored on-site. This analysis shall include infrastructure and on-site developments. Remaining runoff matching the volume and flow rate as currently exists from the development shall be located at the drainage locations already in existence to include platted drainage easements.

All work in the County's right of way will require an encroachment permit.

Thank you

Cristina Woods

ONeill, Shane

From: Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>
Sent: Tuesday, November 26, 2019 2:56 PM
To: Stevens, Mike; O'Neill, Shane
Cc: Matt Rasmussen; Cristina Woods
Subject: RE: [EXTERNAL] Sienna Hills Preliminary Plat

In addition to the stormwater requirements previously described, we still require an engineered traffic impact analysis relating to all roads and intersections within the county impacted by the development.

Douglas P. D'Hondt, P.E., L.E.G.
Asst. County Engineer
Benton County Public Works
620 Market Street
Prosser, WA 99350
509-786-5611

From: Cristina Woods <Cristina.Woods@co.benton.wa.us>
Sent: Thursday, November 21, 2019 3:38 PM
To: Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>
Cc: Matt Rasmussen <Matt.Rasmussen@co.benton.wa.us>
Subject: FW: [EXTERNAL] Sienna Hills Preliminary Plat

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Thursday, November 21, 2019 3:26 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>
Cc: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>
Subject: [EXTERNAL] Sienna Hills Preliminary Plat

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

Christina:

Thank you for the comments regarding the Sienna Hills Preliminary Plat and Rezone. After discussions with John Deskins, the City's Traffic Engineer, we are hesitant to require a Traffic Impact Analysis for this project unless it can be demonstrated what the scope of the study would be and exactly what the concerns are from the County's perspective. Given the distance from this plat to other parts of the Tri-Cities, it seems possible that most of the traffic that would be generated would go over the hill and use either Queensgate or Gage Blvd., rather than traversing through the County to get out. It is further likely that much of the traffic would be generated from within the County to go over the hill into the city. Finally, the traffic studies that were performed previously clearly anticipated this connection and since Bermuda is a collector road, it should be able to handle the additional traffic that might be generated.

If you can provide us with factual reasoning behind the need for a Traffic Impact Analysis it would be much appreciated.

Thank you,



Mike Stevens, Planning Manager
City of Richland Development Services Dept.
625 Swift Blvd. MS#35
Richland, WA 99352
(509)942-7596
www.ci.richland.wa.us/

This e-mail and your response are considered a public record and will be subject to disclosure under Washington's Public Records Act.

ONeill, Shane

From: Deana Chiodo <deanac@bfhd.wa.gov>
Sent: Thursday, November 14, 2019 4:58 PM
To: O'Neill, Shane
Cc: Stevens, Mike; Rick Dawson
Subject: RE: S2019-101, Z2019-106 & EA2019-132

This office has reviewed the above referenced Preliminary Plat and Rezoning review and have the following comments:

1. There are multiple drainage easements that run through the subdivisions directly to the south of the proposed plat. These drainage easements are not carried into the new subdivision even though it is part of the drainage basin.
2. You also have storm swales/retention ponds proposed in several locations along the south boundary of the development. These drainage features are located less than the required 100' from existing on-site sewage systems and dedicated reserve areas.
3. The addition of several hundred homes in this area may have an effect on ground and surface water already being witnessed to the south of the plat in the area of the Bent and Bermuda intersection. The potential impact of this subdivision must be full evaluated prior to approval.

This office believes the full impacts of this proposal have not been evaluated and an environmental Impact Statement may be appropriate or further research on the natural drainages and how this subdivision can affect the lots to the South that are on septic systems in addition to surrounding groundwater.

Please let me know if you have any questions or concerns. Thank you.

Deana Chiodo

Environmental Health Specialist II

Benton-Franklin Health District

7102 W. Okanogan Place,

Kennewick, WA 99336

p: 509.460.4316

www.bfhd.wa.gov Deanac@bfhd.wa.gov



Follow us on   

IMPORTANT: Email coming and going from our agency is not protected, thus client information can not be shared in this format. Please use voicemail or fax for client communication. The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email

in error, please notify the system manager or the sender immediately and do not disclose the contents to anyone or make copies thereof.

ONeill, Shane

From: Stevens, Mike
Sent: Monday, December 2, 2019 8:41 AM
To: O'Neill, Shane
Subject: FW: Sienna Hills Response



Mike Stevens, Planning Manager
City of Richland Development Services Dept.
625 Swift Blvd. MS#35
Richland, WA 99352
(509)942-7596
www.ci.richland.wa.us/

****This e-mail and your response are considered a public record and will be subject to disclosure under Washington's Public Records Act.****

From: Rick Dawson [mailto:Rickd@bfhd.wa.gov]
Sent: Wednesday, November 27, 2019 3:43 PM
To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>; Deana Chiodo <deanac@bfhd.wa.gov>
Cc: Deana Chiodo <deanac@bfhd.wa.gov>
Subject: RE: Sienna Hills Response

Mike,

Our review of this proposal is based on site conditions found throughout the area and recent sub-divisions in the vicinity of this plat with storm water retention facilities. Specifically the Sunshine Ridge plat where the storm water retention pond has water retained and visible for a significant portion of the year resulting in a 100 foot setback requirement and classification as surface water. It is expected that this plat will have similar drainage patterns and may result in issues to the existing on-site sewage systems in the area. The retention ponds SD 2 and 3 appear to be located more than 100 feet from an existing on-site sewage system or reserve area. It is recommended that should this plat proceed that the retention facilities be located with respect to the existing topography and located directly adjacent to existing natural drains. Retention pond SD 1 is located directly adjacent to existing on-site sewage system located on lots 1 and 2, Hidden Hills Phase 2. This pond should maintain a 100 foot setback from the existing systems, as BFHD will until proven otherwise expect this to be classified as surface water. Relocating the pond to an area north of the existing drainage area near Bermuda Road or to the west of Clover Road may be more suitable.

While it may not be possible to fully evaluate the impacts from expanding developments in this area. It is important to note that as the property rises to the north the depth of soil available to absorb and accept excess storm water and irrigation runoff decreases and potential impacts to properties at the lower elevations will increase.

Hopefully, I have fully articulated BFHD's concerns for this development.

Sincerely,

James R.(Rick) Dawson

Sr. Manager – Surveillance & Investigation

Benton-Franklin Health District

7102 W. Okanogan Place,
Kennewick, WA 99336

p: 509.460.4313

f: 509.585.1537

www.bfhd.wa.gov rickd@bfhd.wa.gov



Follow us on   

From: Stevens, Mike <mstevens@ci.richland.wa.us>

Sent: Tuesday, November 26, 2019 9:30 AM

To: Deana Chiodo <deanac@bfhd.wa.gov>

Cc: Rick Dawson <Rickd@bfhd.wa.gov>

Subject: Sienna Hills Response

Deana:

If possible, please respond to my email by 5:00 pm, Wednesday (11/27/19). The City will be making its SEPA Threshold Decision next week and would like the info requested from you to do that.

Thank you,



Mike Stevens, Planning Manager
City of Richland Development Services Dept.
625 Swift Blvd. MS#35
Richland, WA 99352
(509)942-7596
www.ci.richland.wa.us/

****This e-mail and your response are considered a public record and will be subject to disclosure under Washington's Public Records Act.****

IMPORTANT: *Email coming and going from our agency is not protected, thus client information can not be shared in this format. Please use voicemail or fax for client communication. The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email in error, please notify the system manager or the sender immediately and do not disclose the contents to anyone or make copies thereof.*

ONeill, Shane

From: BMID Manager <bmidmanager@badgermountainirrigation.com>
Sent: Thursday, November 21, 2019 11:11 AM
To: O'Neill, Shane
Subject: RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Shane,

I just looked back over my emails and did not find this email.

BMID is aware of the Plat and we have no issues with development. We have been in contact with Jason Mattox throughout the planning. BMID is able to serve irrigation water to this plat. Our biggest concerns for the area of the development are as follow:

1. The development is in the spillage zone in case of a overflow of our reservoir, so there needs to be planning for that.
2. It encompasses the main BMID booster station which is a significant noise and light source this needs to be accounted for as well.
3. Our main arterials for the south side of badger mountain and the district go through this property and need to have adequate easements.

Those are all of my concerns and comments so far Jason and PBS has accounted for most of those issues and we are on board for working through the others.

Thanks

Colby Getchell
District Manager
bmidmanager@badgermountainirrigation.com
Badger Mountain Irrigation District
87525 E. Reata Rd.
Kennewick, WA 99338
509-531-2938 (Cell)
509-628-0777 (Office)
509-628-0112 (Fax)

*When the well is dry,
we will know the
worth of water.
-Benjamin Franklin*

From: O'Neill, Shane [mailto:soneill@CI.RICHLAND.WA.US]
Sent: Thursday, November 21, 2019 10:01 AM
To: BMID Manager
Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Colby,

I am not sure BMID received this notice as I find no comments on the proposal from your office. I am re-sending in hopes to receive an expedited review.
Feel free to contact me directly with any questions.
Thank you.



Shane O'Neill
Senior Planner
City of Richland
P: 509.942.7587

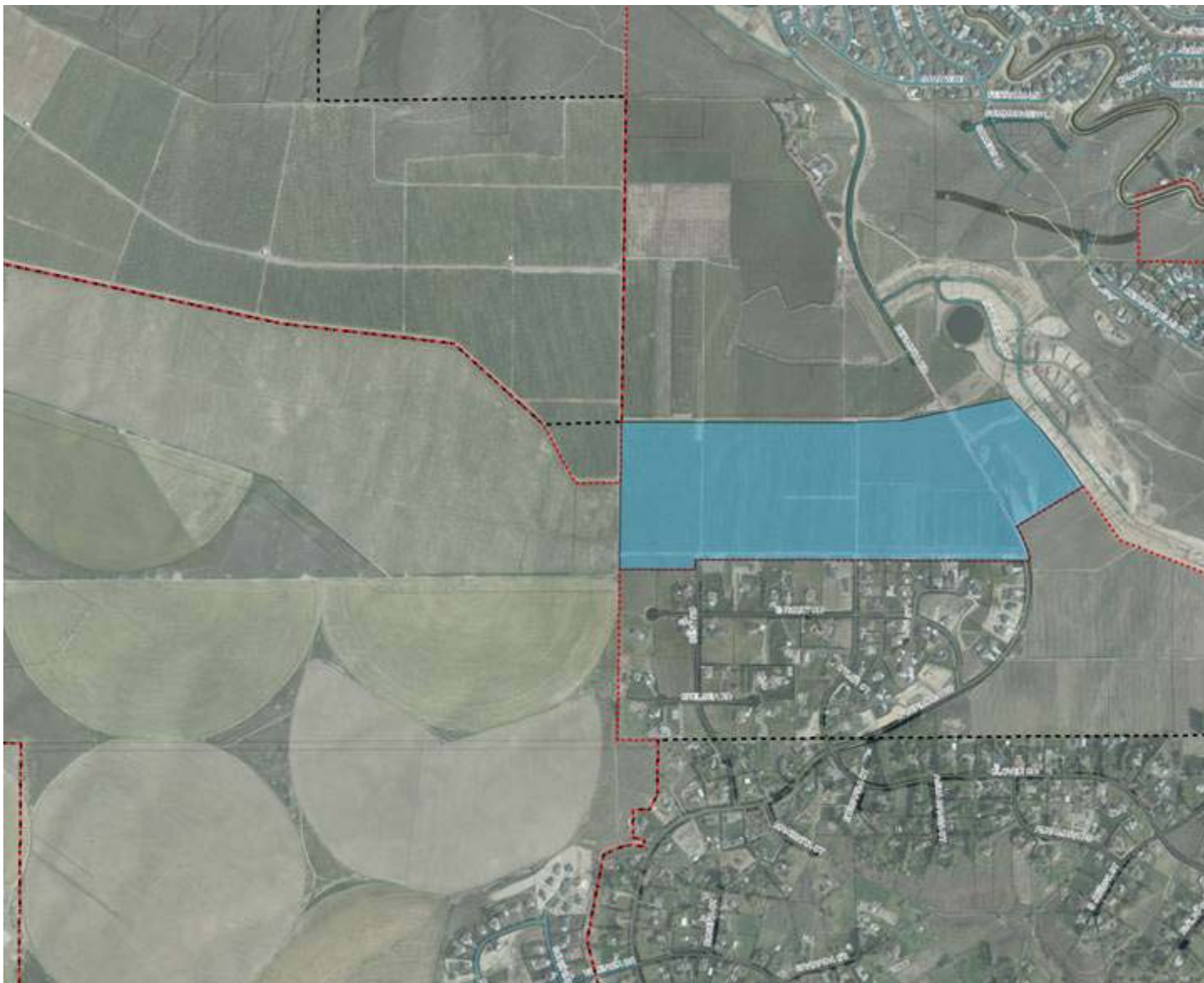
Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello,

For your review and commenting I am sending application materials for a proposed rezone and preliminary plat. The 184-lot preliminary plat of Sienna Hills is located southwest of the intersection of Queensgate Drive and Legacy Lane; as shown in the image below. Please provide your review comments by Wednesday, Nov. 27th. Any comments on the SEPA checklist should also be submitted by 11/27. A public hearing for this item will be held on Dec. 9th.

The associated title report and other application materials are available for viewing using this link:
<https://www.ci.richland.wa.us/departments/development-services/planning/pending-land-use-actions>





This email has been scanned by the Mailprotector Email Security System. For more information please visit <http://mailprotector.com/email>



**City of Richland
Development Services**

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
📠 (509) 942-7764

DATE: November 4, 2019
TO: Shane O'Neill, Senior Planner
REVIEW BY: Briana Ghbein, Permit Technician
PROJECT NAME: S2019-101 – Sienna Hills

1. Street designations shall be as set forth in [RMC 12.01.060](#). Prior to submitting for the final plat, please submit three (3) street name options for each the following street segments: A Street, B Street, C Street, D Street, E Street, F Street, G Street, H Street, J Street, K Street, and L Street.
2. Addressing brackets [] are needed on all lots and tracts in subsequent final plat submittals.
3. Prior to submitting for the final plat, provide which lots, if any, will allow construction of multi-family (duplex) dwellings. Addressing will be done accordingly.



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, Washington 99301

TRANSMISSION BUSINESS LINE

November 13, 2019

In reply refer to: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 and EA2019-132)
Located within a Portion of Section 34, Township 9 North,
Range 28 East, W.M., Benton County, Washington

Shane O'Neill
Senior Planner
City of Richland
505 Swift Boulevard
Richland, WA 99352

Dear Shane:

Bonneville Power Administration (BPA) has had the opportunity to review Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132). The application is to rezone 98 agricultural acres into a 285 lot residential subdivision. The site is generally located southwest of the intersection of Queensgate Drive and Legacy Lane in Richland, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities in that area. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or by email at mjdeklyen@bpa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Deklyen".

Mike Deklyen
Field Realty Specialist



**CITY OF RICHLAND
DEVELOPMENT SERVICES**

**840 Northgate Drive
Richland, WA 99352**

Telephone (509) 942-7794

Fax (509) 942-7764

CI.RICHLAND.WA.US • 509-942-7390

DATE: October 25, 2019

TO: Shane O'Neill

REVIEW BY: Tyler Jennings

PROJECT NAME: Sienna Hills

Subdivisions (Preliminary or Final)

1. Prior to plat recording: A geotechnical investigation shall be conducted in accordance with IBC (2015) Section 1803. Grading shall be permitted by the City and performed in accordance with the geotechnical investigation and IBC (2015) Appendix J. Any specific geotechnical requirements regarding foundations and/or site slopes shall be noted on the plat along with reference to the geotechnical investigation report.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

November 26, 2019

Shane O'Neill
City of Richland
PO Box 190
Richland, WA 99352

Re: S2019-101, Z2019-106, EA2019-132

Dear Shane O'Neill:

Thank you for opportunity to comment on the pre-threshold determination for the Sienna Hills subdivision, proposed by Sienna Hills Development LLC. We have reviewed the environmental checklist and have the following comment.

TOXICS CLEAN-UP

Based upon the historical agricultural use of this land, there is a possibility the soil contains residual concentrations of pesticides. Ecology recommends that the soils be sampled and analyzed for lead and arsenic, and for organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels Ecology recommends that potential buyers be notified of their occurrence.

If you have any questions or would like to respond to these Toxics Clean-up comments, please contact **Valerie Bound** at 509-454-7886 or email at valerie.bound@ecy.wa.gov.

WATER QUALITY

Project with Potential to Discharge Off-Site

If the project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by



Shane O'Neill
November 26, 2019
Page 2

stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Lloyd Stevens, Jr.** at the Dept. of Ecology, 509-574-3991, with questions about this permit.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
509-575-2012
crosepa@ecy.wa.gov

201906645



2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

November 13, 2019

Shane O'Neill
City of Richland
Senior Planner
505 Swift Blvd.
Kennewick, WA 99352

Subject: S2019-101 – Sienna Hills Preliminary Plat - Review Comments

Dear Mr. O'Neill:

This letter provides Kennewick Irrigation District (KID) review comments for Sienna Hills Preliminary Plat. The proposed Preliminary Plat is located outside of the KID Boundary, but is located above the Badger East Canal in the SE Quarter of Section 34, Township 09 North, Range 28 East, W.M.

1) Conditions Related to Design, Grading and Construction:

- a. Stormwater systems for the project should be designed to retain, at minimum, a 100-year storm event above the Badger East Lateral Canal and to minimize the introduction of water into the soils upgrading from the canal.

If you have any questions regarding these comments, please contact me at the address/phone number listed below.

Sincerely,

Rebecca S. Hiles
Staff Engineer

**CITY OF RICHLAND
PUBLIC WORKS ENGINEERING
DEVELOPMENT COMMENTS**

DATE: November 14, 2019

TO: SHANE O'NEILL, SENIOR PLANNER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
PETE ROGALSKY, PUBLIC WORKS DIRECTOR
JOHN DESKINS, TRAFFIC ENGINEER

PROJECT NAME: SIENNA HILLS (S2019-101)

PROJECT LOCATION: NORTH OF THE PLAT OF BADGER MOUNTAIN PLATEAU, WEST OF
WESTCLIFFE HEIGHTS

The Public Works Engineering Division has reviewed the preliminary plat received in this office on October 30, 2019 for the above referenced property and has the following conditions.

General Conditions:

1. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. Electronic copies of the construction plans are required prior to the pre-con meeting along with the multiple sets of paper drawings. When construction of the public infrastructure has been substantially completed, the applicant shall provide paper and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. The final record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
2. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
3. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance.
4. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to beginning work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a project is submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.

5. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for plat acceptance.
6. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
7. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"=40'.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
9. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/>
10. An irrigation source and distribution system, entirely separate from the City's domestic water system, shall be provided for this development. *Construction plans will not be accepted for review until adequate and viable proof of an irrigation source is made available by the developer.* The designing Engineer shall submit plans for the proposed irrigation system to the Irrigation District with jurisdiction over the property at the same time that they are submitted to the City for construction review. Plans shall be reviewed and accepted by said irrigation district prior to issuance of a Right-of-Way permit by the City. Easements shall be provided on the final plat for this system where needed.
11. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

12. Public improvement design shall follow the following general format:
 - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - B. Water lines shall be aligned on the south and east side of street centerlines.
 - C. Sanitary sewer shall be aligned on the north and west side of street centerlines.
 - D. Storm sewer shall be aligned on the south and east side of street centerlines.
 - E. Any sewer or storm manholes that are installed outside of public Right of Way shall have an acceptable 12-foot wide gravel access road (minimum) provided from a public street for maintenance vehicles.
 - F. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
 - G. Watermains larger than 8-inches in diameter shall be ductile iron.
 - H. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
 - I. All watermains outside areas zoned R1 shall be ductile iron.
 - J. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.

- K. Sewer mains over 15-feet deep shall be constructed out of SDR26 PVC or C900 PVC. The entire main from manhole to manhole shall be the same material.
 - L. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
 - M. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - N. The minimum centerline finish grade shall be no less than 0.30 % and the maximum centerline finish grade shall be no more than 10.0 % for local streets.
 - O. The minimum centerline radius for local streets shall be 100-feet.
 - P. Any filling of low areas that may be required within the public Right of Way shall be compacted to City standards.
 - Q. An overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
 - R. A detailed grading plan shall be included in the submitted plan set.
 - S. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
 - T. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - U. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - V. All cul-de-sacs shall have a minimum radius of 48-feet to the face of curb to allow for adequate turning radius of fire trucks and solid waste collection vehicles.
 - W. Curb returns at minor intersections shall have a minimum radius of 25-feet. Curb returns at major intersections should have minimum radius of 30-feet but should be evaluated on a case by case basis.
 - X. All public streets shall meet design requirements for sight distance (horizontal, vertical and intersectional).
 - Y. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
 - Z. Construction plans shall reference all City of Richland standard details necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public.
 - AA. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
13. If the project will be built in phases the applicant shall submit a master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.
14. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVA only).
 - B. 2% cross-slope, maximum.
 - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - D. Be 20-feet in width.
 - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

15. SURVEY MONUMENT DESTRUCTION:

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction, the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).
- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

- 16. The Sienna Hills preliminary plat lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This plat shall therefore be subject to the fees administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA). The developer of this proposed project shall receive "credits" for construction of Gage Blvd. and Bermuda Road as allowed under the City's South Richland Collector Street Financing Plan.
- 17. Bermuda Road shall be constructed full-width within the boundaries of the pre-plat in accordance with City standard detail ST-11 (Arterial Collector) at the same time that phase 1 is constructed. The Bermuda improvements shall include curb, gutter and sidewalk on both sides. A ten-foot public utility easement shall be provided adjacent to its right-of-way on the face of the final plat. The portion of Bermuda that is to the north and is outside of the boundaries of the preliminary-plat shall be constructed as a rural road section, in accordance with City standard detail ST-15.
- 18. Gage Blvd. shall be constructed full-width in accordance with City standard detail ST-10 (Minor Arterial) at the same time that phase 5 is constructed, or concurrent with any phase that will result in a total number of single family lots greater than 250. The Gage improvements shall include curb, gutter and sidewalk on both sides. A ten-foot public utility easement shall be provided adjacent to its right-of-way on the face of the final plat.

19. Due to the hilly nature of the preliminary plat and the surrounding properties, Gage Blvd. outside of the preliminary-plat shall be conceptually designed to the north up to its intersection with Queensgate. Gage shall also be conceptually designed 500-feet southwest of the Sienna Hills pre-plat boundary. This conceptual design shall include both plan and profile design, including approximate boundaries of cut and fill areas using readily available topographic information.
20. The proposed street layout will create higher traffic volumes on C, B and F Street, Bent Road and on Clover Road. In an effort to curtail speeds through the development, the following intersections will require traffic calming treatments (such as traffic circles)
 - a. C Street & Clover Road
 - b. C Street & Bent Road
 - c. B Street & F Street

The specific calming treatments will be determined by the Public Works Director in consultation with the designing engineer. Adequate right-of-way shall be designed for at these locations and provided on the final plats. Landscaping designs can be proposed for the interior of these traffic circles, but all landscaping shall be maintained by the developer or the future HOA.

21. The maximum centerline grade for the proposed Gage Blvd. and Bermuda Road shall be no more than 8%.
22. A note will be shown on the face of the future final plats stating that Gage Blvd. and Bermuda Road are both classified as "Collector streets". Subsequently, no driveways accessing single family lots will be allowed directly onto them.
23. There appear to be multiple access easements crossing the proposed preliminary plat which will be displaced by single family lots. The developer of the preliminary plat shall reconcile all access issues with all parties named in the easements prior to issuance of a right-of-way construction permit.
24. Sidewalks shall be installed along all public Right of Way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, HOA tracts, etc.).
25. Pedestrian ramps shall be designed to current City standard details and A.D.A. guidelines. Adequate Right-of-Way shall be provided at corners to allow for at least 1-foot of ROW behind the ped. ramp landing. Crosswalks between pedestrian ramps shall be designed to City guidelines and A.D.A. guidelines. Crosswalks at stop-controlled intersections shall have cross-slopes less than 2%. Crosswalks crossing thru-streets shall have cross-slopes less than 5%. The road profile shall be designed to accommodate this.
26. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
27. The existing access points onto Bermuda and Gage are acceptable for this project, but any proposed changes to said driveways will be subject to approval by the Public Works Director.
28. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turn-arounds built at the end of them. If the temporary turnaround is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

29. The proposed preliminary plat is located within the Tapteal 4 water pressure zone. The closest Tapteal 4 water main is located in Bermuda Road to the north. It shall be the responsibility of the developer to extend a water main to this property to serve domestic water at the time of plat construction. This water main shall be sized as 12-inch diameter in accordance with the City's Water System Plan.
30. In accordance with the City's Water System Plan, a portion of the "Tapteal 4 Zone Connection" water main is designed to run through this plat. The water mains in C street, D street from Bent Road to A Street, A Street and Gage Boulevard shall be 12-inch in diameter. The 12-inch water main in Gage Boulevard shall be installed in the full length of the street. This water main shall be extended to the property to the west of the proposed preliminary plat.
31. In accordance with municipal code, domestic water mains shall be extended to the adjoining properties adjacent to the preliminary plat, provided they are in the correct pressure zone.
32. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.
33. The fire hydrant layout shall be approved by the City Fire Marshal.

Sanitary Sewer:

34. The sanitary sewer main designated for service for this development is located in Bermuda Road and Queensgate Drive to the north. It has also been designated to provide sewer service to the properties bounded approximately by the Westcliffe Heights subdivision to the east, the Westcliffe subdivision to the north, and the City limits lines to the west and south. This sewer main is higher in elevation than the proposed preliminary plat. Sewer service to these properties shall be accomplished via a sewer pump station constructed to City standards. This development shall design and construct the sewer pump station to be used by this development and the other neighboring properties within the above-described boundary that cannot be served by a gravity-flow pipe system. In accordance with municipal code the developer will be eligible for a latecomer agreement to recover a portion of the costs from future users of the system for the sewer pump station and any necessary oversized pipelines.
35. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure shall be provided as approved by the Public Works Director.
36. In accordance with municipal code, sanitary sewer shall be extended to the appropriate adjoining properties adjacent to the preliminary plat.

Ground Water:

37. A master grading plan completed by a licensed engineer shall be submitted along with the first submission of construction plans. The grading plan and accompanying geotech report shall make provisions for the existing neighboring land owners and address any impacts that the proposed grading and/or groundwater impacts will have on them. It shall also include a means for managing groundwater or subsurface springs if any are encountered during grading or construction.

Storm Water:

38. This project requires coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit conditions. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
39. All storm drainage systems shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. The applicant's design shall provide runoff protection to downstream property owners.
40. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method; no modifying or adding time of concentration; no surcharge allowed. Calculations shall be stamped by a registered professional engineer and shall include a profile of the system showing the hydraulic grade line. The calculations should include a 50-foot wide strip behind each right of way line to represent drainage from private property into the City system. Of that area, 50% shall be considered pervious and 50% impervious. Calculations shall include a profile for the design showing the hydraulic grade line for the system. Passing the storm downhill to an existing system will require a downstream storm system capable of accepting the water without being overwhelmed.
41. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition, a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.
42. If any existing storm drainage or ground water seepage drains onto the proposed project, said drainage shall be considered an existing condition and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
43. If there are any natural drainage ways across the proposed pre-plat, the engineered construction plans shall address it in accordance with Richland Municipal code 24.16.170 ("Easements-watercourses").
44. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
45. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 48 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not perk within 48 hours.
46. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity. The

storm drainage system for this development, both its conveyance and retention / infiltration components, shall be designed to effectively manage runoff from upstream properties that can be anticipated to convey stormwater onto this property because of a pre-development runoff condition, or as a result of flows discharged that are in excess of the design storm from the upstream property. Additionally, as this property is upslope of developed properties the stormwater system shall include provisions for possible discharge of runoff onto downslope properties from storms in excess of the design storm as described above. Those provisions may be required to include off-site downslope conveyance facilities and/or flowage easements allowing for the conveyance of stormwater to and across downslope properties.

47. The amount of post-development storm runoff from the proposed site shall not exceed the amount of pre-development runoff.
48. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat.
49. If the storm drain pond slopes are greater than 25% or deeper than 4-feet, then a 6-foot fence will be required around the perimeter of the pond with a minimum 12-foot wide gate for maintenance vehicles. A maintenance road from the public Right of Way to the bottom of the pond is also needed (2-inches of compacted gravel, minimum). The City's maintenance of the pond in the future will consist of trimming weeds to maintain compliance with fire and nuisance codes, and maintaining the pond for functionality.
50. The developer shall be responsible for landscaping the storm pond and for its maintenance through the one-year infrastructure warranty period. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above. If the developer wishes for the pond to be landscaped and visually appealing, then the homeowners association should be considered for maintenance responsibilities. This will require an irrigation meter and sprinkler system (including a power source), and responsibility for maintaining the landscaping.
51. The developer of record shall maintain the public storm drainage system for one year from the date of final acceptance by The City of Richland (as determined by the issuance of the "Letter of Final Acceptance"). Said developer shall also thoroughly clean the entire system, including structures, pipelines and basins prior to the City warranty inspection, conducted 11 months after the Letter of Final Acceptance.

Final Platting / Project Acceptance Requirements:

52. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat of the project.
53. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.

54. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
55. Ten-foot wide public utility easements will be required on the final plat along both sides of all Right-of-Ways within the proposed plat.
56. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
57. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association.
58. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
59. A one-foot "No access / screening easement" will be required along the Bermuda Road and Gage Blvd. Rights-of-Way where single family lots are adjacent. No single family driveways will be allowed directly onto either of those streets.
60. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
61. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
62. Any restricted parking areas shall be indicated on the final plats.

ONeill, Shane

From: Hill, Kelly
Sent: Friday, November 22, 2019 10:27 AM
To: O'Neill, Shane
Cc: Goulet, Steven
Subject: RE: Sienna Hills

Shane,

The only thing I really see that is missing is the 10 PUE that is adjacent to all the road ROWs that is normally shown.

Thanks
Kelly

From: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>
Sent: Friday, November 22, 2019 10:07 AM
To: Hill, Kelly <khill@CI.RICHLAND.WA.US>
Subject: Sienna Hills

I'm actually not finding that RES provided any comments on the plat to date.



Shane O'Neill
Senior Planner
City of Richland
P: 509.942.7587



ONeill, Shane

From: Deskins, John
Sent: Wednesday, October 30, 2019 4:47 PM
To: O'Neill, Shane
Cc: Rogalsky, Pete; Reathafor, Jason
Subject: RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Shane,

I have discussed this matter further with Pete Rogalsky, our Public Work Director, at Jason's request. I also spoke briefly with Jason on the phone.

Our position is that the original Gage Blvd. alignment cut diagonally through this property and thus the developer would have needed to construct the entire roadway including curb, gutter, sidewalk and streetlights as well as dedicate the associated right-of-way.

The roadway was shifted to the west boundary of the property for the developers convenience in their plat layout. Our expectation is that the full roadway would be constructed similar to what would have been required originally including curb, gutter, sidewalk & streetlights.

Finally, Pete noted that the construction needs to happen during their project, but could be constructed late in the development depending on how they phase the project.

Sincerely,



John Deskins, PE, PTOE

Traffic Engineer

City of Richland

509.942.7514

www.ci.richland.wa.us

From: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>
Sent: Wednesday, October 30, 2019 11:55 AM
To: Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>
Subject: FW: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

OK to build Gage at 3/4-width? (see below)

Feel free to engage Jason Mattox directly.

Thx-



Shane O'Neill

Senior Planner

City of Richland

P: 509.942.7587



From: Jason L. Mattox <Jason.Mattox@pbsusa.com>

Sent: Wednesday, October 30, 2019 11:47 AM

To: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>

Subject: RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Shane,

Agreed, this is consistent with our current submittal package. One item I would like to engage with John and others on again is picking up the discussion about the required width for Gage Boulevard. There was an email that was distributed back in June about this (Attached, discussion point C.). I would like to again make the request that since we are dedicating the entire right of way for the Gage Boulevard corridor that we only be required to construct a ¾ width street with curb, gutter, and sidewalk / LS on the project side. This was discussed, but a final determination was not made. I think now is the time to firm this up.

Thanks

Jason Mattox, PE

Senior Civil Engineer/Operations Manager

PBS

400 Bradley Blvd., Suite 106, Richland, WA 99352

office: 509.942.1600 | cell: 509.430.4252

jason.mattox@pbsusa.com

pbsusa.com

From: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>

Sent: Wednesday, October 30, 2019 9:31 AM

To: Jason L. Mattox <Jason.Mattox@pbsusa.com>

Subject: FW: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

FYI.

The comments from John Deskins below don't appear to necessitate any kind of re-submittal.



Shane O'Neill

Senior Planner

City of Richland

P: 509.942.7587



From: Deskins, John <jdeskins@CI.RICHLAND.WA.US>

Sent: Tuesday, October 29, 2019 2:18 PM

To: Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>

Cc: Garcia, Judy <jugarcia@CI.RICHLAND.WA.US>; O'Neill, Shane <soneill@CI.RICHLAND.WA.US>

Subject: RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Jason,

This submittal seems mostly consistent with review comments provided at earlier opportunities. I would like to note however the following:

1. Traffic Circles were proposed and approved at several locations. They should be included on the Civil Plans as the phases progress. They are at:
 - a. C Street & Clover Road

- b. C Street & Bent Road
- c. B Street & F Street
- 2. Gage should be a Minor Arterial using City of Richland Standard Drawing ST 10.
- 3. Bermuda (Queensgate) should be a Major Collector using City of Richland Standard Drawing ST 11. The 34 foot curb to curb section is adequate here.

Sincerely,



John Deskins, PE, PTOE

Traffic Engineer

City of Richland

509.942.7514

www.ci.richland.wa.us

From: O'Neill, Shane <soneill@CI.RICHLAND.WA.US>

Sent: Friday, October 25, 2019 12:34 PM

To: Pasco99301 <99301PascoWA-Postmaster@usps.gov>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Kevin Sliger <KSliger@bft.org>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; West, Julie <jwest@ci.richland.wa.us>; West, Julie <jwest@ci.richland.wa.us>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; rhiles@kid.org; richard.krasner@rsd.edu; rittemwr@dfw.wa.gov; jecottrell@bpa.gov; dxrogers@bpa.gov; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Somers, Cindi <CSomers@CI.RICHLAND.WA.US>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; sepaunit@ecy.wa.gov; separegister@ecy.wa.gov; gonsetp@wsdot.wa.gov; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Seth Defoe <SDefoe@kid.org>; robin.priddy@bentoncleanair.org; kevin.knodel@rsd.edu; gregory.l.goodwin@ftr.com; dean.kelley@chartercom.com; webmaster@KID.org; jmcshane@kid.org; clark.posey@co.benton.wa.us; florinda_paez@co.benton.wa.us; rob.rodger@bentoncleanair.org; BCES Map <map@bces.wa.gov>; kelly.cooper@doh.wa.gov; anthony.vonmoos@co.benton.wa.us; steve.conrads@cngc.com; jecottrell@bpa.gov; dxrogers@bpa.gov; Benton County - Segregations <Segregations@co.benton.wa.us>; mjdeklyne@bpa.gov; joseph.cichy@ftr.com; bbarlow@bft.org; BCES Map <map@bces.wa.gov>; junior.campos@charter.com; scplanning@wsdot.wa.gov; KID1 <development@kid.org>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; BCES Davis, Deanna <d.davis@bces.wa.gov>; BCES Gates, Sarah <s.gates@bces.wa.gov>

Cc: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>; Ghbein, Briana <bghbein@ci.richland.wa.us>

Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello,

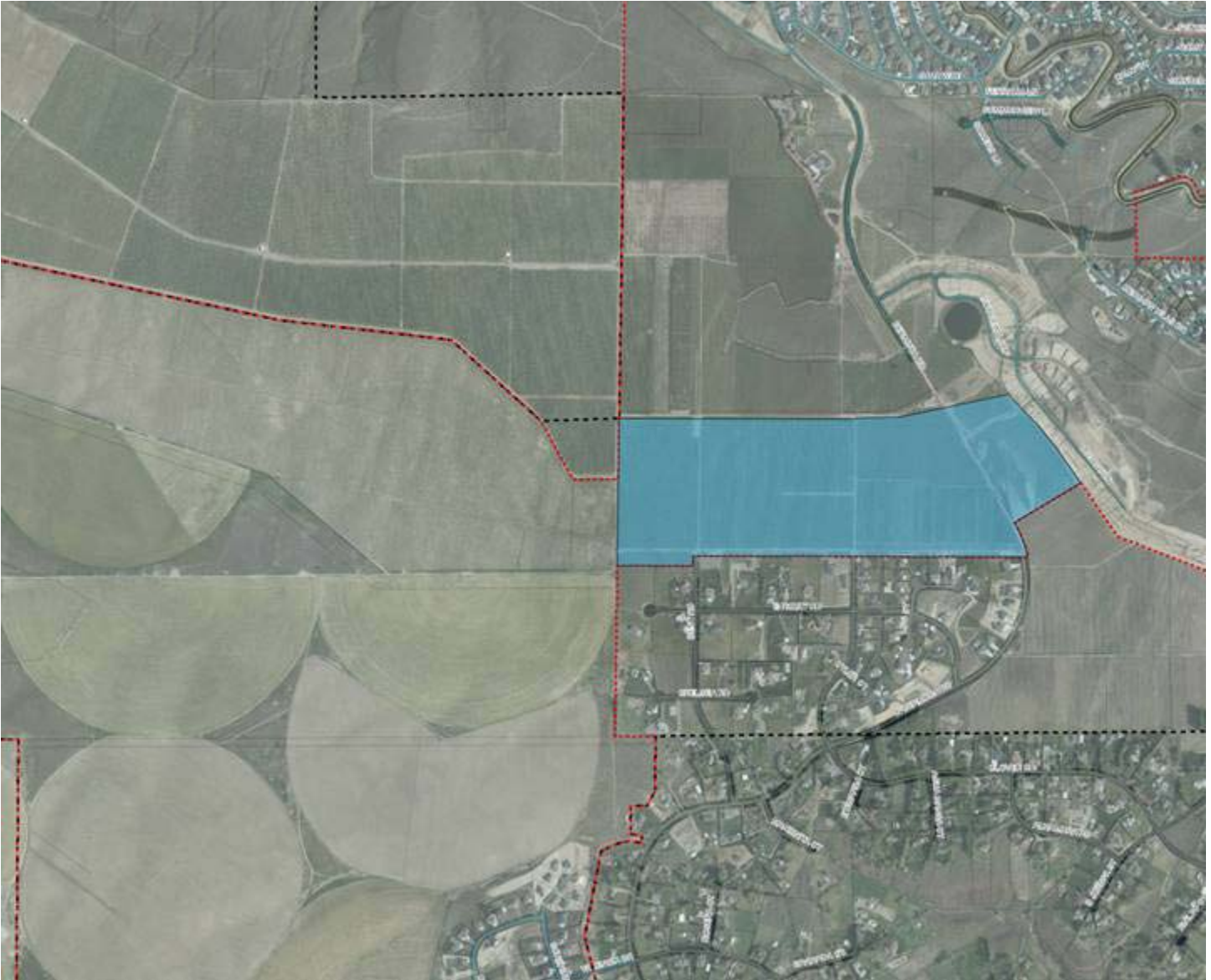
For your review and commenting I am sending application materials for a proposed rezone and preliminary plat. The 184-lot preliminary plat of Sienna Hills is located southwest of the intersection of Queensgate Drive and Legacy Lane; as shown in the image below. Please provide your review comments by Friday, Nov. 15th. Any comments on the SEPA checklist should also be submitted by 11/15. A public hearing for this item will be held on Dec. 9th.

The associated title report and other application materials are available for viewing using this link:
<https://www.ci.richland.wa.us/departments/development-services/planning/pending-land-use-actions>

Thank you,



Shane O'Neill
Senior Planner
City of Richland
P: 509.942.7587



ONeill, Shane

From: Ashley Morton <AshleyMorton@ctuir.org>
Sent: Wednesday, November 6, 2019 8:28 AM
To: O'Neill, Shane
Cc: Sydney.Hanson@dahp.wa.gov
Subject: RE: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello Shane,

The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) does not object to proposed platting and rezoning for the Sienna Hills development however given the lack of cultural resource investigations in the area, the planned development location being within an area culturally and religiously important to the CTUIR known as Piyuušmaamí uštáy (hills of the snakes), and that this area has a known agricultural history, we strongly recommend that an archaeological survey be conducted in advance of ground disturbing activities related to infrastructure improvements and construction of residences.

The CTUIR appreciates the opportunity to comment.

Sincerely,
Ashley

Ashley M. Morton, M.A., RPA
Archaeologist II
Cultural Resources Protection Program
Confederated Tribes of the Umatilla Indian Reservation
46411 Timíne Way, Pendleton, OR 97801
Direct Line/Fax: (541) 429-7214
Main Office: (541) 276-3447
AshleyMorton@ctuir.org



From: O'Neill, Shane [mailto:soneill@CI.RICHLAND.WA.US]
Sent: Wednesday, October 30, 2019 3:49 PM
To: Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Bill Barlow <bbarlow@bft.org>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Clark Posey <clark.posey@co.benton.wa.us>; BCES Hamilton, Craig <c.hamilton@bces.wa.gov>; Darrick Dietrich <darrick@basindisposal.com>; Dean Kelley <dean.kelley@chartercom.com>; BCES Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Florinda Coleman <florinda.coleman@co.benton.wa.us>; Ghbein, Briana <bghbein@ci.richland.wa.us>; Gregory Goodwin <gregory.l.goodwin@ftr.com>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Joseph Cichy <joseph.cichy@ftr.com>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos

<junior.campos@charter.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; M. Deklyne <mjddeklyne@bpa.gov>; BCES Map <map@bces.wa.gov>; Pasco99301 <99301PascoWA-Postmaster@usps.gov>; Paul Gonseth <gonsetp@wsdot.wa.gov>; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; Rebecca Hiles <rhiles@kid.org>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; BCES Gates, Sarah <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDeFoe@kid.org>; Somers, Cindi <CSomers@CI.RICHLAND.WA.US>; South Central Region Planning <scplanning@wsdot.wa.gov>; West, Julie <jwest@ci.richland.wa.us>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Webcsr PUD <webcsr@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Catherine Dickson <CatherineDickson@ctuir.org>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; Greg McCormick <gregory.mccormick@ci.kennewick.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Review Team <reviewteam@commerce.wa.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Roscoe Slade <roscoe@westrichland.org>; SEPA Center <sepacenter@dnr.wa.gov>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; William Simpson <william.simpson@commerce.wa.gov>

Cc: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>

Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

EXTERNAL EMAIL: Please use caution when clicking links or opening attachments.

Hello,

This second email soliciting review comments for Sienna Hills preliminary plat & rezone is being sent due to an error in the original email with regard to the number of proposed lots. The preliminary plat proposes a total of 285 lots and not 184 lots as previously indicated. The attached preliminary plat application has been modified accordingly. Please provide your review comments by Friday, Nov. 15th. Any comments on the SEPA checklist should also be submitted by 11/15. A public hearing for this item will be held on Dec. 9th.

Thank you,



Shane O'Neill

Senior Planner
City of Richland
P: 509.942.7587



From: O'Neill, Shane

Sent: Friday, October 25, 2019 12:34 PM

Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)

Hello,

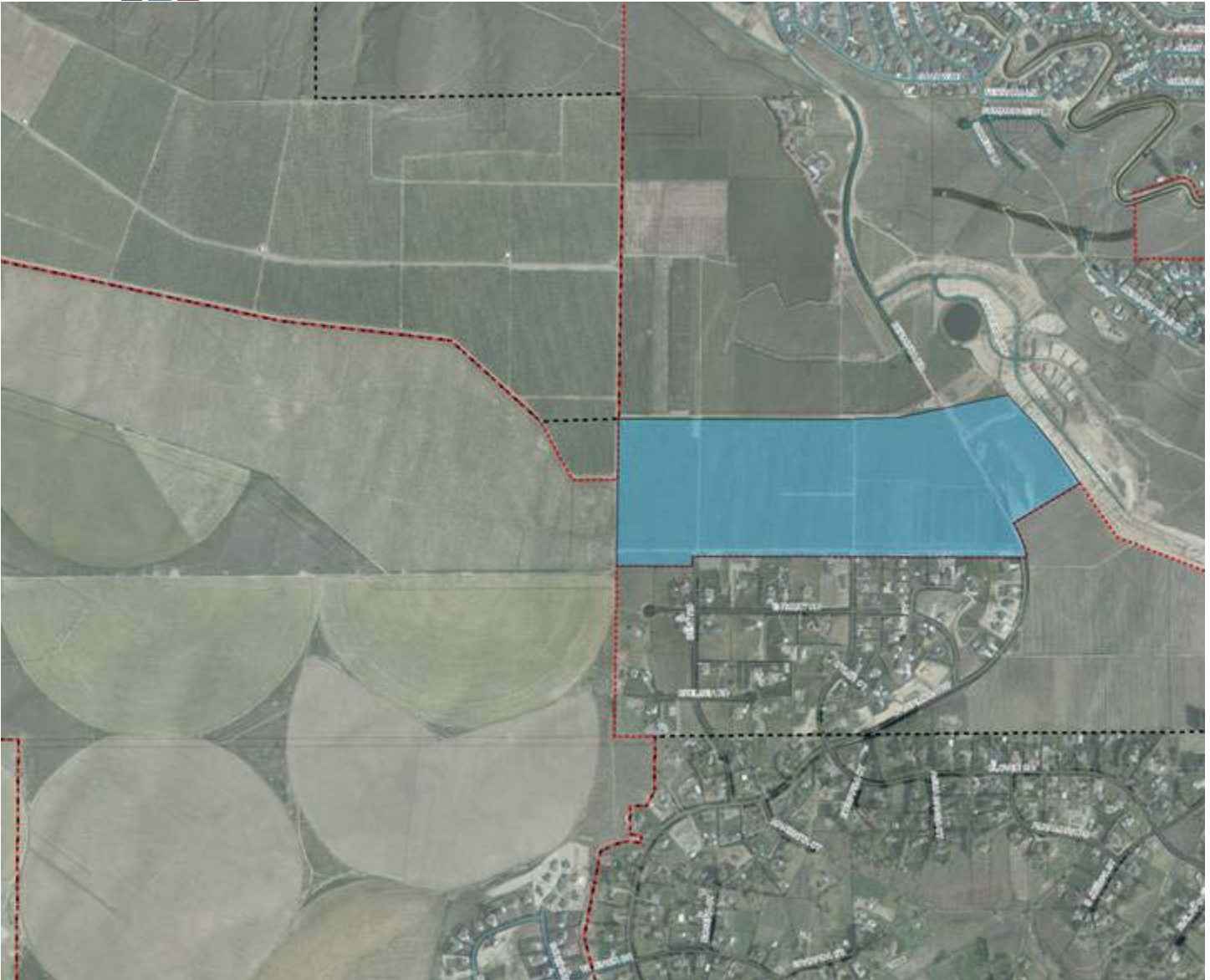
For your review and commenting I am sending application materials for a proposed rezone and preliminary plat. The 285-lot preliminary plat of Sienna Hills is located southwest of the intersection of Queensgate Drive and Legacy Lane; as shown in the image below. Please provide your review comments by Friday, Nov. 15th. Any comments on the SEPA checklist should also be submitted by 11/15. A public hearing for this item will be held on Dec. 9th.

The associated title report and other application materials are available for viewing using this link:
<https://www.ci.richland.wa.us/departments/development-services/planning/pending-land-use-actions>

Thank you,



Shane O'Neill
Senior Planner
City of Richland
P: 509.942.7587



The opinions expressed by the author are his or her own and are not necessarily those of the Confederated Tribes of the Umatilla Indian Reservation. The information, contents and attachments in this email are Confidential and Private.



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

November 7, 2019

City of Richland Planning Department
P.O. Box 190 / 505 Swift Blvd. MS#35
Richland, WA 99352

Attention: Shane O'Neill, Senior Planner

Subject: Sienna Hills Preliminary Plat & Rezone Review (S2019-101, Z2019-106 & EA2019-132)
I-82 Exit 104 vicinity

We have reviewed the proposed project and have the following comment.

The subject property is not adjacent to Interstate 82 (I-82) but will access I-82 via the Exit 104 Dallas Road interchange. We are not opposed to the proposed project or other development in the vicinity of Exit 104; however, we are concerned with the cumulative impact to the interchange. At some point, development will create the need for improvements at the interchange ramp terminals, and the question arises whether one development should bear the entire cost of these improvements, or should proportionate shares from developments be collected as they are proposed. We recommend the City require the proponent to contribute to future improvements at the I-82/Dallas Road interchange in proportion to their impacts.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: jjp/rgc

cc: SR 82, File #16
Kara Shute, Area 3 Maintenance Superintendent

ONeill, Shane

From: Todd Sawin <TSawin@AHBL.com>
Sent: Wednesday, November 27, 2019 10:16 PM
To: O'Neill, Shane
Cc: ljwhitemd@aol.com; thefourcs@comcast.net; West, Julie
Subject: Sienna Hills Plat

Hi Shane,

I'd like to provide public comment on the Sienna Hills Plat (permit no S2019-101, Z2019-106 & EA2019-132). The plat proposes a lift station for the project and I'd like to propose that a regional lift station to serve the East Badger Mountain Sewer Basin as identified in the BMS subarea plan be explored instead of constructing another lift station. The additional lift station would cause the City long term maintenance costs over the single lift station approach. The downstream conveyance path for the lift station should also be re-evaluated based on system improvements following the sub area plan. Based on some preliminary conversations, I believe the neighboring property owners (Nor Am and Goose Ridge) would be amenable to discussing a combined system to better serve the City and proposed developments.

We're happy to meet and discuss options if that helps. We'll be in town on the 4th if needed.

Thanks,

Todd Sawin, PE, DBIA, LEED AP | Principal

AHBL, Inc. | TACOMA • SEATTLE • SPOKANE • TRI-CITIES

253.383.2422 **TEL** | 253.284.9662 **DIRECT** | tsawin@ahbl.com **EMAIL** | Send us a [file](#).

ONeill, Shane

From: jhmcbride@aol.com
Sent: Thursday, November 21, 2019 10:18 AM
To: O'Neill, Shane
Subject: Rezoning Application and Hearing of Sienna Hills Subdivision

Shane O'Neill, Senior Planner
City of Richland

As a property owner adjacent to the proposed rezoning request of Sienna Hills, I would like to express my concerns.

1. Along the South side of the property, the Badger Mountain Plateau subdivision has horse privileges as well as small animals, i.e. chickens, ducks etc.. At this time we have 2 horses that adjoin the subdivision. I would request the builder be required to put up a block wall fence along the South property line to prevent any incidents on either side.

2. I would also request the developer designate R1-12 zoning on South side of subdivision to blend with the 2.5 acre lots in Badger Mountain Plateau and the larger lots in Hidden Hills subdivisions.

Thank you for the opportunity to express my concerns.

Ronald and Jan McBride
92908 E Holly Road
Kennewick, Wa. 99338

Lot 10, Badger Mountain Plateau

November 26, 2019

City of Richland Planning Division
625 Swift Boulevard
MS-35
Richland, WA 99352

RE: Sienna Hills Preliminary Plat and Rezone

To Mr. Shane O'Neill and Others Whom it May Concern,

We have interest in the subject development applications as adjacent property owners residing at 3802 N Levi Street (Parcel #134984020000023). Please submit the following into the record for the hearing set for December 9, 2019.

We believe the subject development applications should be denied because they propose:

- A. Rezoning inconsistent with the Comprehensive Plan Future Land Use Map and
- B. Development timing and patterns inconsistent with the Comprehensive Plan and existing infrastructure.

Should the applications be approved, we request the following conditions for the development of the subject site:

- 1. Zoning and development patterns be limited to Low Density Residential as shown on the Comprehensive Plan's Future Land Use Map,
- 2. Preliminary plat contributes to area multi-user trails network that link major streets, schools, commercial nodes, and open spaces, and
- 3. Developer provides a visually consistent buffer along the southern boundary of the development composed of fence, wall, vegetation, and/or multi-user trail.

Analysis of these concerns and proposals is attached.

Thank you for your consideration.

Respectfully,



Rebecca Clapperton
Owner & Resident
3802 N Levi Street
Kennewick, WA 99338



Bryan Cron
Owner & Resident
3802 N Levi Street
Kennewick, WA 99338



Anne M. Rokyta, AICP, CNU-A
Agent
2825 O'Hara Drive
Tallahassee, FL 32309

ANALYSIS

A. Proposed Rezone is Inconsistent with the City of Richland Comprehensive Plan

We are under the impression that the Badger Mountain Subarea Plan (hereafter, Subarea Plan) Land Use Plan is the map referenced for determination of whether the rezone application is consistent with the City of Richland [Comprehensive Plan](#) (hereafter, Comp Plan). We disagree and posit the Comp Plan Future Land Use Map is the correct reference for the subject site.

The Subarea Plan was adopted in April 2010 as an appendix to the Comp Plan to support the December 2010 annexation of the area and clearly defines Badger Mountain South as separate from the other undeveloped lands in the subarea (*Figure 1*).

Figure 1: Badger Mountain Subarea Plan “Developed and Undeveloped Parcels”

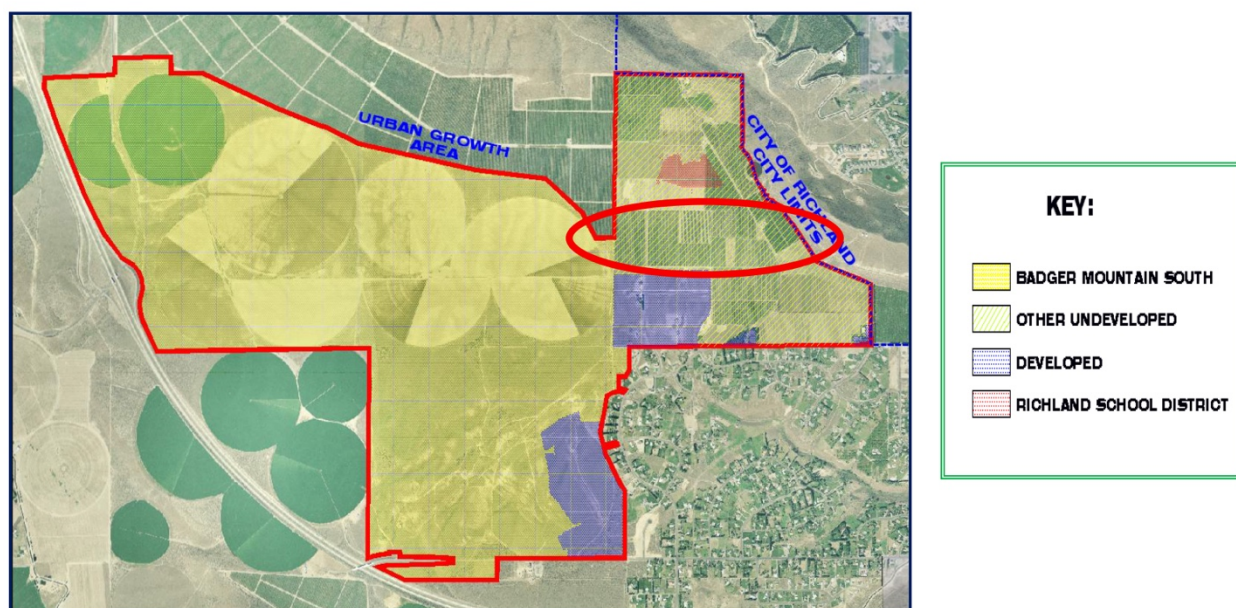
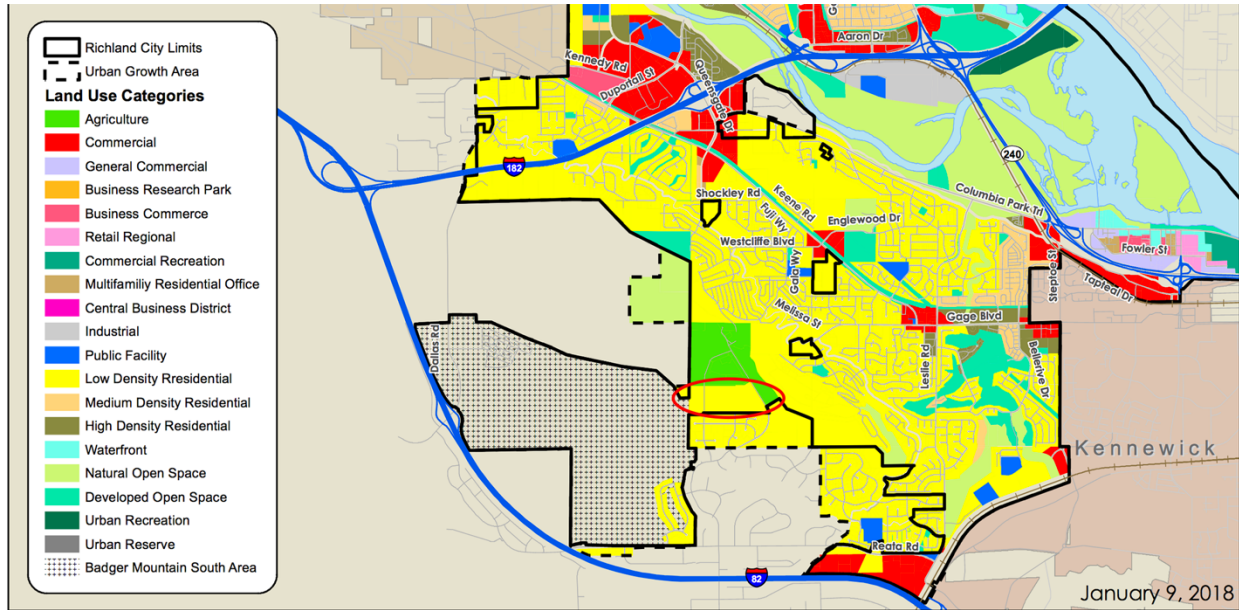


Figure 3 of the Subarea Plan (page 9). Subject site, indicated by red oval, located in Other Undeveloped, not Badger Mountain South.

The Comp Plan was adopted in 2017, much more recently than the Subarea Plan, and contains an updated Future Land Use Map (hereafter, FLUM) dated January 8, 2018 (*Figure 2*). The FLUM contains a Badger Mountain South Area land use category which references the Subarea Plan, however, the subject site is not designated for this category. The subject site is designated Low Density Residential and Agriculture. Had the Subarea Plan been intended as the guiding document, the subject site would have been designated as Badger Mountain South.

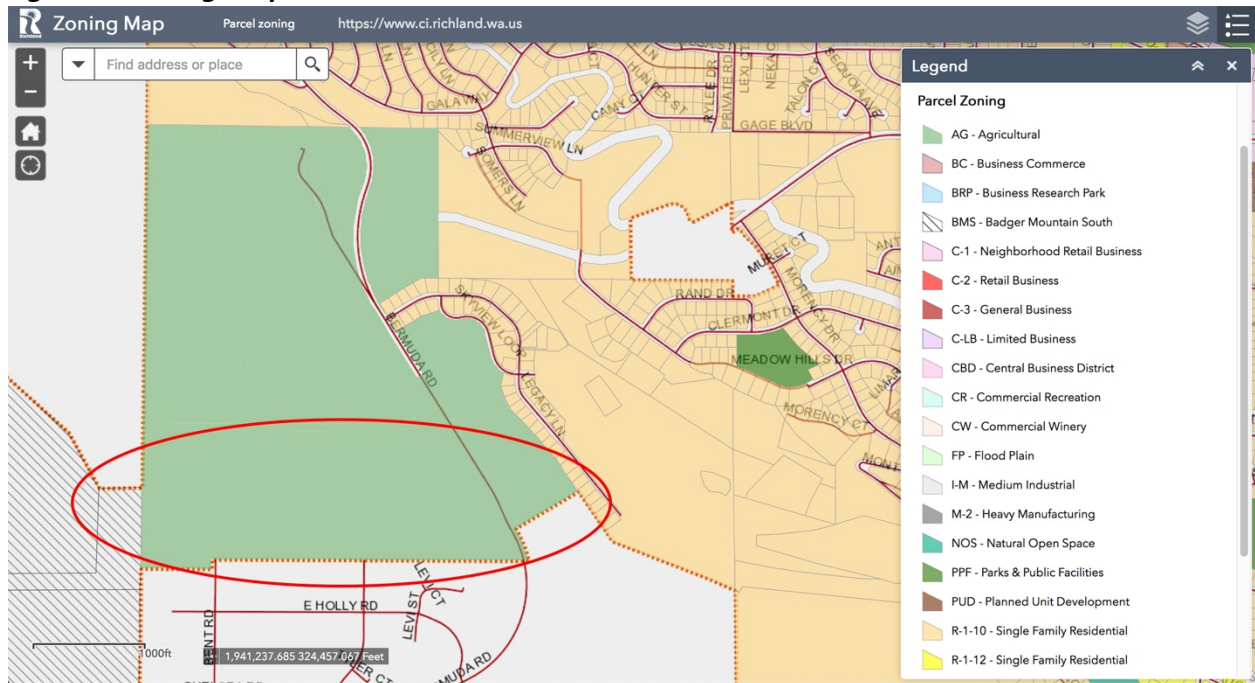
The current [Zoning Map](#) (*Figure 3*) provides further evidence that the subject site was not intended to be guided by the Subarea Plan because it is not included in the Badger Mountain South zoning category and instead is designated as AG – Agricultural, consistent with the FLUM.

Figure 2: Comprehensive Plan Future Land Use Map



Subject site, indicated by red oval, is designated for Low Density Residential and Agriculture, not Badger Mountain South Area.

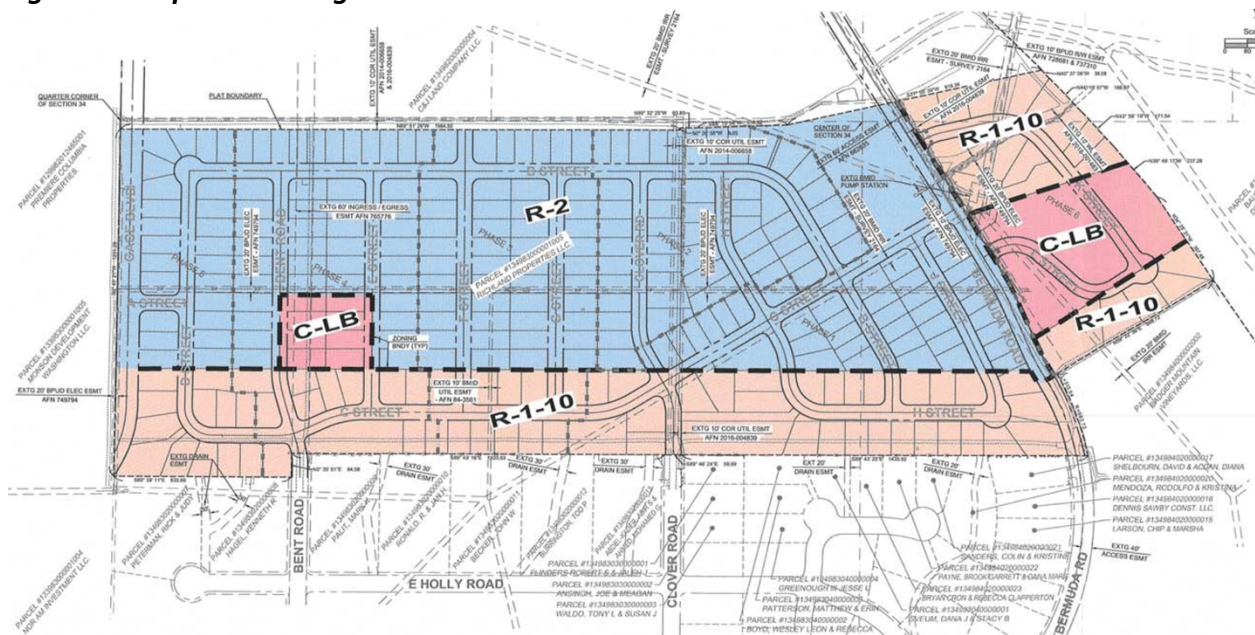
Figure 3: Zoning Map



From Richland GIS map. Subject site, indicated by red oval, located in AG – Agricultural, not Badger Mountain South.

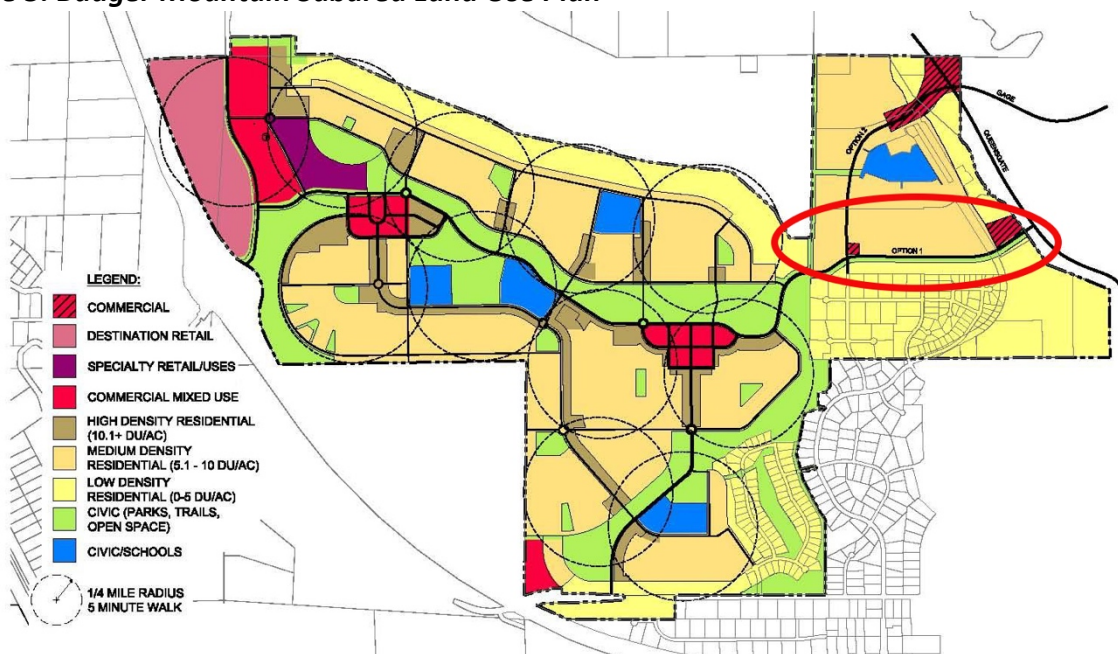
The applicant proposes to rezone the Subject Site from AG - Agriculture (*Figure 3*) to R-1-10 – Single Family Residential, R-2 – Medium Density Residential, and C-LB - Limited Business zoning (*Figure 4*). This proposal is somewhat consistent with the Subarea Plan Land Use Plan (*Figure 5*), which shows a mix of Commercial, Medium Density Residential (5.1-10 DU/AC), Low Density Residential (0-5 DU/AC), and Civic (Parks, Trails, Open Space), but strays from the Land Use Plan in important ways.

Figure 4: Proposed Zoning



From [rezoning application](#).

Figure 5: Badger Mountain Subarea Land Use Plan



Subarea Plan Figure 1 (page 9). Subject site indicated by red oval.

The proposed development is inconsistent with the Subarea Land Use Plan (*Figure 5*) in three major ways:

- Does not provide the east-west trail connection separating low density from medium density residential areas,
- Commercial land uses are not oriented to the major thoroughfares and trail connection, and
- Commercial is clearly intended to provide neighborhood retail and services to reduce numbers and lengths of vehicle trips. Development of high density residential in these commercial districts would exacerbate the number of vehicle miles traveled rather than curb them.

Finding

The proposed rezone is inconsistent with the Comp Plan FLUM designations of Low Density Residential and Agriculture (*Figure 2*). Per Table LU-1 in the Comp Plan (page 18), the implementing zoning categories of the Low Density Residential designation include R-1-12, R-1-10, and SAG. The implementing zoning categories of Agriculture are AG and FP.

- The proposed R-2 and C-LB zoning are NOT consistent with the Low Density Residential designation and
- The proposed R-1-10 and C-LB zoning are NOT consistent with the Agriculture designation of the Comprehensive Plan.

Conclusion

The applicant should amend their rezone and preliminary plat to be consistent with the Low Density Residential and Agriculture FLUM categories or request a Comp Plan amendment to designate the subject site as Badger Mountain South Area or as other appropriate FLUM designations to support the proposed development.

Should the Subarea Land Use Plan (*Figure 5*) be utilized to determine the Future Land Use designation, the proposed development should be conditioned to be consistent with that plan by:

- Requiring an east-west civic space trail connection between what is shown as Gage (on the west) and Bermuda (on the east) on the preliminary plat,
- Locating commercial zoning areas adjacent to arterials and the trail, and
- Requiring at least a certain portion of development within the commercial portions be developed with neighborhood service uses rather than solely as high density residential.

B. The proposed development is inconsistent with the Comprehensive Plan and infrastructure

Although denser development patterns are an important part of creating more sustainable cities, urban densities should only be developed near existing urban infrastructure with a mix of uses that support multi-modal and short trips that reduce traffic impacts to streets and the environment. This is reflected in LU Goal 3, Policy 2 which encourages higher densities near the Central Business District.

We find the location and design of the proposed development is in conflict with Comprehensive Plan LU Goal 2 and its policies:

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Arrangement of Land Uses

Although the proposed development includes a variety of land use designations, the arrangement as proposed will NOT result in a sustainable mix of uses that will encourage reduced vehicle trips and encourage livability through neighborhood interactions.

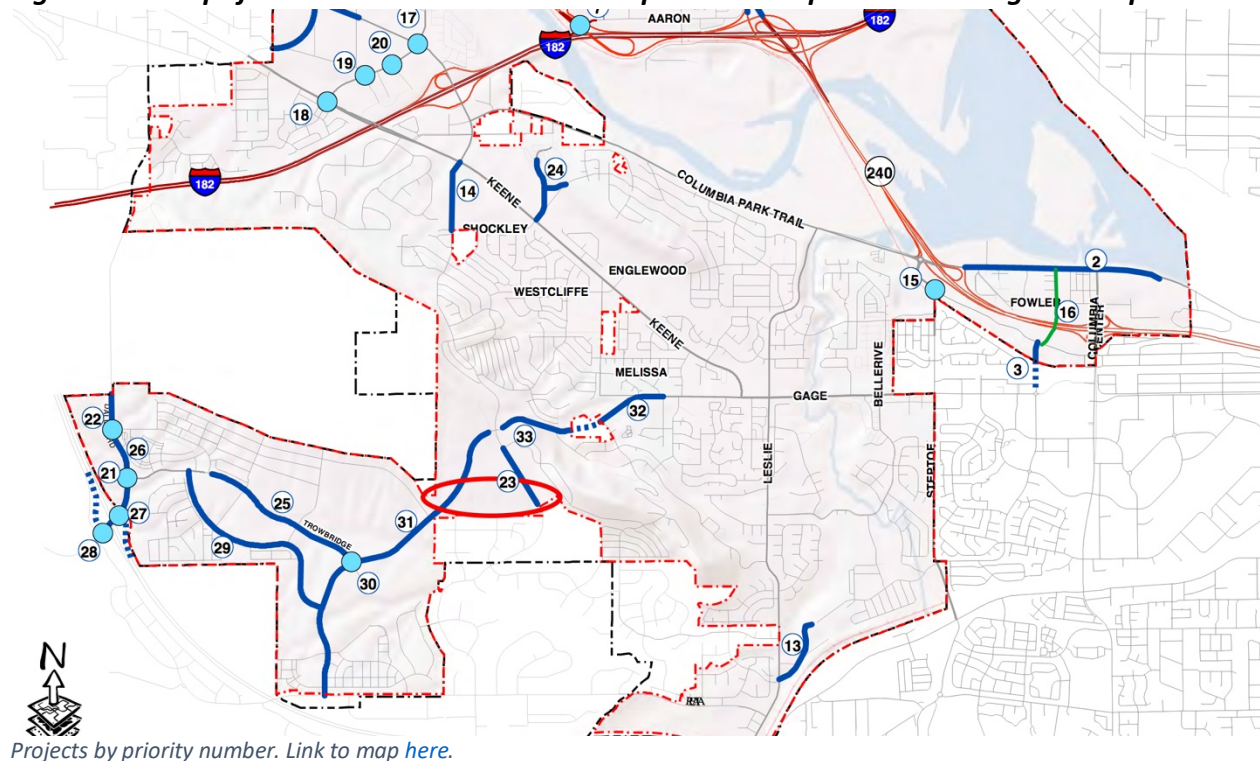
- The plat lacks variety, comprised almost completely of single-family residential lots.
- The open space reserved for a club house and amenities is located such that it will encourage access by vehicle trips rather than walking.
- The layout of the three larger lots proposed for limited business commercial are arranged to suggest they will be developed as multi-family residential rather than neighborhood commercial. Development of multi-family residential instead of neighborhood commercial will exacerbate the traffic impact and is in direct conflict with the intent of the land use district.
- The plat lacks the linear civic open space suggested by the Subarea Land Use plan and strongly encouraged by several Comp Plan policies (see Requested Conditions #2, below) that would connect residences to the neighborhood commercial and provide vibrancy.
- Only one street connection is proposed to the north, towards which land is designated for a school. Additional vehicle and/or pedestrian connections to the north are needed to encourage pedestrian trips and to reduce length of vehicle trips.

Timing of Public Services

The proposed development is premature relative to the transportation infrastructure needed to serve the development in a sustainable and livable manner.

- The proposed development does not take advantage of the existing infrastructure network. Bermuda Road must be extended off-site to provide the traffic network necessary to serve the development.
- The proposed development is located far from shopping and employment centers. Concentration of trips onto long routes increase vehicle miles traveled, which increases fossil fuel consumption and pollution.
- The proposed development precedes several priority transportation network projects identified to support development in the area (*Figure 6*). Transportation improvement Projects 31, 32, and 33 improve and extend Gage to provide a more direct route to commercial centers, reducing vehicle miles traveled and limiting impact to single family residential areas.
- Without adequate and efficient transportation networks in place, additional traffic on long routes through single family residential neighborhoods will negatively impact livability of those neighborhoods. A brief traffic analysis follows.

Figure 6: Excerpt from 2020-2025 Six Year Transportation Improvement Program Map



Traffic Analysis

The preliminary plat proposes 285 single-family dwelling units. Based on the 2017 ITE Trip Generation manual, single-family dwellings generate an average of 9.44 trips per day. The resulting trip generation estimate for the proposed development is over 2,690 trips per day. This count excludes trips generated from the commercial and potential multi-family residential development associated with the proposed C-LB zoning.

With the proposed connection of Bermuda Road to Queensgate Drive, we assume almost all (95%) automobile trips associated with the new development will route north to reach Keene Road at Shockley Road, Westcliffe Boulevard, or Gage Boulevard filtering through the single family residential areas. Additionally, we estimate a majority (75%) of trips originating from the approximately 266 lots that front Bermuda and Clover roads north of Reata Road, will also route to Queensgate. This results in a total estimated load onto Queensgate Drive of nearly 4,440 trips per day.

The 2018 traffic counts for Shockley Road, Westcliffe Boulevard, and Gage Boulevard west of Keene Road are 4,757, 4,450, and 4,871 trips per day, respectively. This suggests an approximately equal spread of trips generated from the Queensgate Drive area onto Keene Road via these routes. Each route would see an increase of approximately 1,480 trips per day.

Findings

The proposed development fails to demonstrate sustainable land use development and creation of livable communities by:

- Necessitating significant extension of infrastructure through undeveloped areas rather than relying on the existing network,
- Increasing vehicle miles traveled by establishing urban-density residential developments far from shopping and employment centers,
- Failure to design a mix of uses and alternate mobility network that would reduce vehicle trips by providing trip choice and keeping trips internal to the development, and
- Reducing livability for single family residential areas that will be impacted by increased traffic on Arterial Collectors because Minor Arterial connections have not yet been made to serve anticipated development.

Conclusion

The proposed development is premature relative to transportation network connections that would make vehicle trips more efficient and reduce traffic impacts to existing single family neighborhoods. As transportation networks and closer-in lands are developed, the proposed development may become more appropriate for the subject site.

The proposed development, as designed, presents sustainability and livability concerns due to its location and mix of uses that will not effectively reduce the number of trips generated by the proposed land uses. Provision of multi-user trails and open space, centralized location of the club house, and development of true neighborhood commercial uses would provide a mix of uses that would reduce the number and distance of trips generated from the development.

REQUESTED CONDITIONS

1. Limit development patterns to Low Density Residential

As presented under “A”, above, we find that the Land Use Plan from the Badger Mountain Subarea Plan was intentionally not applied to the subject site and the site should be regulated as Low Density Residential and Agriculture as shown on the Comprehensive Plan’s Future Land Use Map. The subject site and lands to the north are not conducive to higher density development due to increased environmental impacts by grading, inability to provide true mixed-uses that require large areas of relatively flat land, and increased distance in travel routes to services.

Until and unless true shopping and employment centers can be efficiently accessed by the subject site and surrounding area, the land should only be developed under low density residential patterns.

2. Provide multi-user trails that link neighborhood features

The Badger Mountain Subarea Land Use Plan conceptualizes a linear civic space through the subject site that would provide an alternate mobility network that would enhance connections between the Wilson Area and Badger Mountain South. This is an important feature that would tie new development into the existing neighborhood character in which residents regularly use pathways for walking and horseback riding. Such a trail would provide functional and recreational access consistent with the Comp Plan goals and policies listed below.

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City’s network of parks and trail system.

NE Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.

Policy 5: Develop an integrated pedestrian trail system to provide access through the City’s important natural features, such as prominent ridges and rivershore areas and provide necessary trail linkages between these natural features.

TE Goal 3: Encourage the use of transportation modes that promote energy conservation, circulation efficiency, and an active lifestyle.

Policy 1: Support increased use of transit, bicycling, and pedestrian travel.

Policy 2: Plan facilities for non-motorized travel across jurisdictional boundaries.

Policy 3: Require sidewalks, improved shoulders, appropriate signage, or off-street trails within new developments to accommodate internal bicycle and pedestrian circulation within and between neighborhoods. (emphasis added)

Policy 4: Encourage new developments to be pedestrian-friendly and compatible with the public transportation system.

Policy 5: Design a circulation system to become a bicycle-friendly community with complete streets.

3. Provide a visually consistent buffer along the southern boundary of the development

The greatest direct impact to existing residents abutting the subject site to the south is the visual impact and loss of views to the north. Homeowner's Association rules for Hidden Hills prohibits privacy fences. If the preliminary plat is approved, the large lots will abut two or more properties and current residents may see upwards of half a dozen lots from their homes. To reduce visual cacophony of multiple fence types that may be allowed on adjacent properties, we request the developer provide some form of consistent and attractive visual buffering along the southern boundary.

Exhibit 4



File No. EA2019-132

CITY OF RICHLAND **Determination of Non-Significance**

Description of Proposal: Site specific rezone and subsequent preliminary plat requests to rezone the site to from AG (Agriculture) to R-1-10 (Single-Family Residential), R-2 (Medium-Density Residential) and C-LB (Limited Business) reflecting the City's Comprehensive Plan and subsequently subdivide the 98+ acre site into 285 lots (Preliminary Plat of Sienna Hills). The proposed plat will have an average lot size of 9,667 square feet.

Proponent: Sienna Hills Development, LLC, applicant, on behalf of Richland Properties, LLC (Greg Johnson), owner.

Location of Proposal: The project site is located approximately 900-feet south of the intersection of Queensgate Drive and Legacy Lane (APN 1-34983000001005).

Lead Agency: City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

() There is no comment for the DNS.

() This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

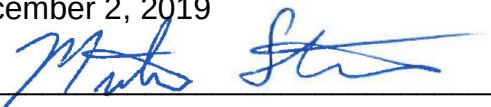
(X) This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: December 2, 2019

Signature 

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable:

Sienna Hills

2. Name of applicant:

Sienna Hills Development LLC

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

Sienna Hills Development LLC, Greg Johnson, PO Box 344, Meridian, ID 83642 - (208) 870-3432

4. Date checklist prepared:

August 27th, 2019

5. Agency requesting checklist:

City of Richland

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

Preliminary Plat - Fall 2019, Site Grading - Winter of 2019/Spring 2020, Phase 1 of Project infrastructure and homes Spring/Summer 2020.

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

Engineering plans would be permitted through City of Richland for infrastructure improvements. Project will apply for a grading permit through City of Richland, individual homes will apply for building permits.

8. List any environmental information you know about that has been prepared, or will be

prepared, directly related to this proposal. Soil analysis for organochloride pesticides, lead, arsenic. Geotechnical Investigation of site. Topographic and boundary survey of the property.

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

None to the applicant's knowledge.

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

Rezone of property, Preliminary Plat approval, grading permits, infrastructure permits, and building permits through City of Richland.

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

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

See attached preliminary plat for site plan location.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

Hilly

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

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

There are portions of the site that are sloped at a 1.5' Horizontal to 1' Vertical Slope. Majority of the site slopes at approximately 7%.

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

See attached Geotechnical report for the site prepared by PBS dated June 10th, 2019. In summary the soils are characterized as Sandy Silt with Silty Sand, Sand with Silt, Gravel and Cobbles.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. There are existing steep slopes on site that appear to be stable with slight evidence of raveling in some locations. The site has no immediate indications of unstable soils and has been primarily under agricultural production for several years until recently.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. The site will be graded to create residential lots and graded to build infrastructure that will serve those lots from the existing Queensgate extension to Bermuda. All fill will be from material excavated on site, import of materials for grading is not anticipated.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Potential erosion, both wind blown and runoff, are possible as a result of construction and will be managed with a temporary erosion control plan approved by the City of Richland.

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

Approximately 25%-35% of the site will be covered with impervious surfaces after the project completion and full build out of homes.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

During construction, erosion control measures will be implemented such as person-operated altering devices and silt fencing. After construction, the majority of the disturbed surfaces on the site will be grass and landscaping consistent with single family homes.

2. Air [\[help\]](#)

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. During construction there will be exhaust emissions from construction equipment as well as dust. After project completion there would be normal air emissions resulting from a residential neighborhood setting.

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

No off site sources of emissions will affect this proposal.

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

During construction, emissions will be limited to working hours and dust will be controlled by person-operated watering devices.

3. Water [\[help\]](#)

a. Surface Water: [\[help\]](#)

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

There is an irrigation pond, operated by Badger Mountain Irrigation District located north and east of the property.

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

No.

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

None

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

No surface water withdrawals or diversions proposed with this project.

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

The proposed site does not lie within a 100-year floodplain.

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

The proposed project does not involve any discharge of waste materials to surface waters.

b. Ground Water: [\[help\]](#)

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

No groundwater will be withdrawn or well water be discharged to the groundwater with this proposal.

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

None, sanitary sewer will be discharged to the City municipal system.

c. Water runoff (including stormwater):

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

Storm water runoff will be collected within the roadway prism and disposed of via surface/subsurface methods consistent with the City of Richland standards for storm water disposal. There will be no off-site discharges of design storm runoff from the project.

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

It is not anticipated that this will occur since waste materials are not allowed to be discharged to City owned and maintained storm systems.

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

The proposed project would seek to alter the existing ground surface which would change current existing ground runoff that is currently impacting properties to the south of the site.

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

The storm water disposal methods will be in compliance with City of Richland standards as well as the Washington State Department of Ecology Eastern Washington Stormwater Manual.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site:

Existing orchard that was on the project site has been taken out of production and is being removed from the site.

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☒ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Remaining grass and brush will be removed where grading will take place. All of the orchard will be removed with the development of the project.

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

There are no threatened or endangered species known to be on or near the site to the applicant's knowledge.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

The single family residential lots will be landscaped with grass and trees.

e. List all noxious weeds and invasive species known to be on or near the site.

There are no noxious weeds or invasive species known to be on or near the site to the applicant's knowledge.

5. **Animals** [\[help\]](#)

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

hawk, songbirds, deer, ground squirrel

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

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

There are no threatened or endangered species known to be on or near the site to the applicant's knowledge.

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

Yes, Richland is within the Pacific Flyway.

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

No measures are being proposed to preserve or enhance wildlife.

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

There are no invasive animal species known to be on or near the site to the applicant's knowledge.

6. Energy and Natural Resources [\[help\]](#)

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

The project will require energy in order to serve the proposed homes with electricity and gas.

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

This project has no impact to adjacent properties potential solar needs.

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

The proposed homes will be constructed in accordance with all applicable building codes as recognized by the City of Richland.

7. Environmental Health [\[help\]](#)

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

There are no identified potential health hazards with this proposal.

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

There are no known or possible contamination at the site from present or past uses to the applicant's knowledge.

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

See attached supplement worksheet.

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

None

- 4) Describe special emergency services that might be required.

None

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None at this time.

b. Noise

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

There are no known sources of noise in the area that will directly affect this proposal. The project is near existing agricultural uses and will experience seasonal noises due to the maintenance and production of agricultural products.

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

On a short term basis there will be noise associated with infrastructure construction, hours of operation will be limited to those allowed by the City of Richland. The proposed project will increase the traffic in the area consistent with single family residential neighborhoods on a long-term basis.

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

Construction hours will be limited to working hours defined by the City of Richland.

8. Land and Shoreline Use [\[help\]](#)

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

Currently the site and adjacent properties are vacant, single family homes, or being used for agricultural purposes. This proposal will not affect nearby land uses.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

The entirety of the project (98+ Acres) will be converted from orchard property to residential non-farm use.

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

The proposal does not anticipate any adverse impacts on agricultural ground, and does not anticipate that current agricultural practices will effect the development.

- c. Describe any structures on the site.

There is an existing Badger Mountain Irrigation District pump station and structure on the site just east of the future Queensgate alignment.

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

The existing pump station and building will remain in place. This land will be set aside in a tract and dedicated to Badger Mountain Irrigation District.

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

Agricultural (AG)

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

Low Density Residential, Medium Density Residential, Commercial.

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

N/A

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

No.

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

The preliminary plat would allow for the development of single family housing with approximately 460 +/- residents.

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

None

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

None proposed.

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

The site is to be built in accordance with City of Richland residential zoning and comprehensive plan requirements.

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

None

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

285 single family homes are being proposed

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units would be eliminated.

- c. Proposed measures to reduce or control housing impacts, if any:

Housing impacts will be controlled by the City of Richland zoning code for an R-1-10 and R-2 designation.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The tallest height of any building would be limited by the R-1-10 zoning code at 30 feet. The principal exterior building materials could vary but would most likely be either wood/composite siding or stucco.

- b. What views in the immediate vicinity would be altered or obstructed?

No views in the immediate vicinity would be altered or obstructed by this project.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Aesthetics would be controlled by the City of Richland zoning code for R-1-10 and R-2, and C-LB.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

The project would create light from the required city street lights as well as outside lighting on the residential homes. This light would be created during the evening hours.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not to the applicant's knowledge.

- c. What existing off-site sources of light or glare may affect your proposal?

There are no off-site sources of light or glare that will affect the project proposal.

- d. Proposed measures to reduce or control light and glare impacts, if any:

All proposed lighting measures would be directed downward.

12. Recreation [\[help\]](#)

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

There are no informal recreational opportunities in the immediate vicinity of the site.

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

No

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

The project proposes to have open space, walking paths throughout the project, a clubhouse with recreational opportunities.

13. Historic and cultural preservation [\[help\]](#)

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

Not to the applicant's knowledge.

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

Not to the applicants knowledge, no professional archeological studies have been completed to date on the project.

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

PBS Engineering and Environmental Staff evaluated the WISAARD maps for this area. Predictive modeling identifies the area as a moderate risk level. There are no GLO features on the site based on historic mapping.

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

None

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

See attached preliminary plat map. The site would seek to extend to major transportation routes with the project to include Queensgate Boulevard to Bermuda as well as construction of a portion of Gage Boulevard along the western boundary of the project.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

No, the closest stop is 3-5 miles away.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

The project would have the ability to provide on-street parking as well as driveway at each individual home.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Yes, the project will require the development of new public streets to be extended to the site as well as the development of the internal roadway system to serve the single family homes.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Approximately 2,850 vehicular trips per day will be generated by the completed project. Peak volumes would occur in the morning and evening hours. ITE Trip Generation Manual was used for estimation of traffic generated by single family residential development.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

No

- h. Proposed measures to reduce or control transportation impacts, if any:

Project would seek to develop offsite roadway to extend Queensgate Drive (Bermuda) to the site and connect to Bermuda as well as construction and dedication of right of way for future Gage Boulevard.

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

This project will result in the need for fire protection, police protection, schools, and other public services associated with housing development.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

The plat will be subject to impact fees implemented by the City and school district. Properties created by the project would be subject to local taxes and levies imparted by the local jurisdiction.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:

electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____

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

Utilities to include water, sewer, refuse service, and electricity will be provided by the City of Richland. Irrigation will be provided by Badger Mountain Irrigation District, the natural gas provider in the area is Cascade Natural Gas, and telephone is provided by CenturyLink and Charter Communications. New sanitary sewer, water, and irrigation mains, as well as dry utilities will need to be extended into the project in order to service the lots.

C. Signature [\[HELP\]](#)

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

Signature: _____

Name of signee _____

Position and Agency/Organization _____

Date Submitted: _____

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

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

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

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

Proposed measures to avoid or reduce such increases are:

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

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

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

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

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks,

wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

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

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

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

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

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

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

**Sienna Hills – SEPA Checklist
Supplemental Sheet**

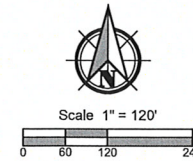
Section A. Questions:

Question 11: The project proposes to rezone and develop approximately 98 acres of undeveloped land located in south Richland. The site is currently under an AG zoning designation and would be seeking to be developed in accordance with the current City of Richland Comprehensive plan requiring Low Density Residential, Medium Density Residential, and Commercial (R-1-10, R-2, and C-LB). The project would initially seek to develop approximately 285 single family residential lots in multiple phases. The project would also include extensions of 2 major transportation facilities through the project to include portions of future Gage Boulevard and Queensgate Boulevard.

Question 12: Project site is located in a portion of Section 34, Township 9 North, Range 28 East of the Willamette Meridian, City of Richland, Benton County, Washington. Site can be accessed from the termination of Bermuda Boulevard which is located in the south east corner of the project site as well as Bent Road and Clover Road at the projects southern border. Latitude: 46deg13'5.19"N , Longitude: 119deg17'52.88"W.

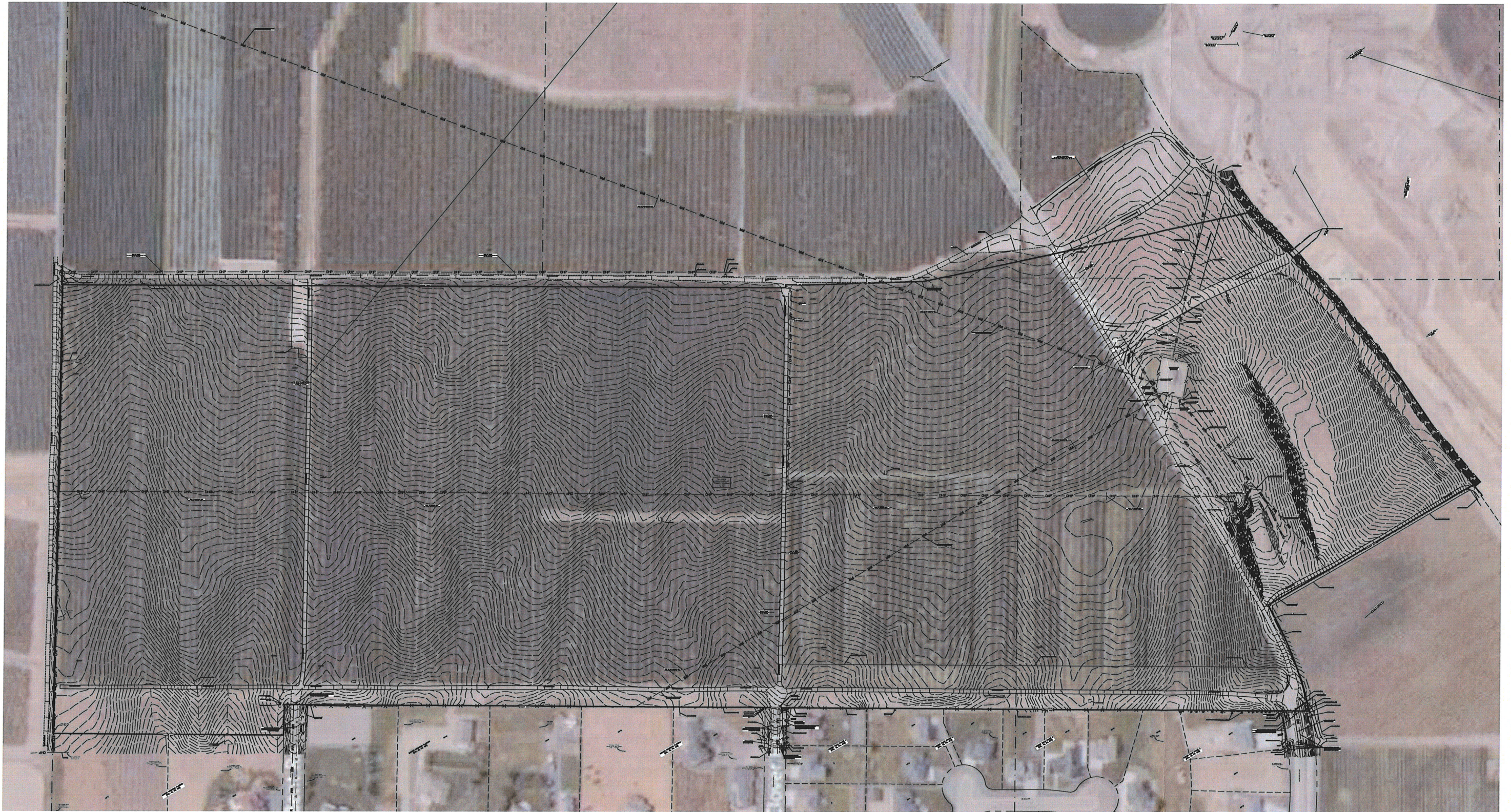
Section B. Section 7. A,

Question 2: The site observations and laboratory results indicate that no organochloride pesticides were detected in the soil above the laboratory detection limits. Arsenic and lead levels in soil are present at concentrations consistent with natural background levels and are below MTCA Method A cleanup levels.



OVERVIEW MAP
FOR TAX PARCEL #1-3498-300-0001-005
(SWD 2019-001554)

LOCATED IN A PORTION OF SECTION 34,
TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN,
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



NOTE
BACKGROUND AERIAL IMAGE IS SHOWN FOR REFERENCE ONLY AND
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SURVEYOR: ALEXANDER D. MATARAZZO		DATE: 05/15/2019
CALC BY: ROP	DRAWN BY: ROP	SCALE: 1" = 120'
SECTION: 34	TOWNSHIP: 9 NORTH	RANGE: 28 EAST
CITY: RICHLAND	COUNTY: BENTON	SHEET 1 OF 1

Geotechnical Engineering Report

Sienna Hills

Benton County Tax Parcel 134983000001005

Richland, Washington

Prepared for:

Sienna Hills Development, LLC

June 10, 2019

PBS Project 66150.000



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Geotechnical Engineering Report

Sienna Hills
Benton County Tax Parcel 134983000001005
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Prepared for:
Sienna Hills Development, LLC

June 10, 2019
PBS Project 66150.000

Prepared by:

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1 INTRODUCTION

1.1 General

This report presents results of PBS Engineering and Environmental Inc. (PBS) geotechnical engineering services for the proposed development located at Benton County Tax Parcel 134983000001005 in Richland, Washington (site). The general site location is shown on the Vicinity Map, Figure 1. The locations of PBS' explorations in relation to existing site features are shown on the Site Plan, Figure 2.

1.2 Purpose and Scope

The purpose of PBS' services was to develop geotechnical design and construction recommendations in support of the planned new development. This was accomplished by performing the following scope of services.

1.2.1 Literature and Records Review

PBS reviewed various published geologic maps of the area for information regarding geologic conditions and hazards at or near the site. PBS also reviewed previously completed reports for the project site and vicinity.

1.2.2 Subsurface Explorations

PBS excavated 30 test pits within the proposed 99-acre development to depths of up to 10 feet below the existing ground surface (bgs). The test pits were logged and representative soil samples collected by a member of the PBS geotechnical engineering staff. Interpreted test pit logs are included as Figures A1 through A30 in Appendix A, Field Explorations.

1.2.3 Field Infiltration Testing

Three open-pit, falling-head field infiltration tests were completed in test pits TP-2, TP- 5, and TP-7 within the proposed development at a depths of 4.5 to 5 feet bgs. Infiltration testing was monitored by PBS geotechnical engineering staff.

1.2.4 Soils Testing

Soil samples were returned to our laboratory and classified in general accordance with the Unified Soil Classification System (ASTM D2487) and/or the Visual-Manual Procedure (ASTM D2488). Laboratory tests included natural moisture contents and grain-size analyses. Laboratory test results are included in the exploration logs in Appendix A, Field Explorations; and in Appendix B, Laboratory Testing.

1.2.5 Geotechnical Engineering Analysis

Data collected during the subsurface exploration, literature research, and testing were used to develop site-specific geotechnical design parameters and construction recommendations.

1.2.6 Report Preparation

This Geotechnical Engineering Report summarizes the results of our explorations, testing, and analyses, including information relating to the following:

- Field exploration logs and site plan showing approximate exploration locations
- Laboratory test results
- Infiltration test results
- Groundwater levels and considerations
- Earthwork and grading, cut, and fill recommendations:
 - Structural fill materials and preparation

- Utility trench excavation and backfill requirements
- Slab and pavement subgrade preparation
- Wet weather considerations
- Seismic design criteria in accordance with the 2015 International Building Code (IBC) with state of Washington amendments
- Pavement subgrade preparation recommendations
- Asphalt concrete (AC) pavement section recommendations

1.3 Project Understanding

Development plans are currently in the conceptual stages; however, development of the parcel will likely be a combination of single- and multi-family residential structures.

2 SITE CONDITIONS

2.1 Surface Description

The site is roughly rectangular with the exception of the eastern edge and northeastern corner. This area includes an additional rectangular region protruding northeast. The site is bordered to the north, east, and west by agricultural fields and to the south by existing residential development. Bermuda Road separates the western, rectangular site from the northeastern portion. Based on available topographic data, the site slopes slightly down to the south and southwest, with ground surface elevations ranging from a maximum of about 925 feet above mean sea level (amsl) at the eastern edge to 831 feet amsl at the southwest corner.

2.2 Regional Geologic Setting

The site is located within the eastern extent of the Yakima fold and thrust belt, a structural-tectonic sub-province within the western Columbia Basin geologic province. The Columbia Basin province is separated from the Deschutes-Columbia Plateau and Blue Mountains Provinces of Oregon by the Oregon border. The province is composed primarily of volcanic basement rocks of the Columbia River Basalt Group (CRBG) subdivided into smaller recognizable flows and members that are overlain by Quaternary deposits (Derkey et al., 2006). The older basalt flows were generated by volcanic eruptions in eastern Oregon, eastern Washington, and western Idaho between 16.7 million years ago (Ma) and 5.5 Ma (Reidel, 2004).

The Yakima fold and thrust belt is an actively deforming series of faults and folds that is accommodating clockwise rotation through crustal shortening within the western Columbia Province (McCaffrey et al., 2016). Quaternary and Holocene active faults are found throughout the sub-province. Northwest-southeast trending anticlinal ridges and wide synclinal valleys dominate much of the Yakima fold and thrust belt, with pervasive reverse faults along the flanks of the anticlines (Gomberg et al., 2012). The eastern-most extent of the Yakima fold and thrust belt is bounded by the Horse Heaven Anticline (locally referred to as the Horse Heaven Hills) and the Wallula fault system.

The Horse Heaven Anticline forms the local topographic high point along the southern margin of the Columbia Basin, and has been continuously incised by the ancestral and historic Columbia River resulting in a narrow water gap (Reidel and Focht, 1994; Schuster, 1994). Throughout the Late Pleistocene, cataclysmic outburst flood waters from upstream Glacial Lake Missoula resulted in rapid sedimentation that was ponded behind the Horse Heaven Anticline. Slowing flood waters backfilled the basin and blanketed it with slackwater flood deposits over much of the low-lying areas, as well as extensive gravel bars.

2.3 Local Geology and Hazards

The site is underlain by catastrophic flood sediments of silt and sand deposited by the Late Pleistocene Missoula Floods (Reidel and Fecht, 1994). These sediments are described as rhythmically bedded lacustrine silt and fine to coarse sand of predominately quartz and feldspar grains, with basalt in coarser sands.

The site is mapped within a zone of low to moderate liquefaction hazard (Palmer et al., 2004) and in relatively close proximity (less than 5 miles) from mapped active faults and seismogenic features (WADNR, 2019). These faults include the Rattlesnake Hills fault and structures (USGS ID 565) and Horse Heaven Hills fault and structures (USGS ID 567), both of which are the northern continuation of the Wallula fault system that bounds Horse Heaven Hills, Badger Mountain, Goose Hill, and Red Mountain (USGS, 2019).

2.4 Subsurface Conditions

The site was explored by excavating 30 test pits, designated TP-1 through TP-30, to depths of 8 to 10.5 feet bgs. Test pit TP-28 was terminated at a depth of 4 feet due to the possible presence of a water line. The excavations were performed by Braden and Nelson Construction of Walla Walla, Washington, using a CAT 304C excavator equipped with a 24-inch-wide bucket.

PBS has summarized the subsurface units as follows:

SANDY SILT (ML) to SILT with SAND (ML):	Brown sandy silt to silt with sand was encountered in all excavations. These soils were non-plastic to low plasticity, brown, and had occasional calcite stringers that had low to vigorous reactions to hydrochloric acid. Sand grains were typically fine grained. Occasional subrounded gravels and cobbles were encountered at depth.
SAND with SILT, GRAVEL, AND COBBLES (SP/SW-SM):	Brown sand that varied from well-graded to poorly graded was encountered beneath the sandy silt and silt with sand in some test pits near the bottom of the excavations. The sands were fine- to coarse-grained, with fine to coarse, subrounded to subangular gravels.

The findings from our field investigation are consistent with geologic mapping by Reidel and Fecht, 1994.

2.5 Groundwater

Static groundwater was not encountered during our explorations. Based on a review of regional groundwater logs available from the Washington State Department of Ecology, we anticipate that the static groundwater level is present at a depth greater than 100 feet bgs. Please note that groundwater levels can fluctuate during the year depending on climate, irrigation season, extended periods of precipitation, drought, and other factors.

2.6 Infiltration Testing

PBS completed open-pit, falling-head infiltration testing in test pits TP-2, TP-5, and TP-7. The infiltration tests were conducted in general accordance with the Stormwater Management Manual for Eastern Washington procedures. After a period of saturation, the height of the water in the excavation was then measured initially and at regular, timed intervals. Results of our field infiltration testing are presented in Table 1.

Table 1. Infiltration Test Results

Test Location	Depth (feet bgs)	Field Measured Infiltration Rate (in/hr)	Soil Classification	Recommended Hydrologic Soil Group*
TP-2	5	1.2	Sandy Silt (ML)	C
TP-5	4.5	1.08	Sandy Silt (ML)	C
TP-7	5	0.86	Sandy Silt (ML)	C

*The recommended hydrologic soil group classification is based upon infiltration rates observed in the field and lab results

The infiltration rates above are not permeabilities/hydraulic conductivities, but field-measured rates and do not include correction factors related to long-term infiltration rates. We recommend the designer include correction factors to account for the expected level of maintenance, type of system, and sediment control. Field-measured infiltration rates are typically reduced by a minimum factor of 2 to 4 for use in design.

Soil types can vary significantly over relatively short distances. The infiltration rates noted above are representative of one discrete location and depth. Installation of infiltration systems within the layer the field rate was measured is considered critical to proper performance of the systems.

3 CONCLUSIONS AND RECOMMENDATIONS

3.1 Geotechnical Design Considerations

The subsurface conditions at the site consist of silt and fine-grained sand with varying amounts of gravel and cobbles. Based on our observations and analyses, conventional foundation support on shallow spread footings is feasible for the proposed development. Excavation with conventional equipment is feasible at the site.

The grading and final development plans for the project had not been completed when this report was prepared. Once completed, PBS should be engaged to review the project plans and update our recommendations as necessary.

3.2 Seismic Design Considerations

3.2.1 Code-Based Seismic Design Parameters

According to the Site Class Map of Benton County, Washington (Palmer, 2004), the site is located within an area classified as Site Class D, characterizing the profile as stiff soil. Based on subsurface conditions encountered in our explorations, Site Class D is appropriate for use in design. The seismic design criteria, in accordance with the 2015 International Building Code IBC with state of Washington amendments, are summarized in Table 2.

Table 2. 2015 IBC Seismic Design Parameters

Parameter	Short Period	1 Second
Maximum Credible Earthquake Spectral Acceleration	$S_s = 0.43 \text{ g}$	$S_1 = 0.16 \text{ g}$
Site Class	D	
Site Coefficient	$F_a = 1.46$	$F_v = 2.14$
Adjusted Spectral Acceleration	$S_{MS} = 0.62 \text{ g}$	$S_{M1} = 0.35 \text{ g}$
Design Spectral Response Acceleration Parameters	$S_{DS} = 0.42 \text{ g}$	$S_{D1} = 0.24 \text{ g}$

g = Acceleration due to gravity

3.2.2 Liquefaction Potential

Liquefaction is defined as a decrease in the shear resistance of loose, saturated, cohesionless soil (e.g., sand) or low plasticity silt soils, due to the buildup of excess pore pressures generated during an earthquake. This results in a temporary transformation of the soil deposit into a viscous fluid. Liquefaction can result in ground settlement, foundation bearing capacity failure, and lateral spreading of ground.

Based on a review of the *Washington Division of Geology and Earth Resources*, the site is shown as having a low to moderate liquefaction hazard; however, based on the soil types and relative density of site soils encountered during our exploration, our opinion is that the risk of structurally damaging liquefaction settlement at the site is low. Subsequently, the risk of structurally damaging lateral spreading is also low.

3.3 Ground Moisture

3.3.1 General

The perimeter ground surface and hardscape should be sloped to drain away from all structures and away from adjacent slopes. Gutters should be tight-lined to a suitable discharge and maintained as free-flowing. All crawl spaces should be adequately ventilated and sloped to drain to a suitable, exterior discharge.

3.4 Pavement Design

The provided pavement recommendations were developed using the American Association of State Highway and Transportation Officials (AASHTO) design methods and references the associated Washington Department of Transportation (WSDOT) specifications for construction. Our evaluation considered a maximum of two trucks per day for a 20-year design life.

The minimum recommended pavement section thicknesses are provided in Table 3. Depending on weather conditions at the time of construction, a thicker aggregate base course section could be required to support construction traffic during preparation and placement of the pavement section.

Table 3. Minimum AC Pavement Sections

Traffic Loading	AC (inches)	Base Course (inches)	Subgrade
Drive Lanes and Access Roads	3	9	Stiff subgrade as verified by PBS personnel*

* Subgrade must pass proofroll

The asphalt cement binder should be selected following WSDOT SS 9-02.1(4) – Performance Graded Asphalt Binder. The AC should consist of ½-inch hot mix asphalt (HMA) with a maximum lift thickness of 3 inches. The AC should conform to WSDOT SS 5-04.3(7)A – Mix Design, WSDOT SS 9-03.8(2) – HMA Test Requirements, and WSDOT SS 9-03.8(6) – HMA Proportions of Materials. The AC should be compacted to 91 percent of the maximum theoretical density (Rice value) of the mix, as determined in accordance with ASTM D2041, following the guidelines set in WSDOT SS 5-04.3(10) – Compaction.

Heavy construction traffic on new pavements or partial pavement sections (such as base course over the prepared subgrade) will likely exceed the design loads and could potentially damage or shorten the pavement life; therefore, we recommend construction traffic not be allowed on new pavements, or that the contractor take appropriate precautions to protect the subgrade and pavement during construction.

If construction traffic is to be allowed on newly constructed road sections, an allowance for this additional traffic will need to be made in the design pavement section.

4 CONSTRUCTION RECOMMENDATIONS

4.1 Site Preparation

Construction of the proposed development will involve clearing and grubbing of the existing vegetation or demolition of possible existing structures. Demolition should include removal of existing pavement, utilities, etc., throughout the proposed new development. Underground utility lines or other abandoned structural elements should also be removed. The voids resulting from removal of foundations or loose soil in utility lines should be backfilled with compacted structural fill. The base of these excavations should be excavated to firm native subgrade before filling, with sides sloped at a minimum of 1H:1V to allow for uniform compaction. Materials generated during demolition should be transported off site or stockpiled in areas designated by the owner's representative.

4.1.1 Proofrolling/Subgrade Verification

Following site preparation and prior to placing aggregate base over shallow foundation, floor slab, and pavement subgrades, the exposed subgrade should be evaluated either by proofrolling or another method of subgrade verification. The subgrade should be proofrolled with a fully loaded dump truck or similar heavy, rubber-tire construction equipment to identify unsuitable areas. If evaluation of the subgrades occurs during wet conditions, or if proofrolling the subgrades will result in disturbance, they should be evaluated by PBS using a steel foundation probe. We recommend that PBS be retained to observe the proofrolling and perform the subgrade verifications. Unsuitable areas identified during the field evaluation should be compacted to a firm condition or be excavated and replaced with structural fill.

4.1.2 Wet/Freezing Weather and Wet Soil Conditions

Due to the presence of fine-grained silt and sands in the near-surface materials at the site, construction equipment may have difficulty operating on the near-surface soils when the moisture content of the surface soil is more than a few percentage points above the optimum moisture required for compaction. Soils disturbed during site preparation activities, or unsuitable areas identified during proofrolling or probing, should be removed and replaced with compacted structural fill.

Site earthwork and subgrade preparation should not be completed during freezing conditions, except for mass excavation to the subgrade design elevations. We recommend the earthwork construction at the site be performed during the dry season.

Protection of the subgrade is the responsibility of the contractor. Construction of granular haul roads to the project site entrance may help reduce further damage to the pavement and disturbance of site soils. The actual thickness of haul roads and staging areas should be based on the contractors' approach to site development, and the amount and type of construction traffic. The imported granular material should be placed in one lift over the prepared undisturbed subgrade and compacted using a smooth-drum, non-vibratory roller. A geotextile fabric should be used to separate the subgrade from the imported granular material in areas of repeated construction traffic. Depending on site conditions, the geotextile should meet Washington State Department of Transportation (WSDOT) SS 9-33.2 – Geosynthetic Properties for soil separation or stabilization. The geotextile should be installed in conformance with WSDOT SS 2-12.3 – Construction Geosynthetic (Construction Requirements) and, as applicable, WSDOT SS 2-12.3(2) – Separation or WSDOT SS 2-12.3(3) – Stabilization.

4.2 Excavation

The near-surface soils at the site can be excavated with conventional earthwork equipment. Sloughing and caving should be anticipated. All excavations should be made in accordance with applicable Occupational Safety and Health Administration (OSHA) and state regulations. The contractor is solely responsible for

adherence to the OSHA requirements. Trench cuts should stand relatively vertical to a depth of approximately 4 feet bgs, provided no groundwater seepage is present in the trench walls. Open excavation techniques may be used provided the excavation is configured in accordance with the OSHA requirements, groundwater seepage is not present, and with the understanding that some sloughing may occur. Trenches/excavations should be flattened if sloughing occurs or seepage is present. Use of a trench shield or other approved temporary shoring is recommended if vertical walls are desired for cuts deeper than 4 feet bgs. If dewatering is used, we recommend that the type and design of the dewatering system be the responsibility of the contractor, who is in the best position to choose systems that fit the overall plan of operation.

4.3 Structural Fill

The extent of site grading is currently unknown; however, PBS estimates that cuts and fills will be on the order of about 5 feet. Structural fill should be placed over subgrade that has been prepared in conformance with the Site Preparation and Wet/Freezing Weather and Wet Soil Conditions sections of this report. Structural fill material should consist of relatively well-graded soil, or an approved rock product that is free of organic material and debris, and contains particles not greater than 3 inches nominal dimension.

The suitability of soil for use as compacted structural fill will depend on the gradation and moisture content of the soil when it is placed. As the amount of fines (material finer than the US Standard No. 200 Sieve) increases, soil becomes increasingly sensitive to small changes in moisture content and compaction becomes more difficult to achieve. Soils containing more than about 5 percent fines cannot consistently be compacted to a dense, non-yielding condition when the water content is significantly greater (or significantly less) than optimum.

If fill and excavated material will be placed on slopes steeper than 5H:1V (horizontal), these must be keyed/benched into the existing slopes and installed in horizontal lifts. Vertical steps between benches should be approximately 2 feet.

4.3.1 On-Site Soil

On-site soils encountered in our explorations are generally suitable for placement as structural fill during dry weather when moisture content can be maintained by air drying and/or addition of water. The fine-grained fraction of the site soils are moisture sensitive, and during wet weather, may become unworkable because of excess moisture content. In order to reduce moisture content, some aerating and drying of fine-grained soils may be required. The material should be placed in lifts with a maximum uncompacted thickness of approximately 8 inches and compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557 (modified proctor).

4.3.2 Imported Granular Materials

Imported granular material used during periods of wet weather or for haul roads, building pad subgrades, staging areas, etc., should be pit or quarry run rock, crushed rock, or crushed gravel and sand, and should meet the specifications provided in WSDOT SS 9-03.14(2) – Select Borrow. In addition, the imported granular material should be fairly well graded between coarse and fine, and of the fraction passing the US Standard No. 4 Sieve, less than 5 percent by dry weight should pass the US Standard No. 200 Sieve.

Imported granular material should be placed in lifts with a maximum uncompacted thickness of 9 inches and be compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

4.3.3 Base Aggregate

Base aggregate for floor slabs and beneath pavements should be clean crushed rock or crushed gravel. The base aggregate should contain no deleterious materials, meet specifications provided in WSDOT SS 9-03.9(3) – Crushed Surfacing Base Course, and have less than 5 percent (by dry weight) passing the US Standard No. 200 Sieve. The imported granular material should be placed in one lift and compacted to at least 95 percent of the maximum dry density, as determined by ASTM D1557.

4.3.4 Foundation Base Aggregate

Imported granular material placed at the base of excavations for spread footings, slabs-on-grade, and other below-grade structures should be clean, crushed rock or crushed gravel, and sand that is fairly well graded between coarse and fine. The granular materials should contain no deleterious materials, have a maximum particle size of 1½ inch, and meet WSDOT SS 9-03.12(1)A – Gravel Backfill for Foundations (Class A). The imported granular material should be placed in one lift and compacted to not less than 95 percent of the maximum dry density, as determined by ASTM D1557.

4.3.5 Trench Backfill

Trench backfill placed beneath, adjacent to, and for at least 2 feet above utility lines (i.e., the pipe zone) should consist of well-graded granular material with a maximum particle size of 1 inch and less than 10 percent by dry weight passing the US Standard No. 200 Sieve, and should meet the standards prescribed by WSDOT SS 9-03.12(3) – Gravel Backfill for Pipe Zone Bedding. The pipe zone backfill should be compacted to at least 90 percent of the maximum dry density as determined by ASTM D1557, or as required by the pipe manufacturer or local building department.

Within pavement areas or beneath building pads, the remainder of the trench backfill should consist of well-graded granular material with a maximum particle size of 1½ inches, less than 10 percent by dry weight passing the US Standard No. 200 Sieve, and should meet standards prescribed by WSDOT SS 9-03.19 – Bank Run Gravel for Trench Backfill. This material should be compacted to at least 92 percent of the maximum dry density, as determined by ASTM D1557, or as required by the pipe manufacturer or local building department. The upper 2 feet of the trench backfill should be compacted to at least 95 percent of the maximum dry density, as determined by ASTM D1557.

Outside of structural improvement areas (e.g., roadway alignments or building pads), trench backfill placed above the pipe zone should consist of excavated material free of wood waste, debris, clods, or rocks greater than 6 inches in diameter and meet WSDOT SS 9-03.14 – Borrow and WSDOT SS 9-03.15 – Native Material for Trench Backfill. This general trench backfill should be compacted to at least 90 percent of the maximum dry density, as determined by ASTM D1557, or as required by the pipe manufacturer or local building department.

4.3.6 Stabilization Material

Stabilization rock should consist of pit or quarry run rock that is well-graded, angular, crushed rock consisting of 4- or 6-inch-minus material with less than 5 percent passing the US Standard No. 4 Sieve. The material should be free of organic matter and other deleterious material. WSDOT SS 9-13.1(5) – Quarry Spalls can be used as a general specification for this material with the stipulation of limiting the maximum size to 6 inches.

5 ADDITIONAL SERVICES AND CONSTRUCTION OBSERVATIONS

In most cases, other services beyond completion of a final geotechnical engineering report are necessary or desirable to complete the project. Occasionally, conditions or circumstances arise that require additional work that was not anticipated when the geotechnical report was written. PBS offers a range of environmental, geological, geotechnical, and construction services to suit the varying needs of our clients.

PBS should be retained to review the plans and specifications for this project before they are finalized. Such a review allows us to verify that our recommendations and concerns have been adequately addressed in the design.

Satisfactory earthwork performance depends on the quality of construction. Sufficient observation of the contractor's activities is a key part of determining that the work is completed in accordance with the construction drawings and specifications. We recommend that PBS be retained to observe general excavation, stripping, fill placement, footing subgrades, and/or pile installation. Subsurface conditions observed during construction should be compared with those encountered during the subsurface explorations. Recognition of changed conditions requires experience; therefore, qualified personnel should visit the site with sufficient frequency to detect whether subsurface conditions change significantly from those anticipated.

6 LIMITATIONS

This report has been prepared for the exclusive use of the addressee, and their architects and engineers, for aiding in the design and construction of the proposed development and is not to be relied upon by other parties. It is not to be photographed, photocopied, or similarly reproduced, in total or in part, without express written consent of the client and PBS. It is the addressee's responsibility to provide this report to the appropriate design professionals, building officials, and contractors to ensure correct implementation of the recommendations.

The opinions, comments, and conclusions presented in this report are based upon information derived from our literature review, field explorations, laboratory testing, and engineering analyses. It is possible that soil, rock, or groundwater conditions could vary between or beyond the points explored. If soil, rock, or groundwater conditions are encountered during construction that differ from those described herein, the client is responsible for ensuring that PBS is notified immediately so that we may reevaluate the recommendations of this report.

Unanticipated fill, soil and rock conditions, and seasonal soil moisture and groundwater variations are commonly encountered and cannot be fully determined by merely taking soil samples or completing explorations such as test pits. Such variations may result in changes to our recommendations and may require additional funds for expenses to attain a properly constructed project; therefore, we recommend a contingency fund to accommodate such potential extra costs.

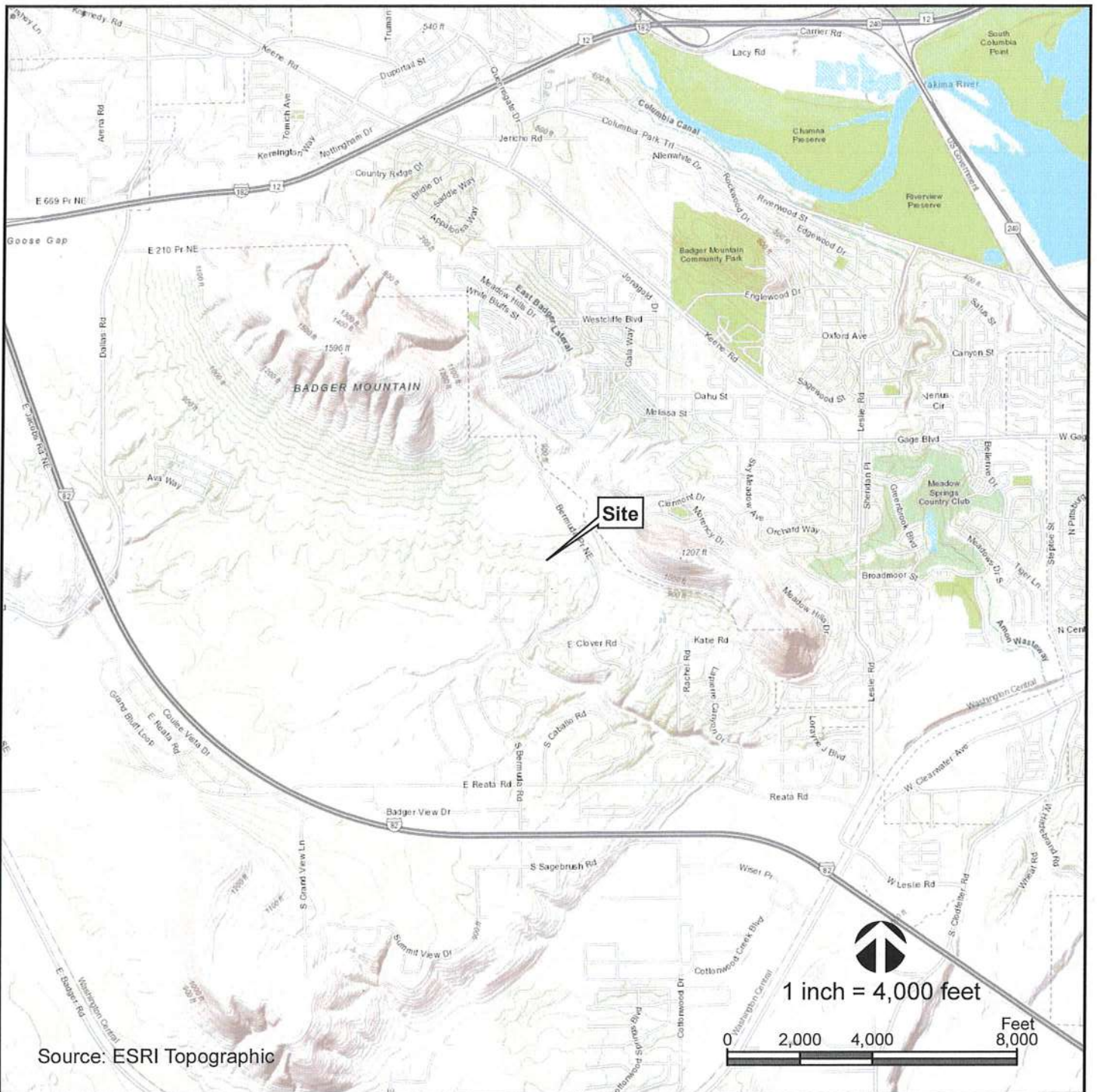
The scope of work for this subsurface exploration and geotechnical report did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous substances in the soil, surface water, or groundwater at this site.

If there is a substantial lapse of time between the submission of this report and the start of work at the site, if conditions have changed due to natural causes or construction operations at or adjacent to the site, or if the basic project scheme is significantly modified from that assumed, this report should be reviewed to determine the applicability of the conclusions and recommendations presented herein. Land use, site conditions (both on and off site), or other factors may change over time and could materially affect our findings; therefore, this report should not be relied upon after three years from its issue, or in the event that the site conditions change.

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Figures



Source: ESRI Topographic

VICINITY MAP

SIENNA HILLS RICHLAND, WASHINGTON

DATE: JUN 2019 · PROJECT: 66150.000



FIGURE

1



SOURCES:

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RICH

Appendix A

Field Explorations

Appendix A: Field Explorations

A1 GENERAL

PBS explored subsurface conditions at the project site by excavating 30 test pits up to approximately 10 feet bgs between April 30 and May 2, 2019. The approximate locations of the explorations are shown on Figure 2, Site Plan. The procedures used to advance the test pits, collect samples, and other field techniques are described in detail in the following paragraphs. Unless otherwise noted, all soil sampling and classification procedures followed engineering practices in general accordance with relevant ASTM procedures. "General accordance" means that certain local drilling/excavation and descriptive practices and methodologies have been followed.

A2 TEST PITS

A2.1 Excavation

Test pits were excavated using a CAT 304C equipped with a 24-inch-wide bucket by Braden and Nelson Construction of Walla Walla, Washington. The test pits were observed by a member of the PBS geotechnical staff, who maintained a detailed log of the subsurface conditions and materials encountered during the course of the work.

A2.2 Sampling

Representative disturbed samples were taken at selected depths in the test pits. The disturbed soil samples were examined by a member of the PBS geotechnical staff and sealed in plastic bags for further examination.

A2.3 Test Pit Logs

The test pit logs show the various types of materials that were encountered in the excavations and the depths where the materials and/or characteristics of these materials changed, although the changes may be gradual. Where material types and descriptions changed between samples, the contacts were interpreted. The types of samples taken during excavation, along with their sample identification number, are shown to the right of the classification of materials. The natural water (moisture) contents are shown farther to the right. Measured seepage levels, if observed, are noted in the column to the right.

A3 MATERIAL DESCRIPTION

Initially, samples were classified visually in the field. Consistency, color, relative moisture, degree of plasticity, and other distinguishing characteristics of the soil samples were noted. Afterward, the samples were reexamined in the PBS laboratory, various standard classification tests were conducted, and the field classifications were modified where necessary. The terminology used in the soil classifications and other modifiers are defined in Table A-1, Terminology Used to Describe Soil.

Soil Descriptions

Soils exist in mixtures with varying proportions of components. The predominant soil, i.e., greater than 50 percent based on total dry weight, is the primary soil type and is capitalized in our log descriptions (SAND, GRAVEL, SILT, or CLAY). Smaller percentages of other constituents in the soil mixture are indicated by use of modifier words in general accordance with the ASTM D2488-06 Visual-Manual Procedure. "General Accordance" means that certain local and common descriptive practices may have been followed. In accordance with ASTM D2488-06, group symbols (such as GP or CH) are applied on the portion of soil passing the 3-inch (75mm) sieve based on visual examination. The following describes the use of soil names and modifying terms used to describe fine- and coarse-grained soils.

Fine-Grained Soils (50% or greater fines passing 0.075 mm, No. 200 sieve)

The primary soil type, i.e., SILT or CLAY is designated through visual-manual procedures to evaluate soil toughness, dilatency, dry strength, and plasticity. The following outlines the terminology used to describe fine-grained soils, and varies from ASTM D2488 terminology in the use of some common terms.

Primary soil NAME, Symbols, and Adjectives			Plasticity Description	Plasticity Index (PI)
SILT (ML & MH)	CLAY (CL & CH)	ORGANIC SOIL (OL & OH)		
SILT		Organic SILT	Non-plastic	0 – 3
SILT		Organic SILT	Low plasticity	4 – 10
SILT/Elastic SILT	Lean CLAY	Organic SILT/ Organic CLAY	Medium Plasticity	10 – 20
Elastic SILT	Lean/Fat CLAY	Organic CLAY	High Plasticity	20 – 40
Elastic SILT	Fat CLAY	Organic CLAY	Very Plastic	>40

Modifying terms describing secondary constituents, estimated to 5 percent increments, are applied as follows:

Description	% Composition	
With Sand	% Sand ≥ % Gravel	15% to 25% plus No. 200
With Gravel	% Sand < % Gravel	
Sandy	% Sand ≥ % Gravel	≤30% to 50% plus No. 200
Gravelly	% Sand < % Gravel	

Borderline Symbols, for example CH/MH, are used when soils are not distinctly in one category or when variable soil units contain more than one soil type. **Dual Symbols**, for example CL-ML, are used when two symbols are required in accordance with ASTM D2488.

Soil Consistency terms are applied to fine-grained, plastic soils (i.e., $PI \geq 7$). Descriptive terms are based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84, as follows. SILT soils with low to non-plastic behavior (i.e., $PI < 7$) may be classified using relative density.

Consistency Term	SPT N-value	Unconfined Compressive Strength	
		tsf	kPa
Very soft	Less than 2	Less than 0.25	Less than 24
Soft	2 – 4	0.25 – 0.5	24 – 48
Medium stiff	5 – 8	0.5 – 1.0	48 – 96
Stiff	9 – 15	1.0 – 2.0	96 – 192
Very stiff	16 – 30	2.0 – 4.0	192 – 383
Hard	Over 30	Over 4.0	Over 383

Soil Descriptions

Coarse - Grained Soils (less than 50% fines)

Coarse-grained soil descriptions, i.e., SAND or GRAVEL, are based on the portion of materials passing a 3-inch (75mm) sieve. Coarse-grained soil group symbols are applied in accordance with ASTM D2488-06 based on the degree of grading, or distribution of grain sizes of the soil. For example, well-graded sand containing a wide range of grain sizes is designated SW; poorly graded gravel, GP, contains high percentages of only certain grain sizes. Terms applied to grain sizes follow.

Material NAME	Particle Diameter	
	Inches	Millimeters
SAND (SW or SP)	0.003 – 0.19	0.075 – 4.8
GRAVEL (GW or GP)	0.19 – 3	4.8 – 75
Additional Constituents:		
Cobble	3 – 12	75 – 300
Boulder	12 – 120	300 – 3050

The primary soil type is capitalized, and the fines content in the soil are described as indicated by the following examples. Percentages are based on estimating amounts of fines, sand, and gravel to the nearest 5 percent. Other soil mixtures will have similar descriptive names.

Example: Coarse-Grained Soil Descriptions with Fines

>5% to < 15% fines (Dual Symbols)	≥15% to < 50% fines
Well graded GRAVEL with silt: GW-GM	Silty GRAVEL: GM
Poorly graded SAND with clay: SP-SC	Silty SAND: SM

Additional descriptive terminology applied to coarse-grained soils follow.

Example: Coarse-Grained Soil Descriptions with Other Coarse-Grained Constituents

Coarse-Grained Soil Containing Secondary Constituents	
With sand or with gravel	≥ 15% sand or gravel
With cobbles; with boulders	Any amount of cobbles or boulders.

Cobble and boulder deposits may include a description of the matrix soils, as defined above.

Relative Density terms are applied to granular, non-plastic soils based on direct measure or correlation to the Standard Penetration Test N-value as determined by ASTM D1586-84.

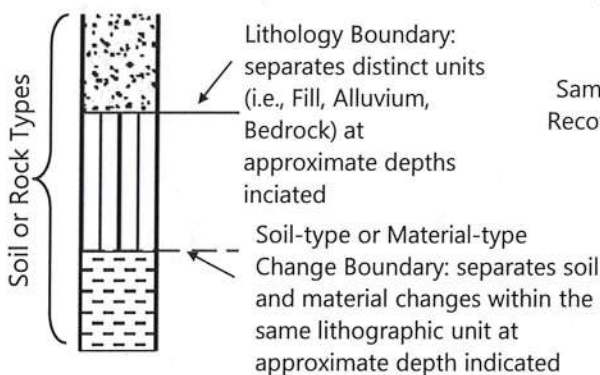
Relative Density Term	SPT N-value
Very loose	0 – 4
Loose	5 – 10
Medium dense	11 – 30
Dense	31 – 50
Very dense	> 50

SAMPLING DESCRIPTIONS

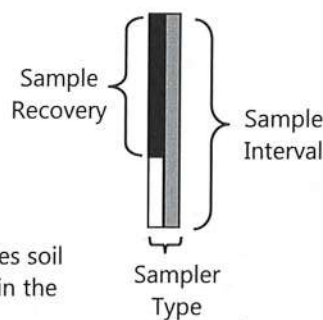
SPT Drive Sampler Standard Penetration Test ASTM D 1586	Shelby Tube Push Sampler ASTM D 1587	Specialized Drive Samplers (Details Noted on Logs)	Specialized Drill or Push Sampler (Details Noted on Logs)	Grab Sample	Rock Coring Interval	Screen (Water or Air Sampling)	Water Level During Drilling/Excavation	Water Level After Drilling/Excavation
								

LOG GRAPHICS

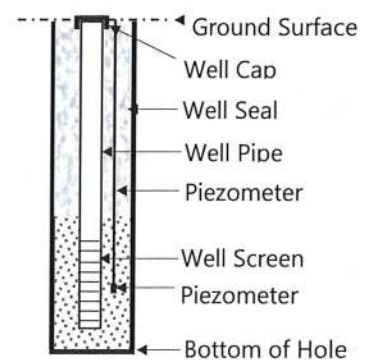
Soil and Rock



Sampling Symbols



Instrumentation Detail



Geotechnical Testing Acronym Explanations

PP	Pocket Penetrometer	HYD	Hydrometer Gradation
TOR	Torvane	SIEV	Sieve Gradation
DCP	Dynamic Cone Penetrometer	DS	Direct Shear
ATT	Atterberg Limits	DD	Dry Density
PL	Plasticity Limit	CBR	California Bearing Ratio
LL	Liquid Limit	RES	Resilient Modulus
PI	Plasticity Index	VS	Vane Shear
P200	Percent Passing US Standard No. 200 Sieve	bgs	Below ground surface
OC	Organic Content	MSL	Mean Sea Level
CON	Consolidation	HCL	Hydrochloric Acid
UC	Unconfined Compressive Strength		



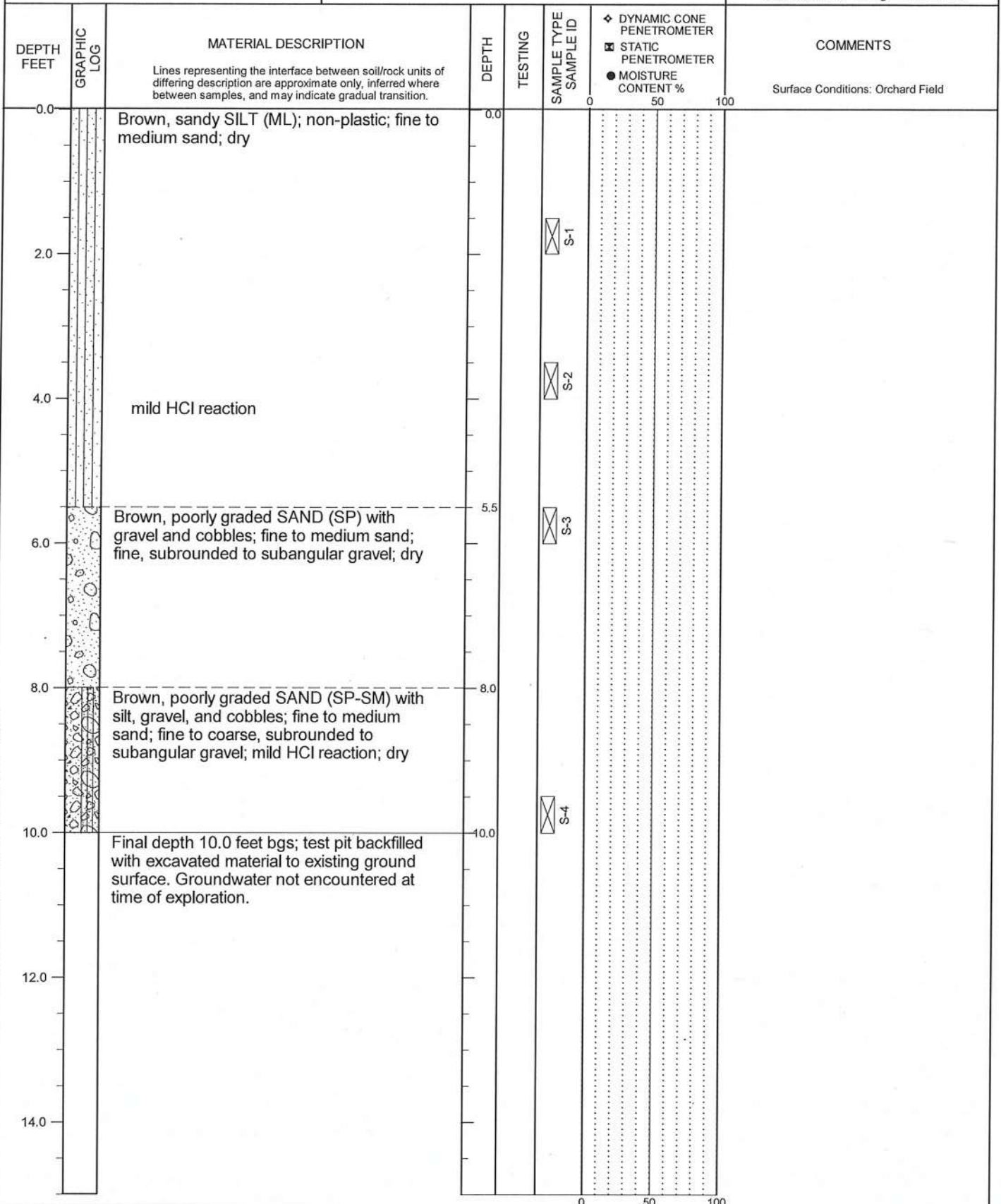
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-1

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-1 LOCATION:
(See Site Plan)

Lat: 46.21768 Long: -119.306136



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A1
Page 1 of 1



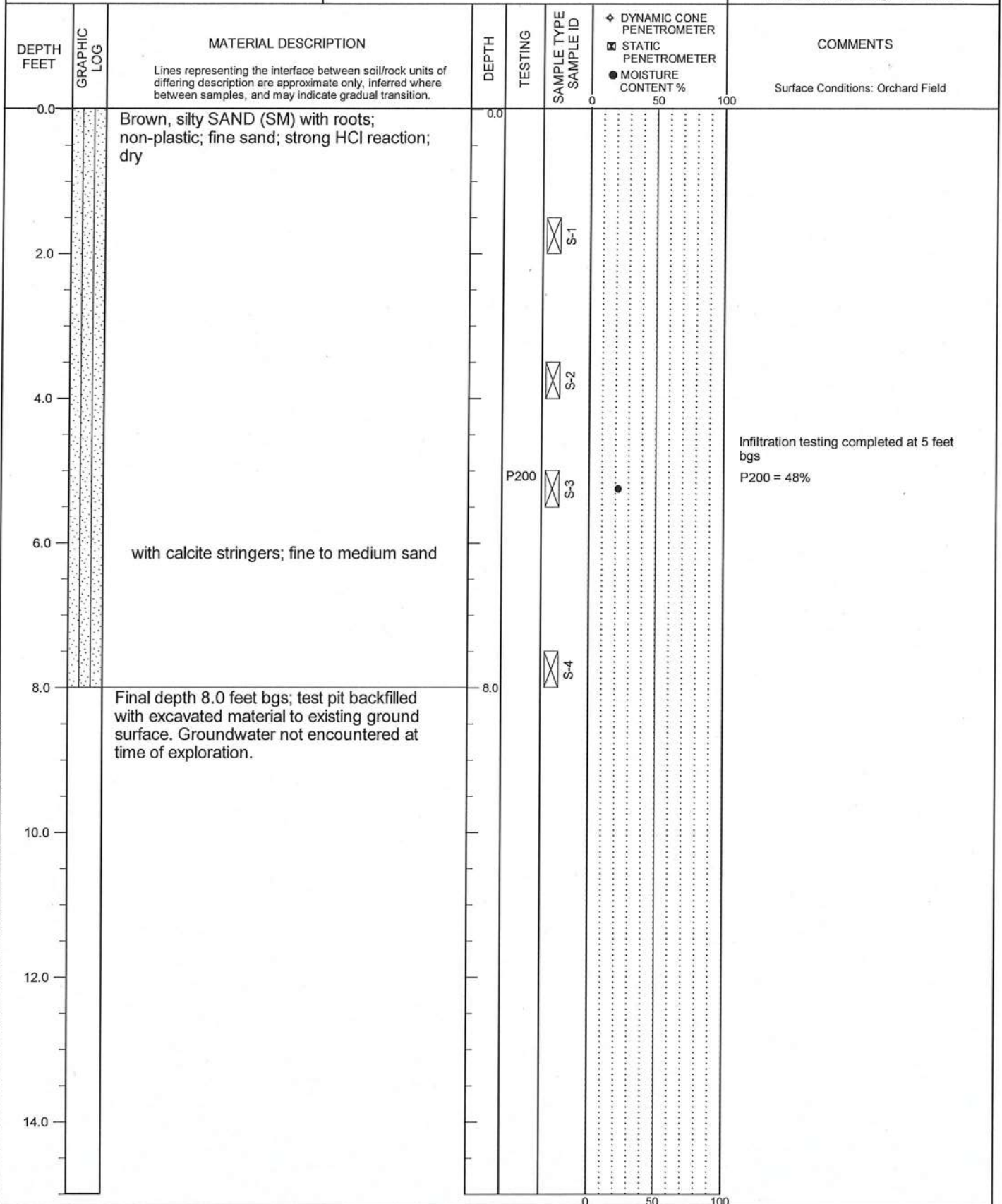
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-2

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-2 LOCATION:
(See Site Plan)

Lat: 46.217659 Long: -119.30423



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

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COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A2
Page 1 of 1



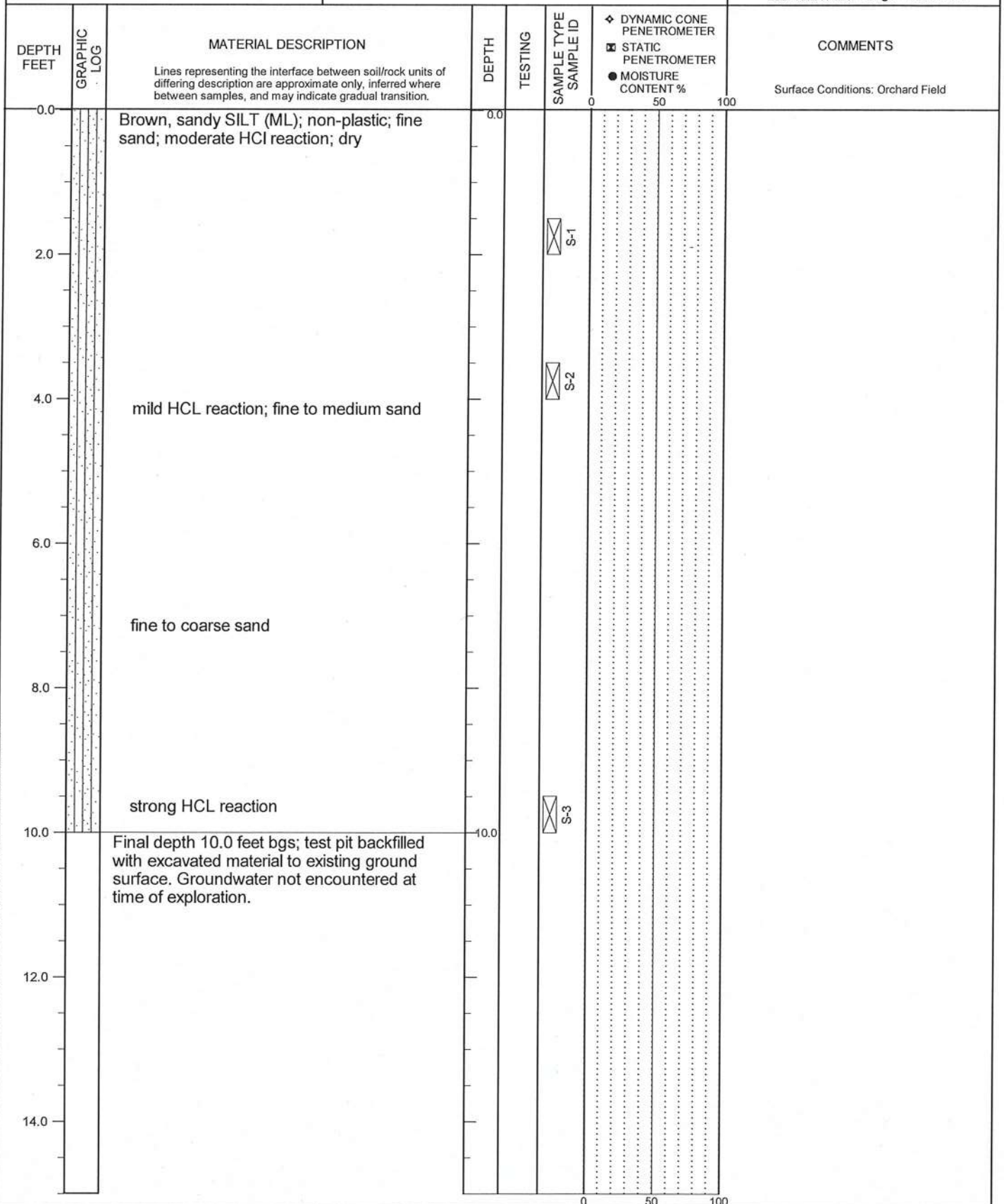
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-3

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-3 LOCATION:
(See Site Plan)

Lat: 46.217637 Long: -119.302325



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19RPG

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COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A3
Page 1 of 1



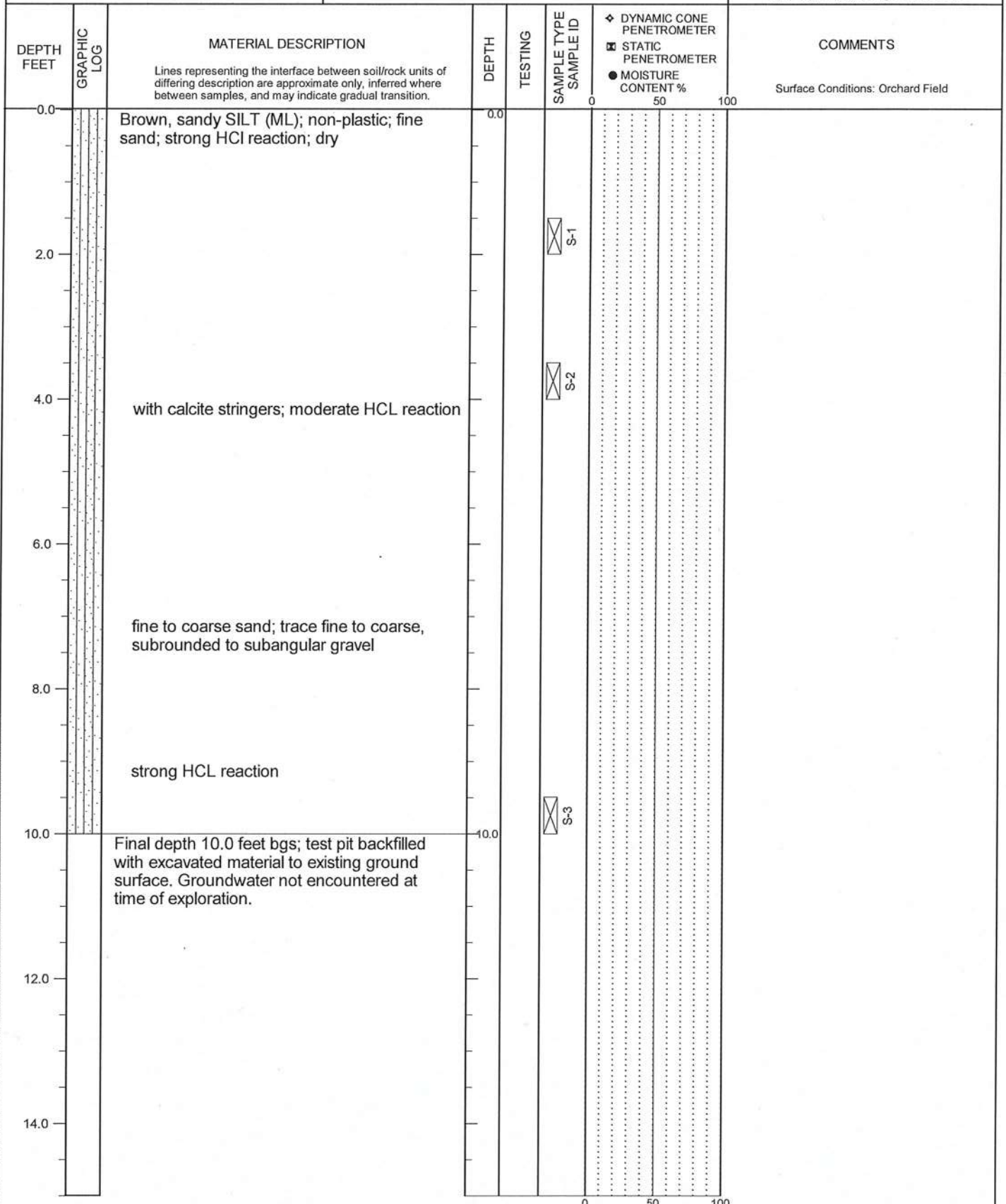
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-4

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-4 LOCATION:
(See Site Plan)

Lat: 46.217616 Long: -119.300419



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LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A4
Page 1 of 1



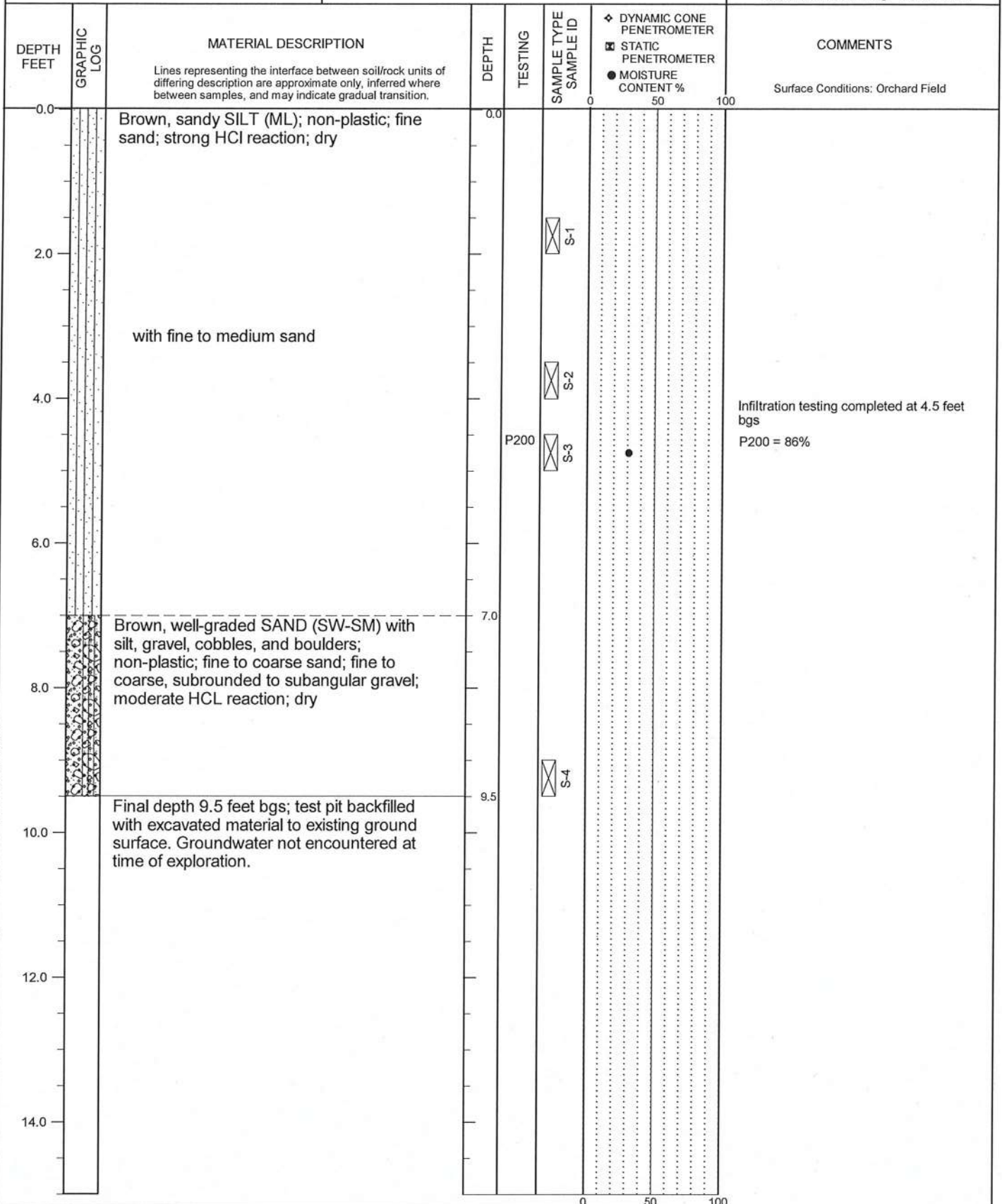
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-5

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-5 LOCATION:
(See Site Plan)

Lat: 46.217595 Long: -119.298513



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A5
Page 1 of 1



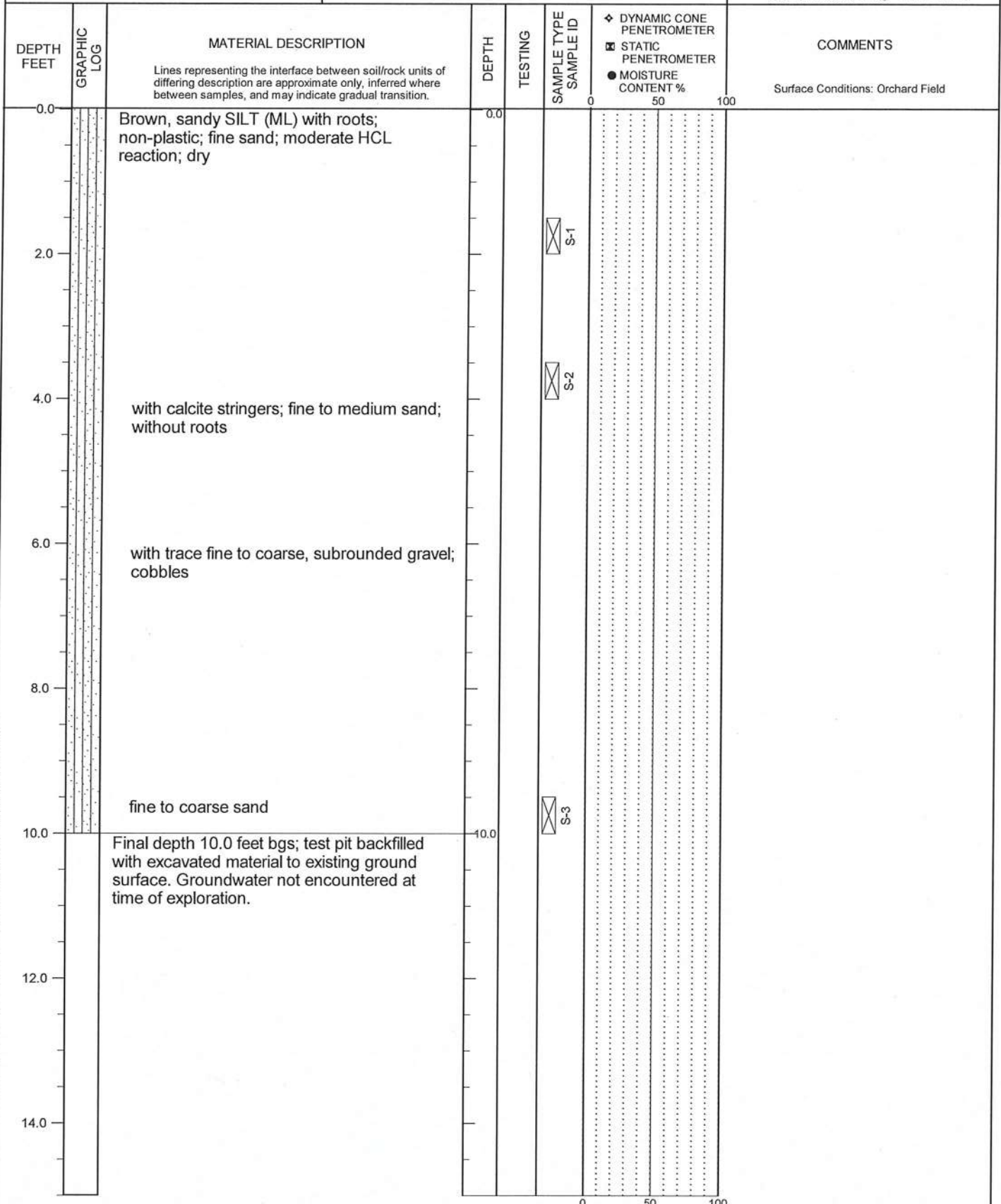
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-6

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-6 LOCATION:
(See Site Plan)

Lat: 46.217573 Long: -119.296608



TEST PIT LOG - 1 PER PAGE 66150.000 TP-1-30 20190513.GPJ PBS DATA\TMPL_GEO.GDT PRINT DATE: 8/7/19/RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A6
Page 1 of 1



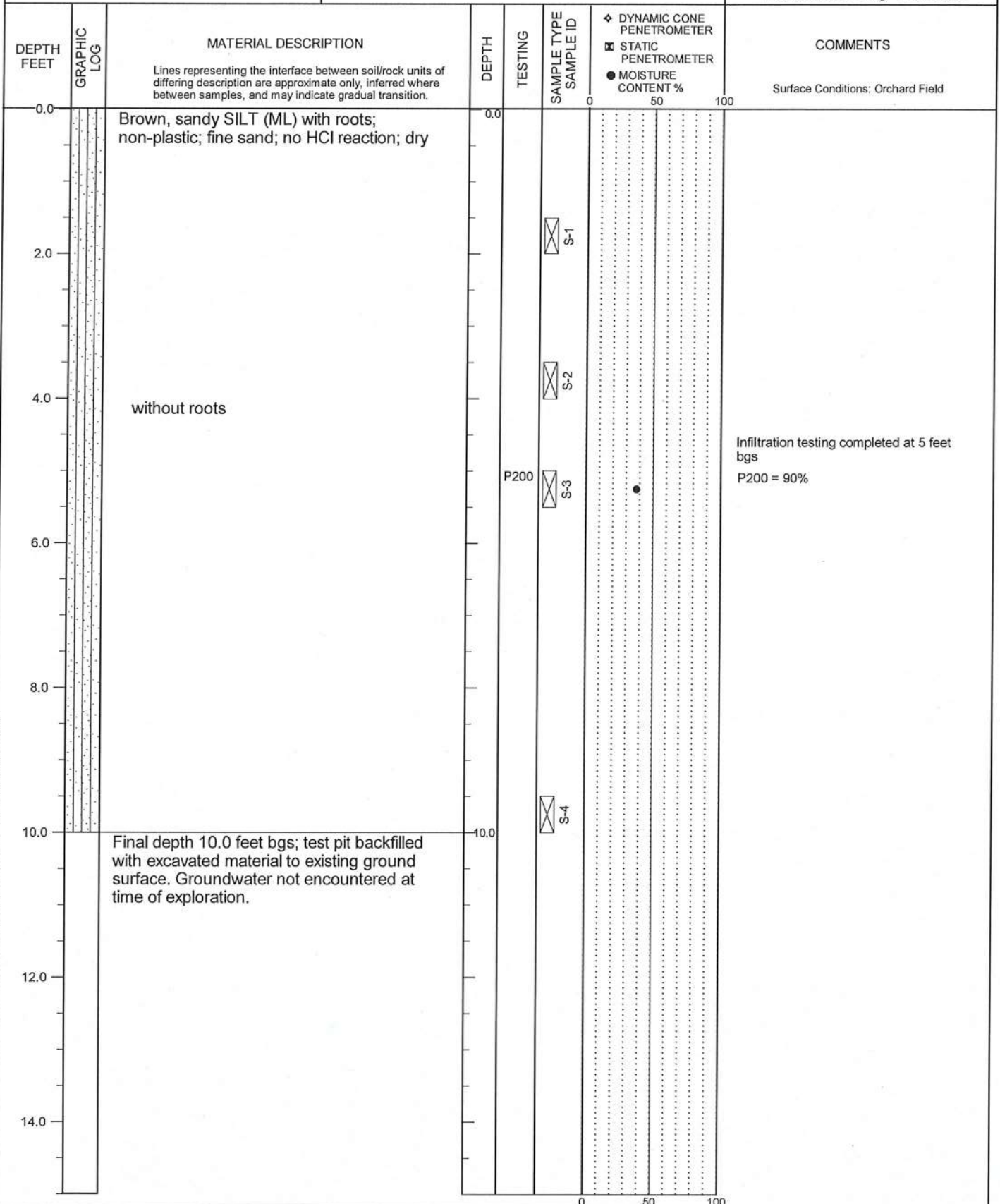
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-7

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-7 LOCATION:
(See Site Plan)

Lat: 46.217552 Long: -119.294702



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A7
Page 1 of 1



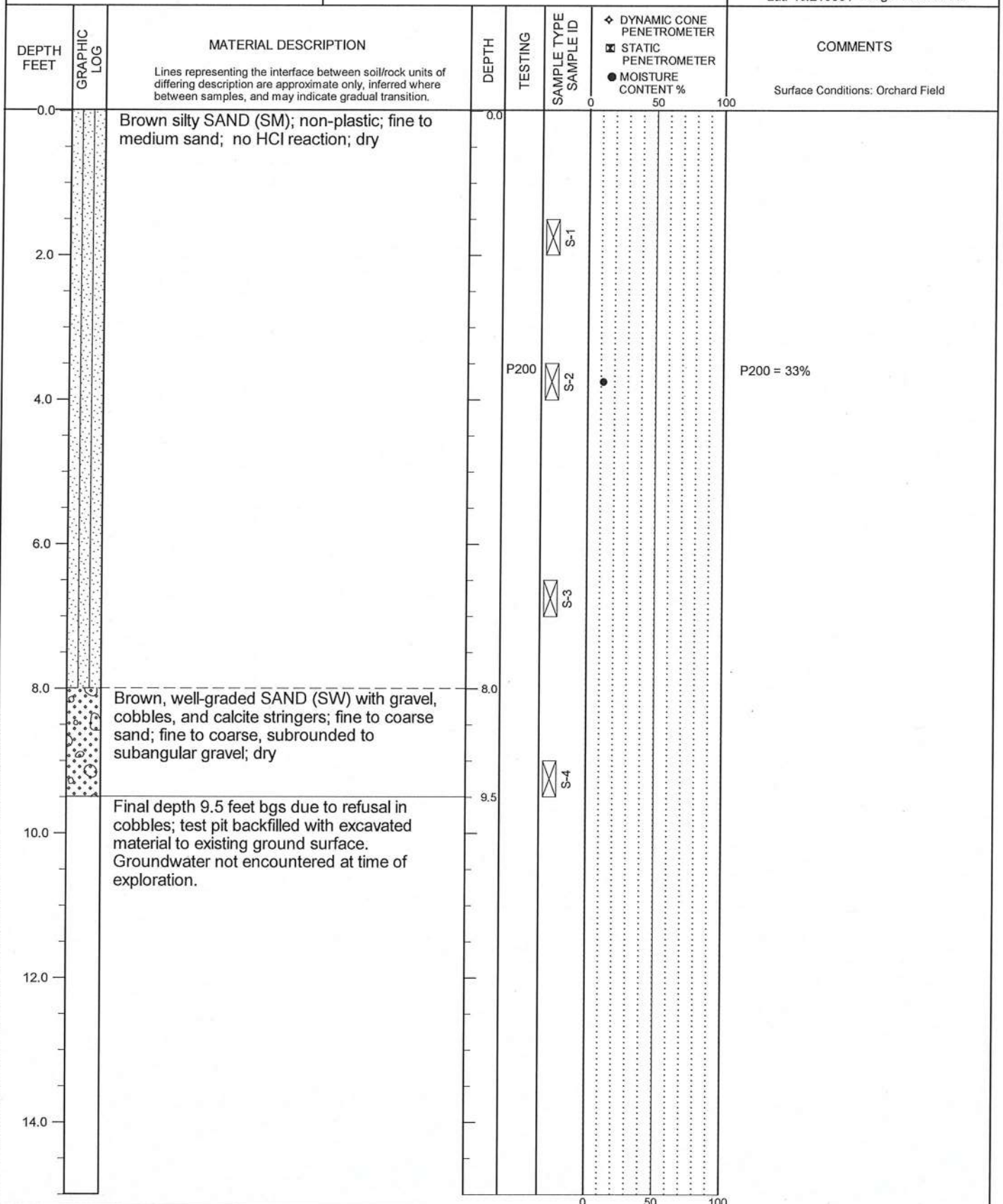
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-8

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-8 LOCATION:
(See Site Plan)

Lat: 46.218531 Long: -119.306116



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20180513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A8
Page 1 of 1



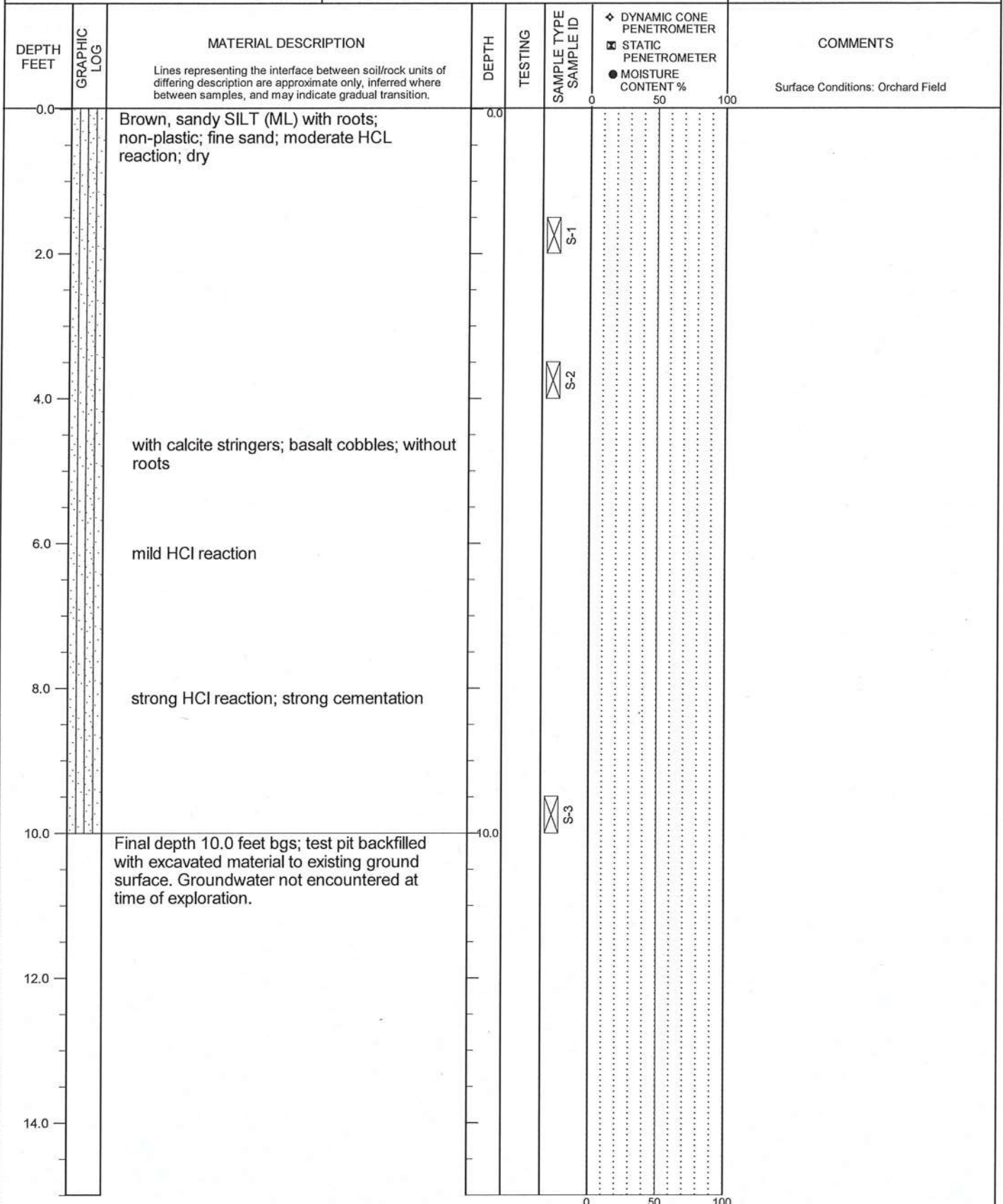
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-9

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-9 LOCATION:
(See Site Plan)

Lat: 46.21851 Long: -119.30421



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20180513.GPJ PBS_DATATMPL GEO.GDT PRINT DATE: 9/7/18/RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A9
Page 1 of 1



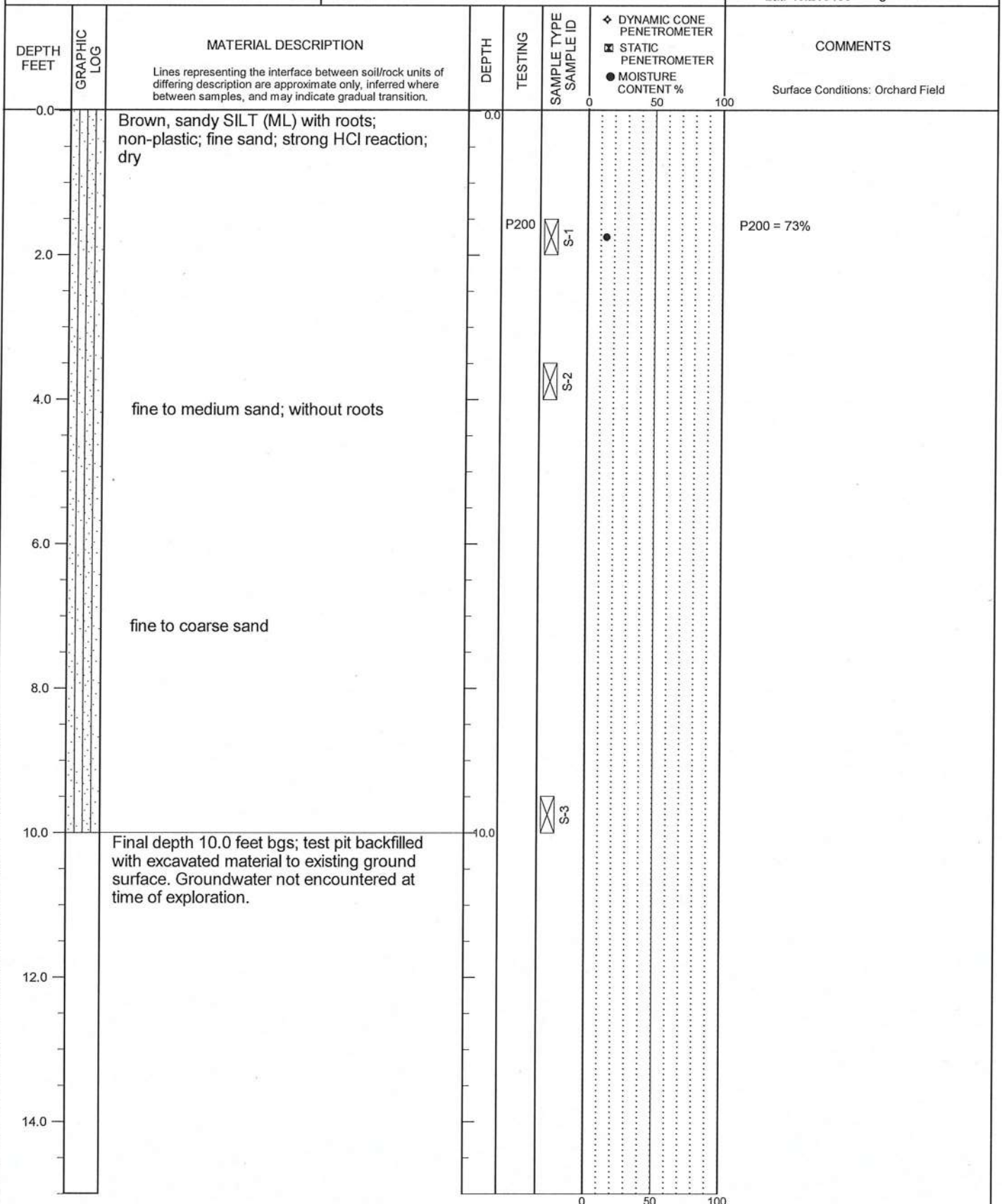
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-10

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-10 LOCATION:
(See Site Plan)

Lat: 46.218488 Long: -119.302305



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL_GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A10
Page 1 of 1



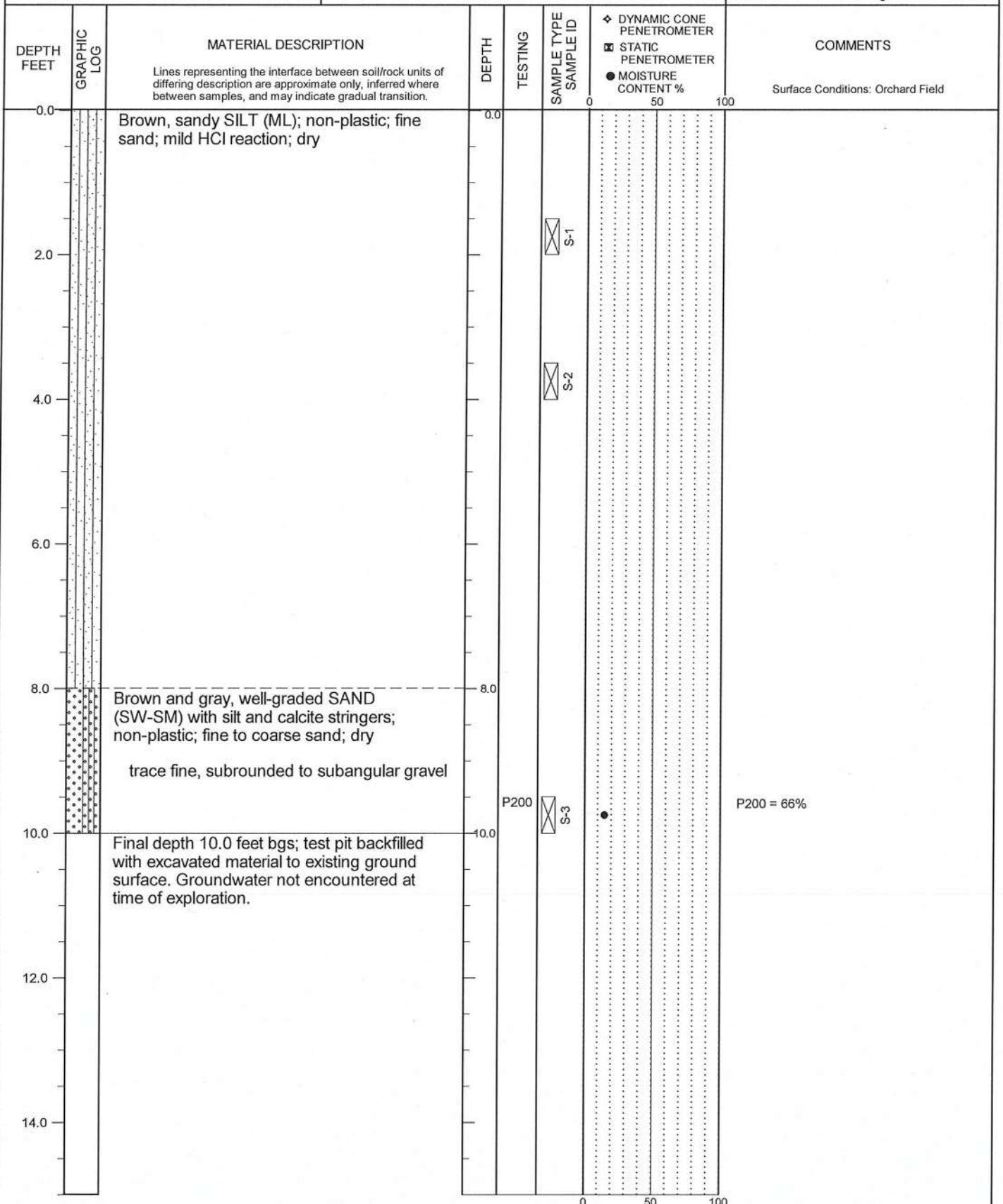
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-11

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-11 LOCATION:
(See Site Plan)

Lat: 46.218467 Long: -119.300399



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL_GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A11
Page 1 of 1



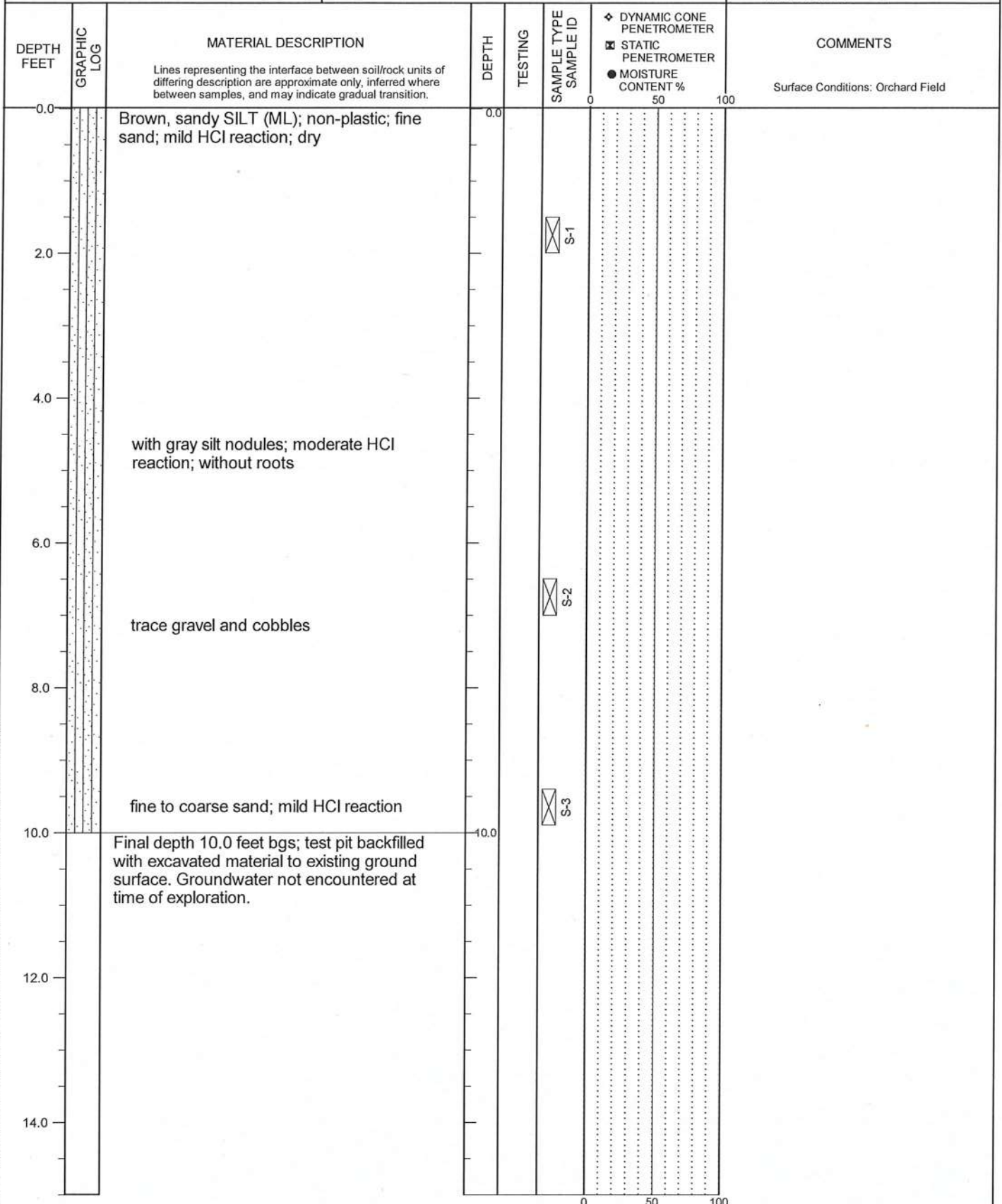
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-12

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-12 LOCATION:
(See Site Plan)

Lat: 46.218445 Long: -119.298493



TEST PIT LOG - 1 PER PAGE 66150.000 TP-12-30 20190513.GPJ PBS DATA\TMPL_GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A12
Page 1 of 1



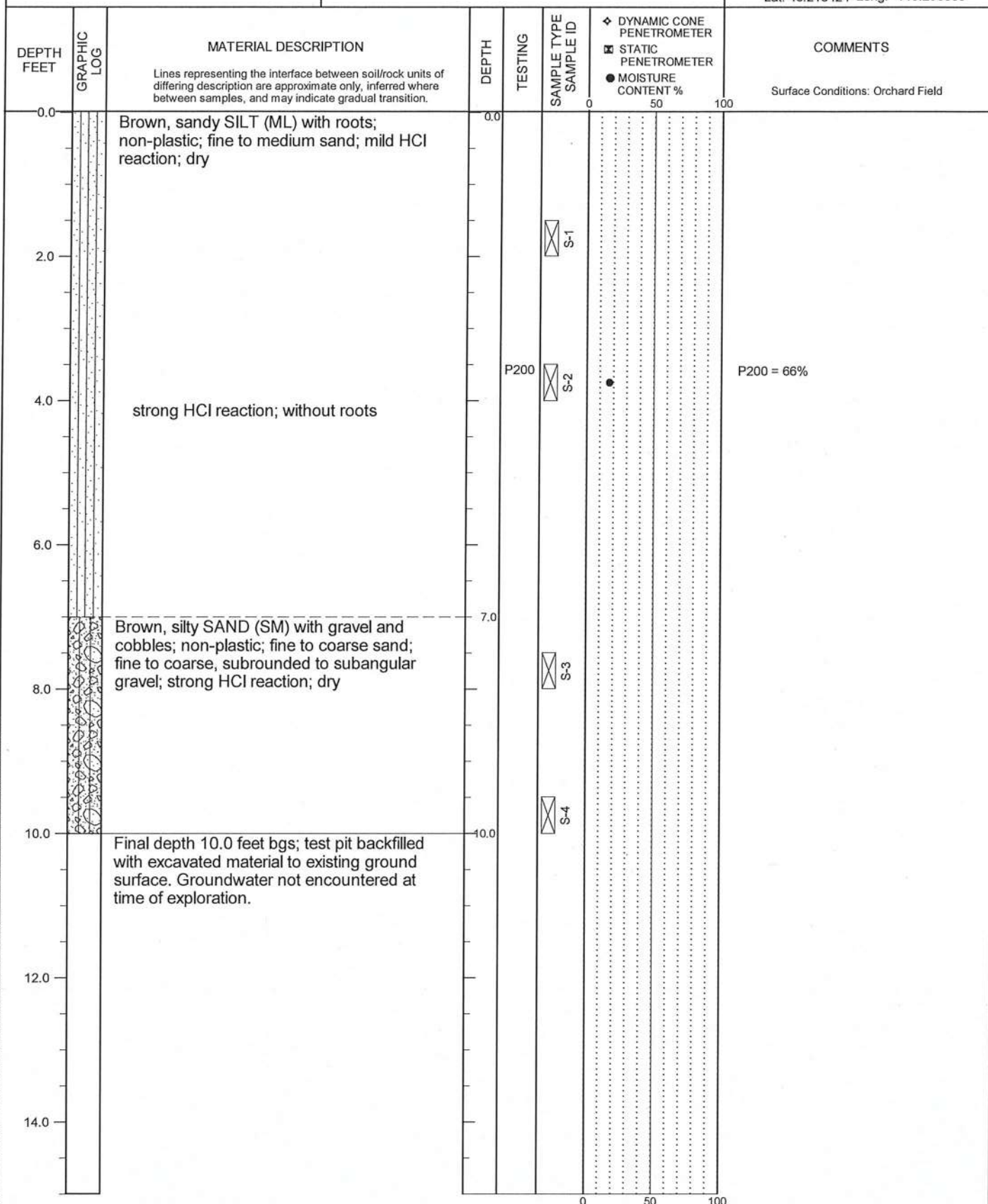
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-13

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-13 LOCATION:
(See Site Plan)

Lat: 46.218424 Long: -119.296588



TEST PIT LOG - 1 PER PAGE 66150.000 TP-130 20190513.GPJ PBS DATATMPL_GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A13
Page 1 of 1



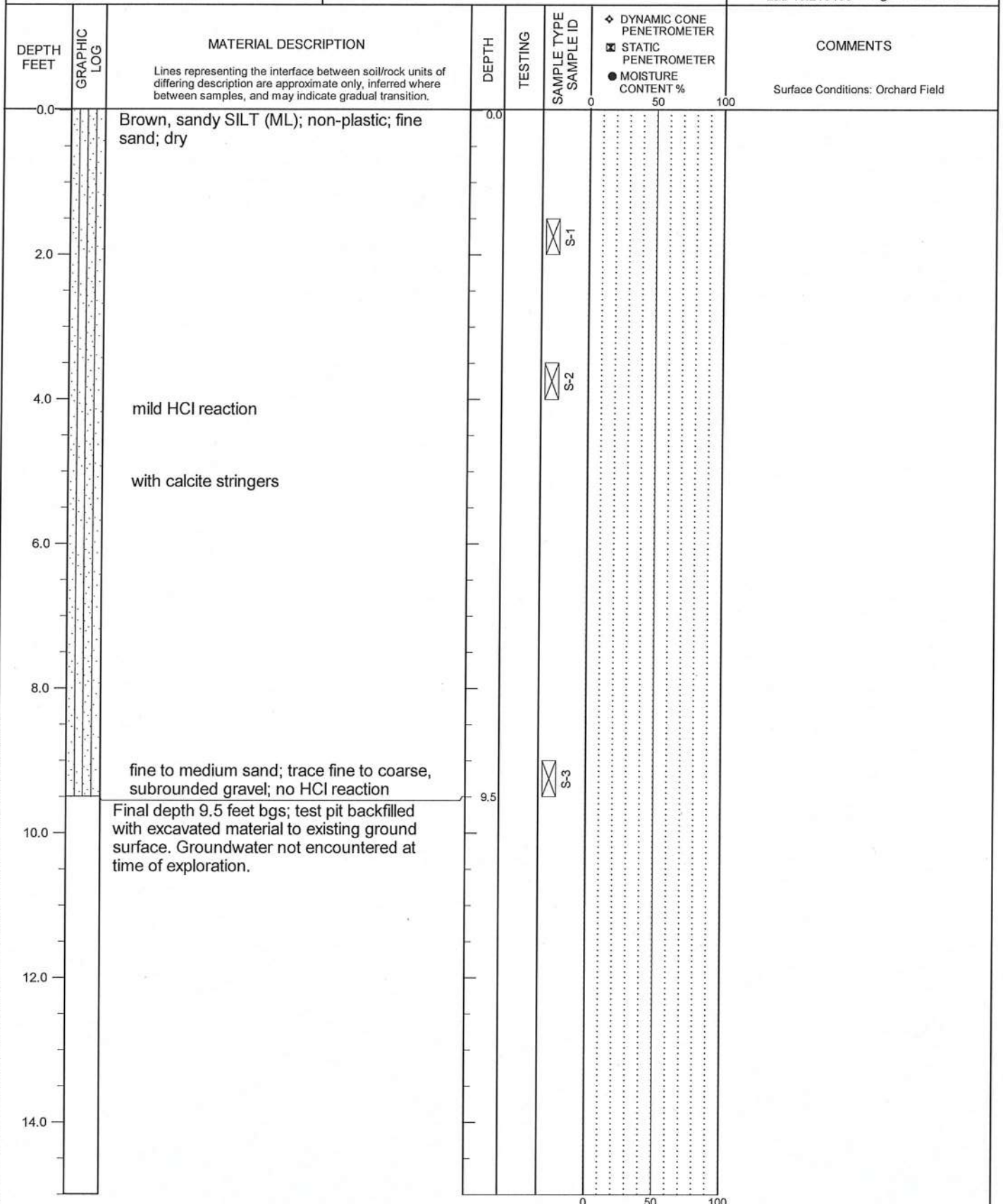
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-14

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-14 LOCATION:
(See Site Plan)

Lat: 46.218403 Long: -119.294682



TEST PIT LOG - 1 PER PAGE 66150.000 TP-1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A14
Page 1 of 1



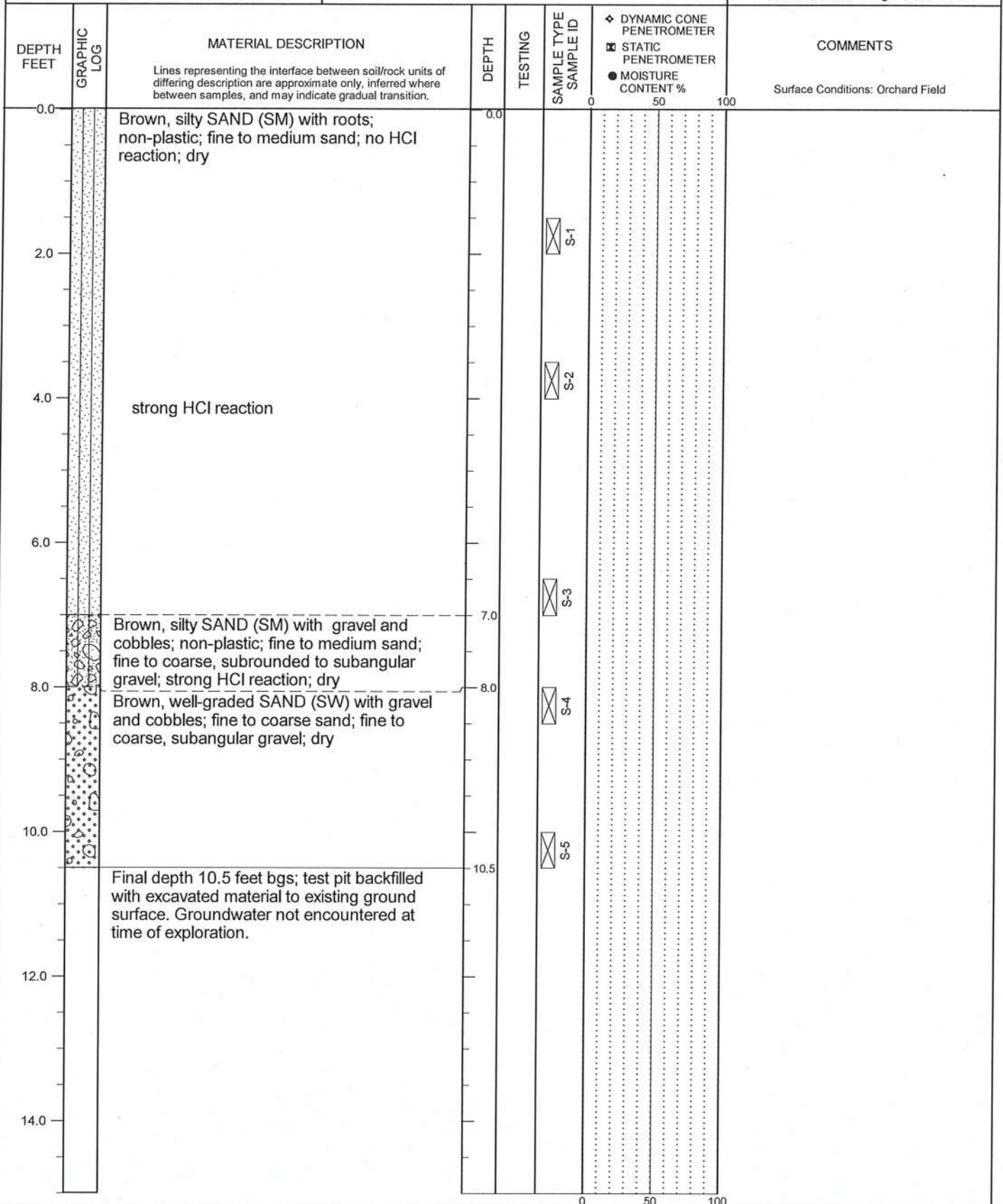
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-15

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-15 LOCATION:
(See Site Plan)

Lat: 46.219382 Long: -119.306096



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20180513.GPJ PBS DATA\TPI\GEO.GDT PRINT DATE: 8/7/19RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A15
Page 1 of 1



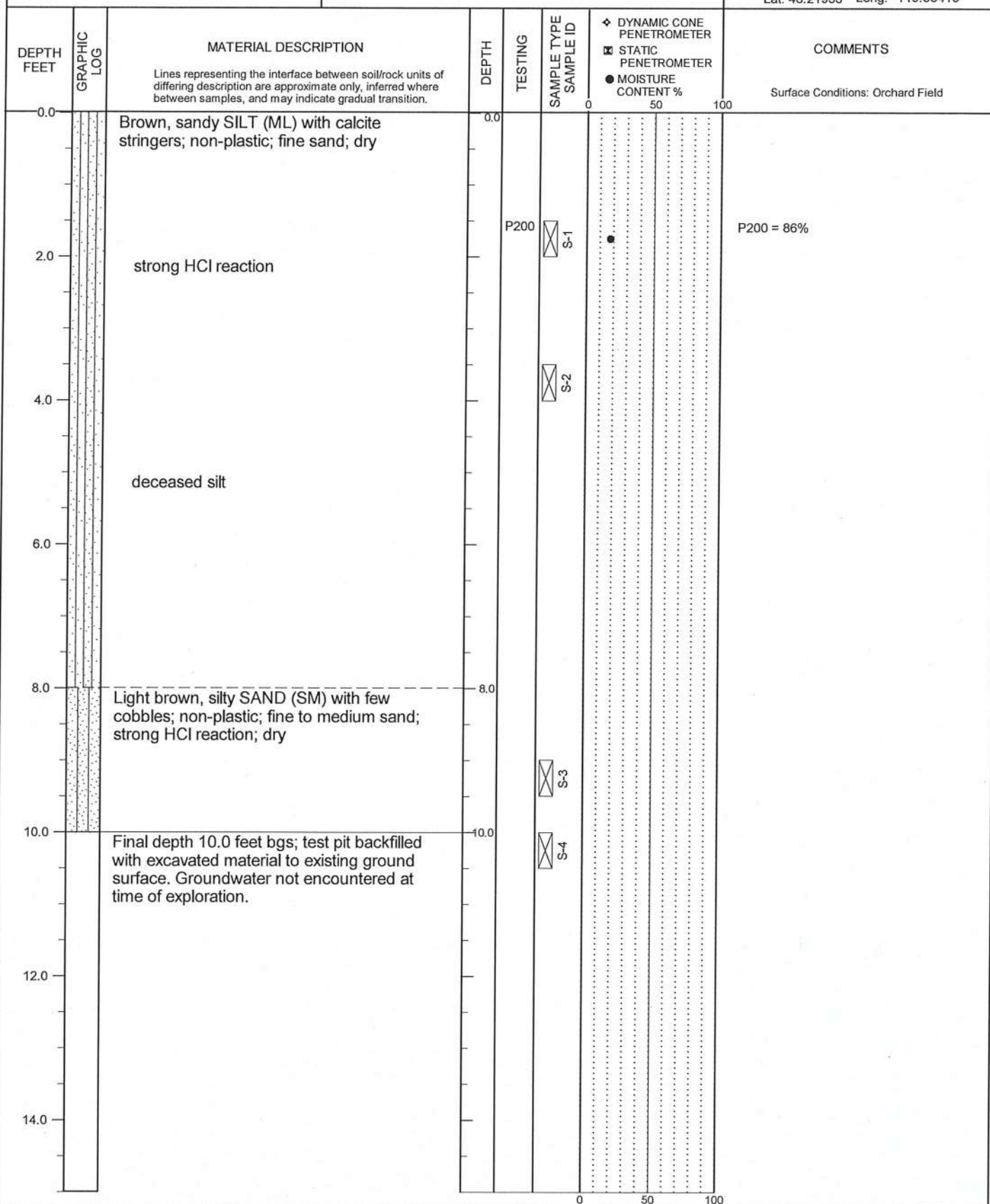
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-16

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-16 LOCATION:
(See Site Plan)

Lat: 46.21936 Long: -119.30419



TEST PIT LOG - 1 PER PAGE 66150.000, TP-1-30, 20190513.GPJ, PBS, DATATMPL_GEO.GDT, PRINT DATE: 6/7/19/RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A16
Page 1 of 1



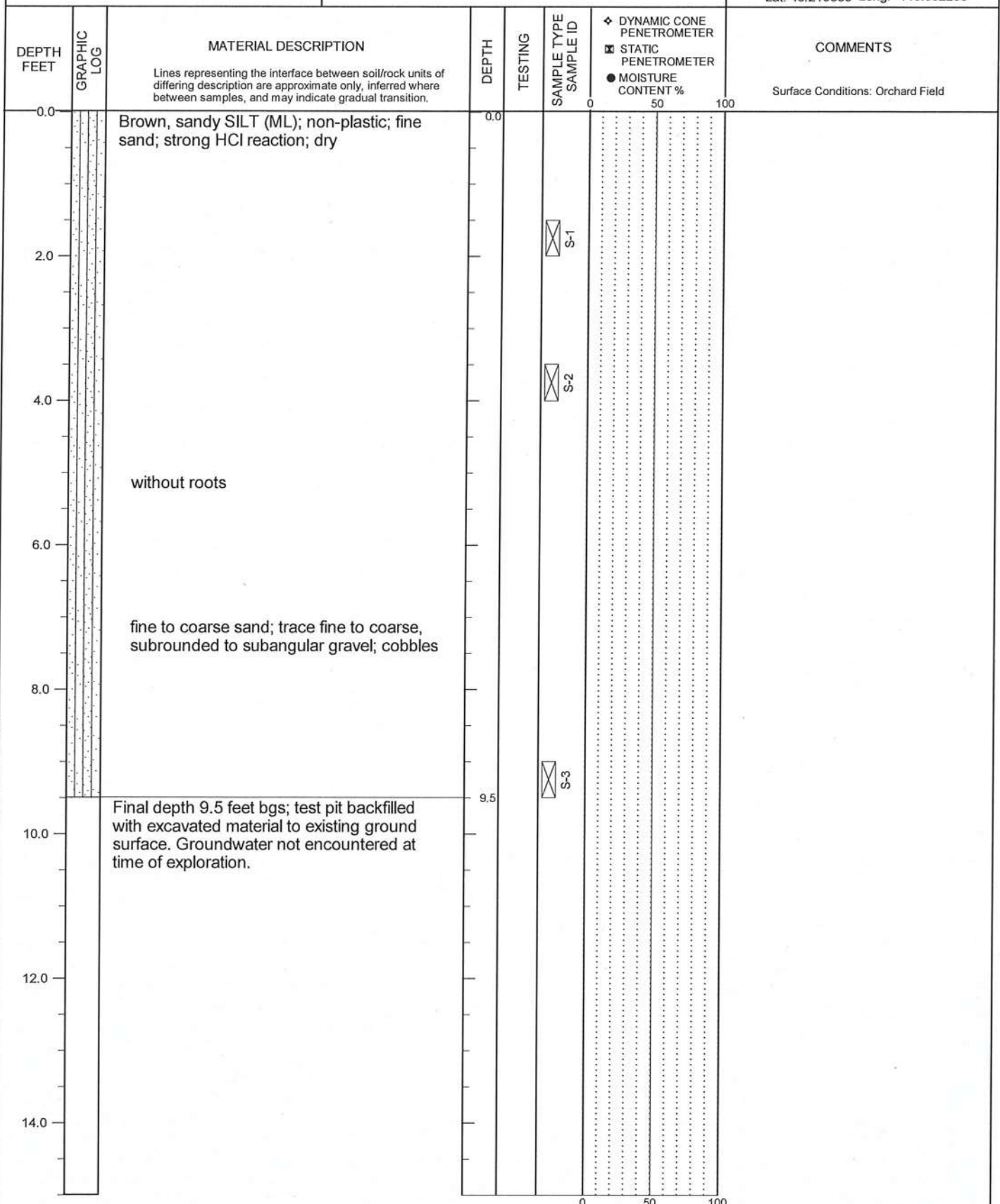
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-17

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-17 LOCATION:
(See Site Plan)

Lat: 46.219339 Long: -119.302285



TEST PIT LOG - 1 PER PAGE 66150.000 TP-17-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A17
Page 1 of 1



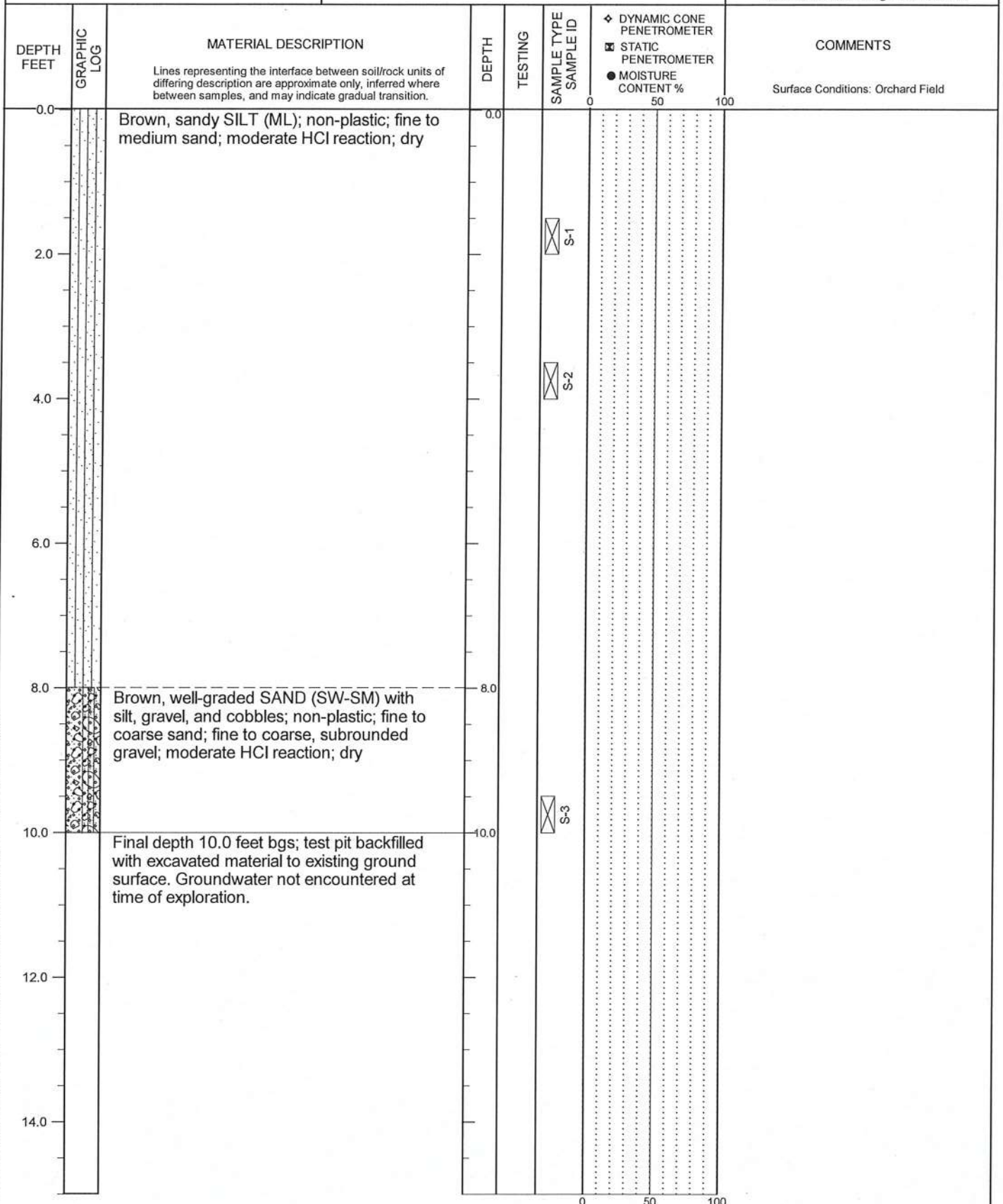
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-18

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-18 LOCATION:
(See Site Plan)

Lat: 46.219318 Long: -119.300379



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A18
Page 1 of 1



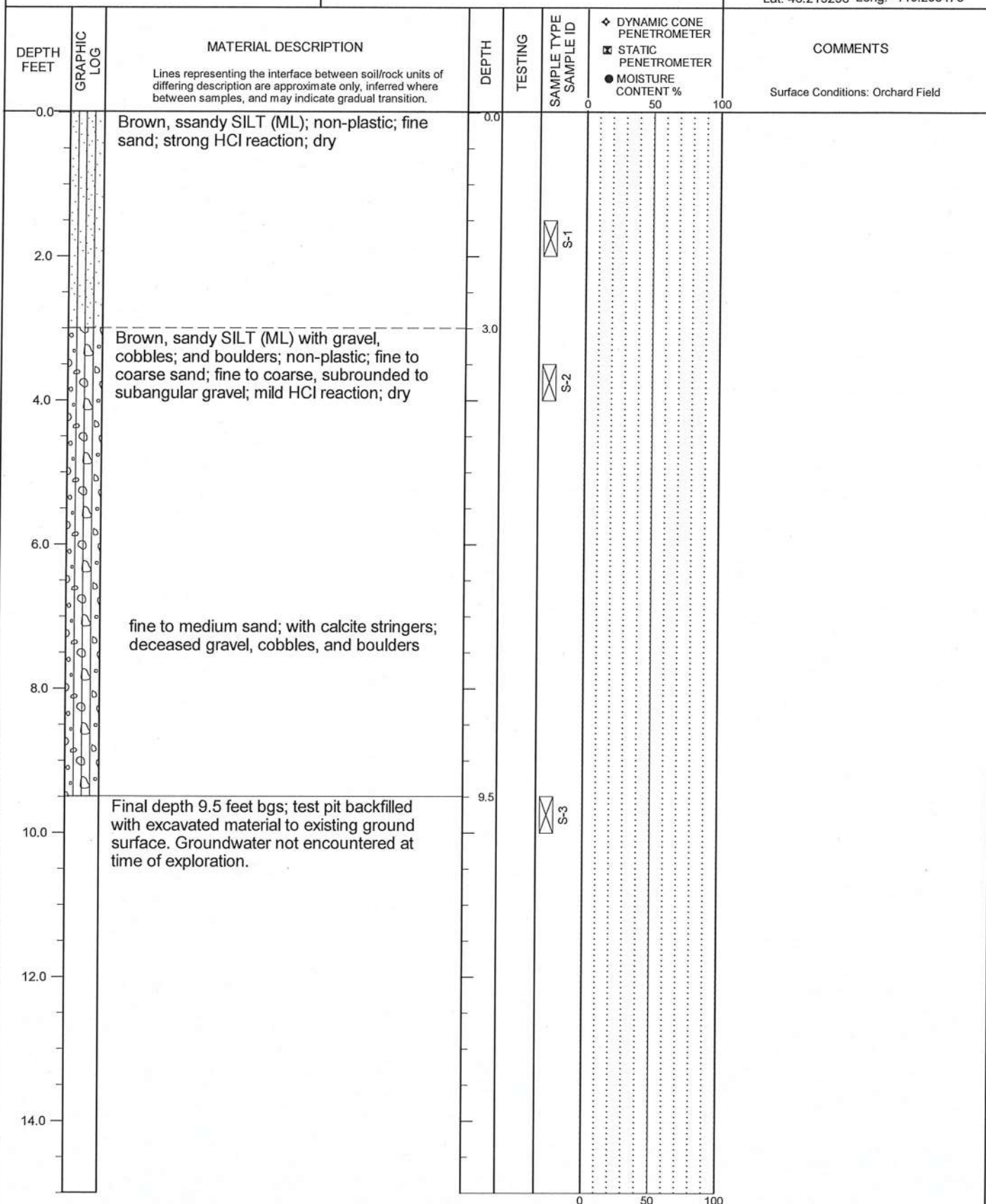
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-19

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-19 LOCATION:
(See Site Plan)

Lat: 46.219296 Long: -119.298473



TEST PIT LOG - 1 PER PAGE 66150.000, TP-19, 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A19
Page 1 of 1



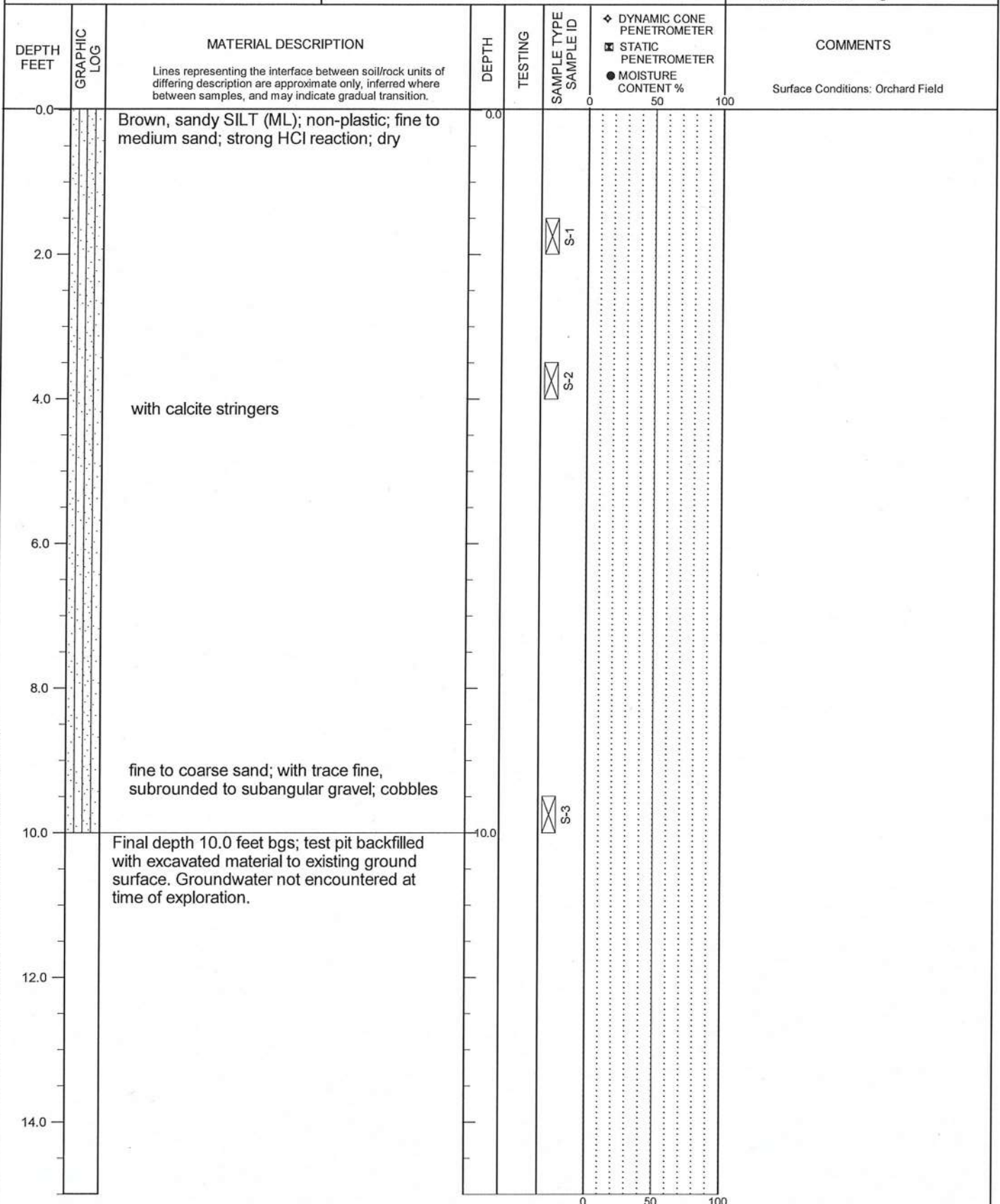
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-20

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-20 LOCATION:
(See Site Plan)

Lat: 46.219275 Long: -119.296568



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATA\TMPL_GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A20
Page 1 of 1



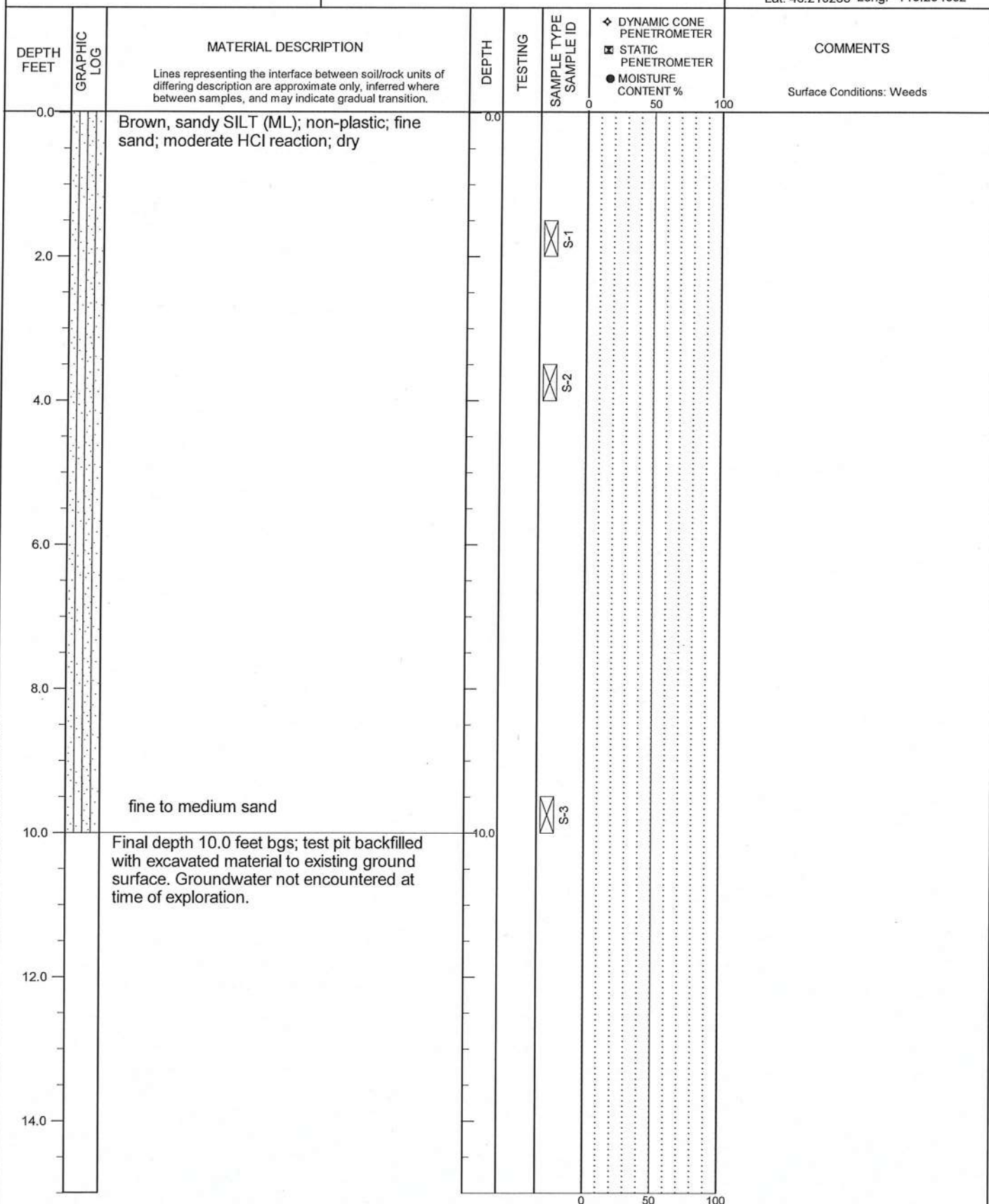
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-21

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-21 LOCATION:
(See Site Plan)

Lat: 46.219253 Long: -119.294662



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20190513.GPJ PBS DATATMPL_OEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A21
Page 1 of 1



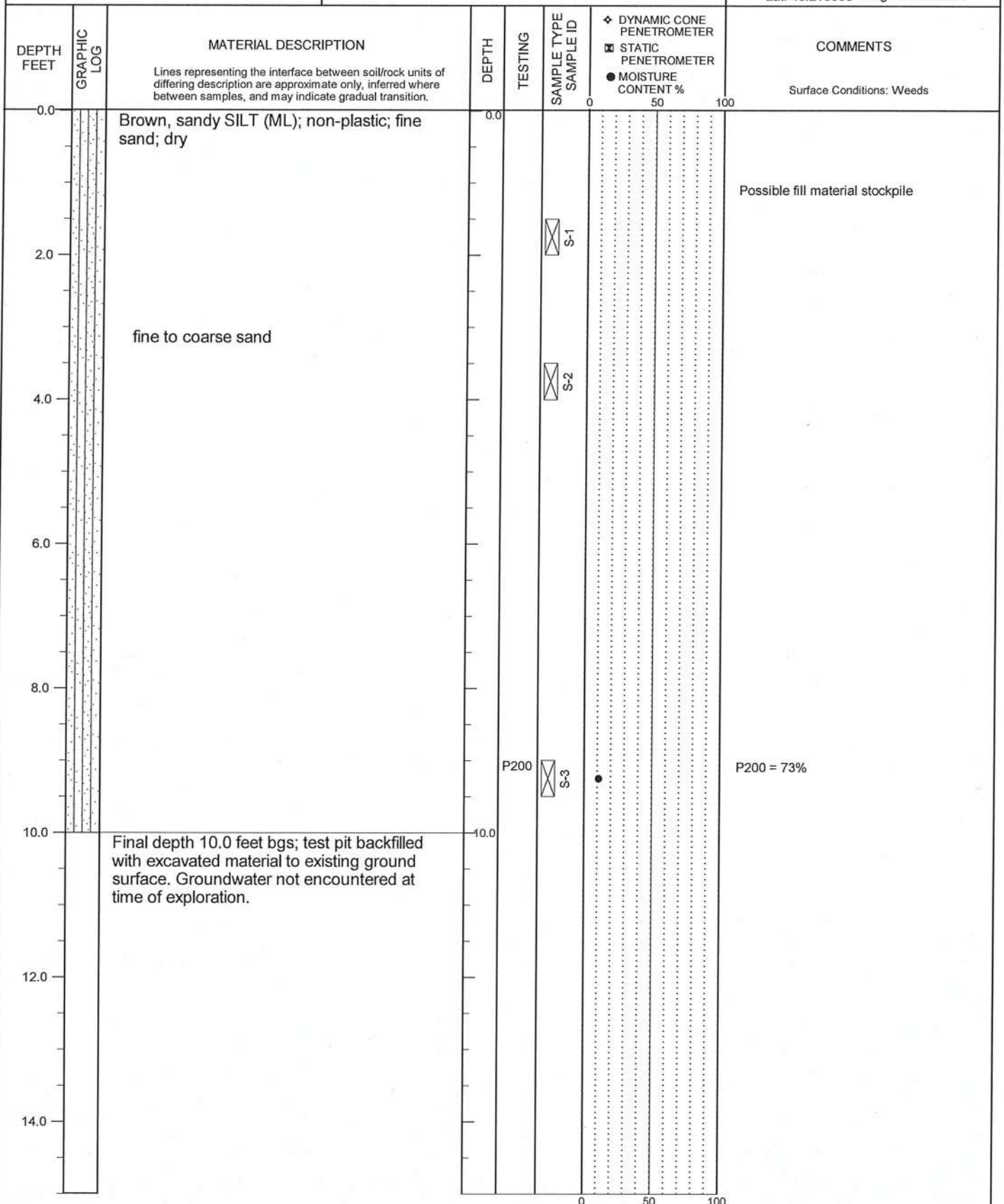
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-22

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-22 LOCATION:
(See Site Plan)

Lat: 46.218936 Long: -119.292777



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19-RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A22
Page 1 of 1



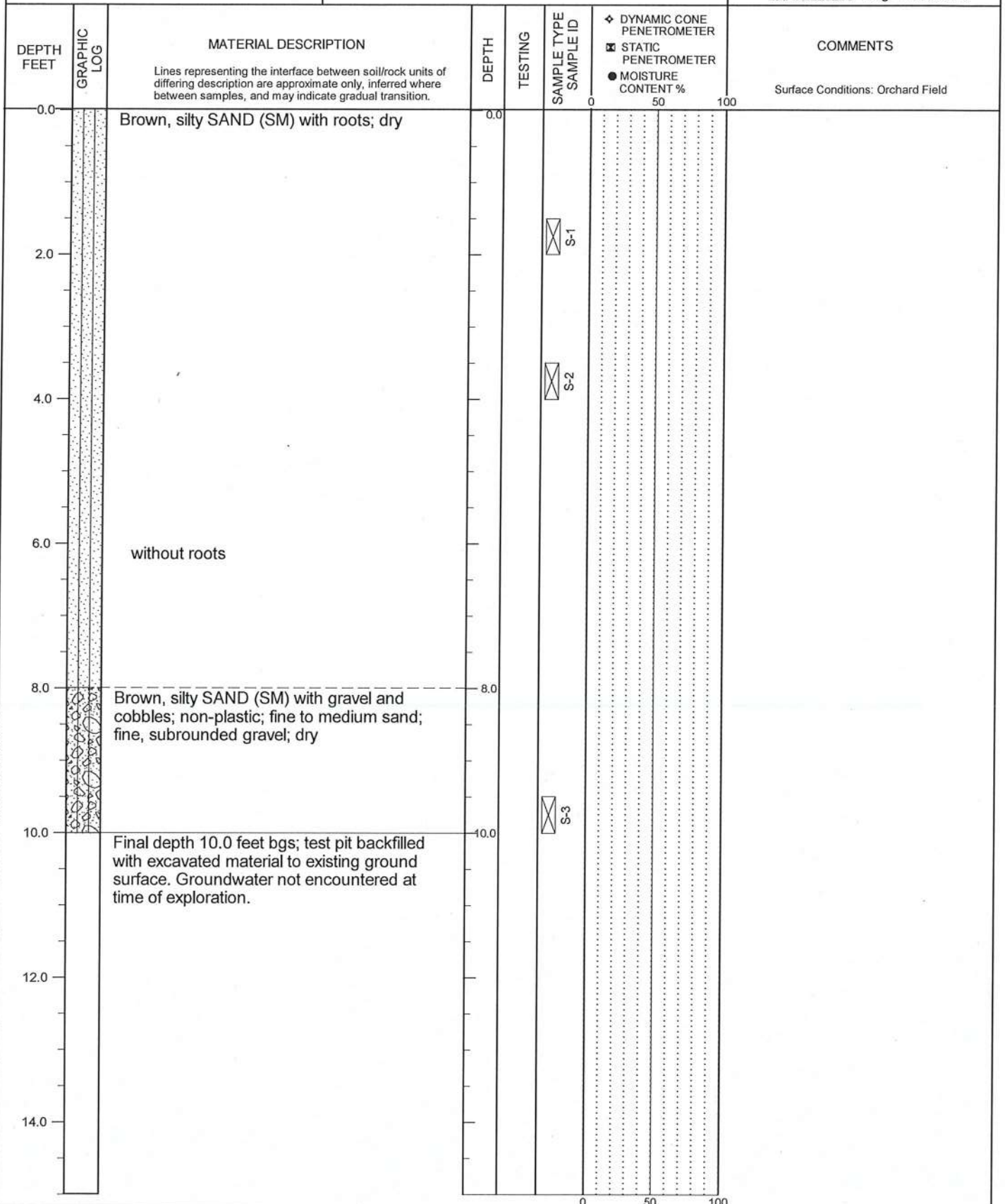
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-23

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-23 LOCATION:
(See Site Plan)

Lat: 46.220233 Long: -119.306076



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A23
Page 1 of 1



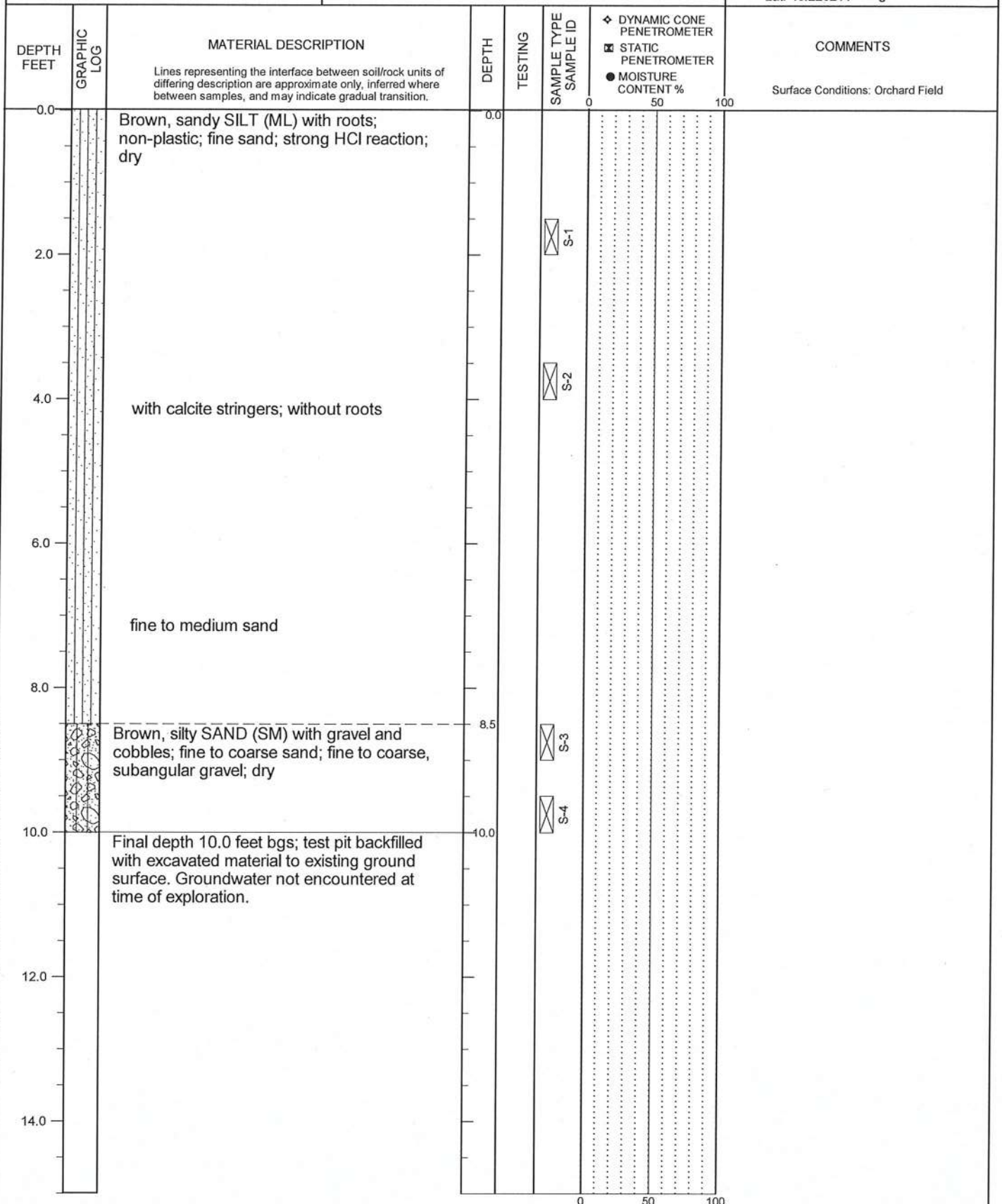
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-24

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-24 LOCATION:
(See Site Plan)

Lat: 46.220211 Long: -119.30417



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20190513.GPJ PBS DATATMPL_GEO.GDT PRINT DATE: 6/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 4/30/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A24
Page 1 of 1



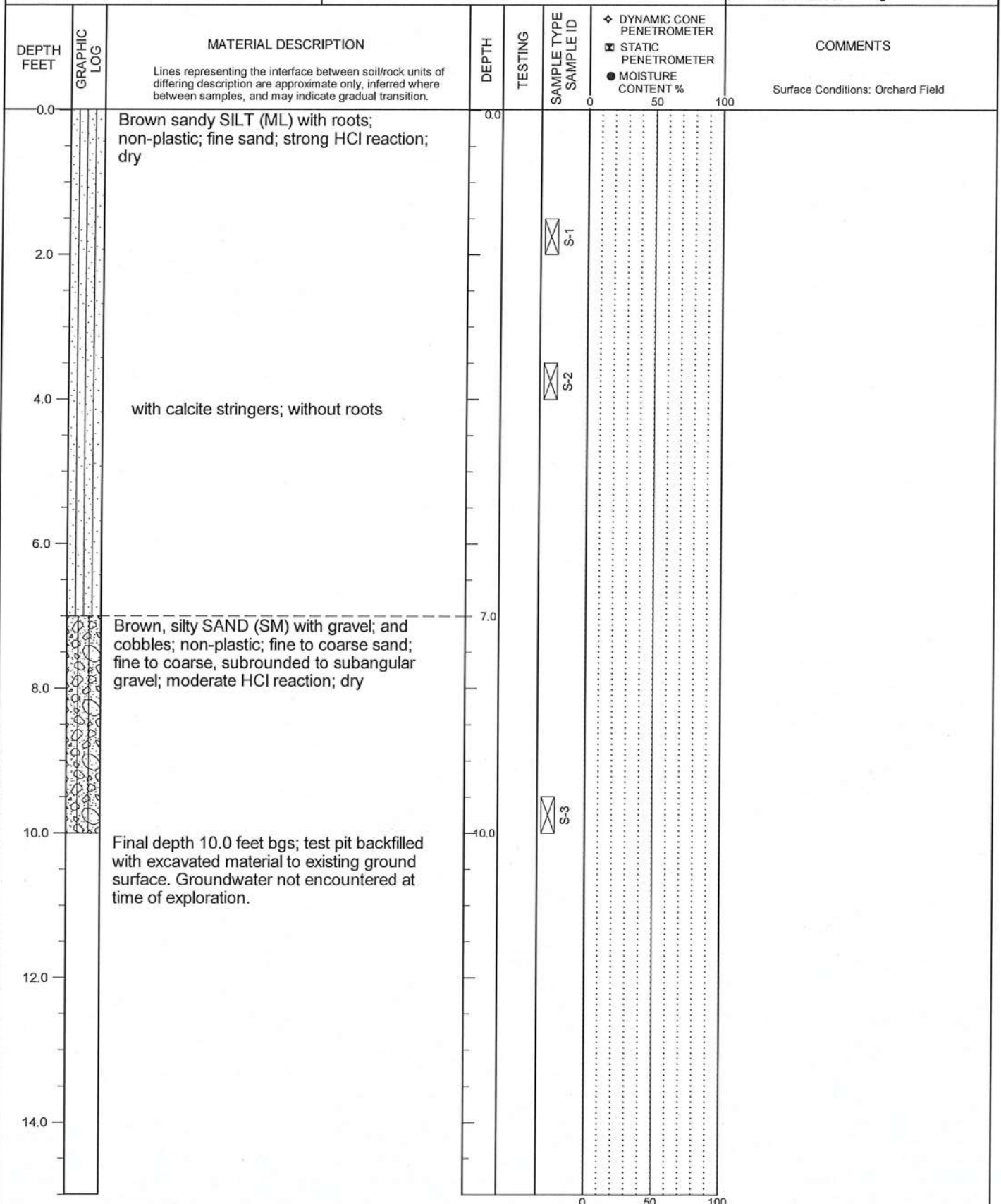
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-25

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-25 LOCATION:
(See Site Plan)

Lat: 46.22019 Long: -119.302265



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20190513.GPJ PBS DATATMPL_GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A25
Page 1 of 1



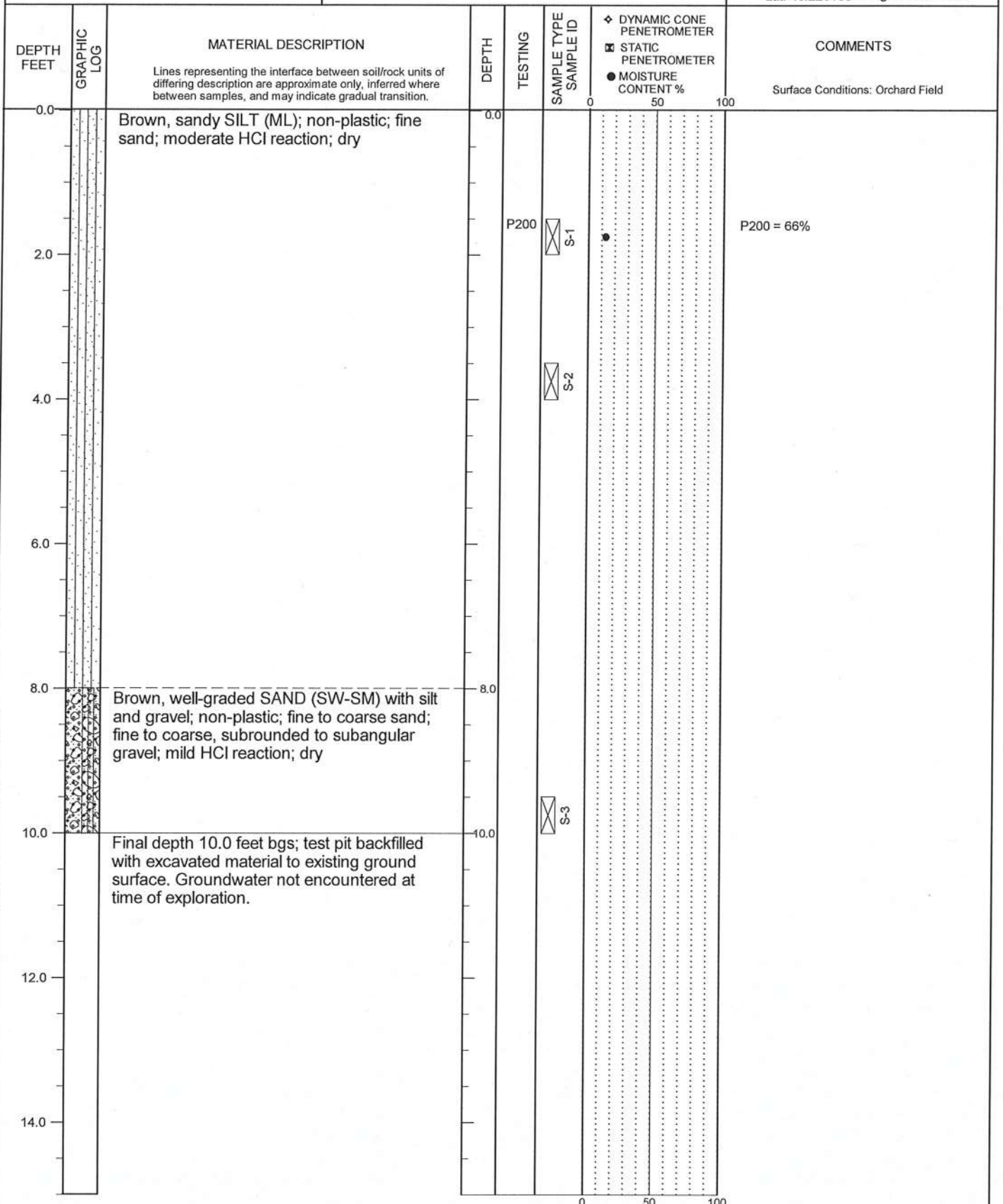
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-26

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-26 LOCATION:
(See Site Plan)

Lat: 46.220168 Long: -119.300359



TEST PIT LOG - 1 PER PAGE 66150.000 TP-1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/02/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A26
Page 1 of 1



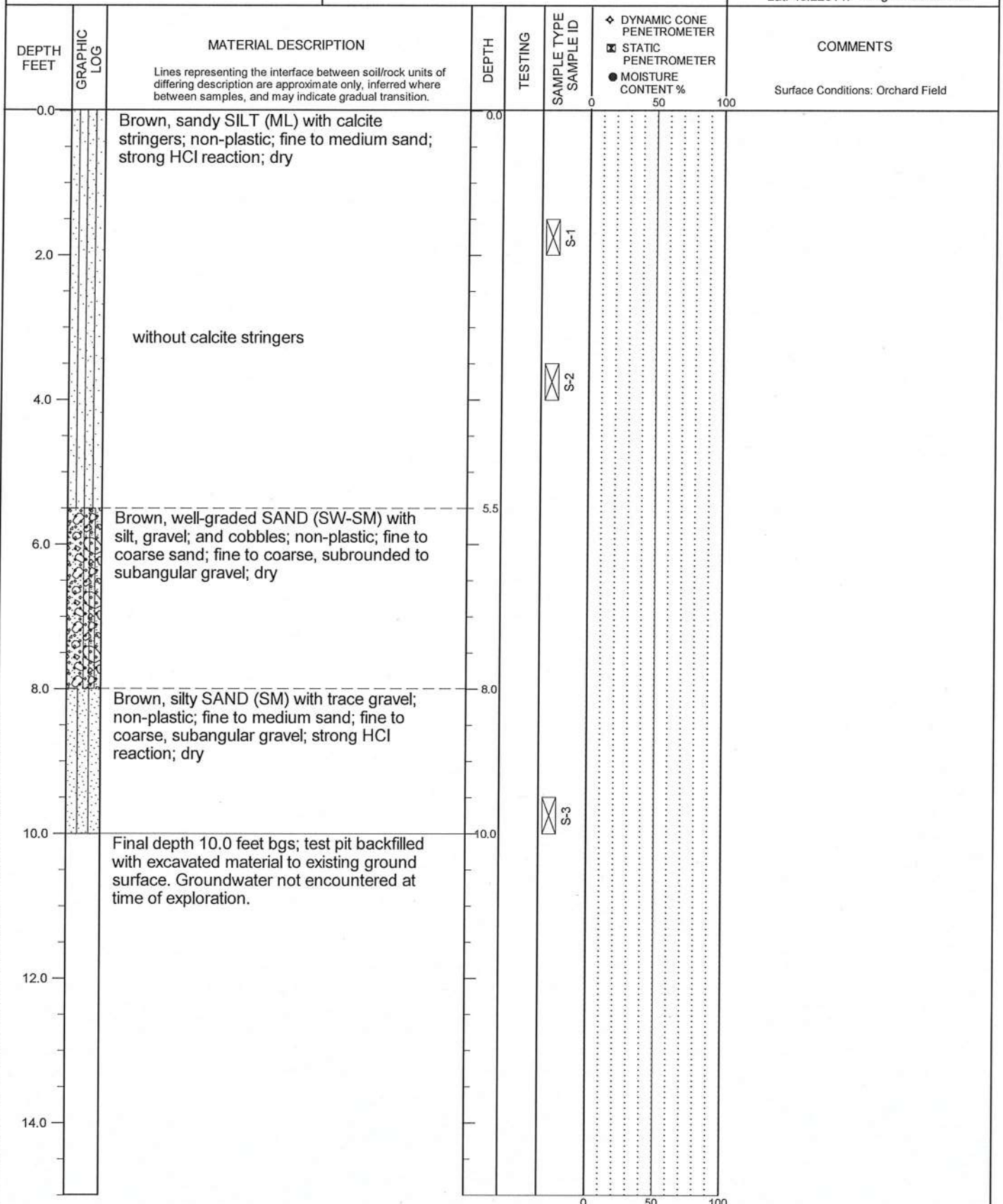
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-27

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-27 LOCATION:
(See Site Plan)

Lat: 46.220147 Long: -119.298453



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A27
Page 1 of 1



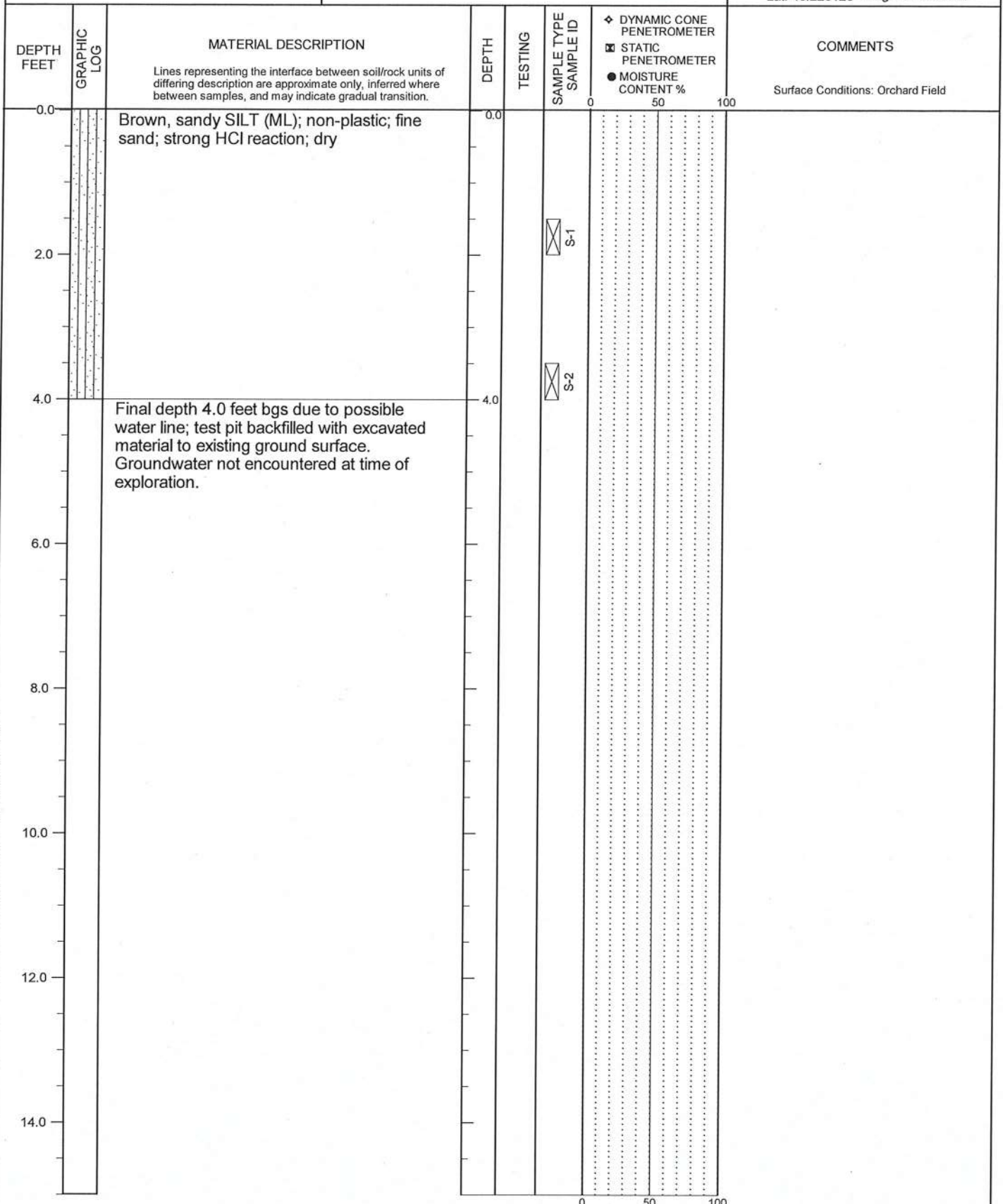
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-28

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-28 LOCATION:
(See Site Plan)

Lat: 46.220126 Long: -119.296548



TEST PIT LOG - 1 PER PAGE 66150.000 TP-1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A28
Page 1 of 1



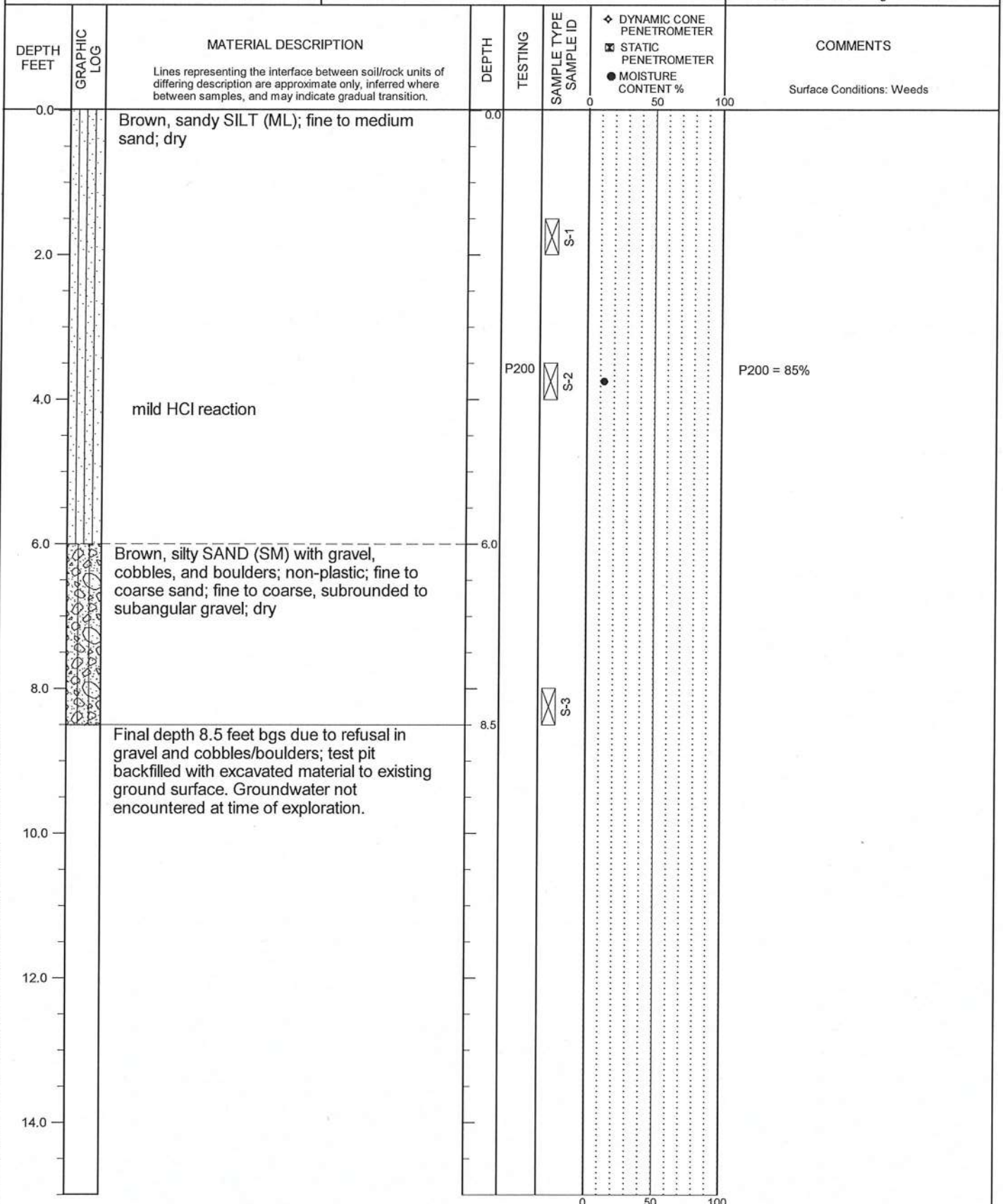
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-29

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-29 LOCATION:
(See Site Plan)

Lat: 46.220104 Long: -119.294642



TEST PIT LOG - 1 PER PAGE 66150.000 TP1-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19.RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 C

FIGURE A29
Page 1 of 1



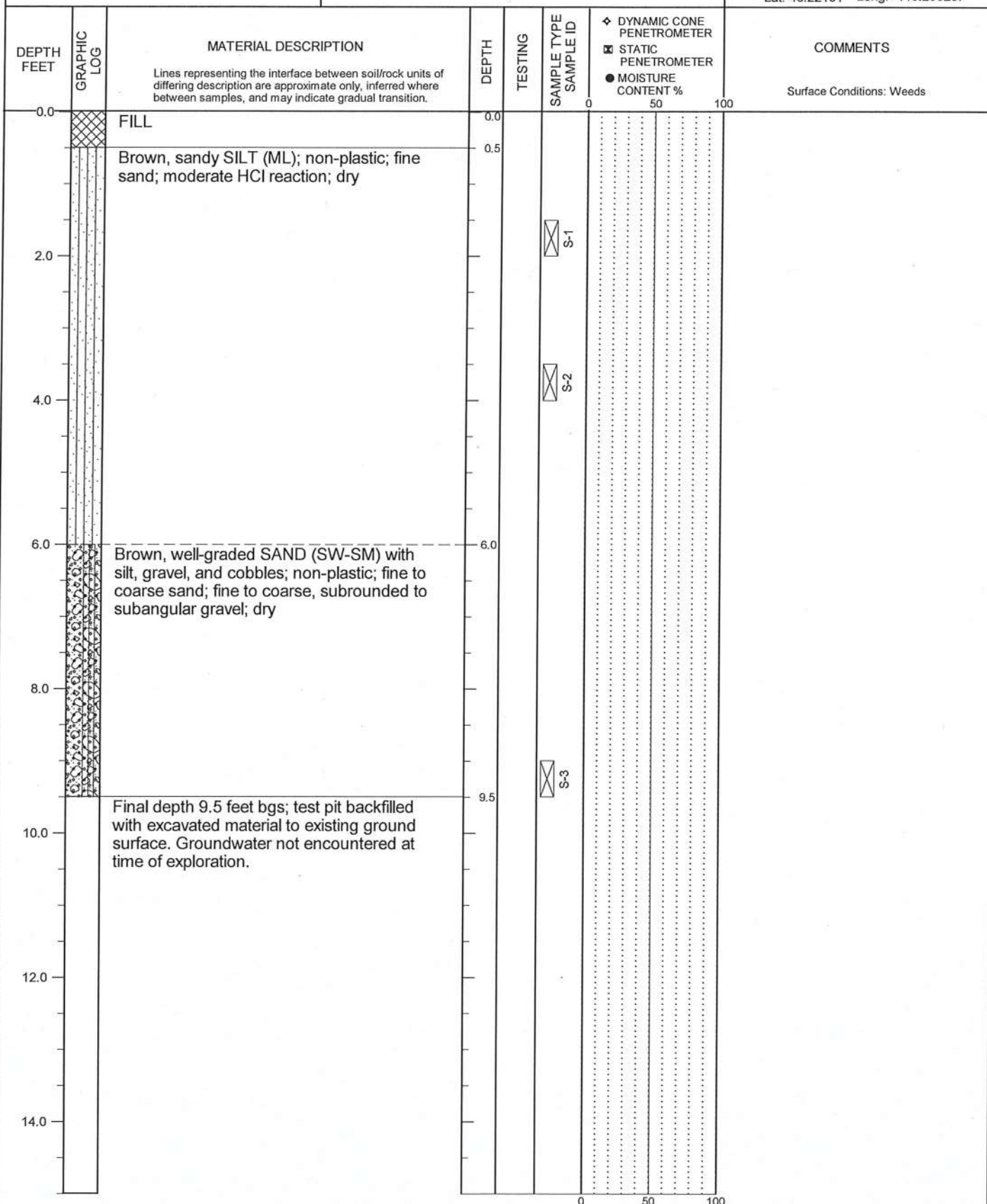
SIENNA HILLS
RICHLAND, WASHINGTON

TEST PIT TP-30

PBS PROJECT NUMBER:
66150.000

APPROX. TEST PIT TP-30 LOCATION:
(See Site Plan)

Lat: 46.22101 Long: -119.295257



TEST PIT LOG - 1 PER PAGE 66150.000 TPI-30 20190513.GPJ PBS DATATMPL GEO.GDT PRINT DATE: 8/7/19RPG

LOGGED BY: C. Grant
COMPLETED: 5/01/19

EXCAVATED BY: Braden and Nelson, Inc.
EXCAVATION METHOD: CAT 304 Mini Excavator

FIGURE A30
Page 1 of 1

Appendix B

Laboratory Testing

Appendix B: Laboratory Testing

B1 GENERAL

Samples obtained during the field explorations were examined in the PBS laboratory. The physical characteristics of the samples were noted and field classifications were modified where necessary. During the course of examination, representative samples were selected for further testing. The testing program for the soil samples included standard classification tests, which yield certain index properties of the soils important to an evaluation of soil behavior. The testing procedures are described in the following paragraphs. Unless noted otherwise, all test procedures are in general accordance with applicable ASTM standards. "General accordance" means that certain local and common descriptive practices and methodologies have been followed.

B2 CLASSIFICATION TESTS

B2.1 Visual Classification

The soils were classified in accordance with the Unified Soil Classification System with certain other terminology, such as the relative density or consistency of the soil deposits, in general accordance with engineering practice. In determining the soil type (that is, gravel, sand, silt, or clay) the term that best described the major portion of the sample is used. Modifying terminology to further describe the samples is defined in Table A-1, Terminology Used to Describe Soil, in Appendix A.

B2.2 Moisture (Water) Contents

Natural moisture content determinations were made on samples of the fine-grained soils (that is, silts, clays, and silty sands). The natural moisture content is defined as the ratio of the weight of water to dry weight of soil, expressed as a percentage. The results of the moisture content determinations are presented on the exploration logs in Appendix A and on Figure B2, Summary of Laboratory Data, in Appendix B.

B2.3 Grain-Size Analyses (P200 Wash)

Washed sieve analyses (P200) were completed on samples to determine the portion of soil samples passing the No. 200 Sieve (i.e., silt and clay). The results of the P200 test results are presented on the exploration logs in Appendix A and on Figure B2, Summary of Laboratory Data, in Appendix B.



SUMMARY OF LABORATORY DATA

SIENNA HILLS
RICHLAND, WASHINGTON

PBS PROJECT NUMBER:
66150.000

SAMPLE INFORMATION				MOISTURE CONTENT (PERCENT)	DRY DENSITY (PCF)	SIEVE			ATTERBERG LIMITS		
EXPLORATION NUMBER	SAMPLE NUMBER	SAMPLE DEPTH (FEET)	ELEVATION (FEET)			GRAVEL (PERCENT)	SAND (PERCENT)	P200 (PERCENT)	LIQUID LIMIT (PERCENT)	PLASTIC LIMIT (PERCENT)	PLASTICITY INDEX (PERCENT)
TP-2	S-3	5		21.7				48			
TP-5	S-3	4.5		30.6				86			
TP-7	S-3	5		37.3				90			
TP-8	S-2	3.5		11.5				33			
TP-10	S-1	1.5		13.8				73			
TP-11	S-3	9.5		14.7				66			
TP-13	S-2	3.5		16.6				66			
TP-16	S-1	1.5		17.3				86			
TP-22	S-3	9		10.7				73			
TP-26	S-1	1.5		12.6				66			
TP-29	S-2	3.5		12.4				85			



*Organochlorine, Lead,
Arsenic Soil Sampling
Report*

February 4, 2019

Greg Johnson
Siena Hills Development, LLC
PO Box 344
Meridian, Idaho 83642

Via email: greg@westparkco.com

Regarding: Limited Soil Investigation Results
Richland Orchard Parcels
Benton County Tax Lot 134983000001005
South Bermuda Road
Kennewick, Washington 99336
PBS Project No. 66150.000

Dear Mr. Johnson:

PBS Engineering and Environmental Inc. (PBS) is pleased to submit this letter report that provides the findings of limited soil sampling and laboratory analysis completed for the above-referenced property. This work was done as part of site redevelopment plans.

PROJECT BACKGROUND

The subject property is a 98-acre tax lot in Benton County, Washington. It is currently active as an orchard, except for the easternmost portion of the subject property, which appears not to be in use. There are no permanent structures on the subject property. Aerial photographs indicate that the majority of the property was used as an orchard from the late 1970s or early 1980s until the present. Based on the aerial photography, the eastern side of the property across Bermuda Road was not used as an orchard until the mid-1980s or early 1990s, and this portion of the property was out of use as an orchard sometime between 2013 and 2017.

The use of regulated agricultural chemicals such as pesticides, herbicides, and fertilizers is considered an acceptable practice. However, spillage, mixing, or handling of these chemicals in bulk quantities or intense usage can result in hazardous soil conditions requiring remedial action in accordance with state or federal agencies. PBS did not encounter information indicating that these conditions existed on the subject property; however, based on the timeframe of active orchard use at the site, and the proposed development of the site for residential use, the former agricultural use posed a high concern for the presence of pesticide residues.

General Background on Pesticides

Organochlorines contain carbon, hydrogen, and chlorine. They were developed in the mid-1940s through the 1950s and tend to persist in the environment for decades. Key organochlorines include Dichloro-Diphenyl-Trichloroethane (DDT), chlordanes, toxaphene, aldrin, dieldrin, and endrin, all of which were banned for sale in the United States by the late 1980s.

Historically, orchard pesticides contained heavy metals such as arsenic and lead, as well as DDT. Lead arsenate (LA) was the most extensively used of the arsenical insecticides and its use was effectively terminated in 1948 when DDT became widely available to the public (Benson et al., 1968). All insecticidal uses of lead arsenate in the United

States were officially banned on August 1, 1988 (USEPA, 1988). Organochlorine pesticides have been found to persist in soil at levels that may present health risks, despite subsequent redevelopment of the property.

SITE INVESTIGATION

PBS' scope, as presented in the Proposal for Limited Soil Investigation (dated November 28, 2018) was to perform limited soil sampling to provide a screening-level assessment for the presence of residual organochlorine pesticides, lead and arsenic in shallow soil within the active orchard. This scope consisted of collecting samples on an approximate grid, set using a handheld GPS in the field, within the orchard area. PBS planned to collect samples at any visible indication of soil discoloration, but no staining or other indications were observed.

PBS conducted the sampling at the site on December 12 and 13, 2018. At the time of the field work the majority of the site was in use as an orchard. The eastern portion of the site was undeveloped and covered with sparse vegetation. Twenty samples were collected in an approximate grid pattern and sample locations were recorded by a handheld GPS unit. The sample locations are shown on Figure 2.

The soil samples were collected using hand tools from the surface to a depth of 6-inches. Soil throughout the area of sampling consisted of a dry light brown silt. Each sample was individually labeled and placed into laboratory-provided containers by PBS field personnel wearing new disposable nitrile gloves at each location. Hand tools were decontaminated between sampling sites.

The samples were placed on ice in a cooler until transported to the lab under chain of custody documentation. Samples were submitted to a Washington-accredited laboratory and analyzed for Pesticides by EPA Method 8081 and Total Lead and Arsenic by EPA Method 6010C.

REGULATORY CRITERIA

The Model Toxics Control Act (MTCA) Cleanup Regulation, chapter 173-340 WAC, sets forth the requirements and procedures for establishing cleanup levels that are protective of human health and the environment. To determine the appropriate screening criteria for concentrations of hazardous substances in soil under MTCA, the site use and pathways of potential concern should consider the potential for direct contact; exposure to wildlife and plants; and potential for leaching of contaminants into the groundwater.

Given that the project site is planned for development and the existing surface soils will be removed or capped during redevelopment, the direct contact is the likely pathway of concern.

1. Under the MTCA regulation the direct contact pathway is evaluated using MTCA Method A or B screening levels. The MTCA Method A soil cleanup standards (Table 740-1) are protective of human health and the environment and can be used for unrestricted land use application. Subsequent hazardous substances not included in the Method A list can be found in the CLARC Table for Method B and C screening criteria. Based on proposed site development, the Method A soil criteria is appropriate for this project.
2. Under the MTCA regulation, a terrestrial ecological evaluation (TEE) may be necessary if hazardous substances are released into the soils at a Site (WAC 173-340-7490 through 7494). The purpose of a TEE is to protect land-based plants and animals from exposure to contaminated soil. If necessary, the soil screening levels unrestricted land use for a TEE evaluation would be compared to concentrations presented in MTCA Table 749-2. Because this Site is planned for redevelopment, the site will have very little habitat or little opportunity for plants and animals to be exposed to the contamination and would be exempt from conducting further evaluation.

3. Under the MTCA regulation, when selecting a cleanup level for a chemical contaminate in soil, one criterion is to consider the potential for the contaminant to leach from soil into groundwater. Specifically, the concentrations of a hazardous substance in soil should not cause contamination of groundwater that exceeds cleanup levels established under WAC 173-340-720. This pathway is considered in addition to the direct-contact criterion that is based on ingestion of soil (and dermal absorption for modified Method B and C evaluations).

The results of the soil analyses were compared to the MTCA Method A soil cleanup levels for unrestricted land use (Table 740-1). The MTCA Method A cleanup levels are presented in Washington Administrative Code (WAC) 173-340, which includes common contaminants of concern. The only organochlorine pesticide listed in MTCA Method A is DDT. The soil sample data and relevant MTCA Method A cleanup levels for lead, arsenic, and DDT are presented in Table 1 in the attachments.

FINDINGS

No organochloride pesticides were detected above the laboratory reporting limits any of the twenty samples. Arsenic was detected above the lab reporting limit in three samples, but concentrations in these samples are consistent with local background levels. Lead was detected above the laboratory reporting limit in each sample, but concentrations are consistent with local background levels (Table 1).

Of the detected compounds, the concentrations are below the MTCA Method A cleanup levels of 20 mg/kg for arsenic and 250 mg/kg for lead. The analytical results are presented in Table 1. Laboratory analytical results are included as an attachment.

CONCLUSIONS

The site observations and laboratory results indicate that no organochloride pesticides were detected in the soil above laboratory detection limits. Arsenic and lead levels in soil are present at concentrations consistent with natural background levels and are below MTCA Method A cleanup levels.

RECOMMENDATIONS

PBS has the following recommendations:

- There is no indication of soil impacts at this Site that would prohibit unrestricted land use.
- PBS recommends that if soil staining or other evidence of contamination is uncovered during redevelopment activities, sampling and analysis of this suspect material should be completed prior to further construction activities.
- PBS recommends that Siena Hills Development keep this report as a permanent record of the site investigation that took place at the site

LIMITATIONS OF SCOPE

PBS has prepared this report for use by Siena Hills Development and is not intended for use by others without the written consent of PBS. The site as a whole may have other contamination that was not characterized by this study. The findings and conclusions of this work are not scientific certainties, but probabilities based on professional judgment concerning the significance of the data gathered during the course of this investigation.

PBS is not able to represent that the site or adjoining land contains no hazardous waste, oil, or other latent conditions beyond that detected or observed by PBS.

Please feel free to contact me at 509.942.1600 or angela.mcguire@pbsusa.com with any questions or comments.

Sincerely,

 Digitally signed by
Angela McGuire
Date: 2019.02.04
16:05:07 -08'00'

Angela McGuire, LG
Project Geologist

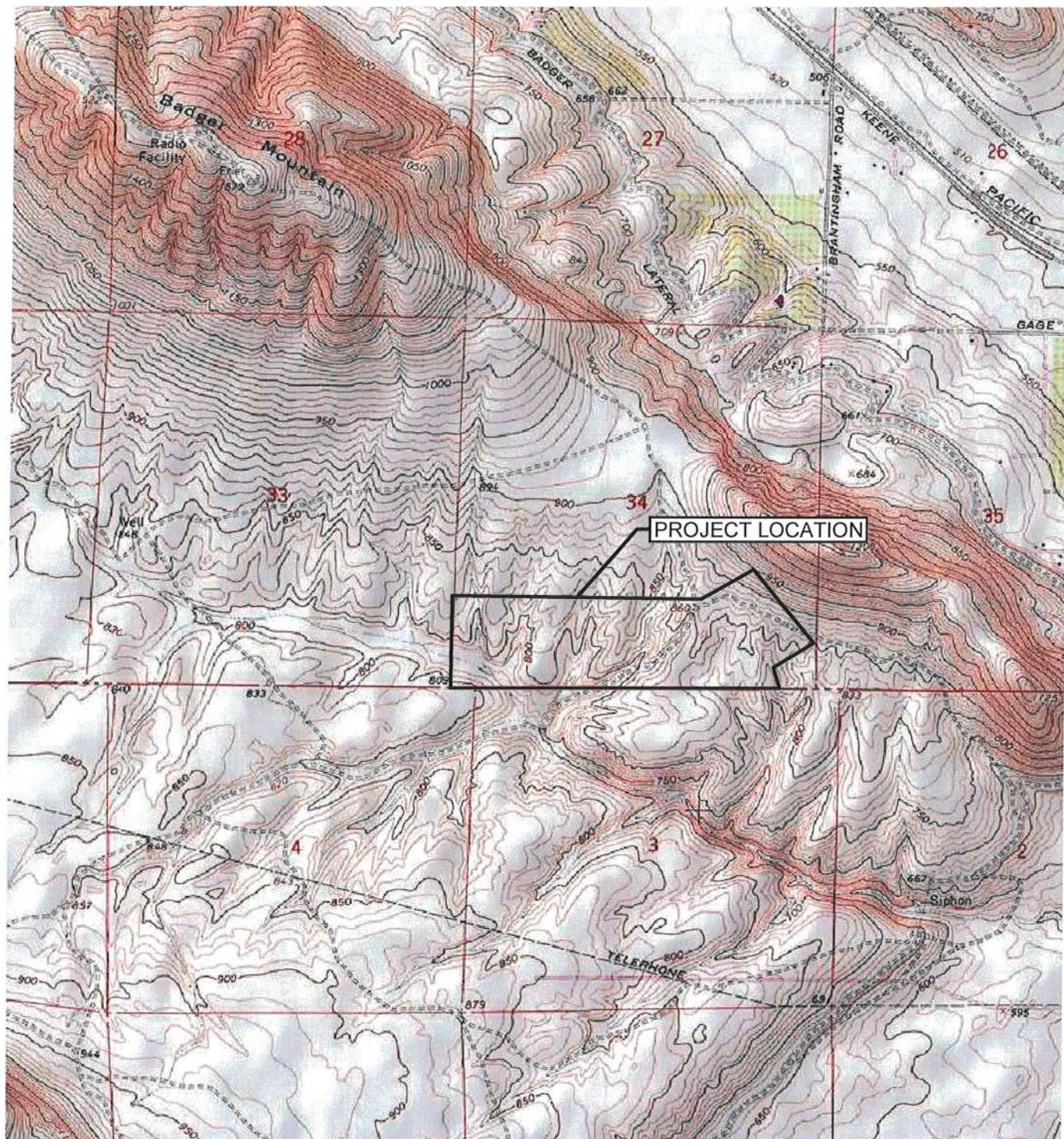
 Digitally signed by
Thomas Mergy
Date: 2019.02.06
12:08:51 -08'00'

Thomas Mergy, LHG
PBS Senior Hydrogeologist

Attachments: Figure 1. Vicinity Map
Figure 2. Site and Soil Sample Location Map

Table 1. Summary of Soil Analytical Results

Historical Aerial Photographs
Pace Laboratory Analytical Report



SOURCE: USGS BADGER MOUNTAIN, WA QUADRANGLE 1970, PHOTO REVISED 1978.



SCALE 1" = 2000'

0' 1,000' 2,000' 4,000'

PREPARED FOR: SIENA HILLS DEVELOPMENT, LLC

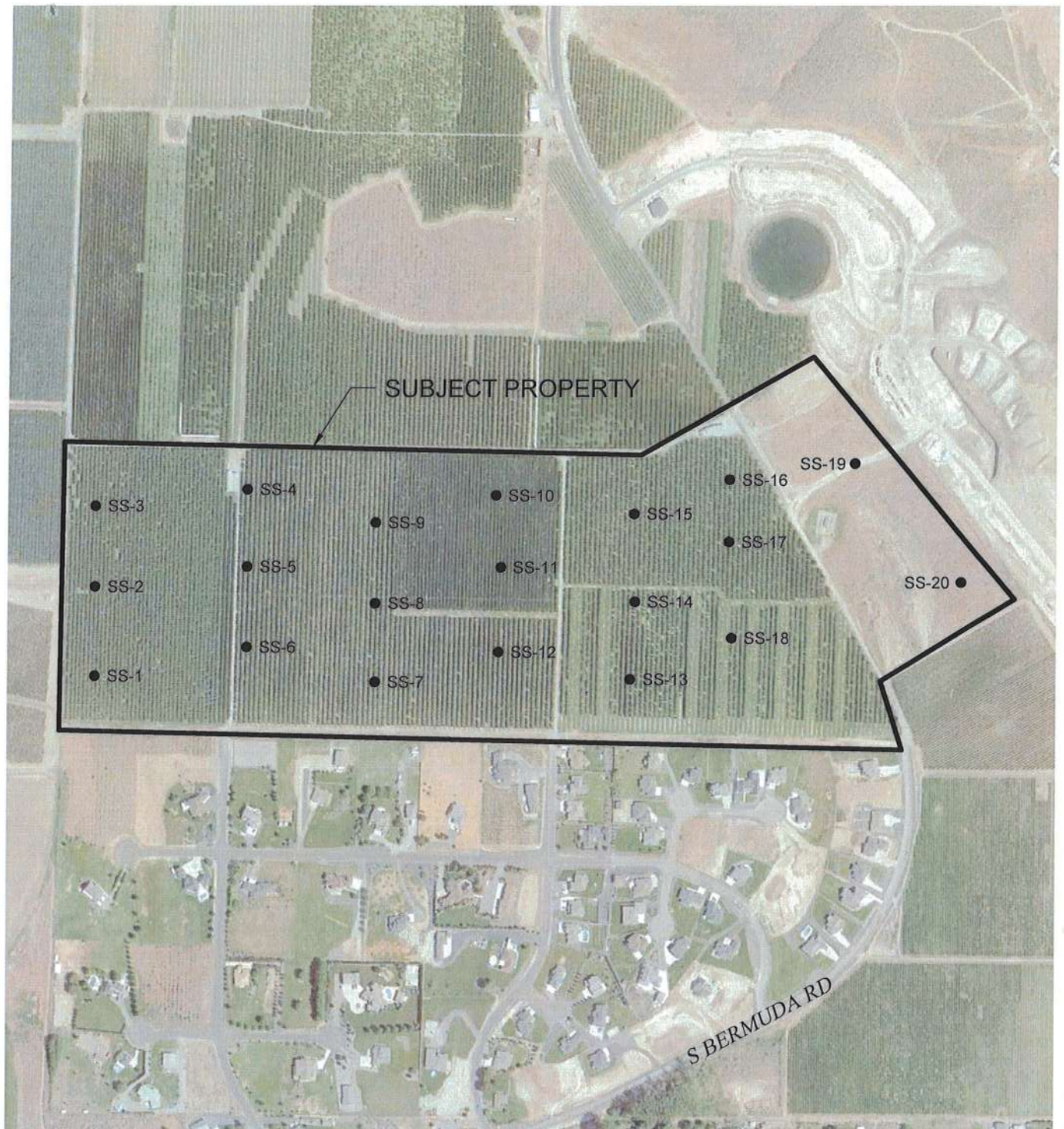


VICINITY MAP
BENTON COUNTY ORCHARD PARCELS
SOUTH BERMUDA ROAD
KENNEBEC, WASHINGTON

JAN 2019
66150.000

FIGURE

1

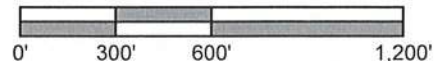


LEGEND

- SS-1 SOIL SAMPLE NUMBER AND LOCATION



SCALE 1" = 600'



PREPARED FOR: SIENA HILLS DEVELOPMENT, LLC



SOIL ASSESSMENT SITE PLAN

BENTON COUNTY ORCHARD PARCELS
SOUTH BERMUDA ROAD
KENNEWICK, WASHINGTON

JAN 2019
66150.000

FIGURE

2

Summary of Soil Analytical Results
Benton County Tax Lot 134983000001005
Kennewick, Washington

Sample ID	Sample Date	Metals		Pesticides ^A (mg/kg)
		Arsenic (mg/kg)	Lead (mg/kg)	
SS-1-6	12/12/2018	ND	7.77	ND
SS-2-6	12/12/2018	2.98	8.92	ND
SS-3-6	12/12/2018	ND	7.85	ND
SS-4-6	12/12/2018	ND	9.29	ND
SS-5-6	12/12/2018	ND	9.16	ND
SS-6-6	12/12/2018	2.75	11.2	ND
SS-7-6	12/12/2018	3.40	9.52	ND
SS-8-6	12/12/2018	ND	9.86	ND
SS-9-6	12/12/2018	ND	9.04	ND
SS-10-6	12/12/2018	ND	9.21	ND
SS-11-6	12/12/2018	ND	9.24	ND
SS-12-6	12/12/2018	2.85	9.13	ND
SS-13-6	12/12/2018	ND	10.8	ND
SS-14-6	12/12/2018	ND	9.91	ND
SS-15-6	12/12/2018	ND	9.72	ND
SS-16-6	12/12/2018	ND	9.41	ND
SS-17-6	12/12/2018	ND	9.45	ND
SS-18-6	12/12/2018	ND	9.49	ND
SS-19-6	12/13/2018	ND	9.88	ND
SS-20-6	12/13/2018	ND	8.41	ND
MTCA Method A Soil Cleanup Levels		20	250	3 ^B
Regional Median Background Metals Concentrations ^C		2.95	7.82	NA

Samples taken in a grid pattern at depths of 0-6 in.

ND = Compound not detected above laboratory reporting limit.

NA = Not applicable.

^ASee laboratory report for full list of pesticides.

^BMethod A Cleanup Level for DDT only.

^CWashington Department of Ecology, Natural Background Soil Metals Concentrations in Washington State, Eastern Washington, October 1994.

Richland Orchards

South Bermuda Road

Kennewick, WA 99338

Inquiry Number: 5489381.1

November 21, 2018

The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

EDR Aerial Photo Decade Package

11/21/18

Site Name:

Richland Orchards
South Bermuda Road
Kennewick, WA 99338
EDR Inquiry # 5489381.1

Client Name:

PBS Engineering & Env.
400 Bradley Boulevard , Suite 300
Richland, WA 99352
Contact: Angela Mcguire



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2017	1"=625'	Flight Year: 2017	USDA/NAIP
2013	1"=625'	Flight Year: 2013	USDA/NAIP
2009	1"=625'	Flight Year: 2009	USDA/NAIP
2006	1"=625'	Flight Year: 2006	USDA/NAIP
1996	1"=625'	Acquisition Date: July 08, 1996	USGS/DOQQ
1991	1"=625'	Flight Date: July 02, 1991	USGS
1982	1"=625'	Flight Date: August 01, 1982	USDA
1976	1"=625'	Flight Date: July 01, 1976	USGS
1963	1"=625'	Flight Date: September 09, 1963	USGS
1952	1"=625'	Flight Date: October 17, 1952	USGS
1948	1"=625'	Flight Date: June 02, 1948	USGS

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INQUIRY #: 5489381.1

YEAR: 2017

— = 625'





INQUIRY #: 5489381.1

YEAR: 2013

— = 625'





INQUIRY #: 5489381.1

YEAR: 2009

— = 625'





INQUIRY #: 5489381.1

YEAR: 2006

— = 625'





INQUIRY #: 5489381.1

YEAR: 1996

= 625'



Subject boundary not shown because it exceeds image extent or image is not georeferenced.



INQUIRY #: 5489381.1

YEAR: 1991

— = 625'





INQUIRY #: 5489381.1

YEAR: 1982

— = 625'





INQUIRY #: 5489381.1

YEAR: 1976

— = 625'





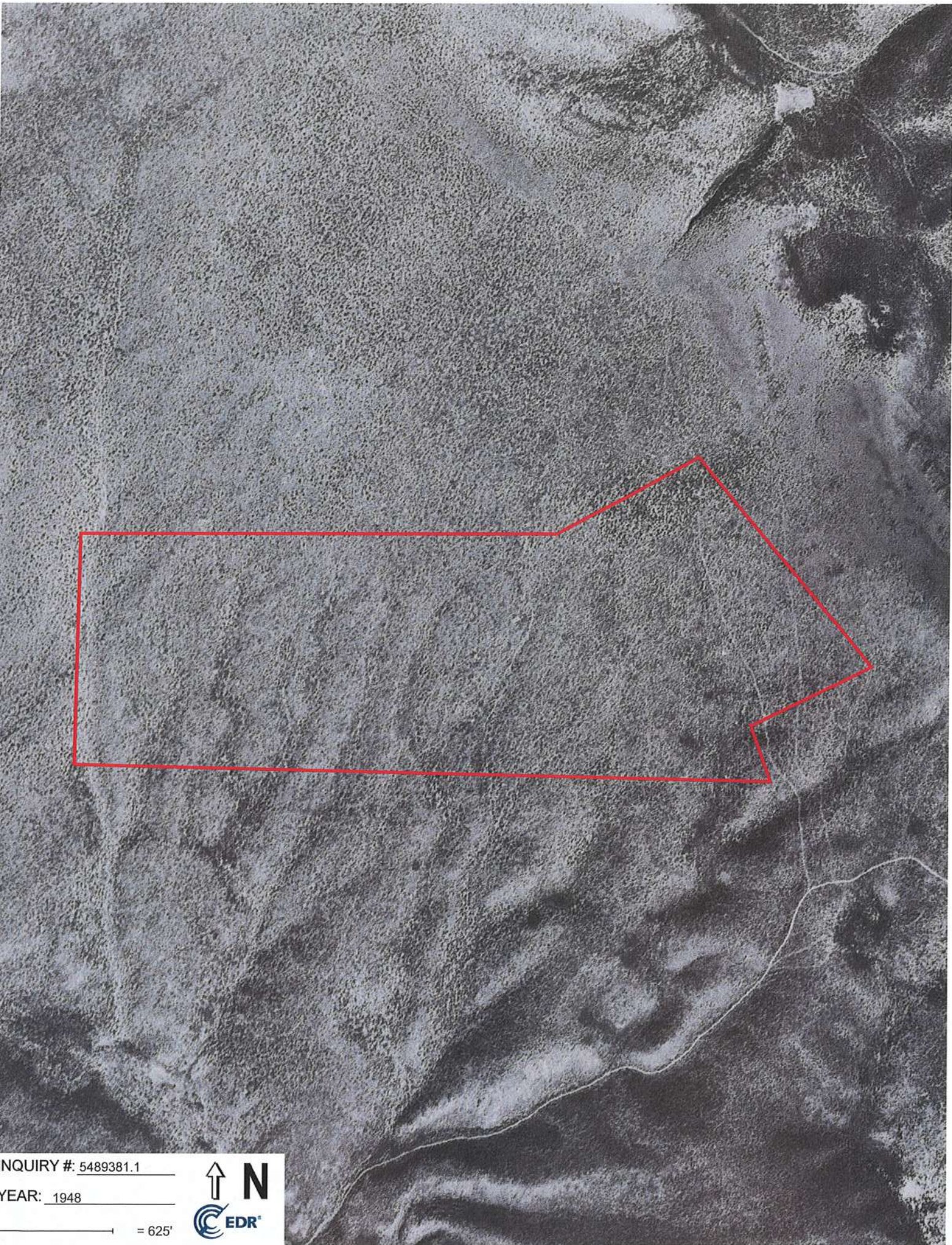
INQUIRY #: 5489381.1

YEAR: 1963

— = 625'







INQUIRY #: 5489381.1

YEAR: 1948

 = 625'



ANALYTICAL REPORT

December 24, 2018

PBS Engineering & Env.- WA

Sample Delivery Group: L1053387
Samples Received: 12/14/2018
Project Number: 66150
Description: Richland Orchards

Report To: Angela McGuire
400 Bradley Blvd
Suite 106
Richland, WA 99352

Entire Report Reviewed By: *Brian Ford*

Brian Ford
Project Manager

Results relate only to the items tested or calibrated and are reported as rounded values. This test report shall not be reproduced, except in full, without written approval of the laboratory. Where applicable, sampling conducted by Pace National is performed per guidance provided in laboratory standard operating procedures: 060302, 060303, and 060304.



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¹ Cp
² Tc
³ Ss
⁴ Cn
⁵ Sr
⁶ Qc
⁷ Gl
⁸ Al
⁹ Sc

SAMPLE SUMMARY

ONE LAB. NATIONWIDE.



SS-1-6 L1053387-01 Solid

Collected by
Angela McGuireCollected date/time
12/12/18 10:11Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:09	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 18:38	VKS

SS-2-6 L1053387-02 Solid

Collected by
Angela McGuireCollected date/time
12/12/18 10:44Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:12	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 18:53	VKS

SS-3-6 L1053387-03 Solid

Collected by
Angela McGuireCollected date/time
12/12/18 11:10Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:19	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:08	VKS

SS-4-6 L1053387-04 Solid

Collected by
Angela McGuireCollected date/time
12/12/18 11:25Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211423	1	12/17/18 13:55	12/17/18 14:04	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:22	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:23	VKS

SS-5-6 L1053387-05 Solid

Collected by
Angela McGuireCollected date/time
12/12/18 11:37Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:24	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:37	VKS

SS-6-6 L1053387-06 Solid

Collected by
Angela McGuireCollected date/time
12/12/18 11:48Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:27	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 19:52	VKS

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

SAMPLE SUMMARY

ONE LAB. NATIONWIDE.



SS-7-6 L1053387-07 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 12:43

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:29	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 20:07	VKS

SS-8-6 L1053387-08 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 12:51

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:32	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 20:51	VKS

SS-9-6 L1053387-09 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 13:03

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:34	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 21:06	VKS

SS-10-6 L1053387-10 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 13:17

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:37	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 21:21	VKS

SS-11-6 L1053387-11 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 13:27

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 16:57	ST
Pesticides (GC) by Method 8081B	WG1211736	1	12/17/18 09:05	12/17/18 21:35	VKS

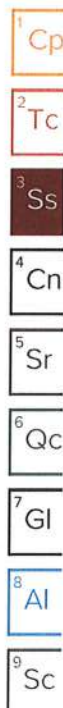
SS-12-6 L1053387-12 Solid

Collected by
Angela McGuire

Collected date/time
12/12/18 13:38

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:39	ST
Pesticides (GC) by Method 8081B	WG1213431	1	12/20/18 06:58	12/21/18 00:15	TD



SAMPLE SUMMARY

ONE LAB. NATIONWIDE.



SS-13-6 L1053387-13 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:18	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:42	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 12:44	RP

SS-14-6 L1053387-14 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:28	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211424	1	12/17/18 13:44	12/17/18 13:52	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:50	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 12:56	RP

SS-15-6 L1053387-15 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:38	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:52	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 13:09	RP

SS-16-6 L1053387-16 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 14:50	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:55	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 13:21	RP

SS-17-6 L1053387-17 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 15:01	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 17:57	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 13:34	RP

SS-18-6 L1053387-18 Solid

			Collected by	Collected date/time	Received date/time
			Angela McGuire	12/12/18 15:08	12/14/18 08:30
Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 18:00	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 14:11	RP

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

SAMPLE SUMMARY

ONE LAB. NATIONWIDE.



SS-19-6 L1053387-19 Solid

Collected by
Angela McGuire

Collected date/time
12/13/18 10:23

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211857	1	12/17/18 10:21	12/17/18 10:31	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 18:02	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 14:24	RP

SS-20-6 L1053387-20 Solid

Collected by
Angela McGuire

Collected date/time
12/13/18 10:46

Received date/time
12/14/18 08:30

Method	Batch	Dilution	Preparation date/time	Analysis date/time	Analyst
Total Solids by Method 2540 G-2011	WG1211907	1	12/17/18 12:43	12/17/18 12:55	JD
Metals (ICP) by Method 6010D	WG1211653	1	12/16/18 08:01	12/17/18 18:05	ST
Pesticides (GC) by Method 8081B	WG1212395	1	12/18/18 09:39	12/19/18 14:36	RP

¹ Cp

² Tc

³ Ss

⁴ Cn

⁵ Sr

⁶ Qc

⁷ Gl

⁸ Al

⁹ Sc



All sample aliquots were received at the correct temperature, in the proper containers, with the appropriate preservatives, and within method specified holding times, unless qualified or notated within the report. Where applicable, all MDL (LOD) and RDL (LOQ) values reported for environmental samples have been corrected for the dilution factor used in the analysis. All Method and Batch Quality Control are within established criteria except where addressed in this case narrative, a non-conformance form or properly qualified within the sample results. By my digital signature below, I affirm to the best of my knowledge, all problems/anomalies observed by the laboratory as having the potential to affect the quality of the data have been identified by the laboratory, and no information or data have been knowingly withheld that would affect the quality of the data.

Brian Ford
Project Manager

¹ Cp² Tc³ Ss⁴ Cn⁵ Sr⁶ Qc⁷ Gl⁸ Al⁹ Sc



Collected date/time: 12/12/18 10:11

L1053387

Total Solids by Method 2540 G-2011

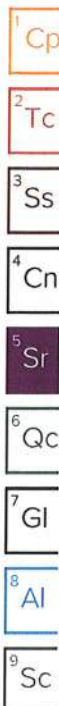
Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	73.7		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.72	1	12/17/2018 17:09	WG1211653
Lead	7.77		0.679	1	12/17/2018 17:09	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0272	1	12/17/2018 18:38	WG1211736
Alpha BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Beta BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Delta BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Gamma BHC	ND		0.0272	1	12/17/2018 18:38	WG1211736
Chlordane	ND		0.272	1	12/17/2018 18:38	WG1211736
4,4-DDD	ND		0.0272	1	12/17/2018 18:38	WG1211736
4,4-DDE	ND		0.0272	1	12/17/2018 18:38	WG1211736
4,4-DDT	ND		0.0272	1	12/17/2018 18:38	WG1211736
Dieldrin	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endosulfan I	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endosulfan II	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endosulfan sulfate	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endrin	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endrin aldehyde	ND		0.0272	1	12/17/2018 18:38	WG1211736
Endrin ketone	ND		0.0272	1	12/17/2018 18:38	WG1211736
Hexachlorobenzene	ND		0.0272	1	12/17/2018 18:38	WG1211736
Heptachlor	ND		0.0272	1	12/17/2018 18:38	WG1211736
Heptachlor epoxide	ND		0.0272	1	12/17/2018 18:38	WG1211736
Methoxychlor	ND		0.0272	1	12/17/2018 18:38	WG1211736
Toxaphene	ND		0.543	1	12/17/2018 18:38	WG1211736
(S) Decachlorobiphenyl	107		10.0-135		12/17/2018 18:38	WG1211736
(S) Tetrachloro-m-xylene	103		10.0-139		12/17/2018 18:38	WG1211736





Collected date/time: 12/12/18 10:44

L1053387

Total Solids by Method 2540 G-2011

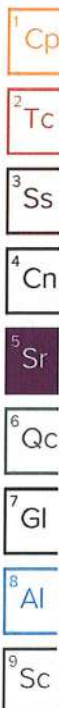
Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	84.4		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	2.98		2.37	1	12/17/2018 17:12	WG1211653
Lead	8.92		0.593	1	12/17/2018 17:12	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0237	1	12/17/2018 18:53	WG1211736
Alpha BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Beta BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Delta BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Gamma BHC	ND		0.0237	1	12/17/2018 18:53	WG1211736
Chlordane	ND		0.237	1	12/17/2018 18:53	WG1211736
4,4-DDD	ND		0.0237	1	12/17/2018 18:53	WG1211736
4,4-DDE	ND		0.0237	1	12/17/2018 18:53	WG1211736
4,4-DDT	ND		0.0237	1	12/17/2018 18:53	WG1211736
Dieldrin	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endosulfan I	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endosulfan II	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endosulfan sulfate	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endrin	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endrin aldehyde	ND		0.0237	1	12/17/2018 18:53	WG1211736
Endrin ketone	ND		0.0237	1	12/17/2018 18:53	WG1211736
Hexachlorobenzene	ND		0.0237	1	12/17/2018 18:53	WG1211736
Heptachlor	ND		0.0237	1	12/17/2018 18:53	WG1211736
Heptachlor epoxide	ND		0.0237	1	12/17/2018 18:53	WG1211736
Methoxychlor	ND		0.0237	1	12/17/2018 18:53	WG1211736
Toxaphene	ND		0.474	1	12/17/2018 18:53	WG1211736
(S) Decachlorobiphenyl	79.5		10.0-135		12/17/2018 18:53	WG1211736
(S) Tetrachloro-m-xylene	77.4		10.0-139		12/17/2018 18:53	WG1211736





Collected date/time: 12/12/18 11:10

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	82.9		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.41	1	12/17/2018 17:19	WG1211653
Lead	7.85		0.603	1	12/17/2018 17:19	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0241	1	12/17/2018 19:08	WG1211736
Alpha BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Beta BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Delta BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Gamma BHC	ND		0.0241	1	12/17/2018 19:08	WG1211736
Chlordane	ND		0.241	1	12/17/2018 19:08	WG1211736
4,4-DDD	ND		0.0241	1	12/17/2018 19:08	WG1211736
4,4-DDE	ND		0.0241	1	12/17/2018 19:08	WG1211736
4,4-DDT	ND		0.0241	1	12/17/2018 19:08	WG1211736
Dieldrin	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endosulfan I	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endosulfan II	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endosulfan sulfate	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endrin	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endrin aldehyde	ND		0.0241	1	12/17/2018 19:08	WG1211736
Endrin ketone	ND		0.0241	1	12/17/2018 19:08	WG1211736
Hexachlorobenzene	ND		0.0241	1	12/17/2018 19:08	WG1211736
Heptachlor	ND		0.0241	1	12/17/2018 19:08	WG1211736
Heptachlor epoxide	ND		0.0241	1	12/17/2018 19:08	WG1211736
Methoxychlor	ND		0.0241	1	12/17/2018 19:08	WG1211736
Toxaphene	ND		0.483	1	12/17/2018 19:08	WG1211736
(S) Decachlorobiphenyl	85.7		10.0-135		12/17/2018 19:08	WG1211736
(S) Tetrachloro-m-xylene	80.7		10.0-139		12/17/2018 19:08	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 11:25

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	82.5		1	12/17/2018 14:04	WG1211423

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.42	1	12/17/2018 17:22	WG1211653
Lead	9.29		0.606	1	12/17/2018 17:22	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0242	1	12/17/2018 19:23	WG1211736
Alpha BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Beta BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Delta BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Gamma BHC	ND		0.0242	1	12/17/2018 19:23	WG1211736
Chlordane	ND		0.242	1	12/17/2018 19:23	WG1211736
4,4-DDD	ND		0.0242	1	12/17/2018 19:23	WG1211736
4,4-DDE	ND		0.0242	1	12/17/2018 19:23	WG1211736
4,4-DDT	ND		0.0242	1	12/17/2018 19:23	WG1211736
Dieldrin	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endosulfan I	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endosulfan II	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endosulfan sulfate	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endrin	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endrin aldehyde	ND		0.0242	1	12/17/2018 19:23	WG1211736
Endrin ketone	ND		0.0242	1	12/17/2018 19:23	WG1211736
Hexachlorobenzene	ND		0.0242	1	12/17/2018 19:23	WG1211736
Heptachlor	ND		0.0242	1	12/17/2018 19:23	WG1211736
Heptachlor epoxide	ND		0.0242	1	12/17/2018 19:23	WG1211736
Methoxychlor	ND		0.0242	1	12/17/2018 19:23	WG1211736
Toxaphene	ND		0.485	1	12/17/2018 19:23	WG1211736
(S) Decachlorobiphenyl	91.4		10.0-135		12/17/2018 19:23	WG1211736
(S) Tetrachloro-m-xylene	91.9		10.0-139		12/17/2018 19:23	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 11:37

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	77.9		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.57	1	12/17/2018 17:24	WG1211653
Lead	9.16		0.642	1	12/17/2018 17:24	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0257	1	12/17/2018 19:37	WG1211736
Alpha BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Beta BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Delta BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Gamma BHC	ND		0.0257	1	12/17/2018 19:37	WG1211736
Chlordane	ND		0.257	1	12/17/2018 19:37	WG1211736
4,4-DDD	ND		0.0257	1	12/17/2018 19:37	WG1211736
4,4-DDE	ND		0.0257	1	12/17/2018 19:37	WG1211736
4,4-DDT	ND		0.0257	1	12/17/2018 19:37	WG1211736
Dieldrin	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endosulfan I	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endosulfan II	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endosulfan sulfate	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endrin	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endrin aldehyde	ND		0.0257	1	12/17/2018 19:37	WG1211736
Endrin ketone	ND		0.0257	1	12/17/2018 19:37	WG1211736
Hexachlorobenzene	ND		0.0257	1	12/17/2018 19:37	WG1211736
Heptachlor	ND		0.0257	1	12/17/2018 19:37	WG1211736
Heptachlor epoxide	ND		0.0257	1	12/17/2018 19:37	WG1211736
Methoxychlor	ND		0.0257	1	12/17/2018 19:37	WG1211736
Toxaphene	ND		0.514	1	12/17/2018 19:37	WG1211736
(S) Decachlorobiphenyl	98.5		10.0-135		12/17/2018 19:37	WG1211736
(S) Tetrachloro-m-xylene	92.7		10.0-139		12/17/2018 19:37	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 11:48

L1053387

Total Solids by Method 2540 G-2011

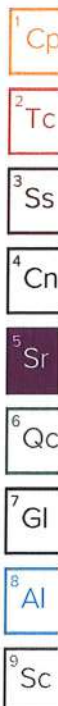
Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	79.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	2.75		2.51	1	12/17/2018 17:27	WG1211653
Lead	11.2		0.627	1	12/17/2018 17:27	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0251	1	12/17/2018 19:52	WG1211736
Alpha BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Beta BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Delta BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Gamma BHC	ND		0.0251	1	12/17/2018 19:52	WG1211736
Chlordane	ND		0.251	1	12/17/2018 19:52	WG1211736
4,4-DDD	ND		0.0251	1	12/17/2018 19:52	WG1211736
4,4-DDE	ND		0.0251	1	12/17/2018 19:52	WG1211736
4,4-DDT	ND		0.0251	1	12/17/2018 19:52	WG1211736
Dieldrin	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endosulfan I	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endosulfan II	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endosulfan sulfate	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endrin	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endrin aldehyde	ND		0.0251	1	12/17/2018 19:52	WG1211736
Endrin ketone	ND		0.0251	1	12/17/2018 19:52	WG1211736
Hexachlorobenzene	ND		0.0251	1	12/17/2018 19:52	WG1211736
Heptachlor	ND		0.0251	1	12/17/2018 19:52	WG1211736
Heptachlor epoxide	ND		0.0251	1	12/17/2018 19:52	WG1211736
Methoxychlor	ND		0.0251	1	12/17/2018 19:52	WG1211736
Toxaphene	ND		0.502	1	12/17/2018 19:52	WG1211736
(S) Decachlorobiphenyl	93.9		10.0-135		12/17/2018 19:52	WG1211736
(S) Tetrachloro-m-xylene	89.9		10.0-139		12/17/2018 19:52	WG1211736





Collected date/time: 12/12/18 12:43

L1053387

Total Solids by Method 2540 G-2011

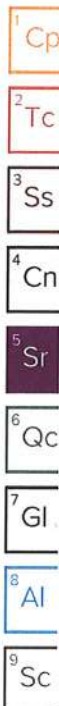
Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	85.0		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	3.40		2.35	1	12/17/2018 17:29	WG1211653
Lead	9.52		0.588	1	12/17/2018 17:29	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0235	1	12/17/2018 20:07	WG1211736
Alpha BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Beta BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Delta BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Gamma BHC	ND		0.0235	1	12/17/2018 20:07	WG1211736
Chlordane	ND		0.235	1	12/17/2018 20:07	WG1211736
4,4-DDD	ND		0.0235	1	12/17/2018 20:07	WG1211736
4,4-DDE	ND		0.0235	1	12/17/2018 20:07	WG1211736
4,4-DDT	ND		0.0235	1	12/17/2018 20:07	WG1211736
Dieldrin	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endosulfan I	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endosulfan II	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endosulfan sulfate	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endrin	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endrin aldehyde	ND		0.0235	1	12/17/2018 20:07	WG1211736
Endrin ketone	ND		0.0235	1	12/17/2018 20:07	WG1211736
Hexachlorobenzene	ND		0.0235	1	12/17/2018 20:07	WG1211736
Heptachlor	ND		0.0235	1	12/17/2018 20:07	WG1211736
Heptachlor epoxide	ND		0.0235	1	12/17/2018 20:07	WG1211736
Methoxychlor	ND		0.0235	1	12/17/2018 20:07	WG1211736
Toxaphene	ND		0.470	1	12/17/2018 20:07	WG1211736
(S) Decachlorobiphenyl	81.7		10.0-135		12/17/2018 20:07	WG1211736
(S) Tetrachloro-m-xylene	78.7		10.0-139		12/17/2018 20:07	WG1211736





Collected date/time: 12/12/18 12:51

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	77.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.57	1	12/17/2018 17:32	WG1211653
Lead	9.86		0.644	1	12/17/2018 17:32	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0257	1	12/17/2018 20:51	WG1211736
Alpha BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Beta BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Delta BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Gamma BHC	ND		0.0257	1	12/17/2018 20:51	WG1211736
Chlordane	ND		0.257	1	12/17/2018 20:51	WG1211736
4,4-DDD	ND		0.0257	1	12/17/2018 20:51	WG1211736
4,4-DDE	ND		0.0257	1	12/17/2018 20:51	WG1211736
4,4-DDT	ND		0.0257	1	12/17/2018 20:51	WG1211736
Dieldrin	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endosulfan I	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endosulfan II	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endosulfan sulfate	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endrin	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endrin aldehyde	ND		0.0257	1	12/17/2018 20:51	WG1211736
Endrin ketone	ND		0.0257	1	12/17/2018 20:51	WG1211736
Hexachlorobenzene	ND		0.0257	1	12/17/2018 20:51	WG1211736
Heptachlor	ND		0.0257	1	12/17/2018 20:51	WG1211736
Heptachlor epoxide	ND		0.0257	1	12/17/2018 20:51	WG1211736
Methoxychlor	ND		0.0257	1	12/17/2018 20:51	WG1211736
Toxaphene	ND		0.515	1	12/17/2018 20:51	WG1211736
(S) Decachlorobiphenyl	121		10.0-135		12/17/2018 20:51	WG1211736
(S) Tetrachloro-m-xylene	109		10.0-139		12/17/2018 20:51	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 13:03

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	78.8		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	ND		2.54	1	12/17/2018 17:34	WG1211653
Lead	9.04		0.634	1	12/17/2018 17:34	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0254	1	12/17/2018 21:06	WG1211736
Alpha BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Beta BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Delta BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Gamma BHC	ND		0.0254	1	12/17/2018 21:06	WG1211736
Chlordane	ND		0.254	1	12/17/2018 21:06	WG1211736
4,4-DDD	ND		0.0254	1	12/17/2018 21:06	WG1211736
4,4-DDE	ND		0.0254	1	12/17/2018 21:06	WG1211736
4,4-DDT	ND		0.0254	1	12/17/2018 21:06	WG1211736
Dieldrin	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endosulfan I	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endosulfan II	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endosulfan sulfate	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endrin	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endrin aldehyde	ND		0.0254	1	12/17/2018 21:06	WG1211736
Endrin ketone	ND		0.0254	1	12/17/2018 21:06	WG1211736
Hexachlorobenzene	ND		0.0254	1	12/17/2018 21:06	WG1211736
Heptachlor	ND		0.0254	1	12/17/2018 21:06	WG1211736
Heptachlor epoxide	ND		0.0254	1	12/17/2018 21:06	WG1211736
Methoxychlor	ND		0.0254	1	12/17/2018 21:06	WG1211736
Toxaphene	ND		0.508	1	12/17/2018 21:06	WG1211736
(S) Decachlorobiphenyl	89.8		10.0-135		12/17/2018 21:06	WG1211736
(S) Tetrachloro-m-xylene	81.1		10.0-139		12/17/2018 21:06	WG1211736

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 13:17

L1053387

Total Solids by Method 2540 G-2011

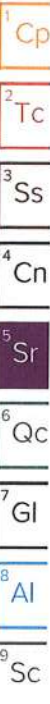
Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	83.3		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	ND		2.40	1	12/17/2018 17:37	WG1211653
Lead	9.21		0.600	1	12/17/2018 17:37	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0240	1	12/17/2018 21:21	WG1211736
Alpha BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Beta BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Delta BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Gamma BHC	ND		0.0240	1	12/17/2018 21:21	WG1211736
Chlordane	ND		0.240	1	12/17/2018 21:21	WG1211736
4,4-DDD	ND		0.0240	1	12/17/2018 21:21	WG1211736
4,4-DDE	ND		0.0240	1	12/17/2018 21:21	WG1211736
4,4-DDT	ND		0.0240	1	12/17/2018 21:21	WG1211736
Dieldrin	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endosulfan I	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endosulfan II	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endosulfan sulfate	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endrin	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endrin aldehyde	ND		0.0240	1	12/17/2018 21:21	WG1211736
Endrin ketone	ND		0.0240	1	12/17/2018 21:21	WG1211736
Hexachlorobenzene	ND		0.0240	1	12/17/2018 21:21	WG1211736
Heptachlor	ND		0.0240	1	12/17/2018 21:21	WG1211736
Heptachlor epoxide	ND		0.0240	1	12/17/2018 21:21	WG1211736
Methoxychlor	ND		0.0240	1	12/17/2018 21:21	WG1211736
Toxaphene	ND		0.480	1	12/17/2018 21:21	WG1211736
(S) Decachlorobiphenyl	118		10.0-135		12/17/2018 21:21	WG1211736
(S) Tetrachloro-m-xylene	103		10.0-139		12/17/2018 21:21	WG1211736





Collected date/time: 12/12/18 13:27

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	81.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.45	1	12/17/2018 16:57	WG1211653
Lead	9.24		0.612	1	12/17/2018 16:57	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0245	1	12/17/2018 21:35	WG1211736
Alpha BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Beta BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Delta BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Gamma BHC	ND		0.0245	1	12/17/2018 21:35	WG1211736
Chlordane	ND		0.245	1	12/17/2018 21:35	WG1211736
4,4-DDD	ND		0.0245	1	12/17/2018 21:35	WG1211736
4,4-DDE	ND		0.0245	1	12/17/2018 21:35	WG1211736
4,4-DDT	ND		0.0245	1	12/17/2018 21:35	WG1211736
Dieldrin	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endosulfan I	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endosulfan II	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endosulfan sulfate	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endrin	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endrin aldehyde	ND		0.0245	1	12/17/2018 21:35	WG1211736
Endrin ketone	ND		0.0245	1	12/17/2018 21:35	WG1211736
Hexachlorobenzene	ND		0.0245	1	12/17/2018 21:35	WG1211736
Heptachlor	ND		0.0245	1	12/17/2018 21:35	WG1211736
Heptachlor epoxide	ND		0.0245	1	12/17/2018 21:35	WG1211736
Methoxychlor	ND		0.0245	1	12/17/2018 21:35	WG1211736
Toxaphene	ND		0.490	1	12/17/2018 21:35	WG1211736
(S) Decachlorobiphenyl	118		10.0-135		12/17/2018 21:35	WG1211736
(S) Tetrachloro-m-xylene	106		10.0-139		12/17/2018 21:35	WG1211736

- 1 Cp
- 2 Tc
- 3 Ss
- 4 Cn
- 5 Sr
- 6 Qc
- 7 Gl
- 8 Al
- 9 Sc



Collected date/time: 12/12/18 13:38

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	80.4		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	2.85		2.49	1	12/17/2018 17:39	WG1211653
Lead	9.13		0.622	1	12/17/2018 17:39	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0249	1	12/21/2018 00:15	WG1213431
Alpha BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Beta BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Delta BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Gamma BHC	ND		0.0249	1	12/21/2018 00:15	WG1213431
Chlordane	ND		0.249	1	12/21/2018 00:15	WG1213431
4,4-DDD	ND		0.0249	1	12/21/2018 00:15	WG1213431
4,4-DDE	ND		0.0249	1	12/21/2018 00:15	WG1213431
4,4-DDT	ND		0.0249	1	12/21/2018 00:15	WG1213431
Dieldrin	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endosulfan I	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endosulfan II	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endosulfan sulfate	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endrin	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endrin aldehyde	ND		0.0249	1	12/21/2018 00:15	WG1213431
Endrin ketone	ND		0.0249	1	12/21/2018 00:15	WG1213431
Hexachlorobenzene	ND		0.0249	1	12/21/2018 00:15	WG1213431
Heptachlor	ND		0.0249	1	12/21/2018 00:15	WG1213431
Heptachlor epoxide	ND		0.0249	1	12/21/2018 00:15	WG1213431
Methoxychlor	ND		0.0249	1	12/21/2018 00:15	WG1213431
Toxaphene	ND		0.498	1	12/21/2018 00:15	WG1213431
(S) Decachlorobiphenyl	69.8		10.0-135		12/21/2018 00:15	WG1213431
(S) Tetrachloro-m-xylene	74.0		10.0-139		12/21/2018 00:15	WG1213431

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 14:18

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	75.7		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.64	1	12/17/2018 17:42	WG1211653
Lead	10.8		0.661	1	12/17/2018 17:42	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0264	1	12/19/2018 12:44	WG1212395
Alpha BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Beta BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Delta BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Gamma BHC	ND		0.0264	1	12/19/2018 12:44	WG1212395
Chlordane	ND		0.264	1	12/19/2018 12:44	WG1212395
4,4-DDD	ND		0.0264	1	12/19/2018 12:44	WG1212395
4,4-DDE	ND		0.0264	1	12/19/2018 12:44	WG1212395
4,4-DDT	ND		0.0264	1	12/19/2018 12:44	WG1212395
Dieldrin	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endosulfan I	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endosulfan II	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endosulfan sulfate	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endrin	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endrin aldehyde	ND		0.0264	1	12/19/2018 12:44	WG1212395
Endrin ketone	ND		0.0264	1	12/19/2018 12:44	WG1212395
Hexachlorobenzene	ND		0.0264	1	12/19/2018 12:44	WG1212395
Heptachlor	ND		0.0264	1	12/19/2018 12:44	WG1212395
Heptachlor epoxide	ND		0.0264	1	12/19/2018 12:44	WG1212395
Methoxychlor	ND		0.0264	1	12/19/2018 12:44	WG1212395
Toxaphene	ND		0.529	1	12/19/2018 12:44	WG1212395
(S) Decachlorobiphenyl	60.8		10.0-135		12/19/2018 12:44	WG1212395
(S) Tetrachloro-m-xylene	68.6		10.0-139		12/19/2018 12:44	WG1212395





Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	82.8		1	12/17/2018 13:52	WG1211424

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	ND		2.41	1	12/17/2018 17:50	WG1211653
Lead	9.91		0.604	1	12/17/2018 17:50	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0241	1	12/19/2018 12:56	WG1212395
Alpha BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Beta BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Delta BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Gamma BHC	ND		0.0241	1	12/19/2018 12:56	WG1212395
Chlordane	ND		0.241	1	12/19/2018 12:56	WG1212395
4,4-DDD	ND		0.0241	1	12/19/2018 12:56	WG1212395
4,4-DDE	ND		0.0241	1	12/19/2018 12:56	WG1212395
4,4-DDT	ND		0.0241	1	12/19/2018 12:56	WG1212395
Dieldrin	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endosulfan I	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endosulfan II	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endosulfan sulfate	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endrin	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endrin aldehyde	ND		0.0241	1	12/19/2018 12:56	WG1212395
Endrin ketone	ND		0.0241	1	12/19/2018 12:56	WG1212395
Hexachlorobenzene	ND		0.0241	1	12/19/2018 12:56	WG1212395
Heptachlor	ND		0.0241	1	12/19/2018 12:56	WG1212395
Heptachlor epoxide	ND		0.0241	1	12/19/2018 12:56	WG1212395
Methoxychlor	ND		0.0241	1	12/19/2018 12:56	WG1212395
Toxaphene	ND		0.483	1	12/19/2018 12:56	WG1212395
(S) Decachlorobiphenyl	58.6		10.0-135		12/19/2018 12:56	WG1212395
(S) Tetrachloro-m-xylene	72.4		10.0-139		12/19/2018 12:56	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 14:38

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	81.9		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	ND		2.44	1	12/17/2018 17:52	WG1211653
Lead	9.72		0.610	1	12/17/2018 17:52	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0244	1	12/19/2018 13:09	WG1212395
Alpha BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Beta BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Delta BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Gamma BHC	ND		0.0244	1	12/19/2018 13:09	WG1212395
Chlordane	ND		0.244	1	12/19/2018 13:09	WG1212395
4,4-DDD	ND		0.0244	1	12/19/2018 13:09	WG1212395
4,4-DDE	ND		0.0244	1	12/19/2018 13:09	WG1212395
4,4-DDT	ND		0.0244	1	12/19/2018 13:09	WG1212395
Dieldrin	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endosulfan I	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endosulfan II	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endosulfan sulfate	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endrin	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endrin aldehyde	ND		0.0244	1	12/19/2018 13:09	WG1212395
Endrin ketone	ND		0.0244	1	12/19/2018 13:09	WG1212395
Hexachlorobenzene	ND		0.0244	1	12/19/2018 13:09	WG1212395
Heptachlor	ND		0.0244	1	12/19/2018 13:09	WG1212395
Heptachlor epoxide	ND		0.0244	1	12/19/2018 13:09	WG1212395
Methoxychlor	ND		0.0244	1	12/19/2018 13:09	WG1212395
Toxaphene	ND		0.488	1	12/19/2018 13:09	WG1212395
(S) Decachlorobiphenyl	66.4		10.0-135		12/19/2018 13:09	WG1212395
(S) Tetrachloro-m-xylene	75.0		10.0-139		12/19/2018 13:09	WG1212395





Collected date/time: 12/12/18 14:50

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	84.3		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	ND		2.37	1	12/17/2018 17:55	WG1211653
Lead	9.41		0.593	1	12/17/2018 17:55	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0237	1	12/19/2018 13:21	WG1212395
Alpha BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Beta BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Delta BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Gamma BHC	ND		0.0237	1	12/19/2018 13:21	WG1212395
Chlordane	ND		0.237	1	12/19/2018 13:21	WG1212395
4,4-DDD	ND		0.0237	1	12/19/2018 13:21	WG1212395
4,4-DDE	ND		0.0237	1	12/19/2018 13:21	WG1212395
4,4-DDT	ND		0.0237	1	12/19/2018 13:21	WG1212395
Dieldrin	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endosulfan I	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endosulfan II	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endosulfan sulfate	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endrin	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endrin aldehyde	ND		0.0237	1	12/19/2018 13:21	WG1212395
Endrin ketone	ND		0.0237	1	12/19/2018 13:21	WG1212395
Hexachlorobenzene	ND		0.0237	1	12/19/2018 13:21	WG1212395
Heptachlor	ND		0.0237	1	12/19/2018 13:21	WG1212395
Heptachlor epoxide	ND		0.0237	1	12/19/2018 13:21	WG1212395
Methoxychlor	ND		0.0237	1	12/19/2018 13:21	WG1212395
Toxaphene	ND		0.475	1	12/19/2018 13:21	WG1212395
(S) Decachlorobiphenyl	61.3		10.0-135		12/19/2018 13:21	WG1212395
(S) Tetrachloro-m-xylene	70.1		10.0-139		12/19/2018 13:21	WG1212395

¹ Cp² Tc³ Ss⁴ Cn⁵ Sr⁶ Qc⁷ Gl⁸ Al⁹ Sc



Collected date/time: 12/12/18 15:01

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	85.2		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.35	1	12/17/2018 17:57	WG1211653
Lead	9.45		0.587	1	12/17/2018 17:57	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0235	1	12/19/2018 13:34	WG1212395
Alpha BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Beta BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Delta BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Gamma BHC	ND		0.0235	1	12/19/2018 13:34	WG1212395
Chlordane	ND		0.235	1	12/19/2018 13:34	WG1212395
4,4-DDD	ND		0.0235	1	12/19/2018 13:34	WG1212395
4,4-DDE	ND		0.0235	1	12/19/2018 13:34	WG1212395
4,4-DDT	ND		0.0235	1	12/19/2018 13:34	WG1212395
Dieldrin	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endosulfan I	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endosulfan II	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endosulfan sulfate	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endrin	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endrin aldehyde	ND		0.0235	1	12/19/2018 13:34	WG1212395
Endrin ketone	ND		0.0235	1	12/19/2018 13:34	WG1212395
Hexachlorobenzene	ND		0.0235	1	12/19/2018 13:34	WG1212395
Heptachlor	ND		0.0235	1	12/19/2018 13:34	WG1212395
Heptachlor epoxide	ND		0.0235	1	12/19/2018 13:34	WG1212395
Methoxychlor	ND		0.0235	1	12/19/2018 13:34	WG1212395
Toxaphene	ND		0.469	1	12/19/2018 13:34	WG1212395
(S) Decachlorobiphenyl	61.5		10.0-135		12/19/2018 13:34	WG1212395
(S) Tetrachloro-m-xylene	71.1		10.0-139		12/19/2018 13:34	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/12/18 15:08

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	81.4		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Arsenic	ND		2.46	1	12/17/2018 18:00	WG1211653
Lead	9.49		0.614	1	12/17/2018 18:00	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis date / time	Batch
	mg/kg		mg/kg			
Aldrin	ND		0.0246	1	12/19/2018 14:11	WG1212395
Alpha BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Beta BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Delta BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Gamma BHC	ND		0.0246	1	12/19/2018 14:11	WG1212395
Chlordane	ND		0.246	1	12/19/2018 14:11	WG1212395
4,4-DDD	ND		0.0246	1	12/19/2018 14:11	WG1212395
4,4-DDE	ND		0.0246	1	12/19/2018 14:11	WG1212395
4,4-DDT	ND		0.0246	1	12/19/2018 14:11	WG1212395
Dieldrin	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endosulfan I	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endosulfan II	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endosulfan sulfate	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endrin	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endrin aldehyde	ND		0.0246	1	12/19/2018 14:11	WG1212395
Endrin ketone	ND		0.0246	1	12/19/2018 14:11	WG1212395
Hexachlorobenzene	ND		0.0246	1	12/19/2018 14:11	WG1212395
Heptachlor	ND		0.0246	1	12/19/2018 14:11	WG1212395
Heptachlor epoxide	ND		0.0246	1	12/19/2018 14:11	WG1212395
Methoxychlor	ND		0.0246	1	12/19/2018 14:11	WG1212395
Toxaphene	ND		0.491	1	12/19/2018 14:11	WG1212395
(S) Decachlorobiphenyl	65.5		10.0-135		12/19/2018 14:11	WG1212395
(S) Tetrachloro-m-xylene	73.5		10.0-139		12/19/2018 14:11	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Collected date/time: 12/13/18 10:23

L1053387

Total Solids by Method 2540 G-2011

Analyte	Result %	Qualifier	Dilution	Analysis date / time	Batch
Total Solids	84.4		1	12/17/2018 10:31	WG1211857

Metals (ICP) by Method 6010D

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Arsenic	ND		2.37	1	12/17/2018 18:02	WG1211653
Lead	9.88		0.592	1	12/17/2018 18:02	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry) mg/kg	Qualifier	RDL (dry) mg/kg	Dilution	Analysis date / time	Batch
Aldrin	ND		0.0237	1	12/19/2018 14:24	WG1212395
Alpha BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Beta BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Delta BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Gamma BHC	ND		0.0237	1	12/19/2018 14:24	WG1212395
Chlordane	ND		0.237	1	12/19/2018 14:24	WG1212395
4,4-DDD	ND		0.0237	1	12/19/2018 14:24	WG1212395
4,4-DDE	ND		0.0237	1	12/19/2018 14:24	WG1212395
4,4-DDT	ND		0.0237	1	12/19/2018 14:24	WG1212395
Dieldrin	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endosulfan I	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endosulfan II	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endosulfan sulfate	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endrin	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endrin aldehyde	ND		0.0237	1	12/19/2018 14:24	WG1212395
Endrin ketone	ND		0.0237	1	12/19/2018 14:24	WG1212395
Hexachlorobenzene	ND		0.0237	1	12/19/2018 14:24	WG1212395
Heptachlor	ND		0.0237	1	12/19/2018 14:24	WG1212395
Heptachlor epoxide	ND		0.0237	1	12/19/2018 14:24	WG1212395
Methoxychlor	ND		0.0237	1	12/19/2018 14:24	WG1212395
Toxaphene	ND		0.474	1	12/19/2018 14:24	WG1212395
(S) Decachlorobiphenyl	64.4		10.0-135		12/19/2018 14:24	WG1212395
(S) Tetrachloro-m-xylene	71.4		10.0-139		12/19/2018 14:24	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Total Solids by Method 2540 G-2011

Analyte	Result	Qualifier	Dilution	Analysis	Batch
	%			date / time	
Total Solids	86.2		1	12/17/2018 12:55	WG1211907

Metals (ICP) by Method 6010D

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Arsenic	ND		2.32	1	12/17/2018 18:05	WG1211653
Lead	8.41		0.580	1	12/17/2018 18:05	WG1211653

Pesticides (GC) by Method 8081B

Analyte	Result (dry)	Qualifier	RDL (dry)	Dilution	Analysis	Batch
	mg/kg		mg/kg		date / time	
Aldrin	ND		0.0232	1	12/19/2018 14:36	WG1212395
Alpha BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Beta BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Delta BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Gamma BHC	ND		0.0232	1	12/19/2018 14:36	WG1212395
Chlordane	ND		0.232	1	12/19/2018 14:36	WG1212395
4,4-DDD	ND		0.0232	1	12/19/2018 14:36	WG1212395
4,4-DDE	ND		0.0232	1	12/19/2018 14:36	WG1212395
4,4-DDT	ND		0.0232	1	12/19/2018 14:36	WG1212395
Dieldrin	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endosulfan I	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endosulfan II	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endosulfan sulfate	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endrin	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endrin aldehyde	ND		0.0232	1	12/19/2018 14:36	WG1212395
Endrin ketone	ND		0.0232	1	12/19/2018 14:36	WG1212395
Hexachlorobenzene	ND		0.0232	1	12/19/2018 14:36	WG1212395
Heptachlor	ND		0.0232	1	12/19/2018 14:36	WG1212395
Heptachlor epoxide	ND		0.0232	1	12/19/2018 14:36	WG1212395
Methoxychlor	ND		0.0232	1	12/19/2018 14:36	WG1212395
Toxaphene	ND		0.464	1	12/19/2018 14:36	WG1212395
(S) Decachlorobiphenyl	65.6		10.0-135		12/19/2018 14:36	WG1212395
(S) Tetrachloro-m-xylene	72.8		10.0-139		12/19/2018 14:36	WG1212395

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Method Blank (MB)

(MB) R3369039-1 12/17/18 14:04

Analyte	MB Result %	MB Qualifier	MB MDL %	MB RDL %
Total Solids	0.00100			

L1053373-01 Original Sample (OS) • Duplicate (DUP)

(OS) L1053373-01 12/17/18 14:04 • (DUP) R3369039-3 12/17/18 14:04

Analyte	Original Result %	DUP Result %	Dilution	DUP RPD %	DUP Qualifier	DUP RPD Limits
Total Solids	75.0	74.5	1	0.691		10

Laboratory Control Sample (LCS)

(LCS) R3369039-2 12/17/18 14:04

Analyte	Spike Amount %	LCS Result %	LCS Rec. %	Rec. Limits %	LCS Qualifier
Total Solids	50.0	50.0	100	85.0-115	

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

WG1211424

Total Solids by Method 2540 G-2011

QUALITY CONTROL SUMMARY

ONE LAB. NATIONWIDE.

[L1053387-05,06,07,08,09,10,11,12,13,14](#)

Method Blank (MB)

(MB) R3369037-1 12/17/18 13:52

Analyte	MB Result %	MB Qualifier	MB MDL %	MB RDL %
Total Solids	0.00100			

L1053387-11 Original Sample (OS) • Duplicate (DUP)

(OS) L1053387-11 12/17/18 13:52 • (DUP) R3369037-3 12/17/18 13:52

Analyte	Original Result %	DUP Result %	Dilution	DUP RPD %	DUP Qualifier	DUP RPD Limits %
Total Solids	81.7	81.7	1	0.00122		10

Laboratory Control Sample (LCS)

(LCS) R3369037-2 12/17/18 13:52

Analyte	Spike Amount %	LCS Result %	LCS Rec. %	Rec. Limits %	LCS Qualifier
Total Solids	50.0	50.0	100	85.0-115	

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

ACCOUNT:

PROJECT:

SDG:

DATE/TIME:

PAGE:

WG1211857

QUALITY CONTROL SUMMARY

ONE LAB. NATIONWIDE.



Total Solids by Method 2540 G-2011

L1053387-15,16,17,18,19

Method Blank (MB)

(MB) R3369026-1 12/17/18 10:31

Analyte	MB Result %	<u>MB Qualifier</u>	MB MDL %	MB RDL %
Total Solids	0.00100			

L1053594-02 Original Sample (OS) • Duplicate (DUP)

(OS) L1053594-02 12/17/18 10:31 • (DUP) R3369026-3 12/17/18 10:31

Analyte	Original Result %	DUP Result %	Dilution	DUP RPD %	<u>DUP Qualifier</u>	DUP RPD Limits %
Total Solids	83.5	83.6	1	0.0917		10

Laboratory Control Sample (LCS)

(LCS) R3369026-2 12/17/18 10:31

Analyte	Spike Amount %	LCS Result %	LCS Rec. %	Rec. Limits %	<u>LCS Qualifier</u>
Total Solids	50.0	50.0	100	85.0-115	

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

ACCOUNT:

PROJECT:

SDG:

DATE/TIME:

PAGE:



Total Solids by Method 2540 G-2011

[L1053387-20](#)

Method Blank (MB)

(MB) R3369031-1 12/17/18 12:55

Analyte	MB Result %	<u>MB Qualifier</u>	MB MDL %	MB RDL %
Total Solids	0.00100			

L1053388-01 Original Sample (OS) • Duplicate (DUP)

(OS) L1053388-01 12/17/18 12:55 • (DUP) R3369031-3 12/17/18 12:55

Analyte	Original Result %	DUP Result %	Dilution	DUP RPD %	<u>DUP Qualifier</u>	DUP RPD Limits %
Total Solids	78.3	77.9	1	0.454		10

Laboratory Control Sample (LCS)

(LCS) R3369031-2 12/17/18 12:55

Analyte	Spike Amount %	LCS Result %	LCS Rec. %	Rec. Limits %	<u>LCS Qualifier</u>
Total Solids	50.0	50.0	100	85.0-115	

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Method Blank (MB)

(MB) R3368991-1 12/17/18 16:50

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Arsenic	U		0.460	2.00
Lead	0.233	J	0.190	0.500

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3368991-2 12/17/18 16:52 • (LCSD) R3368991-3 12/17/18 16:54

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Arsenic	100	107	105	107	105	80.0-120			2.48	20
Lead	100	108	105	108	105	80.0-120			2.86	20

L1053387-11 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-11 12/17/18 16:57 • (MS) R3368991-6 12/17/18 17:04 • (MSD) R3368991-7 12/17/18 17:07

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Arsenic	122	ND	117	116	94.7	93.9	1	75.0-125			0.832	20
Lead	122	9.24	130	129	98.7	97.4	1	75.0-125			1.24	20

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Method Blank (MB)

(MB) R3369232-3 12/17/18 16:11

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Aldrin	U		0.00135	0.0200
Alpha BHC	U		0.00136	0.0200
Beta BHC	U		0.00160	0.0200
Delta BHC	U		0.00143	0.0200
Gamma BHC	U		0.00145	0.0200
4,4-DDD	U		0.00156	0.0200
4,4-DDE	U		0.00154	0.0200
4,4-DDT	U		0.00200	0.0200
Dieldrin	U		0.00152	0.0200
Endosulfan I	U		0.00149	0.0200
Endosulfan II	U		0.00160	0.0200
Endosulfan sulfate	U		0.00151	0.0200
Endrin	U		0.00157	0.0200
Endrin aldehyde	U		0.00129	0.0200
Endrin ketone	U		0.00165	0.0200
Heptachlor	U		0.00154	0.0200
Heptachlor epoxide	U		0.00161	0.0200
Hexachlorobenzene	U		0.00124	0.0200
Methoxychlor	U		0.00178	0.0200
Chlordane	U		0.0390	0.200
Toxaphene	U		0.0360	0.400
(S) Decachlorobiphenyl	100			10.0-135
(S) Tetrachloro-m-xylene	92.5			10.0-139

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369232-1 12/17/18 15:41 • (LCSD) R3369232-2 12/17/18 15:56

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0666	0.0651	0.0568	97.7	85.3	34.0-136			13.6	38
Alpha BHC	0.0666	0.0672	0.0587	101	88.1	34.0-139			13.5	38
Beta BHC	0.0666	0.0621	0.0547	93.2	82.1	34.0-133			12.7	37
Delta BHC	0.0666	0.0660	0.0580	99.1	87.1	34.0-135			12.9	38
Gamma BHC	0.0666	0.0651	0.0570	97.7	85.6	34.0-136			13.3	38
4,4-DDD	0.0666	0.0654	0.0570	98.2	85.6	33.0-141			13.7	39
4,4-DDE	0.0666	0.0655	0.0571	98.3	85.7	34.0-134			13.7	38
4,4-DDT	0.0666	0.0572	0.0495	85.9	74.3	30.0-143			14.4	40
Dieldrin	0.0666	0.0655	0.0573	98.3	86.0	35.0-137			13.4	37
Endosulfan I	0.0666	0.0633	0.0554	95.0	83.2	34.0-134			13.3	37



Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369232-1 12/17/18 15:41 • (LCSD) R3369232-2 12/17/18 15:56

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Endosulfan II	0.0666	0.0599	0.0523	89.9	78.5	35.0-132			13.5	38
Endosulfan sulfate	0.0666	0.0656	0.0581	98.5	87.2	35.0-132			12.1	37
Endrin	0.0666	0.0611	0.0532	91.7	79.9	34.0-137			13.8	37
Endrin aldehyde	0.0666	0.0534	0.0484	80.2	72.7	23.0-121			9.82	39
Endrin ketone	0.0666	0.0628	0.0554	94.3	83.2	35.0-144			12.5	37
Heptachlor	0.0666	0.0609	0.0535	91.4	80.3	36.0-141			12.9	37
Heptachlor epoxide	0.0666	0.0644	0.0566	96.7	85.0	36.0-134			12.9	37
Hexachlorobenzene	0.0666	0.0607	0.0534	91.1	80.2	33.0-129			12.8	37
Methoxychlor	0.0666	0.0594	0.0520	89.2	78.1	28.0-150			13.3	38
(S) Decachlorobiphenyl				97.3	89.9	10.0-135				
(S) Tetrachloro-m-xylene				90.5	82.7	10.0-139				

L1053387-07 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-07 12/17/18 20:07 • (MS) R3369232-4 12/17/18 20:22 • (MSD) R3369232-5 12/17/18 20:36

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0783	ND	0.0702	0.0821	89.6	105	1	20.0-135			15.6	37
Alpha BHC	0.0783	ND	0.0860	0.100	110	128	1	27.0-140			15.1	35
Beta BHC	0.0783	ND	0.0797	0.0928	102	118	1	23.0-141			15.1	37
Delta BHC	0.0783	ND	0.0845	0.0991	108	127	1	21.0-138			15.9	35
Gamma BHC	0.0783	ND	0.0831	0.0972	106	124	1	27.0-137			15.6	36
4,4-DDD	0.0783	ND	0.0795	0.0927	102	118	1	15.0-152			15.3	39
4,4-DDE	0.0783	ND	0.0702	0.0828	89.6	106	1	10.0-152			16.4	40
4,4-DDT	0.0783	ND	0.0561	0.0686	71.6	87.5	1	10.0-151			20.0	40
Dieldrin	0.0783	ND	0.0794	0.0929	101	119	1	17.0-145			15.7	37
Endosulfan I	0.0783	ND	0.0764	0.0889	97.6	114	1	20.0-137			15.1	36
Endosulfan II	0.0783	ND	0.0738	0.0861	94.3	110	1	15.0-141			15.3	37
Endosulfan sulfate	0.0783	ND	0.0814	0.0947	104	121	1	15.0-143			15.1	38
Endrin	0.0783	ND	0.0862	0.107	110	136	1	19.0-143			21.1	37
Endrin aldehyde	0.0783	ND	0.0664	0.0780	84.8	99.5	1	10.0-139			16.0	40
Endrin ketone	0.0783	ND	0.0758	0.0895	96.8	114	1	17.0-149			16.5	38
Heptachlor	0.0783	ND	0.0697	0.0847	89.0	108	1	22.0-138			19.3	37
Heptachlor epoxide	0.0783	ND	0.0788	0.0922	101	118	1	22.0-138			15.7	36
Hexachlorobenzene	0.0783	ND	0.0767	0.0908	97.9	116	1	25.0-126			16.9	35
Methoxychlor	0.0783	ND	0.0683	0.0825	87.2	105	1	10.0-159			18.9	40
(S) Decachlorobiphenyl					92.6	105		10.0-135				
(S) Tetrachloro-m-xylene					94.6	110		10.0-139				



Method Blank (MB)

(MB) R3369588-3 12/19/18 10:51

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Aldrin	U		0.00135	0.0200
Alpha BHC	U		0.00136	0.0200
Beta BHC	U		0.00160	0.0200
Delta BHC	U		0.00143	0.0200
Gamma BHC	U		0.00145	0.0200
4,4-DDD	U		0.00156	0.0200
4,4-DDE	U		0.00154	0.0200
4,4-DDT	U		0.00200	0.0200
Dieldrin	U		0.00152	0.0200
Endosulfan I	U		0.00149	0.0200
Endosulfan II	U		0.00160	0.0200
Endosulfan sulfate	U		0.00151	0.0200
Endrin	U		0.00157	0.0200
Endrin aldehyde	U		0.00129	0.0200
Endrin ketone	U		0.00165	0.0200
Heptachlor	U		0.00154	0.0200
Heptachlor epoxide	U		0.00161	0.0200
Hexachlorobenzene	U		0.00124	0.0200
Methoxychlor	U		0.00178	0.0200
Chlordane	U		0.0390	0.200
Toxaphene	U		0.0360	0.400
(S) Decachlorobiphenyl	70.1			10.0-135
(S) Tetrachloro-m-xylene	74.0			10.0-139

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369588-1 12/19/18 10:26 • (LCSD) R3369588-2 12/19/18 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0666	0.0570	0.0613	85.6	92.0	34.0-136			7.27	38
Alpha BHC	0.0666	0.0514	0.0562	77.2	84.4	34.0-139			8.92	38
Beta BHC	0.0666	0.0562	0.0617	84.4	92.6	34.0-133			9.33	37
Delta BHC	0.0666	0.0497	0.0547	74.6	82.1	34.0-135			9.58	38
Gamma BHC	0.0666	0.0491	0.0540	73.7	81.1	34.0-136			9.51	38
4,4-DDD	0.0666	0.0544	0.0586	81.7	88.0	33.0-141			7.43	39
4,4-DDE	0.0666	0.0481	0.0518	72.2	77.8	34.0-134			7.41	38
4,4-DDT	0.0666	0.0493	0.0535	74.0	80.3	30.0-143			8.17	40
Dieldrin	0.0666	0.0589	0.0632	88.4	94.9	35.0-137			7.04	37
Endosulfan I	0.0666	0.0569	0.0609	85.4	91.4	34.0-134			6.79	37



Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3369588-1 12/19/18 10:26 • (LCSD) R3369588-2 12/19/18 10:39

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	<u>LCS Qualifier</u>	<u>LCSD Qualifier</u>	RPD %	RPD Limits %
Endosulfan II	0.0666	0.0522	0.0564	78.4	84.7	35.0-132			7.73	38
Endosulfan sulfate	0.0666	0.0574	0.0623	86.2	93.5	35.0-132			8.19	37
Endrin	0.0666	0.0582	0.0624	87.4	93.7	34.0-137			6.97	37
Endrin aldehyde	0.0666	0.0503	0.0548	75.5	82.3	23.0-121			8.56	39
Endrin ketone	0.0666	0.0574	0.0613	86.2	92.0	35.0-144			6.57	37
Heptachlor	0.0666	0.0552	0.0606	82.9	91.0	36.0-141			9.33	37
Heptachlor epoxide	0.0666	0.0588	0.0632	88.3	94.9	36.0-134			7.21	37
Hexachlorobenzene	0.0666	0.0500	0.0543	75.1	81.5	33.0-129			8.25	37
Methoxychlor	0.0666	0.0544	0.0608	81.7	91.3	28.0-150			11.1	38
(S) Decachlorobiphenyl				76.9	78.8	10.0-135				
(S) Tetrachloro-m-xylene				76.9	80.8	10.0-139				

L1053387-17 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-17 12/19/18 13:34 • (MS) R3369588-4 12/19/18 13:46 • (MSD) R3369588-5 12/19/18 13:59

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	<u>MS Qualifier</u>	<u>MSD Qualifier</u>	RPD %	RPD Limits %
Aldrin	0.0782	ND	0.0625	0.0629	80.0	80.5	1	20.0-135			0.561	37
Alpha BHC	0.0782	ND	0.0604	0.0611	77.3	78.2	1	27.0-140			1.16	35
Beta BHC	0.0782	ND	0.0663	0.0668	84.8	85.4	1	23.0-141			0.705	37
Delta BHC	0.0782	ND	0.0554	0.0562	70.9	71.9	1	21.0-138			1.47	35
Gamma BHC	0.0782	ND	0.0573	0.0581	73.3	74.3	1	27.0-137			1.42	36
4,4-DDD	0.0782	ND	0.0637	0.0641	81.5	82.0	1	15.0-152			0.551	39
4,4-DDE	0.0782	ND	0.0536	0.0536	68.6	68.6	1	10.0-152			0.000	40
4,4-DDT	0.0782	ND	0.0447	0.0444	57.2	56.8	1	10.0-151			0.791	40
Dieldrin	0.0782	ND	0.0660	0.0661	84.4	84.5	1	17.0-145			0.178	37
Endosulfan I	0.0782	ND	0.0629	0.0635	80.5	81.2	1	20.0-137			0.929	36
Endosulfan II	0.0782	ND	0.0581	0.0586	74.3	74.9	1	15.0-141			0.805	37
Endosulfan sulfate	0.0782	ND	0.0662	0.0671	84.7	85.9	1	15.0-143			1.41	38
Endrin	0.0782	ND	0.0647	0.0654	82.7	83.6	1	19.0-143			1.08	37
Endrin aldehyde	0.0782	ND	0.0601	0.0602	76.9	77.0	1	10.0-139			0.195	40
Endrin ketone	0.0782	ND	0.0608	0.0617	77.8	79.0	1	17.0-149			1.53	38
Heptachlor	0.0782	ND	0.0609	0.0610	77.9	78.1	1	22.0-138			0.192	37
Heptachlor epoxide	0.0782	ND	0.0660	0.0662	84.4	84.7	1	22.0-138			0.355	36
Hexachlorobenzene	0.0782	ND	0.0567	0.0572	72.5	73.1	1	25.0-126			0.825	35
Methoxychlor	0.0782	ND	0.0555	0.0555	71.0	71.0	1	10.0-159			0.000	40
(S) Decachlorobiphenyl					65.6	67.6		10.0-135				
(S) Tetrachloro-m-xylene					72.4	73.4		10.0-139				



Method Blank (MB)

(MB) R3370599-3 12/21/18 00:00

Analyte	MB Result mg/kg	MB Qualifier	MB MDL mg/kg	MB RDL mg/kg
Aldrin	U		0.00135	0.0200
Alpha BHC	U		0.00136	0.0200
Beta BHC	U		0.00160	0.0200
Delta BHC	U		0.00143	0.0200
Gamma BHC	U		0.00145	0.0200
4,4-DDD	U		0.00156	0.0200
4,4-DDE	U		0.00154	0.0200
4,4-DDT	U		0.00200	0.0200
Dieldrin	U		0.00152	0.0200
Endosulfan I	U		0.00149	0.0200
Endosulfan II	U		0.00160	0.0200
Endosulfan sulfate	U		0.00151	0.0200
Endrin	U		0.00157	0.0200
Endrin aldehyde	U		0.00129	0.0200
Endrin ketone	U		0.00165	0.0200
Heptachlor	U		0.00154	0.0200
Heptachlor epoxide	U		0.00161	0.0200
Hexachlorobenzene	U		0.00124	0.0200
Methoxychlor	U		0.00178	0.0200
Chlordane	U		0.0390	0.200
Toxaphene	U		0.0360	0.400
(S) Decachlorobiphenyl	63.2			10.0-135
(S) Tetrachloro-m-xylene	64.7			10.0-139

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc

Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3370599-1 12/20/18 23:30 • (LCSD) R3370599-2 12/20/18 23:45

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0666	0.0471	0.0428	70.7	64.3	34.0-136			9.57	38
Alpha BHC	0.0666	0.0516	0.0471	77.5	70.7	34.0-139			9.12	38
Beta BHC	0.0666	0.0470	0.0437	70.6	65.6	34.0-133			7.28	37
Delta BHC	0.0666	0.0489	0.0445	73.4	66.8	34.0-135			9.42	38
Gamma BHC	0.0666	0.0507	0.0465	76.1	69.8	34.0-136			8.64	38
4,4-DDD	0.0666	0.0458	0.0415	68.8	62.3	33.0-141			9.85	39
4,4-DDE	0.0666	0.0461	0.0421	69.2	63.2	34.0-134			9.07	38
4,4-DDT	0.0666	0.0501	0.0454	75.2	68.2	30.0-143			9.84	40
Dieldrin	0.0666	0.0473	0.0430	71.0	64.6	35.0-137			9.52	37
Endosulfan I	0.0666	0.0444	0.0409	66.7	61.4	34.0-134			8.21	37



Laboratory Control Sample (LCS) • Laboratory Control Sample Duplicate (LCSD)

(LCS) R3370599-1 12/20/18 23:30 • (LCSD) R3370599-2 12/20/18 23:45

Analyte	Spike Amount mg/kg	LCS Result mg/kg	LCSD Result mg/kg	LCS Rec. %	LCSD Rec. %	Rec. Limits %	LCS Qualifier	LCSD Qualifier	RPD %	RPD Limits %
Endosulfan II	0.0666	0.0421	0.0383	63.2	57.5	35.0-132			9.45	38
Endosulfan sulfate	0.0666	0.0464	0.0423	69.7	63.5	35.0-132			9.24	37
Endrin	0.0666	0.0503	0.0455	75.5	68.3	34.0-137			10.0	37
Endrin aldehyde	0.0666	0.0427	0.0392	64.1	58.9	23.0-121			8.55	39
Endrin ketone	0.0666	0.0445	0.0407	66.8	61.1	35.0-144			8.92	37
Heptachlor	0.0666	0.0532	0.0479	79.9	71.9	36.0-141			10.5	37
Heptachlor epoxide	0.0666	0.0464	0.0428	69.7	64.3	36.0-134			8.07	37
Hexachlorobenzene	0.0666	0.0480	0.0456	72.1	68.5	33.0-129			5.13	37
Methoxychlor	0.0666	0.0484	0.0439	72.7	65.9	28.0-150			9.75	38
(S) Decachlorobiphenyl				69.5	66.5	10.0-135				
(S) Tetrachloro-m-xylene				71.6	68.2	10.0-139				

L1053387-12 Original Sample (OS) • Matrix Spike (MS) • Matrix Spike Duplicate (MSD)

(OS) L1053387-12 12/21/18 00:15 • (MS) R3370599-4 12/21/18 00:30 • (MSD) R3370599-5 12/21/18 00:45

Analyte	Spike Amount (dry) mg/kg	Original Result (dry) mg/kg	MS Result (dry) mg/kg	MSD Result (dry) mg/kg	MS Rec. %	MSD Rec. %	Dilution	Rec. Limits %	MS Qualifier	MSD Qualifier	RPD %	RPD Limits %
Aldrin	0.0829	ND	0.0572	0.0600	69.1	72.4	1	20.0-135			4.67	37
Alpha BHC	0.0829	ND	0.0621	0.0655	74.9	79.0	1	27.0-140			5.27	35
Beta BHC	0.0829	ND	0.0556	0.0590	67.1	71.2	1	23.0-141			5.86	37
Delta BHC	0.0829	ND	0.0559	0.0584	67.4	70.4	1	21.0-138			4.36	35
Gamma BHC	0.0829	ND	0.0591	0.0633	71.3	76.4	1	27.0-137			6.91	36
4,4-DDD	0.0829	ND	0.0565	0.0589	68.2	71.0	1	15.0-152			4.10	39
4,4-DDE	0.0829	ND	0.0563	0.0590	67.9	71.2	1	10.0-152			4.75	40
4,4-DDT	0.0829	ND	0.0612	0.0632	73.9	76.3	1	10.0-151			3.20	40
Dieldrin	0.0829	ND	0.0591	0.0614	71.3	74.0	1	17.0-145			3.72	37
Endosulfan I	0.0829	ND	0.0548	0.0572	66.1	69.1	1	20.0-137			4.44	36
Endosulfan II	0.0829	ND	0.0512	0.0524	61.7	63.2	1	15.0-141			2.40	37
Endosulfan sulfate	0.0829	ND	0.0559	0.0566	67.4	68.3	1	15.0-143			1.33	38
Endrin	0.0829	ND	0.0635	0.0656	76.6	79.1	1	19.0-143			3.28	37
Endrin aldehyde	0.0829	ND	0.0509	0.0514	61.4	62.0	1	10.0-139			0.973	40
Endrin ketone	0.0829	ND	0.0539	0.0551	65.0	66.5	1	17.0-149			2.28	38
Heptachlor	0.0829	ND	0.0660	0.0680	79.6	82.0	1	22.0-138			2.97	37
Heptachlor epoxide	0.0829	ND	0.0596	0.0621	71.9	74.9	1	22.0-138			4.09	36
Hexachlorobenzene	0.0829	ND	0.0584	0.0616	70.4	74.3	1	25.0-126			5.39	35
Methoxychlor	0.0829	ND	0.0622	0.0625	75.1	75.4	1	10.0-159			0.399	40
(S) Decachlorobiphenyl					61.0	64.1		10.0-135				
(S) Tetrachloro-m-xylene					65.6	69.1		10.0-139				



Guide to Reading and Understanding Your Laboratory Report

The information below is designed to better explain the various terms used in your report of analytical results from the Laboratory. This is not intended as a comprehensive explanation, and if you have additional questions please contact your project representative.

Abbreviations and Definitions

(dry)	Results are reported based on the dry weight of the sample. [this will only be present on a dry report basis for soils].
MDL	Method Detection Limit.
ND	Not detected at the Reporting Limit (or MDL where applicable).
RDL	Reported Detection Limit.
RDL (dry)	Reported Detection Limit.
Rec.	Recovery.
RPD	Relative Percent Difference.
SDG	Sample Delivery Group.
(S)	Surrogate (Surrogate Standard) - Analytes added to every blank, sample, Laboratory Control Sample/Duplicate and Matrix Spike/Duplicate; used to evaluate analytical efficiency by measuring recovery. Surrogates are not expected to be detected in all environmental media.
U	Not detected at the Reporting Limit (or MDL where applicable).
Analyte	The name of the particular compound or analysis performed. Some Analyses and Methods will have multiple analytes reported.
Dilution	If the sample matrix contains an interfering material, the sample preparation volume or weight values differ from the standard, or if concentrations of analytes in the sample are higher than the highest limit of concentration that the laboratory can accurately report, the sample may be diluted for analysis. If a value different than 1 is used in this field, the result reported has already been corrected for this factor.
Limits	These are the target % recovery ranges or % difference value that the laboratory has historically determined as normal for the method and analyte being reported. Successful QC Sample analysis will target all analytes recovered or duplicated within these ranges.
Original Sample	The non-spiked sample in the prep batch used to determine the Relative Percent Difference (RPD) from a quality control sample. The Original Sample may not be included within the reported SDG.
Qualifier	This column provides a letter and/or number designation that corresponds to additional information concerning the result reported. If a Qualifier is present, a definition per Qualifier is provided within the Glossary and Definitions page and potentially a discussion of possible implications of the Qualifier in the Case Narrative if applicable.
Result	The actual analytical final result (corrected for any sample specific characteristics) reported for your sample. If there was no measurable result returned for a specific analyte, the result in this column may state "ND" (Not Detected) or "BDL" (Below Detectable Levels). The information in the results column should always be accompanied by either an MDL (Method Detection Limit) or RDL (Reporting Detection Limit) that defines the lowest value that the laboratory could detect or report for this analyte.
Uncertainty (Radiochemistry)	Confidence level of 2 sigma.
Case Narrative (Cn)	A brief discussion about the included sample results, including a discussion of any non-conformances to protocol observed either at sample receipt by the laboratory from the field or during the analytical process. If present, there will be a section in the Case Narrative to discuss the meaning of any data qualifiers used in the report.
Quality Control Summary (Qc)	This section of the report includes the results of the laboratory quality control analyses required by procedure or analytical methods to assist in evaluating the validity of the results reported for your samples. These analyses are not being performed on your samples typically, but on laboratory generated material.
Sample Chain of Custody (Sc)	This is the document created in the field when your samples were initially collected. This is used to verify the time and date of collection, the person collecting the samples, and the analyses that the laboratory is requested to perform. This chain of custody also documents all persons (excluding commercial shippers) that have had control or possession of the samples from the time of collection until delivery to the laboratory for analysis.
Sample Results (Sr)	This section of your report will provide the results of all testing performed on your samples. These results are provided by sample ID and are separated by the analyses performed on each sample. The header line of each analysis section for each sample will provide the name and method number for the analysis reported.
Sample Summary (Ss)	This section of the Analytical Report defines the specific analyses performed for each sample ID, including the dates and times of preparation and/or analysis.

Qualifier Description

J	The identification of the analyte is acceptable; the reported value is an estimate.
---	---

1 Cp

2 Tc

3 Ss

4 Cn

5 Sr

6 Qc

7 Gl

8 Al

9 Sc



Pace National is the only environmental laboratory accredited/certified to support your work nationwide from one location. One phone call, one point of contact, one laboratory. No other lab is as accessible or prepared to handle your needs throughout the country. Our capacity and capability from our single location laboratory is comparable to the collective totals of the network laboratories in our industry. The most significant benefit to our one location design is the design of our laboratory campus. The model is conducive to accelerated productivity, decreasing turn-around time, and preventing cross contamination, thus protecting sample integrity. Our focus on premium quality and prompt service allows us to be YOUR LAB OF CHOICE.

* Not all certifications held by the laboratory are applicable to the results reported in the attached report.

* Accreditation is only applicable to the test methods specified on each scope of accreditation held by Pace National.

State Accreditations

Alabama	40660	Nebraska	NE-05-15-05
Alaska	17-026	Nevada	TN-03-2002-34
Arizona	AZ0612	New Hampshire	2975
Arkansas	88-0469	New Jersey-NELAP	TN002
California	2932	New Mexico ¹	n/a
Colorado	TN00003	New York	11742
Connecticut	PH-0197	North Carolina	Env375
Florida	E87487	North Carolina ¹	DW21704
Georgia	NELAP	North Carolina ³	41
Georgia ¹	923	North Dakota	R-140
Idaho	TN00003	Ohio-VAP	CL0069
Illinois	200008	Oklahoma	9915
Indiana	C-TN-01	Oregon	TN200002
Iowa	364	Pennsylvania	68-02979
Kansas	E-10277	Rhode Island	LA000356
Kentucky ^{1,6}	90010	South Carolina	84004
Kentucky ²	16	South Dakota	n/a
Louisiana	AI30792	Tennessee ^{1,4}	2006
Louisiana ¹	LA180010	Texas	T 104704245-17-14
Maine	TN0002	Texas ⁵	LAB0152
Maryland	324	Utah	TN00003
Massachusetts	M-TN003	Vermont	VT2006
Michigan	9958	Virginia	460132
Minnesota	047-999-395	Washington	C847
Mississippi	TN00003	West Virginia	233
Missouri	340	Wisconsin	9980939910
Montana	CERT0086	Wyoming	A2LA

Third Party Federal Accreditations

A2LA – ISO 17025	1461.01	AIHA-LAP, LLC EMLAP	100789
A2LA – ISO 17025 ⁵	1461.02	DOD	1461.01
Canada	1461.01	USDA	P330-15-00234
EPA-Crypto	TN00003		

¹ Drinking Water ² Underground Storage Tanks ³ Aquatic Toxicity ⁴ Chemical/Microbiological ⁵ Mold ⁶ Wastewater n/a Accreditation not applicable

Our Locations

Pace National has sixty-four client support centers that provide sample pickup and/or the delivery of sampling supplies. If you would like assistance from one of our support offices, please contact our main office. Pace National performs all testing at our central laboratory.



BS Engineering & Env.- WA

30 Bradley Blvd
Suite 106
Richland WA 99352
Report to:
Angela McGuire

Project:
Description: Richland Orchards

Phone: 509-942-1600
Fax:

Collected by (print):
Angela McGuire

Collected by (signature):
[Signature]

Immediately
Packed on ice N Y

Billing Information:
Accounts Payable- Stephanie Price
400 Bradley Blvd., Ste. 300
Richland, WA 99352

Email To: angela.mcguire@pbsusa.com

City/State
Collected: Richland WA

Client Project #
66150

Lab Project #
PBSENGRWA-66150

Site/Facility ID #

P.O. #

Rush? (Lab MUST Be Notified)

Same Day Five Day
Next Day 5 Day (Rad Only)
Two Day 10 Day (Rad Only)
Three Day Standard

Quote #

Date Results Needed

No.
of
Cntrs

Sample ID	Comp/Grab	Matrix *	Depth	Date	Time	No. of Cntrs
SS-11-6	Grab	SS	0.5'	12/12/18	1327	2
SS-12-6		SS		12/12/18	1338	1
SS-13-6		SS		12/12/18	1418	1
SS-14-6		SS		12/12/18	1428	1
SS-15-6		SS		12/12/18	1438	1
SS-16-6		SS		12/12/18	1450	1
SS-17-6		SS		12/12/18	1501	1
SS-18-6		SS		12/12/18	1508	1
SS-19-6		SS		12/13/18	1023	1
SS-20-6		SS		12/13/18	1046	1

Matrix:
S - Soil AIR - Air F - Filter
GW - Groundwater B - Bioassay
WW - WasteWater
DW - Drinking Water
OT - Other

Remarks:

Samples returned via:
UPS FedEx Courier

Tracking #

Relinquished by: (Signature)

Relinquished by: (Signature)

Relinquished by: (Signature)

Date: 12/13/18 Time: 15:00

Received by: (Signature)
FedEx 4686 6470 3047

Received by: (Signature)

Received for lab by: (Signature)

Trip Blank Received: Yes / No
HCL / MeOH
TBR:

Temp: 10.3 °C Bottles Received: 40 402

Date: 12/14/18 Time: 0830

Sample Receipt Checklist
COC Seal Present/Intact: ☒ Y ☐ N
COC Signed/Accurate: ☒ Y ☐ N
Bottles arrive intact: ☒ Y ☐ N
Correct bottles used: ☒ Y ☐ N
Sufficient volume sent: ☒ Y ☐ N

If Applicable
VOA Zero Readspace: ☒ Y ☐ N
Preservation Correct/Checked: ☒ Y ☐ N
RAD SCREEN: <0.5 mR/hr

If preservation required by Login: Date/Time

Hold: Condition: NCF / GR

Analysis / Container / Preservative

Chain of Custody Page 1 of 1



12065 Lebanon Rd
Mount Juliet, TN 37122
Phone: 615-758-5858
Phone: 800-767-5859
Fax: 615-758-5859



L# L1053387

Table #

Acctnum: PBSENGRWA

Template: T143625

Prelogin: P683272

TSR: 110 - Brian Ford

PB:

Shipped Via:

Remarks Sample # (lab only)

-11
-12
-13
-14
-15
-16
-17
-18
-19
-20

Exhibit 6

ORDINANCE NO. 38-19

AN ORDINANCE of the City of Richland, Washington adopting the 2018-2019 Comprehensive Plan Amendments into the existing 2017 Comprehensive Plan and adopting the resulting document.

WHEREAS, through City of Richland Ordinance No. 42-17, the City adopted the Comprehensive Plan of the City of Richland (the Comprehensive Plan); and

WHEREAS, pursuant to RCW 36.70A.470(2), each city and county planning under RCW 36.70A.040 must include in its development regulations a procedure for any interested person, including applicants, citizens, hearing examiners, and staff of other agencies, to suggest plan or development regulation amendments; and

WHEREAS, the suggested amendments shall be docketed and considered on at least an annual basis, consistent with the provisions of RCW 36.70A.130; and

WHEREAS, Chapter 19.90 of the Richland Municipal Code, titled Comprehensive Plan and Development Regulation Amendments, establishes the procedures as required by RCW 36.70A.470(2); and

WHEREAS, the City of Richland accepted applications suggesting comprehensive plan or development regulation amendments between January 1, 2018 and March 1, 2019; and

WHEREAS, a total of eight (8) proposed amendments were received, consisting of five (5) complete private applications for map amendments, two (2) City-initiated map amendments and one (1) City-initiated text amendment as identified in **Exhibit A**; and

WHEREAS, on April 23, 2019, Richland City Council held a workshop to review the proposed 2018-2019 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, on May 21, 2019, Richland City Council passed Resolution No. 66-19 authorizing the 2018-2019 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, the City of Richland Planning Commission held a workshop on June 12, 2019 to review the 2018-2019 Comprehensive Plan Policies, Maps and Zoning Code Amendments Docket; and

WHEREAS, the Planning Commission held a duly advertised public hearing on June 26, 2019 to accept testimony from anyone wishing to speak for or against the proposed changes; and

WHEREAS, the Planning Commission continued the public hearing to July 24, 2019 in order to deliberate on the proposed changes prior to making a formal recommendation to Richland City Council; and

WHEREAS, on July 24, 2019, the Richland Planning Commission voted to accept staff's suggested findings, conclusions and recommendations on the proposed amendments as evidenced in the Planning Commission's adopted meeting minutes; and

WHEREAS, on September 17, 2019, Richland City Council held a public hearing to consider the proposed amendments and the recommendation of the Planning Commission. All testimony from anyone wishing to speak for or against the changes was accepted, after which Council deliberated on the proposed changes; and

WHEREAS, the Richland City Council finds it prudent to adopt the updated 2018-2019 Comprehensive Plan of the City of Richland by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The recitals and findings set forth above are hereby incorporated by reference.

Section 2. Richland City Council acknowledges that the Planning Commission conducted appropriate investigation and study and held a public hearing on the proposed amendments to the Comprehensive Plan. Council hereby approves the eight (8) proposed amendments to the Comprehensive Plan map and text. The Council has read and considered the Commission's findings, and hereby makes the following findings for the record:

1. Chapter 19.90 RMC provides that City Council will consider each comprehensive plan amendment and forward those selected to the Planning Commission for processing. Plan amendment applications may be submitted via private application and/or proposed by staff or Council.
2. The deadline for submittal of private party applications for consideration as part of the 2018-2019 Comprehensive Plan Policies, Maps and Code Amendments Docket was March 1, 2019.
3. Five (5) private party applications were received and deemed complete.
4. Three (3) city-initiated applications were received and deemed complete.
5. City Council held a Council workshop on April 23, 2019 to review the 2018-2019 Comprehensive Plan Policies, Maps and Code Amendments Docket.

6. On May 21, 2019, Richland City Council established the 2018-2019 Comprehensive Plan Policies, Maps and Code Amendments Docket by adoption of Resolution No. 66-19.
7. On June 5, 2019, notice of a public hearing to be held on June 26, 2019 was sent to property owners within 300 feet of each parcel affected by the proposed comprehensive plan map and zoning map changes.
8. On June 5, 2019, pursuant to RCW 36.70A.106, the City of Richland provided to the State of Washington the required sixty (60) day notification of the City's proposed Comprehensive Plan Policies, Maps and Code Amendments Docket and intent to adopt.
9. On June 5, 2019, a Notice of Public Hearing was posted at the City Hall and on the City website.
10. On June 9, 2019, a Notice of Public Hearing was published in the Tri-City Herald, the official newspaper of the City of Richland.
11. Public hearing notice signs were posted on or near each of the five (5) properties associated with the private party applications submitted for consideration. A public hearing notice sign was also posted at the location of the City-initiated application at the intersection of Stevens Drive and Jadwin Avenue.
12. All public notification requirements for the public workshops and public hearings were met.
13. On June 12, 2019, the Planning Commission conducted a workshop to review the 2018-2019 Comprehensive Plan Policies, Maps and Code Amendments Docket.
14. On June 21, 2019, the Richland Development Services Department issued a SEPA Threshold Determination of Non-Significance (DNS) for the actions listed on the proposed 2018-2019 Comprehensive Plan Policies, Maps and Code Amendments Docket. The SEPA Threshold Determination of Non-Significance was issued after utilizing the Optional DNS Method.
15. CPA 2018-102 and Z2018-105 consist of an application to change the land use designation on approximately two (2) acres from undetermined/undesignated to Parks & Public Facilities (Parks & Public Facilities Zoning District) on property located at the intersection of SR-240 and Stevens Drive.
16. CPA2018-103 consists of an application to change the land use designation on approximately 1.99 acres from Developed Open Space to Medium-Density Residential. The property is located at the southwest corner of the intersection of Clubhouse Lane and River Valley Drive in the Horn Rapids Golf Community (northern portion of the existing parking lot for the Horn Rapids Golf Course).

17. CPA2018-104 consists of a request submitted by the City of Richland Fire & Emergency Services Department to amend Capital Facilities Goal 12 (Re-label current Policy 3 to Policy 4 and add a new Policy 3).
18. CPA2019-101 and Z2019-101 consist of an application filed by Bethel Church to change the land use designation on approximately ten (10) acres from Low-Density Residential to High-Density Residential, and to change the zoning district from Low-Density Residential R-1-12 to High-Density Residential R-3. The property is located north of Shockley Road immediately west of the existing Bethel Church.
19. CPA2019-102 and Z2019-102 consist of an application filed by North Stone Richland, LLC to change the land use designation from Low-Density Residential to Medium-Density Residential, and to change the zoning district from Low-Density Residential R-1-10 and Medium-Density Residential R-2 to Medium-Density Residential R-2S on approximately 54.40 acres. The property is located within an undeveloped area of Horn Rapids west of the 4th hole fairway.
20. CPA2019-103 and Z2019-103 consist of an application filed by Tim Bush to change the land use designation on approximately 1.8 acres from Developed Open Space to High-Density Residential, and change the zoning district from Parks & Public Facilities (PPF) to Multiple Family Residential R-3. The property is located north of Dupertail Street immediately east of 412 Thayer Drive.
21. CPA2019-104 and Z2019-104 consist of an application filed by Tim Bush, Lot 4 to change the land use designation on approximately 2 acres from Developed Open Space to Commercial and change the zoning district from Parks & Public Facilities to Retail Business C-2. The property is located south of Lawless Drive immediately west of Fred Meyer.
22. CPA2019-104 & Z2019-105 consist of an application filed by the City of Richland to change land use designations and zoning districts on portions of City-owned properties located at Leslie Grove Park, Howard Amon Park, Amon Preserve and W.E. Johnson Park.
23. Based upon the application materials submitted and presentations by the applicants, the proposed amendments will not adversely impact the City's ability to provide sewer and water, and will not adversely affect adopted levels of service standards for other public facilities and services such as parks, police, fire, emergency medical services and governmental services.
24. Adequate infrastructure, facilities and services are available to serve the proposed or potential development expected as a result of these amendments.
25. The proposed amendments are consistent with the goals, policies and objectives of the Comprehensive Plan of the City of Richland.

26. The proposed comprehensive plan amendments will not result in probable significant adverse impacts to the transportation network, capital facilities, utilities, parks, or environmental features.
27. The subject parcels being re-designated are physically suitable for the allowed land uses in the designations being requested.
28. The proposed amendments are consistent with the Washington State Growth Management Act, the Benton County planning policies and other applicable local and state policies, agreements, and laws.
29. The proposed amendments will not have a cumulative adverse effect on the planning area.
30. The City-initiated comprehensive plan amendments are primarily house-keeping in nature and are consistent with the goals and intent of the Comprehensive Plan of the City of Richland.
31. The State of Washington's Growth Management Act requires that comprehensive plans be effectuated by various development regulations such as subdivision regulations, critical areas and zoning. Proposed Ordinance No. 39-19 will give effect to the comprehensive plan amendments approved by this action.
32. The proposed area-wide rezoning of the properties in question is dependent upon a change in the land-use designation of the Comprehensive Plan of the City of Richland.
33. The Planning Commission recommends approval of an area-wide rezone in order to bring the zoning into compliance with the change of land-use designations authorized by the passage of the five (5) private party applications and the City-initiated actions (i.e., the map amendments).

Section 3. The 2018-2019 amendments to the 2017 Richland Comprehensive Plan as identified in **Exhibit A** and depicted in **Exhibit B** are hereby adopted and incorporated into the Comprehensive Plan of the City of Richland, which is adopted in its entirety by this Ordinance No. 38-19 and set forth in **Exhibit C**.

Section 4. Richland Municipal Code Section 23.01.030, entitled Plan adopted, as first enacted by Ordinance No. 28-05 and last amended by Ordinance No. 42-17, is hereby amended to read as follows:

23.01.030 Plan adopted.

There is hereby adopted as a current and flexible guide to coordinate the public and private development of property and other resources of the city of Richland that certain comprehensive plan adopted by the Richland city council on October 6, 1997, ~~and~~ amended on December 14, 1998, December 7, 1999, December 19, 2000, October 16, 2001, December 2, 2002, December 3, 2003, December 7, 2004, December 6, 2005,

December 19, 2006, December 4, 2007, December 2, 2008, November 17, 2009, August 3, 2010, November 16, 2010, November 27, 2012, November 19, 2013, November 18, 2014, December 1, 2015, and November 15, 2016, ~~and~~ updated as required by law on October 3, 2017, and amended on October 1, 2019, which is on file with the city clerk and consists of general goals and policies relating to economic development, land use, transportation, utilities, capital facilities and housing, and also includes a revised urban growth boundary land use plan map.

Section 5. All prior versions and of the Comprehensive Plan of the City of Richland are hereby repealed.

Section 6. Pursuant to RCW 36.70A.106(2), this ordinance shall be transmitted to the Washington State Department of Commerce within ten (10) days of adoption.

Section 7. The provisions of this ordinance are declared separate and severable. If any section, paragraph, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 8. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 9. The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 1st day of October, 2019.


ROBERT J. THOMPSON
Mayor

ATTEST:


TONI FULTON, Acting Deputy City Clerk

APPROVED AS TO FORM:


HEATHER KINTZLEY, City Attorney

Date Published: October 6, 2019

2018/2019 DOCKET

File Number: CPA2018-102 & Z2018-105

Applicant: City of Richland Fire Department

The Richland Fire Department is proposing to amend the Land Use Map from undesignated to Public Facility with a concurrent rezone from undesignated to Parks & Public Facilities for a single parcel of 2.05 acres located at the intersection of Stevens and SR 240 (Parcel Number 134081000029000).

File Number: CPA 2018-103

Applicant: Rew (HJBT Properties, LLC)

The applicants are proposing to amend the Land Use Map from Developed Open Space (DOS) to Medium Density Residential (MDR) for a portion of property consisting of approximately 1.99 acres located immediately south of the Horn Rapids Golf Course Clubhouse (Parcel Number 128082000001005).

File Number: CPA2019-101 & Z2019-101

Applicant: Bethel Church

The applicants are proposing to amend the Land Use Map from Low Density Residential (LDR) to High Density Residential (HDR) with a concurrent rezone from Low Density Residential R-1-12 to High Density Residential – R3 for two parcels totaling approximately 10.25 acres located on the north side of Shockley Boulevard and west of the existing Bethel Church (Parcel Numbers 122983000006002 & 122983000006003).

File Number: CPA2019-102 & Z2019-102

Applicant: North Stone Development (Stewart Stone)

The applicant is proposing to amend the Land Use Map from Low Density Residential (LDR) to Medium Density Residential (MDR) with a concurrent rezone from Low Density Residential R-1-10 and Medium Density Residential R-2 to Medium Density Residential R-2S upon a portion of property totaling approximately 54.40 acres (Parcel Number 120083000009010).

File Number: CPA2019-103 & Z2019-103

Applicant: Tim Bush

The applicant is proposing to amend the Land Use Map from Developed Open Space (DOS) to High Density Residential (HDR) with a concurrent rezone from Parks & Public Facilities (PPF) to High Density Residential R-3 upon property totaling 1.81 acres located at 1380 Duportail Street (Parcel Number 115981013592002).

File Number: CPA 2019-104 & Z2019-104

Applicant: Tim Bush

The applicant is proposing to amend the Land Use Map from Developed Open Space (DOS) to Commercial (C) with a concurrent rezone from Parks & Public Facilities (PPF) to Retail Business (C-2) totaling 2.02 acres located at 1383 Lawless Drive (Parcel Number 115981013592004).

File Number: CPA2019-105 & Z2019-105

Applicant: City of Richland

The City of Richland is proposing to perform minor mapping amendments to both the Land Use Map and the Zoning Map as “housekeeping purposes” at the following locations:

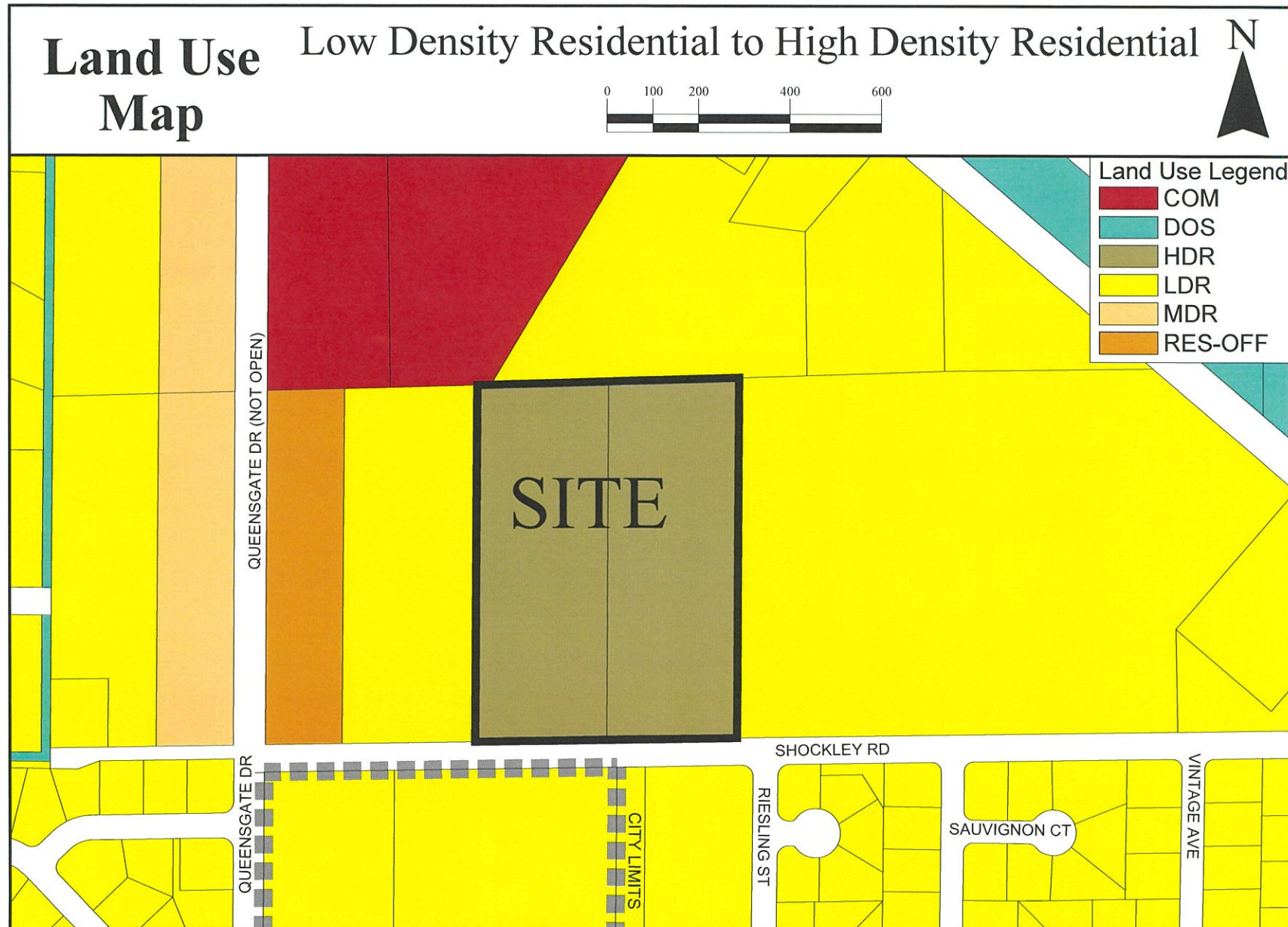
1. Leslie Groves Park – Amend Land Use Map by extending the Natural Open Space (NOS) designation north along the riverfront from the existing Natural Open Space (NOS) boundary north to Newcomer Street with a concurrent rezone to Natural Open Space (NOS) (Portion of Parcel Number 111981020624001).
2. Howard Amon Park – Amend Land Use Map from Natural Open Space (NOS) to Developed Open Space (DOS) to match the rest of the developed city park and to be consistent with the existing Parks & Public Facilities (PPF) Zoning (Portion of Parcel Number 013981000000000).
3. Amon Preserve South – Amend the Land Use Map at the south end of the Amon Preserve from Commercial (C) to Natural Open Space (NOS) to be consistent with the existing Natural Open Space (NOS) Zoning (Southern portion of Parcel Number 101882000001003).
4. Amon Preserve East – Amend the Land Use Map upon Parcel Number 101883000002000 from Low Density Residential (LDR) to Natural Open Space (NOS) with a concurrent rezone from Low Density Residential R-1-10 to Natural Open Space (NOS)
5. Amon Preserve North – Amend the Land Use Map from High Density Residential (HDR) to Natural Open Space (NOS) with a concurrent rezone from Multiple Family Residential (R-3) to Natural Open Space (NOS).
6. W.E. Johnson Park – Amend the Land Use Map from Natural Open Space (NOS) to Developed Open Space (DOS) in the area referred to as the “old dump” (Parcel Numbers 104984000013000 & 104984000014000) and change the zoning from Parks & Public Facilities (PPF) to Natural Open Space (NOS) upon land located east and south of the “old dump” to match the existing Land Use Map designation (Parcel Numbers 104984000015000, 109981000004000, 109981000005000, 109981000006000 & 109984000004000).

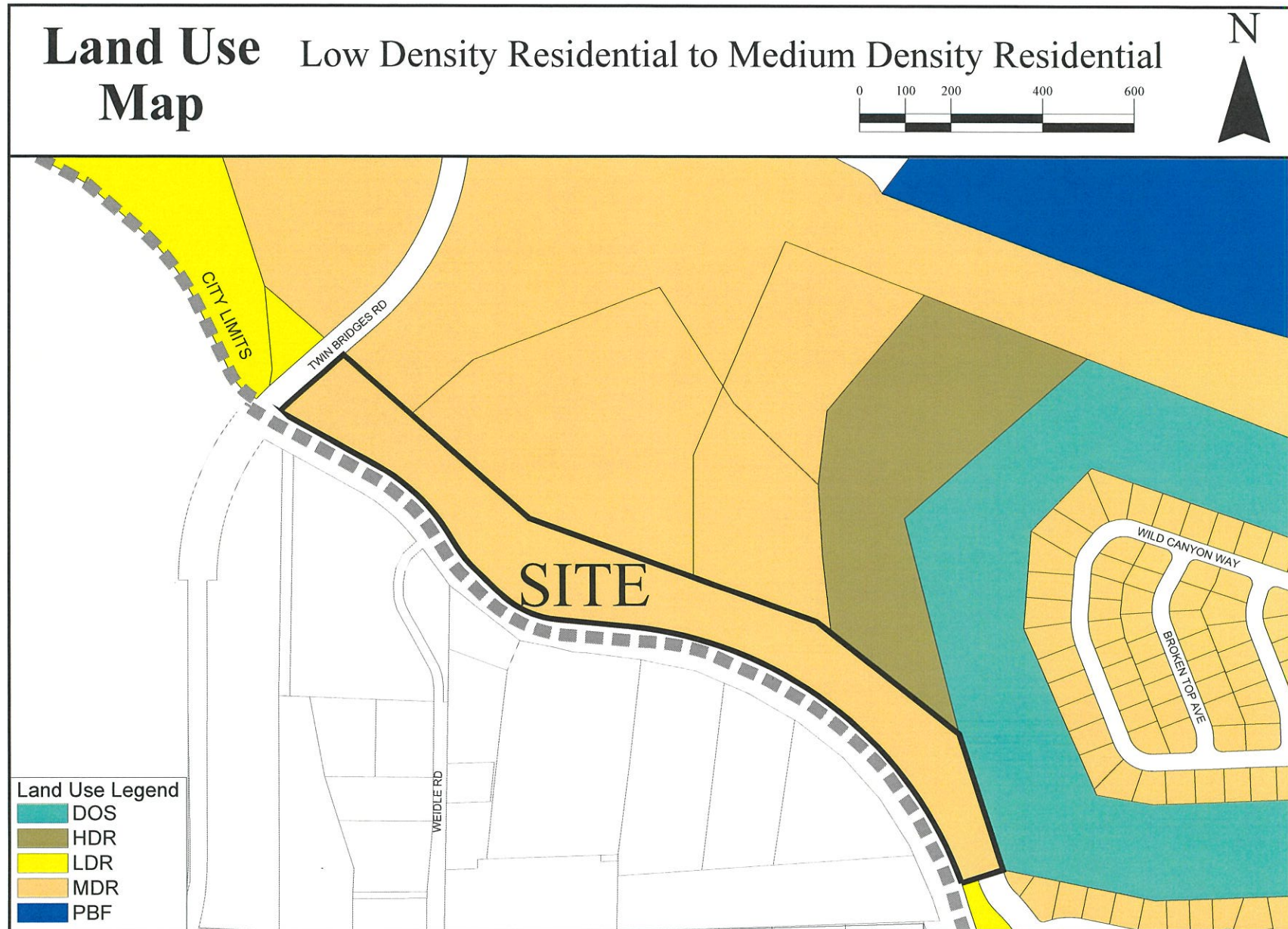
File Number: CPA2018-104

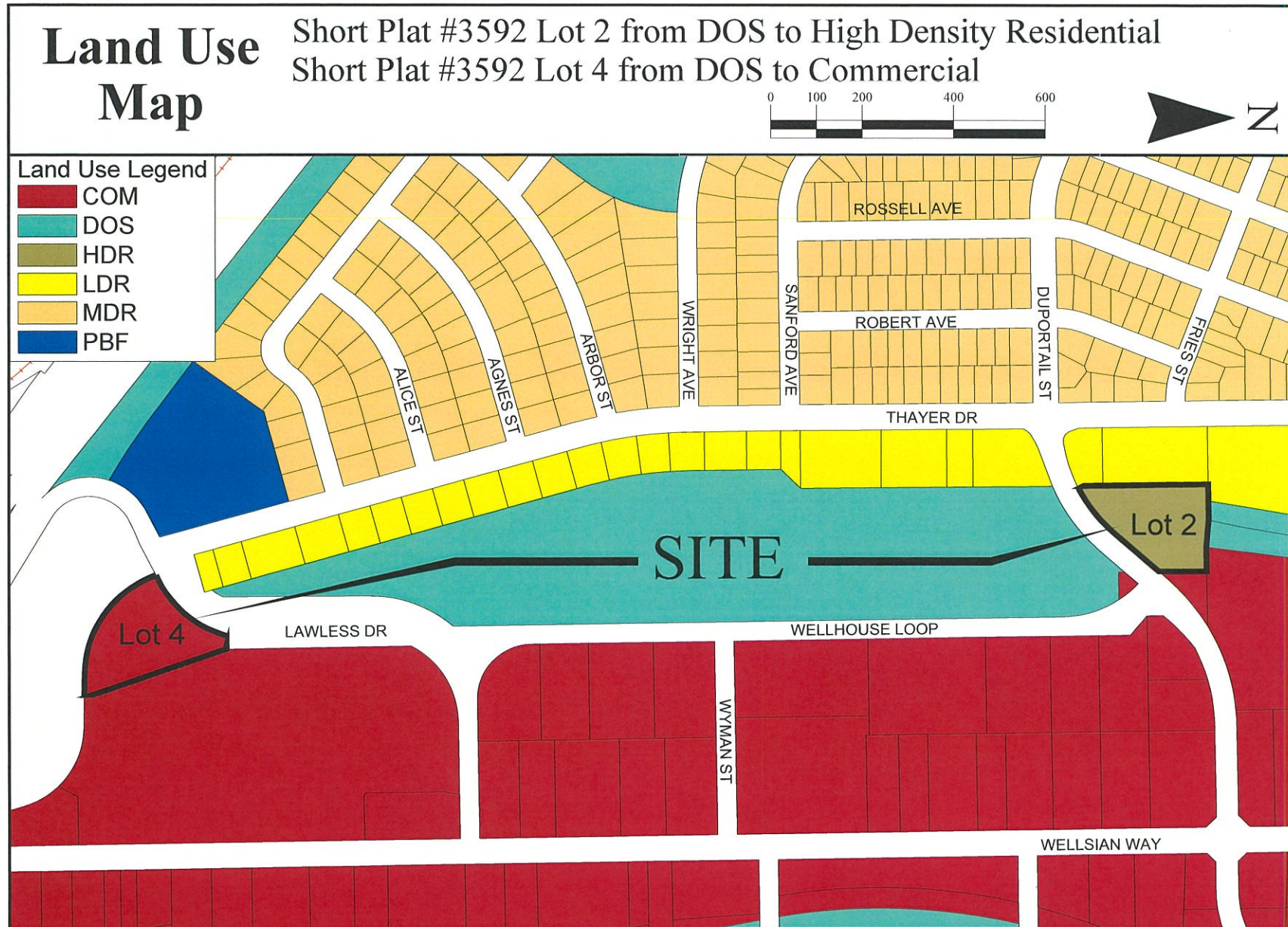
Applicant: City of Richland Fire Department

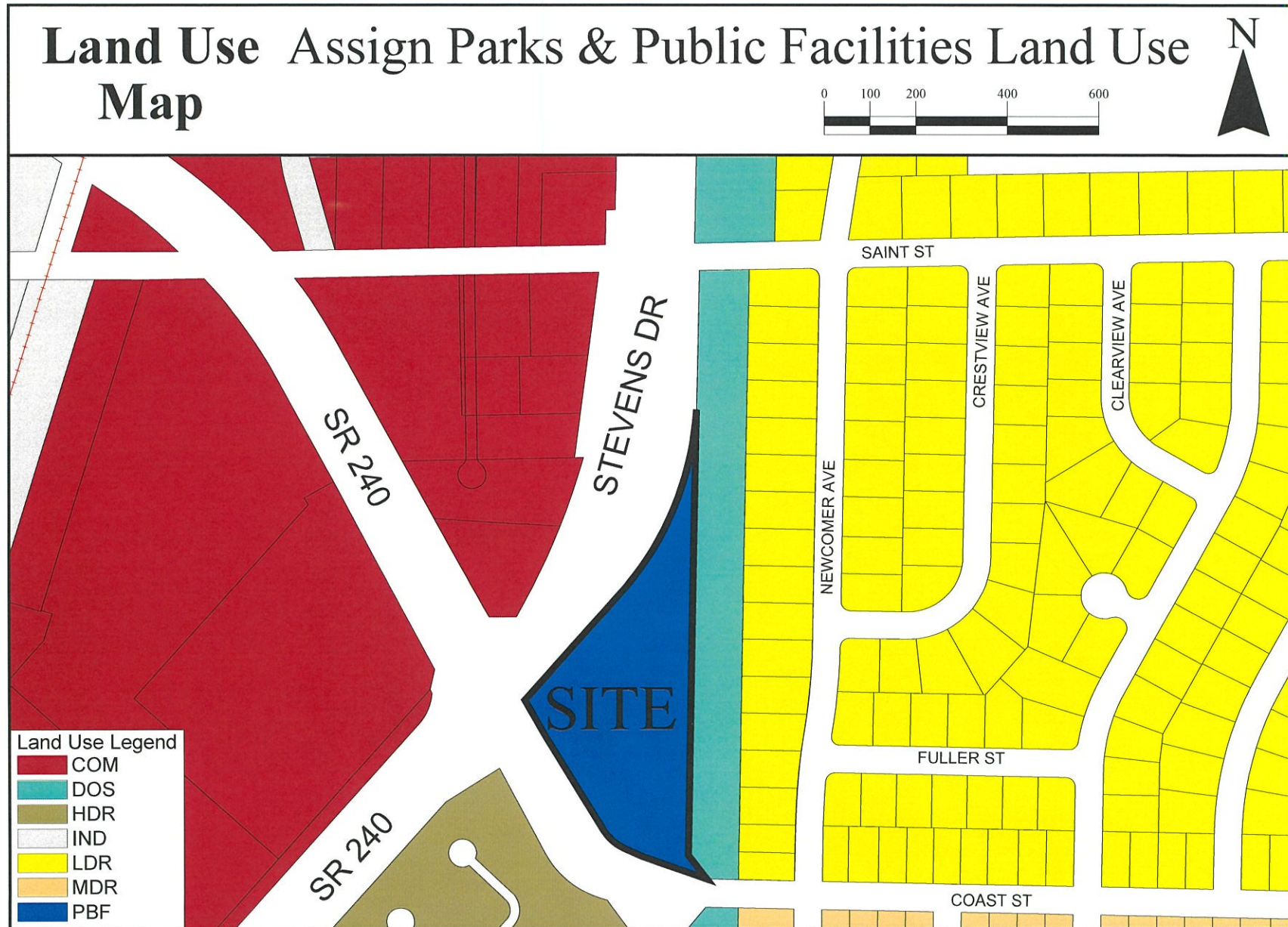
The City of Richland Fire Department is proposing to amend Policy #3 of the Capital Facilities Element and Add a new Policy #4.

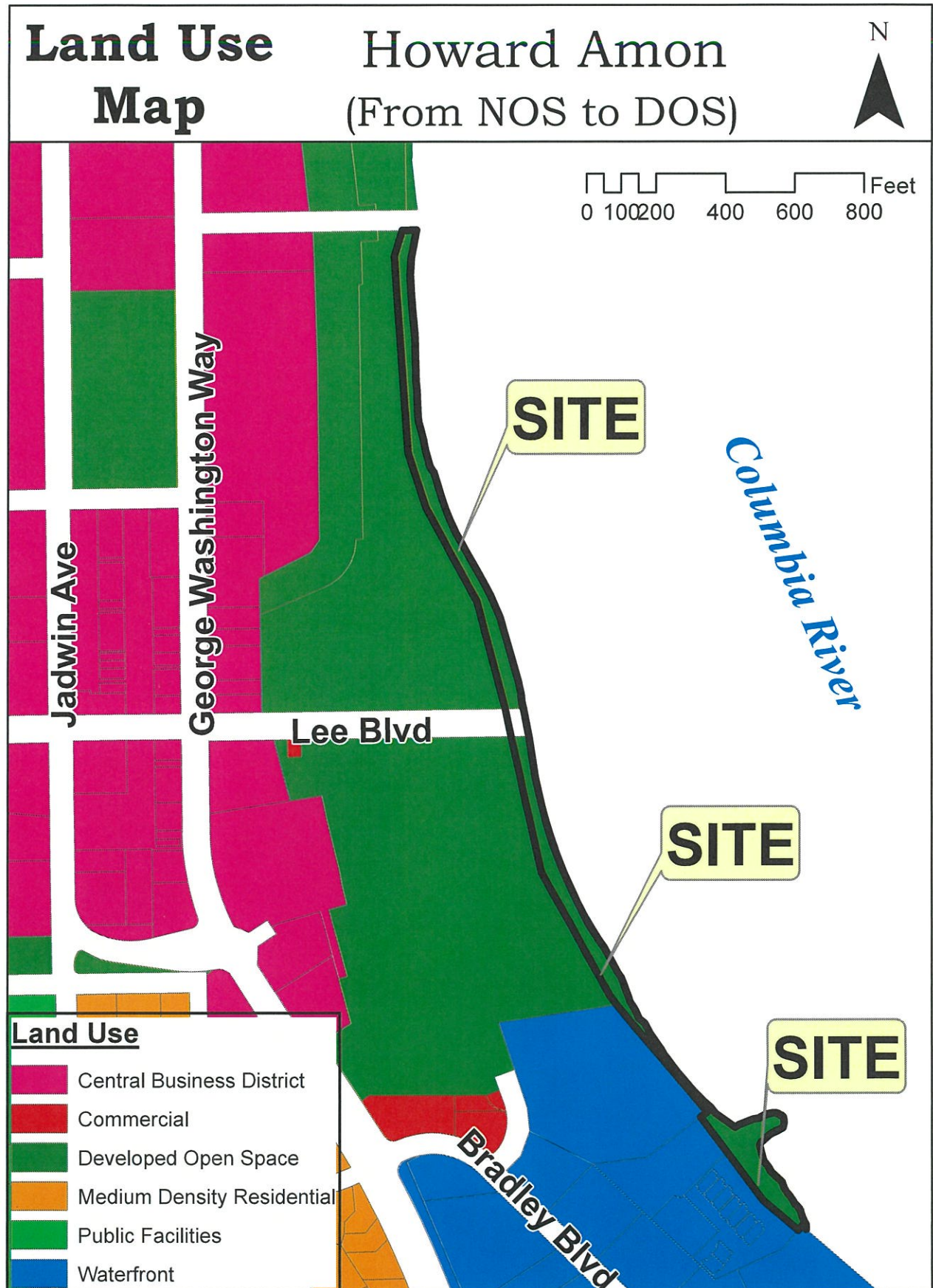


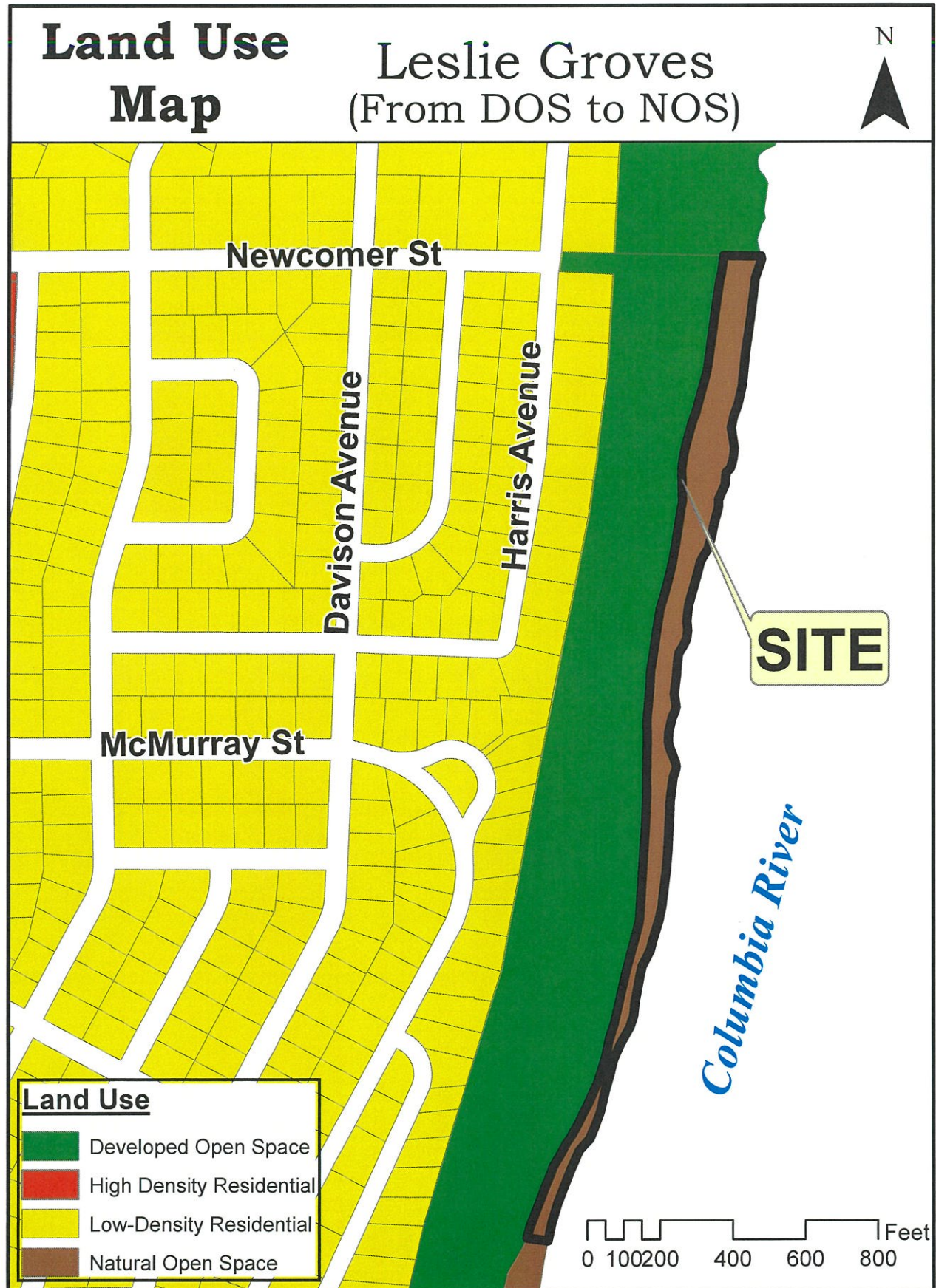




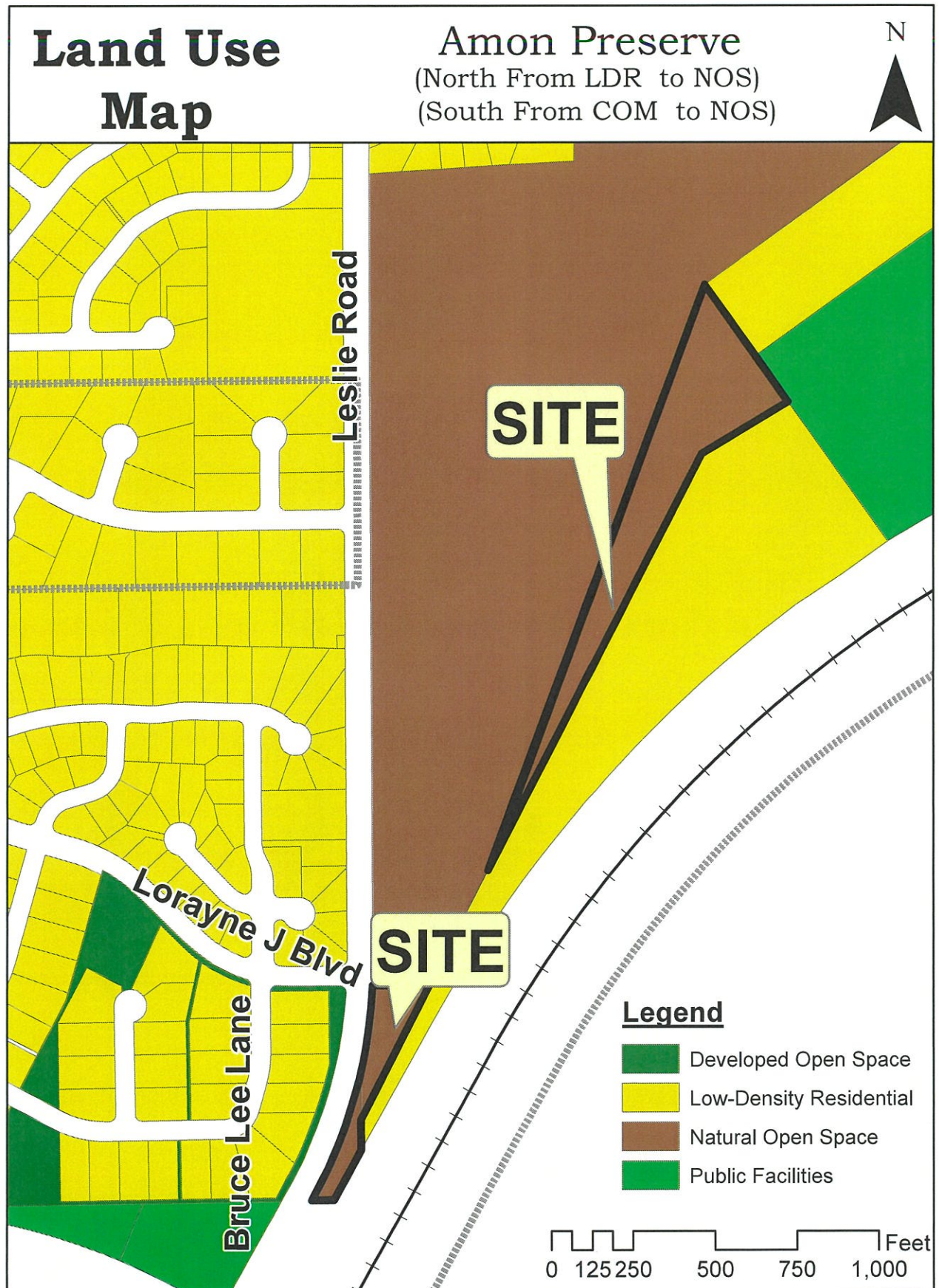






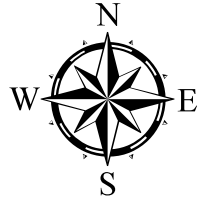








Badger Mountain South Sub-Area Plan Scrivener's Error Correction



Legend

-  BMS_Primary
-  BMS_ERROR

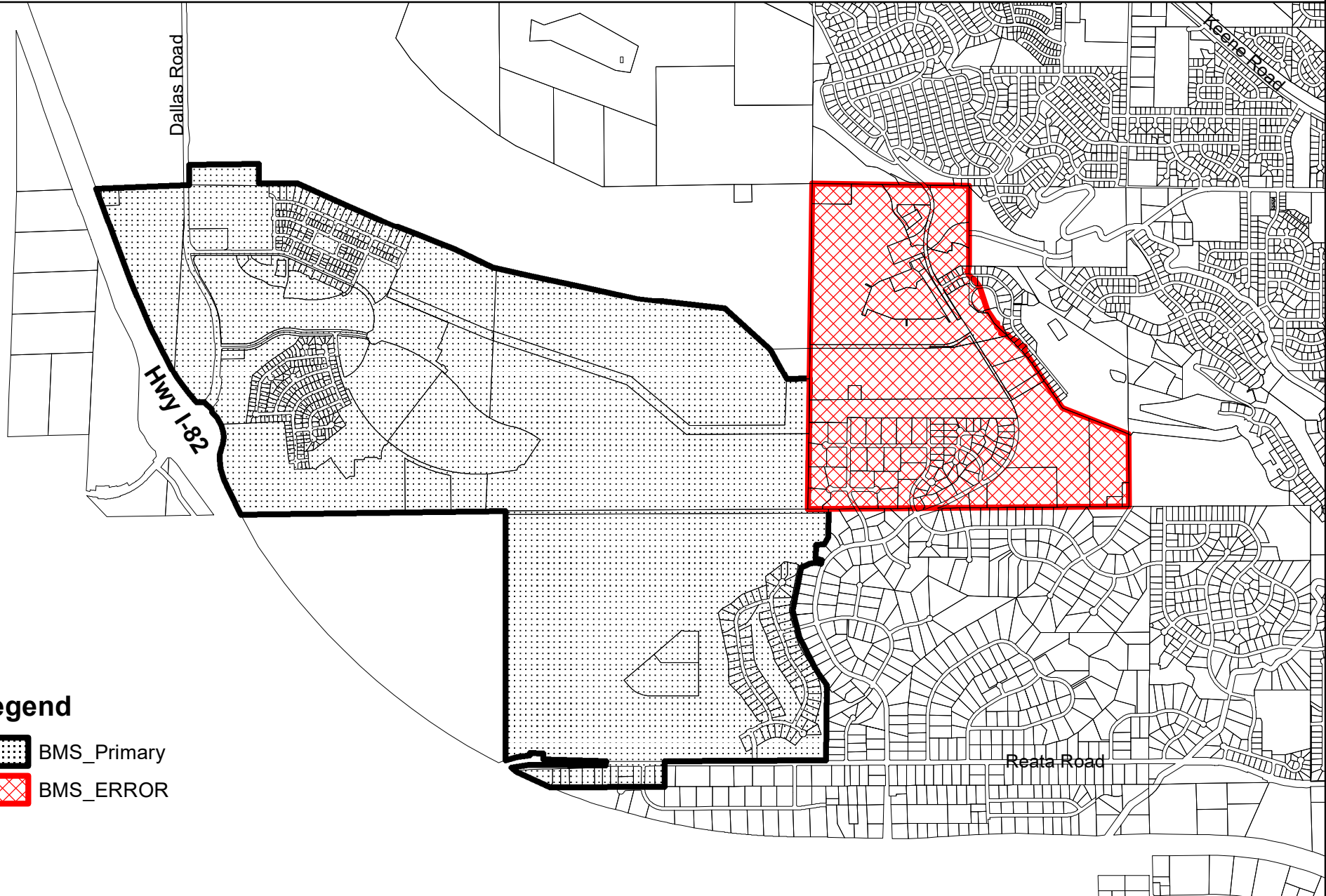


Exhibit C

Comprehensive Plan of the City of Richland



City of Richland

Comprehensive Plan 2017



CITY OF RICHLAND COMPREHENSIVE PLAN

2017 – 2037

October 3, 2017

Updated October 1, 2019

Prepared for

City of Richland



Prepared by

Oneza & Associates



Prepared with assistance from

Anchor QEA

J-U-B Engineers Inc.

ECONorthwest

ACKNOWLEDGEMENTS

Thank you to the members of our community for valuable input. Thank you also to current and previous City Council Members and Planning Commissioners for your time and effort in the creation of this document and the original plan to build on.

2017 City Council

Robert Thompson, Mayor
Terry Christensen, Mayor Pro Tem
Brad Anderson
Dori Luzzo Gilmour
Phillip Lemley
Sandra Kent
David Rose

2017 Planning Commission

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Kent Madsen, Vice Chair
Clifford Clark
James Wise
Marianne Boring
Kyle Palmer
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Joe Schiessl, Park & Public Facilities Director
Tom Huntington, Fire & Emergency Services Director
Chris Skinner, Police Services Director
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INTRODUCTION

In this chapter, you will find:

- Planning Background: why we plan
 - Growth Management Act (GMA)
 - Benton County Countywide Planning Policies
- Richland Community Profile
- Public Participation Plan
- Comprehensive Plan Framework

BACKGROUND

The Comprehensive Plan is a basic foundation for local government planning. Richland's Comprehensive Plan acts as a guide for the community's physical development (land use) over the long term that reflects the community's values, activities, and future growth. It guides the City's decisions on land use, transportation, infrastructure, housing, economic development, and the environment.

Cities and other government jurisdictions adopt comprehensive plans to serve as guides for future activities. A comprehensive plan does not carry the weight of law. Rather, it is a policy statement that points the way to a future in which the City of Richland thrives and maintains all the qualities its citizens

value. The vision, goals, and policies included in this plan are developed through extensive communication with a wide range of groups and individuals.

GMA Planning Goals:

- Urban Growth
- Reduce Sprawl
- Transportation
- Housing
- Economic Development
- Protection of Property Rights
- Predictable Permits
- Natural Resource Industries
- Open Space and Recreation
- Environmental Protection
- Citizen Participation and Coordination
- Public Facilities and Services
- Historic Preservation
- Shoreline Management

The City uses the policies in a comprehensive plan as a guide for its future activities, particularly the crafting of ordinances that relate to zoning, land use, and development. The plan provides a consistent framework for legislative and administrative action, always steering the City towards the desired future and away from a patchwork of laws and rules

that conflict with the vision or with one another.

Growth Management Act

In 1990, the Washington State Legislature adopted the Growth Management Act (GMA), mandating growth to occur within Urban Growth Areas (UGA). Its goals include concentrating development in urban areas to prevent sprawl, encouraging affordable housing, efficient transportation systems and economic development, providing adequate public facilities, and protecting historic and natural resources. It contains additional goals for citizen participation, permit processing, private property rights etc.

Richland developed its first Comprehensive Plan under the GMA guidelines in 1998. The population in Richland has grown at an average rate of two percent each year in the last 20 years. With the plan in place, the City has accomplished many of its planning goals to accommodate growth. This updated Comprehensive Plan will serve as a guideline for the next 10 years under the Growth Management Act. As the City continues to experience steady population and economic growth, delivering public services is key to maintaining this continued growth pattern.

Benton County Countywide Planning Policies

Managing growth can be ineffective if it is carried out in a patchwork fashion. Therefore, the GMA provides a framework for regional coordination. Counties planning under the GMA should prepare Countywide Planning Policies (CWPP) and establish urban growth areas (UGAs). Cities and the county are required to be consistent with the Countywide Planning Policies in their comprehensive planning.

The Benton County Board of Commissioners adopted the “Benton Countywide Planning Policies” in 2016 (Appendix B). This document establishes policies that the City’s

Comprehensive Plan follows in addressing everything from transportation to the provision of municipal services to economic development to fiscal considerations.

COMMUNITY PROFILE

The City of Richland lies at the confluence of the Yakima and Columbia Rivers, in the geographic region known as the Mid-Columbia Basin. Richland and the nearby communities of Pasco and Kennewick are commonly called the Tri-Cities. This Comprehensive Plan looks at the area in Richland from the Hanford Nuclear Reservation on the north, to Kennewick on the south, and from the Columbia River on the east, to the Yakima River and the City of West Richland on the west. The Yakima River delta has shaped the City’s growth into two areas, the north and south sides of the City.

Due to its location, Richland enjoys access to water and natural resources. The Columbia and Yakima Rivers provide water for irrigation of nearby farmland as well as for domestic use. They offer a variety of opportunities for the City, such as open spaces, recreation systems, parks, and waterfront developments.

History

Native Americans lived at the mouth of the Yakima River, which they called the Tapteal, in an area that is known as Richland today.

Richland falls within the Southern Plateau, part of the larger Columbia Plateau culture area. The Yakima-Columbia confluence has a rich archaeological record, with sites in the area attributed to all of the Southern Plateau cultural phases. The area has been “occupied more or less continuously for the last 10,000 years” (Western Heritage 1983:4). There are many recorded archaeological sites within a mile of the confluence. National Register-listed properties include the Columbia Point area,

Bateman Island, and the Tri-Cities Archaeological District (Anchor QEA, 2014).

In 1943, Richland was a small farming town of about 300 residents. In that year, the US Army Corps of Engineers, Manhattan Engineer District purchased most of the area for a massive project to produce plutonium. The federal government planned and built a complete community to serve this project, including schools, housing, and parks. Two years later, Richland residents working at the new Hanford Nuclear Reservation produced the plutonium fuel for America's first nuclear detonation and for the second nuclear bomb used in World War II. By the end of World War II, the population in Richland swelled to 21,000 persons.

For 15 years, only employees of the Hanford Reservation could live in the town that the federal government built. After several years of discussion at both the local and federal levels, the federal government began the process of turning Richland into a self-governing city. Citizens were able to purchase their government-owned houses and Richland was incorporated as a first-class Washington city in 1958. The federal government began to sell the prefabricated housing erected for Hanford workers, which had been intended to be temporary. Much of that housing was renovated and remains in use today.



In addition to prefabricated homes, Alphabet Homes were built in Richland between 1943 and 1951. The Alphabet Homes were based on

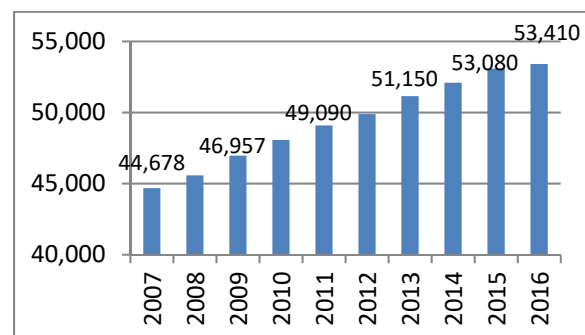
a series of house plans denoted by a letter in the alphabet (an A house, an F house, etc.).

Current Trends

Richland has experienced rapid growth in the last decade. The Tri-Cities Metro area is one of the fastest growing areas in Washington State. In addition to its 2016 population of 53,410 in the City limits, and 54,732 including the UGA boundary, the City is expected to add 23,699 persons in the next 20 years.

Much of the development within the City can be linked with the Department of Energy's activities at Hanford. Most of the highly skilled Hanford workforce, such as researchers, engineers, and scientists, live in Richland. The top three employers in the Tri-Cities metro area, Battelle/Pacific Northwest National Laboratory (PNNL), Kadlec Regional Medical Center (KRMHC), and Bechtel National, are all located in Richland. The economy of the City, however, is becoming more diverse with the rise of the healthcare sector (Kadlec), education (WSU Tri-Cities and Columbia Basin College (CBC)), and the agricultural industry in the region.

Figure INT-1: Population Growth in the Last 10 Years in Richland



Source: Office of Financial Management, 2016 estimate

PUBLIC PARTICIPATION

The City of Richland updated its Public Participation Plan in 2016. Cities and counties planning under the GMA must establish "...procedures providing for early and continuous public participation in the development and amendment of comprehensive land use plans and development regulations implementing such plans."

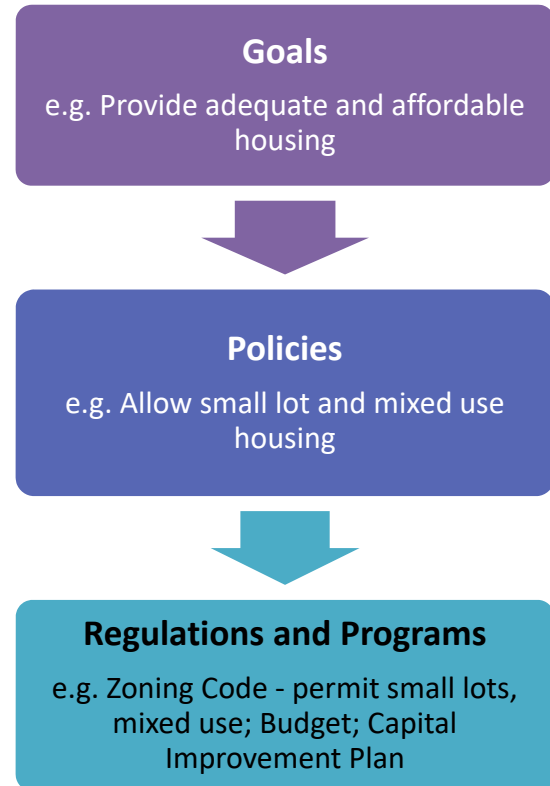
In 2016 and 2017, the City conducted multiple opportunities for public involvement in the form of public workshops, topic group discussions, open houses, citizen surveys, etc. The City established a Comprehensive Plan webpage to disseminate information to, and gather input from, the public. The City reached out to stakeholders such as Pacific Northwest National Lab (PNNL), Richland School District, Columbia Basin College, and Benton Franklin Council of Government (BFCG). The City also held Planning Commission and Council workshops. Planning Commission hearings were held in May and August of 2017 with published notices. The City Council adopted the Plan on October 3, 2017. The Plan's goals and policies directly reflect the input received from the public.

PLANNING FRAMEWORK

Richland's Comprehensive Plan includes major planning components, visions, goals, policies, and analyses.

A vision is a collective value and target of a community, it is what a community wants to become.

Goals are individual values aimed at achieving the vision.



Policies define how we accomplish the goals.

Regulations, codes and ordinances implement policies.

There are six key elements in the Comprehensive Plan: economic development, land use, housing, transportation, utilities, and capital facilities.

Plan Elements:

- Economic Development
- Land Use
- Housing
- Transportation
- Utilities
- Capital Facilities

Goals and policies are included in relevant elements in order to ensure they carry out the vision of the community. There are sub-

elements under some of these elements with specific goals and policies.

This Core Comprehensive Plan is designed to be user-friendly. A supporting analysis document includes additional detailed information. The supporting analysis document also includes inventory data and analysis. In order to eliminate redundancy, goals and policies are only included in the Core Comprehensive Plan.

Integrated EIS

An integrated Environmental Impact Statement (EIS) is prepared to review the significant impacts the updated Plan is likely to have. An integrated EIS is a combined GMA/State Environmental Policy Act (SEPA) document prepared in accordance with Washington Administrative Code (WAC) 197-11-235. It discusses how environmental values are considered in the plan such as goals, policies, and land use designations.

This integrated document analyzes alternatives in an environmental impact statement summary document (Appendix C).

COMMUNITY VISION

In this chapter, you will find:

The City of Richland's vision and values for the following,

- Community and Neighborhood Character
- Economic Development
- Land Use and Growth
- Housing and Neighborhood
- Transportation
- Open Space and Natural Areas
- Public Engagement
- Urban Design and Culture
- Sustainability
- Parks and Recreation
- Public Facilities
- Utilities
- Public Safety
- School

VISION AND VALUES

Visions are ideas of what Richland will be like at the end of the 20 years planning period. In 2016, the City conducted several visioning workshops with the public, Planning Commission, and City Council. An online survey was also conducted with more than 850 respondents participating, offering input on multiple issues. Vision ideas were gathered from a range of people living or doing business in Richland.

Vision

Richland is a progressive, safe, and family-friendly community that welcomes diversity. It is noted for excellence in technology, medicine, education, recreation, tourism, and citizen participation. This dynamic city, situated on two rivers, actively supports opportunities for economic development that are in harmony with the area's unique natural resources.

Key components of the community's land use vision are categorized into several values discussed in the subsections below. Detailed vision information is available in the Public Involvement Summary document (Appendix D).

Community and Neighborhood Character

Richland is a vibrant, progressive, safe, diverse, and family-friendly community with opportunities for jobs, housing, and recreation.

Public Engagement



Public visioning meeting

Richland communicates with the public in a variety of ways to engage, understand, and address the community preferences, values, and concerns.

Economic Development

Richland uses sound economic development practice to create a diverse and sustainable economy. It is a leader in technology, medical services, and research. Both small and large businesses are vibrant and growing. The City Center is walkable with mixed-uses. The mixed-use waterfront areas offer views, amenities, and recreational opportunities while protecting certain unique natural resources.

Land Use and Growth

Richland manages growth within its urban growth area while revitalizing existing neighborhoods and the City Center. Richland's bustling Central Business District is developed as a mixed-use village with pedestrian amenities, transit access, and bike paths.

Housing and Neighborhood

Housing is available in Richland for all income and age groups. It offers multiple housing choices such as single-family, multi-family, mixed-use, and assisted living facilities.

Transportation

The City's transportation system is efficient and multi-modal. Richland's neighborhoods are well connected for car and transit, and safe for bike and pedestrian traffic. It maintains efficient connectivity with neighboring jurisdictions.



Streets and crosswalks

Open Space and Natural Areas

The community recognizes that natural resources add value to the quality of life. Richland preserves and protects existing natural resources, and critical areas. Uses along the riverfront protect natural resources.

Urban Design and Culture

Richland is a physically appealing community with a diverse cultural heritage. It is a hub of arts, culture, and education.



Farmers' market

The community values high quality design in shaping its natural and physical character in building, landscape, and streetscape design. Its urban areas are revitalized with public spaces and pedestrian-friendly features.

Sustainability

Sustainable growth in Richland brings opportunities for mass transit, and bike and pedestrian trails. The community practices water conservation, recycling, and natural resource protection.

Parks and Recreation



Howard Amon Park and the Community Center

Richland protects and maintains its highly valued parks and recreation system. Richland's park system meets a variety of user needs including sports and other recreational activities in its developed and undeveloped parks.

Public Facilities

Richland provides quality public facilities for all age and income groups. This includes education, library, medical, municipal, and community facilities.

Utilities

Richland is forward thinking in providing utilities with systems that are sustainable and support the planned growth.

Public Safety



Richland Fire Station 74

Richland highly values public safety and a safe lifestyle. As such the City maintains public safety for all ages and neighborhoods.

Schools

Schools that provide quality education are important for the community. Richland's schools are economically and ethnically diverse, providing neighborhood stability and excellent education outcomes for all students. Richland coordinates with school districts to ensure schools are located appropriately to serve its community.

GENERAL COMMUNITY GOALS

Community Goal 1: Ensure and enhance the continuing sense of a livable and sustainable community in Richland.

Community Goal 2: Create a vibrant, progressive, and physically, socially, economically, and culturally diverse community providing choices of jobs, housing, and recreational opportunities to its residents of all ages.

Community Goal 3: Encourage continued interaction with other city, county, regional, tribal, state, and federal governments in order to coordinate regional efforts.

Community Goal 4: Encourage the identification, preservation, and enhancement of historic elements to give the future of the City continuity with the past.

Community Goal 5: Encourage the identification, preservation, and restoration of the City's open space and natural areas to maintain habitat, provide opportunities for residents to connect with nature, and meet educational, health, and outdoor recreational needs with associated economic opportunities to the community.

Community Goal 6: Implement programs for the improvement of the built environment and its aesthetic quality to maintain a clean, safe, and attractive community.

Community Goal 7: Develop a vibrant Central Business District planned on a high density land use.

Community Goal 8: Provide infrastructure and public facilities that serve the best interest of the community.

Community Goal 9: Provide and support an efficient, varied, and well-maintained transportation network.

Community Goal 10: Achieve a diversified mix of private industry and commerce capable of supporting a strong and growing economy.

Community Goal 11: Work to implement the City's Strategic Keys.

Community Goal 12: Continue active citizen involvement and outreach education in development decisions and planning for Richland's future.

ECONOMIC DEVELOPMENT ELEMENT



In this chapter, you will find:

- Goals and policies guiding economic development in Richland
- Challenges and opportunities
- Trends and forecasts
- Key recommendations

INTRODUCTION

The economic development element of the comprehensive plan is intended to guide investments through a framework of strategies and policies with the overall goal of growing economic opportunities in the City. The intent is to identify sound economic development practices to build a strong economy where local businesses are welcomed and encouraged by the City, and ensure the economy is resilient, dynamic, and sustainable for current and future generations.

The City's ability to understand its competitive advantages and proactively work to attract a wide range of employers will in turn create more high-wage jobs, which will in turn produce municipal revenues for maintaining and enhancing quality service levels, infrastructure, and facilities.

GOALS AND POLICIES

ED Goal 1: Build the diversity, resiliency, and equity of the City's economy to ensure opportunities for growth and shared prosperity.

Policy 1: Support the growth of a balanced mix of companies in the following sectors: high technology, professional service, personal service, retail trade, agricultural processing, energy industries, manufacturing, and tourism.

Policy 2: Support expansion and improvement of business recruitment, retention and expansion programs to provide outreach and assistance to startup and existing businesses.

Policy 3: Encourage educational institutions and non-profits to train a skilled future workforce.

Policy 4: Recognize that infrastructure, including transportation and utility planning are vital to economic development and attracting businesses.

ED Goal 2: Make Richland a center of entrepreneurial business, and research and development opportunities.

Policy 1: Develop a detailed strategy to help grow technology businesses in the City of Richland.

Policy 2: Leverage scientific and technology research at PNNL and WSU-Tri-Cities for spin-off local businesses.

Policy 3: Enhance Richland's physical and business environment for technology-based companies.

Policy 4: Remove unnecessary barriers for start-ups and entrepreneurs.

ED Goal 3: Support businesses of all sizes.

Policy 1: Ensure that small and medium businesses receive similar advantages as large businesses in terms of assistance from the City and other agencies.

Policy 2: Streamline and administer regulations to ensure predictability, efficiency, and transparency.



ED Goal 4: Work closely with healthcare, education, and other regional institutional partners to strengthen collaboration.

Policy 1: Enhance the connection between sectors – medical, educational, research, and technology to encourage collaboration and skilled job placement.

Policy 2: Engage local and regional partners in discussions about land use, transportation, and facilities to complement business development.

Policy 3: Support growth and expansion of Kadlec Regional Medical Center and diverse medical companies, WSU-Tri-Cities, Columbia Basin College, and PNNL within the City.

ED Goal 5: Ensure that Richland's economic development goals are aligned with regional economic development and marketing efforts.

- Policy 1: Coordinate with local, regional, and state economic development organizations in activities to attract new businesses and industries to the community.
- Policy 2: Facilitate collaboration with Tri-City Development Council (TRIDEC) and the Tri-Cities Visitor and Convention Bureau to develop and implement seamless, collaborative, low-cost, and effective marketing efforts designed to recruit new businesses, expand existing businesses, and build a positive national image.
- Policy 3: Accommodate the continued use of the Port of Benton barging facilities in north Richland, consistent with the City's Shoreline Master Program (SMP).
- Policy 4: Market the newly transferred 1,341 areas land from DOE to the City, the Port of Benton, and Energy Northwest for large industrial developments.

ED Goal 6: Encourage vibrant mixed-use areas in Tri-Cities as destinations to live, work, and visit.

- Policy 1: Stimulate the development of quality retail and entertainment venues through incentives and infrastructure investments.
- Policy 2: Assist small business owners to enhance their skills and profit opportunities.
- Policy 3: Work with public and private groups to expand the range of tourist attractions within the city.
- Policy 4: Facilitate retail development and encourage infill in the Central

Business District, Uptown, and nearby commercial areas.

- Policy 5: Promote performing arts venues and activities through partnerships with regional economic development agencies.
- Policy 6: Expand the range of options for housing in areas planned for higher density development.
- Policy 7: Support development of higher density housing.
- Policy 8: Attract young professionals by promoting their preferred types of job, housing, and entertainment options.

ED Goal 7: Recognize parks, natural areas, and a built environment with quality design for the value they offer as major attractions.

- Policy 1: Preserve open space areas and associated functions and values.
- Policy 2: Work with public and private groups to support these areas.
- Policy 3: Provide opportunities for active and passive recreation in parks and open spaces.
- Policy 4: Promote quality design for public projects as well as private developments.

CHALLENGES AND OPPORTUNITIES

Richland includes major employers of the Tri-Cities area. The work performed at the Hanford site in tandem with the research at PNNL have driven economic development in the region and City for decades. This is currently the region's largest economic strength and a source of its greatest economic opportunity.

The region has shown strong growth in economic output over the past several decades leading to sustained employment growth. From a regional economic perspective, the agricultural sector is one of the most competitive in the region, which is not surprising given the region's agricultural advantages. The region has a strong industrial/manufacturing base that has sustained itself over time yet the largest portion of the economy is service-based (both professional/business and personal) that continues to drive economic growth in the recent decade. However, growth in most other sectors have mirrored the nation as a whole; fueling economic conversations that the region needs to find new growth in sectors that can produce and sustain both comparative and competitive advantages.



The City of Richland contains a large concentration of the region's professional service sector. The City is home to the two of the largest non-governmental employers in the region, PNNL and Kadlec, that account for nearly 8,000 employees in the City. From a land use perspective, Richland has more than half of the region's commercial office space and industrial space, respectively; and is second only to Kennewick in the amount of retail space.

Additionally, Richland has strong demographics for future economic growth. Employees and households are on average better educated and better paid, with a larger

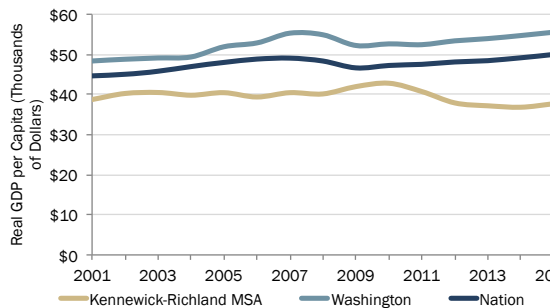
segment of the population in its prime working age. From this perspective, the City should be well positioned to capitalize its past performance and existing assets to extend its economic growth.

TRENDS AND FORECAST

The economy of the Tri-Cities region is primarily service-based. Goods-producing industries (such as manufacturing) make up for less than 25 percent of the total economic output. The Tri-Cities economy was less impacted by the recession in 2008, due to the increase in employment at Hanford as part of the American Recovery and Reinvestment Act (ARRA) of 2009. The total output declined from \$10.3 billion in 2010 to \$8.6 billion in 2014 partly due to the end of ARRA and partly reflecting the national recession trends. However, most recent data has indicated that economic conditions have continued to improve over the past two years.

On a Gross Domestic Product (GDP) per capita basis, the Tri-Cities region is not as productive when compared to Washington State and to the nation. On this measure, the region has been slower to recover than the state as a whole. GDP per capita is the most common indicator of economic performance of regions. GDP per capita is calculated by measuring Gross Domestic Product in a year, and dividing it by the population. The reasons for the lower GDP per capita in the region are complex but are due to the large presence of government-supported activities.

Figure ED-1: GDP per Capita, 2001-2015



Source: Bureau of Economic Analysis, 2016

The Tri-Cities area is unique in that its employment base is dominated by a select number of large employers.

Table ED-1: Top Ten Tri-Cities Employers

	Company	Industry	Employees
1	Battelle/ Pacific Northwest National Laboratory	Research & Development	4,365
2	Kadlec Regional Medical Center	Health Services	3,304
3	Bechtel National	Engineering & Construction	2,898
4	ConAgra Foods	Food Processing	2,727
5	Kennewick School District	Education	2,130
6	Washington River Protection Solutions	Environmental Remediation Services	2,077
7	Pasco School District	Education	2,015
8	Mission Support Alliance, LLC	Support Services, Hanford/Dept. of Energy Site	1,928
9	Richland School District	Education	1,500
10	CH2M Hill	Environmental Remediation Services	1,400

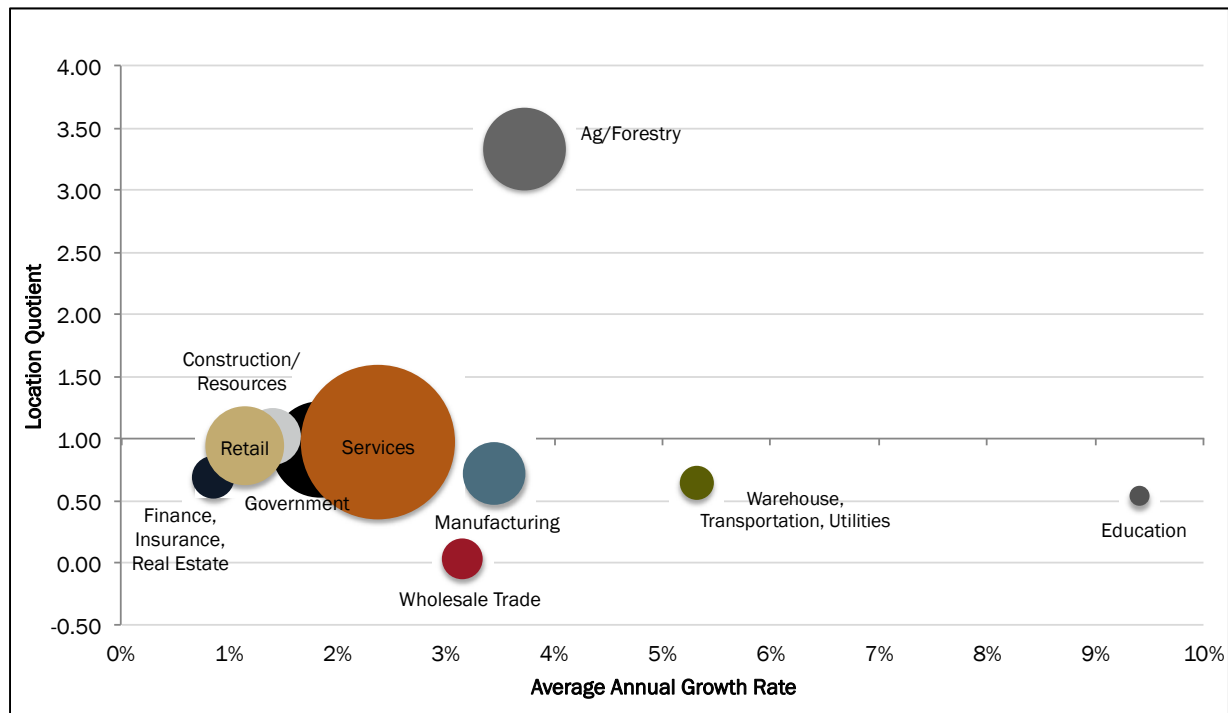
Source: Tri-City Development Council (TRIDEC), [link](#). Accessed February 14, 2017

Roughly one in five of an estimated 116,000 jobs in the Benton-Franklin area are from one of the 10 largest firms/agencies listed below. Eight of the 10 top employers in the Tri-Cities are located in Richland, a legacy largely due to significant federal investments in the Hanford Nuclear Reservation.

The chart below shows the local concentration of jobs by sector (location quotient) along with measures of industry size and average annual employment change in the Tri-Cities region. Location quotients measure the concentration of jobs in a sector compared to the statewide average. A value of 1.0 signifies that the sector possesses the same level of employment concentration as the state. Values above 1.0 are more concentrated than the state average. The size of the bubble represents the number of jobs within that sector. Sectors with sizable employment and higher than average concentration represent strengths for the region. Fast growing sectors, even if they are not very large, represent potential opportunity areas.

In the Tri-Cities region, the largest sectors—services and government—have a similar concentration as the state, and are growing at a rate of one to three percent a year, indicating they are the base of the regional economy. The agriculture sector is a strength in the Tri-Cities; it is much more concentrated relative to the state and is growing at a rate of 3.7 percent per year. Education, manufacturing, wholesale trade, warehousing, transportation, and utilities are also growing at a rate of more than three percent a year, but are smaller and less prevalent in the Tri-Cities compared to the state. Much of the growth in food manufacturing, wholesale trade, warehousing, transportation, and utilities may be related to the growth and prevalence of the agriculture sector in the Tri-Cities.

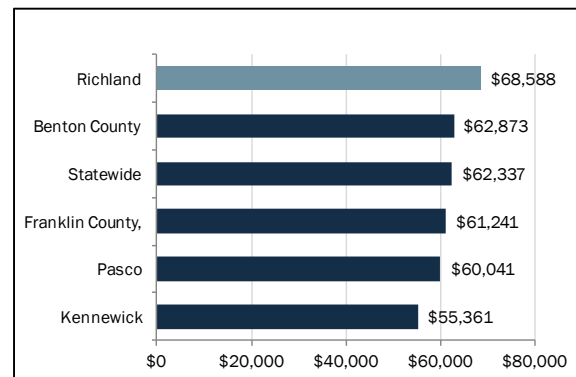
Figure ED-2: Benton & Franklin Counties Employment Concentration and Change by Sector, 2006-2015



Source: Washington State Employment Security Department

Federal funding for Hanford has been a significant economic catalyst for the Tri-Cities Region generally with Richland at the forefront. Even with significant downsizing at Hanford in the 1990s, household incomes in Franklin and Benton Counties continued to grow steadily.

Today, household incomes for Richland residents are nearly ten percent higher than the County average and more than twenty percent higher when compared to those of Kennewick residents. Richland enjoys economic prosperity not just compared to their Tri-Cities neighbors, but compared to state averages as well, as illustrated in Figure ED-3. Higher incomes are the result of technical and professional positions that require higher levels of education.



Source: US Census Bureau, American Community Survey, 2015 5-year, Table B19013A

Relative to Kennewick and Pasco, Richland is home to a highly educated workforce. The demands for engineers and scientists generated by Hanford and its subsidiary research and development activities have been a central employment and demographic characteristic for the Tri-Cities Region, in particular for Richland.

Figure ED-3: Median Household Income

KEY OPPORTUNITIES

Area 1. Create a resilient economy

The single greatest threat to the Richland and Tri-Cities economy is the winding down of business and employment and the Hanford Nuclear Reservation without suitable economic opportunities in place that would provide for a comparable standard of living. A reduction in work at Hanford will mean less direct employment in Richland and large negative impacts on the businesses that support them directly as well as the resulting households whose wages they support. However, Hanford is also an asset to the community and has been effective at attracting a highly educated workforce in science and technology. These fields produce professional-wage jobs and have produced spinoff businesses coming from PNNL.

To ensure the stability and resiliency of the economy, the City should leverage existing assets but adapt them to a changing economy. These efforts should focus on increasing primary sector, non-Hanford science and tech employment by creating a business environment that encourages and welcomes local business. Additionally, the City should develop partnerships with TRIDEC, PNNL, Kadlec, and other major employers to plan for expansion and delivery of adequate infrastructure and services.

Area 2. Build and attract a more entrepreneurial and dynamic economy

Richland is the regional hub for highly educated science and technology professionals. Labor force participation is high, particularly for the most productive segment of the population – 30 to 54 year olds. With access to innovation partners and relatively low land costs when compared to bigger cities like Seattle, the climate for entrepreneurial startup companies is present. However, attracting innovation and investment is a goal of many municipalities.

The City can advance this environment through infrastructure investment, streamlined regulation, and “second paycheck” benefits such as livability and access to recreation. Working with its regional education and economic development partners, the City can play its role by creating and supporting a rich “entrepreneurial ecosystem” in the area.

Area 3. Leverage the natural landscape as an asset for economic development

Richland’s location along the Columbia River offers exceptional opportunities to easily access attractive natural recreational spaces, as well as close proximity to the region’s vibrant agri-tourism and wine industries. In addition to this, professional service employees living in Richland enjoy lifestyle amenities, also called the “second paycheck.” These include access to parks, walkable business districts, good schools, diverse housing options, quality restaurants, and arts and cultural activities. Richland’s ability to leverage its natural environment to directly spur economic activities and provide an attractive setting for professionals will further enhance its competitive advantage. However, residents must be cognizant of maintaining a healthy balance between environmental preservation and economic development activities.

Area 4. Closely monitor zoning and land use in the City

The City has the dual challenge of planning for urban infill development as well as planning to accommodate development on many large and relatively undeveloped sites within the City. To ensure zoning is responsive to market conditions, it should be monitored periodically to evaluate potential hindrances. Working to concentrate development in areas with existing infrastructure and near job centers will be instrumental to optimize the City’s funding.

LAND USE ELEMENT



In this chapter, you will find:

- Goals and policies guiding land use in Richland
 - o Overall capacity
- Existing land uses and future projections
 - o Overall capacity
- Proposed land use
- Sub-elements:
 - o Critical areas
 - o Mineral resources
 - o Open space
 - o Historic and cultural resources
 - o Urban design

INTRODUCTION

The Land Use Element guides and accommodates future growth of the City while maintaining the community's high quality of life and unique characteristics. It determines the community's need for and distribution of residential, business, governmental, recreational, open space, and other types of land uses. The accompanying land use map (Fig. LU-3) identifies land use categories within the City limits and the UGA. A key component of the GMA and the Comprehensive Plan is to allow growth within the urban growth area.

Richland implements its various land uses through zoning designations as shown in Table LU-1 below.

The City must assess its financial ability to provide services at its urban density level and provide an appropriate supply of land uses for new developments. The desired result is to provide a greater market choice in lands for development while allowing for the maximum accountability for public funds

needed to provide for existing and planned urban areas. The City's Capital Improvement Plan is a six-year plan that reassesses priority areas for funding should the funding falls short of meeting the existing needs. To that effect, the City also adjusts its long term land use goals to align them with the funding availability.

Table LU-1: Land Use Implementation by Zoning

Land Use Designation	Zoning Categories
Residential	
Low Density Residential	R-1-12, R-1-10, SAG
Medium Density Residential	R-2, R-2S
High Density Residential	R-3, C-LB
Badger Mountain South	Badger Mountain Master Plan
Commercial	
Business Commerce	B-C
Central Business District	CBD
Commercial	C-1, C-2, C-3, C-LB, CW
General Commercial	C-3
Regional Retail	C-2
Waterfront	WF
Commercial Recreation	CR
Public Lands/Open Space	
Developed Open Space	PPF
Natural Open Space	NOS
Urban Recreation	UR
Public Facility	PPF
Industrial	
Business Research Park	B-RP
Industrial	I-M, M-2
Mixed Use Designations	
Agricultural	FP, AG
Residential Office	C-LB
Urban Reserve	AG

GOALS AND POLICIES

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 1: Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

Policy 2: Facilitate planned growth and infill developments within the City.

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Policy 3: Ensure that the intent of the land use and districts are maintained.

LU Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Policy 2: Encourage higher residential densities especially in and near the Central Business District area.

Policy 3: Innovative and non-traditional residential developments can occur through the use of planned unit developments, density bonuses, new types of housing, and multi-use or mixed-use developments.

LU Goal 4: Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Policy 2: Promote developments such as business and research parks, office parks, technology centers, manufacturing and processing facilities, and other types for high-tech uses.

Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

Policy 4: Encourage the use of buffers or transition zones between non-compatible land uses.

Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.

Policy 6: Support industrial developments on lands previously owned by the Department of Energy and transferred to the City and the Port of Benton.

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.

Central Business District

LU Goal 6: Develop an attractive and vibrant Central Business District that displays the unique character of Richland.



Policy 1: Revitalize declining commercial areas by promoting clean, safe, and pedestrian- and bicycle-friendly environments.

Policy 2: Designate land use and zoning for higher-density residential uses, mixed-use, and business uses within and adjacent to the Central Business District.

Policy 3: Encourage infill development and redevelopment in the Central Business District.

Public Facilities



LU Goal 7: Encourage efficient use and location of public facilities such as transit centers, utility facilities, schools, parks, and other public uses.

- Policy 1: Locate municipal facilities within their service areas and ensure the grouping of facilities within neighborhoods, whenever feasible.
- Policy 2: Ensure that the scale, and location of public facilities are compatible with or buffered from existing and planned surrounding areas.
- Policy 3: Wherever possible, the City will locate park and school facilities together for efficient use of public facilities.
- Policy 4: Encourage the development of private and public regional sports and recreational facilities of a size and quality to attract significant numbers of users and spectators.

Land Use in Specific Areas

LU Goal 8: Address unique land use situations in the urban area with policies specific to those situations that ensure compatibility between land uses without infringing on private property rights.

- Policy 1: Ensure that lands designated Urban Reserve remain in this holding category to serve future demand for land.
- Policy 2: Apply the Agricultural designation in the Yakima River floodplain.
- Policy 3: At designated Waterfront land use locations, encourage an active mix of commercial, residential, and marine uses as allowed in the SMP.
- Policy 4: Identify and encourage the preservation of lands, sites, and structures that have historical or archaeological significance.
- Policy 5: Define and identify mineral resource lands located within its boundaries that are not already compromised by on-site, immediate, or adjacent urban growth and that have long-term significance for the extraction of minerals on a commercially-viable basis.
- Policy 6: Property and/or mineral rights owners should work with the City and appropriate agencies for protection of these sites. Designate mineral resource lands located in the City of Richland that meet the Criteria for Classification of Mineral Resources (WAC 365-190-070).
- Policy 7: Ensure that land uses surrounding the Richland Airport are compatible with existing and future airport operations and do not restrict the airport's ability to maintain or expand its existing and future aviation demands. Coordinate with

the Port of Benton to restrict land uses in airport areas that would create conflict or negatively impact the safe and effective airport operations.

LU Goal 9: Within Island View, the City will implement a Single Family Overlay land use designation for clusters of property that are currently used as single family residences which have high probability of being redeveloped with non-residential land uses.

Policy 1: The city will use the Single Family Overlay concept only in those instances where the majority of property owners have expressed a preference for its use.

Policy 2: Areas designated as Single Family Overlay will be zoned for single-family residential uses, as identified in the city's R-2 Medium Density Residential zoning district.

Policy 3: Areas designated as Single Family Overlay will remain as such until property owner(s) bring forward a request to remove the overlay and change the zoning to the designation contained in the Island View Subarea Plan. In such cases, an amendment to the comprehensive plan is not necessary.

Policy 4: Applicants bringing forward a request to change the zoning of property designated Single Family Overlay should demonstrate that the land proposed for amendment is:

a) large enough to support redevelopment for non-single family residential land uses; and

b) will have sufficient access to City streets and utility systems to support redevelopment.

Policy 5: Whenever properties designated with the Single Family Overlay are rezoned for non-single family residential uses in accordance with Policy 4 above, the Single Family Overlay designation should be removed from the subject property.

Private Property Rights

LU Goal 10: Follow controlling law and constitutional requirements, both state and federal, to ensure the appropriate protection of private property rights.

Policy 1: Monitor evolving state and federal statutory amendments and judicial precedent so that timely amendments or changes can be made in the process of implementing the comprehensive plan policies and development regulations.

Policy 2: Process comprehensive plan amendments and development regulations using a fair and open hearing process, with adequate public notice and opportunities to participate to ensure the protection of all due process rights.

Policy 3: Process timely, fair, and predictable processing and review of land use permit applications in conformance with applicable federal and state legal and regulatory requirements.

Natural Environment

NE Goal 1: Promote the protection, conservation, and restoration of natural areas, shorelines, and critical areas as unique assets to the community, and provide public access for enjoyment of such facilities based on the ability of the resource to support the use.

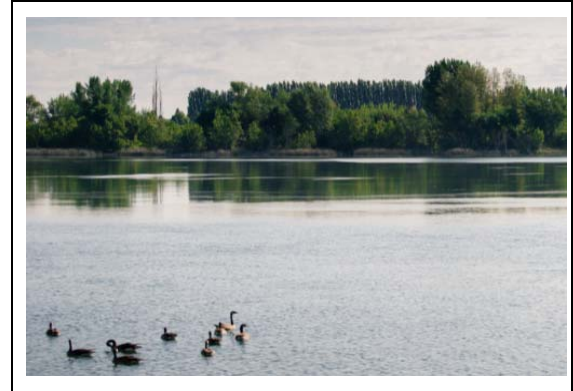


Policy 1: Use the critical areas ordinance, SMP, the state environmental policy act (SEPA), and other ordinances, as applicable, to designate and protect the critical areas and natural environment.



Policy 2: Consider the goals and policies of the SMP as part of this Comprehensive Plan. Encourage development of water-oriented recreational, cultural, and commercial facilities in certain Columbia River locations, consistent with the SMP and its criteria of no net loss of ecological functions, to enhance and diversify Richland's community recreational resources and its attractiveness to tourists.

Policy 3: Ensure public access to shorelines on public land, subject to regulations protecting public safety, sensitive habitat areas, and wildlife.



Policy 4: Encourage the public and/or private acquisition of the prominent ridges in the south Richland area to preserve views, protect shrub-steppe habitat, and to provide public access. Consider the preservation of the ridges and hillside areas through various standards.

Policy 5: Develop an integrated pedestrian trail system to provide access through the City's important natural features, such as prominent ridges and rivershore areas and provide necessary trail linkages between these natural features.

Historic and Cultural Resources

HP Goal 1: Preserve significant historic structures, districts, and cultural resources that are unique to Richland.

Policy 1: Encourage preservation and promotion of adaptive reuse of historic "Alphabet Homes" of Richland.

Policy 2: Coordinate with local tribes, federal, state and local agencies to protect historic and cultural resources.



Urban Design

UD Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

- Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.
- Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.
- Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.



- Policy 4: Promote public arts, museums, and interpretive centers in coordination with public plazas and community spaces that reflect the unique history and culture of Richland.

UD Goal 2: Revitalize commercial areas, such as areas in the Central Business District including the Uptown retail area and the Island View area.

- Policy 1: Enhance the appearance, image, and design character of the Central Business District.
- Policy 2: Ensure adequate public transit, bicycle, and pedestrian access in the commercial centers along with parking and landscaping.
- Policy 3: Enhance the welcoming experience into the community through well-designed gateway features in prominent locations.
- Policy 4: Design the public realm, including streetscapes, parks, plazas, and civic amenities for the community to gather and interact.
- Policy 5: Provide continuity among adjacent uses by using cohesive landscaping, decorative paving, street furniture, public art, and integrated infrastructure elements.

UD Goal 3: Development through appropriate design, should protect natural features such as rivers, shorelines, ridgelines, steep slopes, and archaeological and historical resources.

- Policy 1: Development should be sensitive to existing topography and landscape, and should minimize environmental impacts.
- Policy 2: Hillside development should, as much as practical, blend with the natural shape and texture of the land.
- Policy 3: Lighting should be designed so as to promote public safety as well as promote "Dark Sky" principals.

UD Goal 4: Promote community beautification by enhancing public spaces and thoroughfares and encouraging private property beautification.



Policy 1: Improve the appearance of all city-owned space and major thoroughfares.

Policy 2: Promote programs to improve landscaping. Encourage xeriscaping and use of native plants.

Policy 3: Promote more attractive signage throughout the City, especially in commercial districts.

EXISTING LAND USE

Richland includes a variety of land uses as follows:

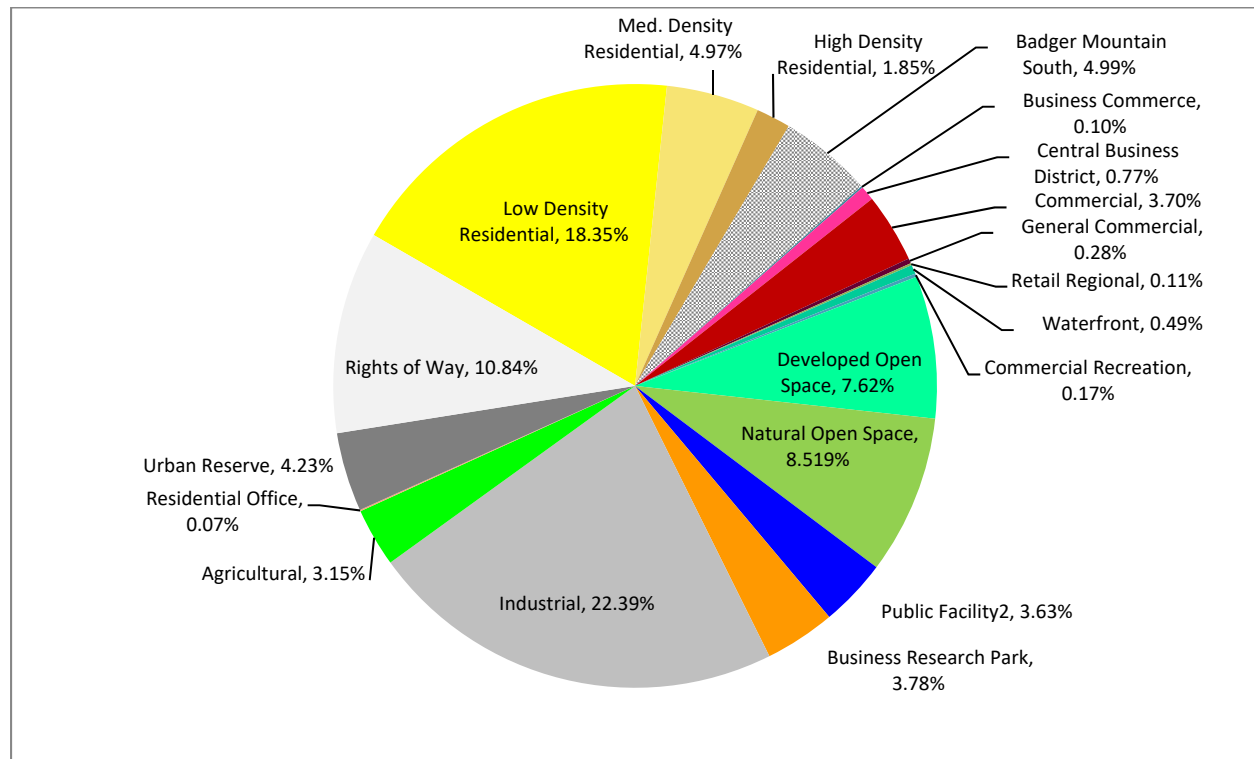
- Agriculture (AG)
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Badger Mountain South (BMS)
- Multifamily Residential Office (RO)
- Central Business District (CBD)
- Commercial (C)
- Retail Regional (RR)
- General Commercial (GC)
- Business Commerce (BC)
- Single Family Overlay (SFO)
- Commercial Recreation (CR)
- Waterfront (WF)
- Industrial (I)
- Business/Research Park (BRP)
- Public Facility (PF)
- Developed Open Space (DOS)
- Natural Open Space (NOS)
- Urban Reserve (UR)

Richland's land area consists of a total of 28,694 acres (25,846 acres in the City limits and 2,848 acres in the UGA). Richland's land use is dominated by residential land use consisting of about 32 percent of the total land use (low, medium, and high density land uses combined), followed by 22 percent industrial, and 16 percent open space (developed and natural) land use. Single-family residential use is predominant in both LDR and MDR land uses areas. Industrial land includes a recent transfer of 1,641 acres of land from the

Department of Energy (DOE) to the City, the Port of Benton, and Energy Northwest on the north side of the City. A major portion of this

land was located outside of the UGA, and is currently being processed to be included within the UGA.

Figure LU-1: Existing Land Use Distribution in City Limits and UGA



Land Use Pattern and Compatibility

Due to the linear geographic pattern of the City along the Columbia River running north and south, Richland's land is also distributed primarily from north to south covering approximately 25,000 acres in the current incorporated limits and additional over 2,800 acres in the UGA. Residential lands are concentrated in three major areas, the central area between the Columbia River and SR 240, areas south of the Yakima River, and the Horn Rapids area. The Yakima River delta and associated natural open space land run almost through the middle of the City. Although commercial lands are distributed throughout the City, the major concentrations are found in the Central Business District, Queensgate, and

the Island View areas. Much of the industrial and research uses are located on the northern part of the City starting from Richland Airport on the south side to the north City limits.

Richland's land use distribution focuses on placing compatible land uses next to each other. Compatibility is based on the intensity of land uses. Generally speaking, industrial is the most intense use due to the impacts of its operations (noise, light, dust, etc.), need of supporting facilities, and overall impact on the land. Natural areas are considered the least intense as there are no developments or improvements on such areas. Therefore, a low density residential next to a heavy industrial land use would be considered incompatible because of the impacts industrial use may have on the residences.

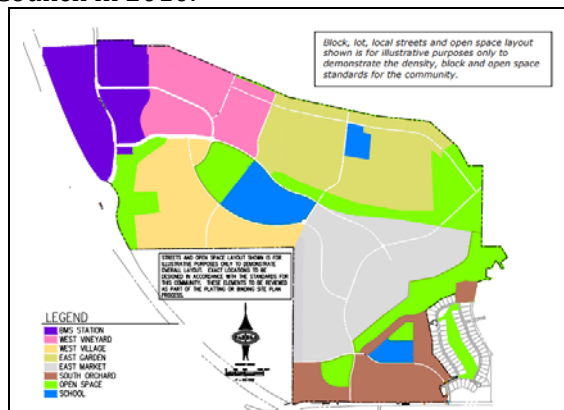
Appropriately designed buffers, landscaping, and transition areas between uses should be considered between incompatible land uses.



Mixed uses are encouraged in Richland where they are allowed. Such uses are generally mutually supportive of each other. Locating residences, offices, neighborhood shops, cafes, etc. in the same building or same site promotes walkability and reduces the vehicle miles traveled.

Badger Mountain South

Badger Mountain South is a master-planned community of 1,480 acres located in the southwest side of the City. The area is intended to be developed with 5,000 homes, businesses, and other community activities. The sub-area plan sets forth various uses in the area and was adopted by Richland City Council in 2010.



The purpose of this area is to establish neighborhoods with a range of housing types and to accommodate a population of diverse ages and incomes. The plan promotes pedestrian-friendly and mixed-use neighborhoods with areas for parks, trails, and open space in a connected network.

Central Business District

Richland CBD is planned to encourage the transformation of the area from principally a strip commercial auto-oriented neighborhood to a more compact development pattern. The area is characterized by its close proximity to the Columbia River and Howard Amon Park, concentration of pedestrian-oriented businesses, and the presence of medical, educational, and public institutions. Multiple planning studies and efforts have been conducted in the past decades, many of which have been or are being implemented in this area including public investments on infrastructure and streetscape improvements, and code revisions to attract private investment.



The Parkway has been a center of pedestrian-oriented retail and restaurants. Kadlec Regional Medical Center's campus and Columbia Basin College's Health Science Center both are located in the CBD. The Swift Corridor improvement will connect the CBD with the waterfront parks and recreation areas.

Columbia Point



The Columbia Point area is located between I-82 to the south and George Washington Way to the west. The area is developed with a mix of shops, hotels, restaurants, offices, condominiums, and recreational amenities. Recreational amenities include a golf course, park, marina, and waterfront trail. The area is close to buildout.

Horn Rapids

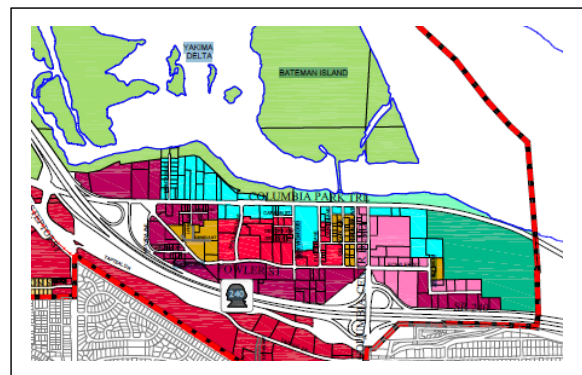
The Horn Rapids area is located on the north side of the City. This constitutes two planning areas: a) the Horn Rapids Industrial Park area, a triangular area bounded by Horn Rapids Road to the north and SR 240 to the south; and b) the 1,641 acres Horn Rapids North Industrial Area, north of Horn Rapids Road.

A master plan for Horn Rapids Industrial Park was originally adopted in 1995 and updated in 2011 and 2016. This area has been envisioned as an employment and economic center in the region. The master plan identifies the necessary infrastructure required to serve the area and associated cost for infrastructure improvements. The Horn Rapids planned residential community is located south of this area.



The 1,641-acre industrial area has recently been transferred from the Department of Energy to the City, the Port of Benton, and Energy Northwest by an act of Congress. This 1,341-acre Horn Rapids Industrial Area is specifically set aside for industrial development. The City and the Port plan to market the property to industrial developers as “mega-sites” of 200 acres or larger. The proximity of this land to highways, rail, and utility services together with the large acreages available provide development opportunities for industries that exist in very few places throughout the Pacific Northwest.

Island View



The Island View area, also known as Richland Wye, is located on the southeast side of the City between the Columbia River to the north and SR 240 to the south. It is north of the regional Columbia Center Mall in Kennewick. Columbia Park West is located to the east and Bateman Island to the north of the area.

The Richland Wye Master Plan was prepared in 1998 to revitalize the area and provide a general guideline for the planning and future development of the area. The objective of the master plan includes stimulating mixed use development, providing flexibility in the changing market condition, and ensuring high quality developments with increased opportunities for waterfront recreation. Implementation strategies were developed to address infrastructure, land use, and economic development issues. The area consists of a mix of General Commercial and Regional Retail on the south side, Business Commerce and Multi-family Residential Office in the middle, with Waterfront land use designation on the north side fronting the Columbia River. The entire length of the Columbia River waterfront has public access. The area is now being revitalized with uses such as, residential, commercial, business park, marina, etc.

POPULATION TRENDS AND PROJECTIONS

The Tri-Cities Metro area is one of the fastest growing areas in Washington. The City has grown rapidly in the last decade with a 24 percent growth from 2000 to 2010, and an 11 percent growth from 2010 to 2016.

Based on the 2016 estimate of the Office of Financial Management (OFM), the City of Richland's current population is 53,410. The population including the UGA boundary is 54,732.

Benton County's county-wide allocation and projected population numbers for Richland are 76,533 for the year 2035 and 81,366 for the year 2040. The end of the 20-year planning horizon is 2037. Based on current trends, Richland's projected population in the year 2037 will be 78,431 persons. This means over the next 20 years, the City and its UGA will add 23,699 (78,431-54,732) persons in addition to its existing population. Identifying land for growth and delivering public services will be important to maintaining the high quality of life for its residents.

Figure LU-2: Projected Population Growth

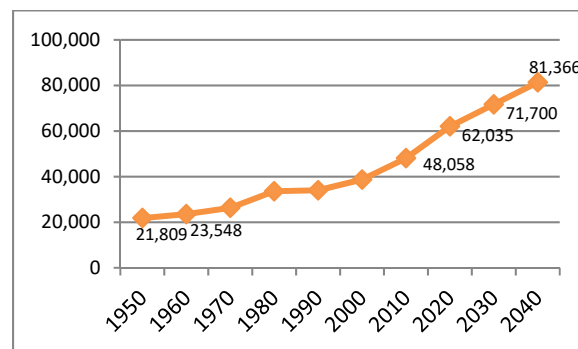


Table LU-2: Population and Employment Projections for 2037

Year	Population	Jobs
2016/ 2017	53,410	37,675 ¹
2037 Projection	78,431	50,295

¹ Estimated jobs in 2017

Source: OFM, US Census, OnTheMap; Washington Employment Security Department; ECONorthwest.

Future Land Capacity

In order to identify land necessary to meet the future demand, an analysis of available land was performed. Details of the analysis are available in the Comprehensive Plan Supporting Analysis (Appendix A). This analysis used the City's existing land use density and land inventory in order to identify

vacant and undeveloped land within the City and UGA. The results of this analysis indicated that the City has sufficient land within its UGA to accommodate the land needs for the projected residential and commercial growth. In 2016, the City and the Port of Benton received land from the Department of Energy that is specifically targeted for future industrial use. This land, together with the vacant industrial land that is within the City, provides an adequate industrial land supply for future employment growth.

A significant portion of future residential growth will occur in the Badger Mountain South and Horn Rapids areas. Additional growth will take place in the existing vacant residential lands throughout the City. It is also anticipated that commercial and waterfront areas will accommodate some high-density and mixed-use growth.

Some lands designated as “Urban Reserve” in the land use plan will need to be re-designated for residential land uses to ensure that an adequate land supply is provided to serve future growth.

Lands for Public Purposes

According to the GMA, the City is required to identify the needs for public facilities, including lands for public purposes. Current City-owned public facilities include parks and open spaces, transportation, water, sewer, storm water, solid waste, energy, and municipal facilities. Using the existing ratio of land per capita for public use, there is a surplus of 72 acres for public facilities land. The City’s developed open space requirement for parks facilities is determined by the parks level of service. The existing parklands are adequate to meet the demand. However, areas with new residential land use discussed in the next section will require an additional community park. The natural open space is determined by the existence of critical and natural areas, and other priority areas within the City. As the City grows, natural open spaces

will be identified based on the GMA criteria and best available science (BAS). Existing data and findings from similar communities indicate Richland has adequate open space to meet the future demand. Additional information regarding the City parklands and open space can be found in the Capital Facilities Element under “Parks, Recreation and Open Space” in this Plan, and in the supporting analysis in Appendix A.

PROPOSED LAND USE

The City is planning to accommodate future growth in two areas within the City, on the north and west sides of the City. One area is located on the southwest side near the City View area, abutting Kennedy Road to the south and Queensgate Drive to the east. The other area is located on the north side of the City abutting the Horn Rapids residential development.

The land use in the City View West area is re-designated from Urban Reserve to a mix of Low, Medium, and High Density Residential, Commercial, Public Facility, Developed, and Natural Open Space. The land use in the Horn Rapids Northwest area is re-designated from Urban Reserve to Low, and Medium Density Residential uses. These are shown in Table LU-3.

Additional land use re-designation includes a portion of an area in Columbia Point South, re-designated from Developed Open Space and Public Facility to Urban Recreation and Natural Open Space. The existing Natural Open Space land in the Columbia Point South area remains unchanged. Additional Natural Open Space land is designated along the shoreline. See Table LU-3, Proposed Land Use, and Figure LU-3, the Future Land Use Map.

Table LU-3: Proposed Land Use

Land Use	Acres
Horn Rapids Northwest	
Existing Land Use	
Urban Reserve	272
Proposed Land Uses	
Low Density Residential	230
Medium Density Residential	42
Total	272
City View West	
Existing Land Use	
Urban Reserve	340
Proposed Land Uses	
Low Density Residential	143
Medium Density Residential	25
High Density Residential	34
Commercial	55
Public Facility	40
Developed Open Space	5
Natural Open Space	38
Total	340
Columbia Point South	
Existing Land Uses	
Public Facility	33
Developed Open Space	71
Natural Open Space	153
Total	257
Proposed Land Uses	
Urban Recreation	80
Natural Open Space	177
Total	257

NATURAL ENVIRONMENT

Critical Areas

Richland's environmentally critical areas include wetlands, fish and wildlife habitat areas, frequently flooded areas, geologic hazard areas, and natural aquifer areas. Most of the critical areas are discussed under the open space subsection below. The critical areas map (Fig. LU-4) indicates wetlands, fish

and wildlife habitat areas, aquifer recharge areas, and other critical areas such as landslide, erosion, or seismic hazard areas.

The City uses the best available science in developing policies and development regulations to protect the functions and values of critical areas and give special consideration to conservation or protection measures.

Shoreline

Richland's shoreline consists of approximately 2,600 acres of land on the Columbia and Yakima Rivers shoreline. A Shoreline Master Program (SMP) was developed and adopted by Richland City Council and approved by the Department of Ecology in 2014. This Comprehensive Plan incorporates the SMP by reference. The SMP aims to utilize Richland's shoreline for various water-oriented uses and facilities while protecting the ecological functions and cultural and historic values of the shoreline. The SMP designates eight shoreline environments as follows:

1. Natural Environment
2. Recreation Conservancy Environment
3. Recreation Environment
4. Rural Environment
5. Residential Environment
6. Waterfront Use Environment
7. Industrial Conservancy
8. Aquatic Environment

Open Space

Open space in Richland and the UGA comprises over 17 percent of the total land. These areas include natural areas (Natural Open Space) and more formal developed parks and trails (Developed Open Space) in the land use map. Developed Open Space is discussed under the Parks and Recreation

Sub Element under Capital Facilities. This section discusses the natural open space.

The natural open space system includes the Yakima River and Columbia River shorelines, islands, greenways, and designated areas within residential developments. It also includes environmentally sensitive areas or critical areas where development would be constrained by wetlands, geologic hazards areas, aquifer recharge areas, fish and wildlife habitat areas, and frequently flooded areas along river or stream corridors.

The natural open spaces on or near the Yakima River include:

- The Tapteal Greenway, located on the lower Yakima River. It provides potential opportunities for non-motorized recreation, education, and habitat protection. The Tapteal Greenway is owned by multiple public and private entities including US Army Corps of Engineers (USACE).
- The Chamna Natural Preserve, located on the north bank of the Yakima River. This area is owned by USACE.
- The Riverview Preserve is located at the confluence of the Yakima and Columbia Rivers and is owned and managed by the USACE.
- Bateman Island in the Yakima River Delta is also owned by the USACE and leased to the City.
- W.E. Johnson Park is located south of Van Giesen Street and is owned by the City of Richland.
- The Amon Natural Preserve, a part of the west branch of the Amon Basin is owned by the City. This area is located on the south end of the City near the Interstate-82.

On the Columbia River, natural open spaces include:

- A portion of Leslie Groves Park area located between Snyder Street and Ferry Street.
- A portion of Columbia Point South area; a largely undeveloped area located at the confluence of the Yakima River and the Columbia River.
- The islands on the river that are part of the McNary National Wildlife Refuge.

In 2004, the City worked with community groups and several funding agencies to help Benton County acquire from willing sellers a 575-acre preserve on Badger Mountain located north of the Badger Mountain South area. The City also worked with community groups and funding agencies to purchase properties from willing sellers along the west branch of Amon Basin in order to enlarge the City-owned natural open space areas.

Mineral Resources

Mineral resource lands are resource lands that are primarily devoted to the extraction of minerals or that have known or potential long-term commercial significance for the extraction of minerals. The GMA requires cities and counties to designate natural resource lands where appropriate and adopt development regulations to assure the conservation of agricultural, forest, and mineral resource lands. The City undertook a detailed analysis of its mineral resources in 1998 and determined that no lands within the Richland UGA should be designated as mineral resource lands.

BUILT ENVIRONMENT

Historic and Cultural Resources

Due to its settlement history, the City of Richland does not have an abundance of historical resources. Historic structures

unique to the City include 12 tract farm houses in the central city and six buildings in downtown that predate World War II, and the Alphabet Homes, built between 1943 and 1951. The Alphabet Homes were based on a series of house plans denoted by a letter in the alphabet (an A house, an F house, etc.). In addition, several apartment buildings and pre-fabricated homes were part of this development scheme. These houses have historical significance in that they were built as part of the federal city created for the Hanford project. Historic structures that have been formally recognized on the National Register of Historic Places include the “Gold Coast” District, a north Richland neighborhood comprised of Alphabet Homes that have largely retained their original character.

Cultural resources are typically discovered during excavation and site preparation for development proposals. While it is difficult to know where every cultural resource site exists, the Washington State Office of Archaeology and Historic Preservation has records of previous investigations in the region. As discussed before, there are recorded archaeological sites within a mile of the Yakima River confluence. National Register-listed properties include the Columbia Point area, Bateman Island, and the Tri-Cities Archaeological District (Anchor QEA, 2014).

Goals and policies in the Comprehensive Plan provide a framework for reviewing and permitting future development proposals. Coordination with the State Office of Archaeology and Historic Preservation and implementation of policies relating to the preservation of cultural and historic resources will help to ensure that these resources are protected.

Urban Design

Urban design applies to the three-dimensional aspects of the built environment such as buildings, streets, sidewalks, open spaces, and

plazas. It also addresses other urban issues such as circulation and connectivity, sustainability, neighborhoods, and districts.

Design

The City aims to achieve quality design in citywide civic projects such as public buildings and plazas, streetscape and corridor development, public art, parks, and open spaces. High quality design in public projects will set the standards for the City and may encourage further quality developments by the private sector. Richland’s Public Library, Community Center, and the Reach Interpretive Center all display quality design. The City promotes quality design in the commercial and residential developments through its development standards. The City is also planning to add gateway features in the downtown area that will enhance the identity of the community.

Pedestrian and Bicycle-Friendly Environment

It has been a priority of the community to create a vibrant and livable community in Richland. Goals and policies are geared towards creating a pedestrian-friendly community. Mix of uses, higher density, access to transit, safe sidewalks, streetscape elements, network of paths and trails, building orientation, and articulation are some of the considerations for creating a pedestrian-friendly community. Richland has prioritized its downtown area to be more pedestrian- and bicycle-friendly. Swift Corridor development is already underway that will create a pedestrian- and bicycle-friendly connection between the downtown businesses and the residential neighborhoods. The Parkway area, CBD, and Kadlec campus are designed with pedestrian-friendly components.

Circulation and Connectivity

Connectivity between major destinations and neighborhoods within the City and the region is important to Richland. Richland's transportation system aims to provide a multi-modal circulation system for pedestrian, bike, car, and transit users. Richland has multi-use trails connecting its parks and natural areas, as well as some key locations within the City. The City works with public agencies and private developers to create an efficient circulation pattern within business and residential neighborhoods. The proposed Duportail Bridge, once built, will make a significant improvement in connecting the northern and southern parts of Richland.

Public Realm

Richland's public realm includes plazas, parks, playgrounds, sidewalks, and open spaces. Each public realm is different and serves a different purpose in their formal, semi-formal, or natural settings. They offer places for gathering, interaction, and recreation. Public places are further enhanced by artworks and pedestrian amenities. The John Dam Plaza is a heavily used public place for community gathering and events, while the Parkway area offers an urban setting for the community. Parks and natural areas offer recreation and tranquil environment for the residents.

District

The visual character of the Richland UGA varies widely from downtown, Uptown, and the Richland Wye/Island View area, to relatively new commercial areas such as Queensgate and City View, to master planned areas like Columbia Point and Horn Rapids to older alphabet housing neighborhoods in central Richland and to the new residential neighborhoods in Badger Mountain South. Each of these distinct areas calls for a different design approach. In older areas, the emphasis

needs to be placed on revitalizing neighborhoods; in other areas, maintenance can be a priority. In newly developing areas, the emphasis needs to be placed on building design and site planning standards. The City recognizes that it needs to take a targeted approach with different urban design standards and strategies to reflect the differing needs of each area within the City.

Environment and Sustainability

Richland's built and natural environment is maintained through multiple design and environmental protection approaches. Its natural resources are protected under the Critical Area Regulations, the SMP, as well as State and Federal Laws. The City also maintains energy efficiency, renewable energy, and recycling programs. The City encourages the use of sustainable standards including, but not limited to, passive solar energy, geothermal energy, solar hot water systems, Green Building Certification, Energy Star Certification, bird-friendly buildings (i.e., those that are designed to minimize collisions with birds). The City encourages minimizing light trespass for energy savings, dark sky ambience, and glare reduction.

Landscaping

Landscaping is important for maintaining Richland's attractive physical appearance. Proper landscaping can highlight an area's features and add aesthetic value. Landscaping is applicable for both public and private developments. Given the hot-arid climate in the Tri-Cities area, native landscape and plants are more desirable. Using xeriscape principles can make a water-efficient landscape and signify the area's climate and geology. Selection of trees that offer shade on hot summer days is important for this area.

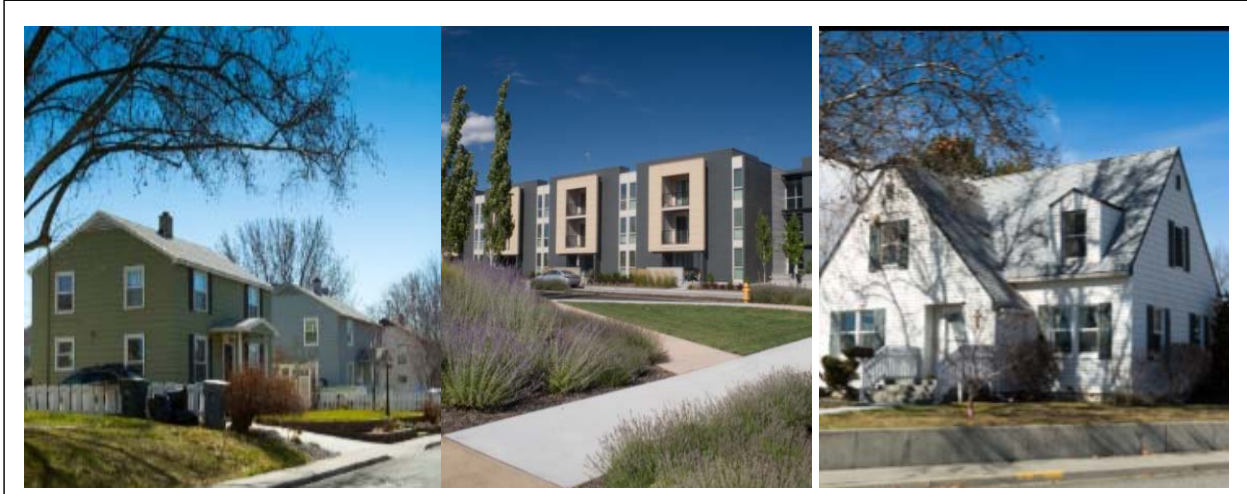
Figure LU-3: Future Land Use Map

Figure LU-4: Critical Areas Map

Figure LU-5: Shoreline Map

Figure LU-6: Open Space Map

HOUSING ELEMENT



In this chapter, you will find:

- Goals and policies guiding housing in Richland
- Existing housing condition
- Projected needs and addressing the demand

INTRODUCTION

Providing affordable housing for all groups is a priority for Richland. Providing housing near shopping and transportation and offering multiple choices for owner and renter occupied housing would also benefit the City's vision for diversity.

The Housing Element of the City's Comprehensive Plan is intended to provide policy background and broad direction for housing programs and decisions towards meeting the City's goals. Similar to the other elements of the Comprehensive Plan, the Housing Element provides a framework for future planning decisions and outlines goals and objectives the City plans to implement in meeting its housing needs. The Housing Element is consistent with other elements of the Comprehensive Plan.

GOALS AND POLICIES

HE Goal 1: Provide a range of housing densities, sizes, and types for all income and age groups of the Richland community.

Policy 1: Ensure that the comprehensive plan and development regulations allow for a variety of housing types, sizes, densities, and lot configurations such as small lot single family housing, multi-family housing, mixed-use development, cluster development, live/work housing, co-housing, accessory dwelling units, single room occupancy units, zero lot line and similar subdivisions, and planned unit developments.



Policy 2: Encourage mixed-use developments with apartments and condominiums above commercial uses in the City's urban core. Where redevelopment or infill opportunities arise, allow for increased housing density in residential-designated areas that immediately surround the CBD, while respecting the character and scale of the existing neighborhood.

Policy 3: Support the development of senior housing and long-term care/assisted living facilities in the City in close proximity to commercial uses and medical services and facilities.

Policy 4: Promote and provide incentives (such as zoning/rezoning, revised regulations, and provision of infrastructure) for infill development and redevelopment, while respecting the character and scale of the existing neighborhood.

Policy 5: Allow and regulate manufactured homes in the same way as site-built homes.

Policy 6: Plan for an adequate supply of land in appropriate land use designations and zoning categories to accommodate projected household growth, while accommodating other commercial, industrial, and open space needs of the City.

HE Goal 2: Improve affordable housing opportunities for lower-income individuals, households, and first time homebuyers.

Policy 1: Expand the supply of affordable units by promoting owner- and renter-occupied housing throughout the City, consistent with Comprehensive Plan.

Policy 2: Promote the use of mixed-income housing developments and mixed-use developments that provide both affordable housing and economic opportunities throughout the City consistent with Comprehensive Plan.

Policy 3: Sustain or improve the quality of existing affordable housing stock by encouraging rehabilitation of housing units by current owners.

HE Goal 3: Implement the current version of the Tri-Cities Consolidated Plan.

- Policy 1: Provide assistance to lower-income households that participate in local improvement districts for infrastructure projects. Assistance may be limited to selected neighborhoods or to the neediest households based upon a percentage of median income and fund availability.
- Policy 2: Assist infrastructure activities that revitalize and stabilize older or declining neighborhoods or areas in which the majority of households are lower-income.
- Policy 3: Improve access for persons with disabilities and the elderly by improving streets and sidewalk systems.

Neighborhood Character

HE Goal 4: Encourage the maintenance and preservation of existing housing stock and residential neighborhoods.

- Policy 1: Encourage reinvestment in older residential neighborhoods and support the revitalization of such neighborhoods by keeping the streets and other municipal systems in good repair.
- a) Encourage the formation of local improvement districts.
- Policy 2: Implement the City's affordable housing and weatherization programs.
- a) Continue to participate in the Tri-Cities HOME Consortium.
- b) Continue to utilize federal Community Development Block Grant and HOME funds for housing rehabilitation and first-time homebuyer opportunities.

Policy 3: Continue to allow accessory dwelling units in single-family residential districts.

Policy 4: Accommodate non-profit and public agencies' efforts to purchase, construct, and rehabilitate housing to meet the affordable and other housing needs of the community.

Policy 5: Strive to increase the rate of owner-occupancy over time through City's assistance programs.

Policy 6: Maintain a strong code enforcement program.

Policy 7: Update and implement the Island View Master Plan to include mixed-use housing and multi-family residential rehabilitation and construction.

Policy 8: Encourage the use of the City's Crime Prevention Through Environmental Design (CPTED) program in developments.

Policy 9: Continue to participate in the City Police Department's Crime Resistant Community Living (CRCL) Program, which provides free training for property owners and landlords to help provide safe, crime-resistant communities for all residents.

HE Goal 5: Ensure compatibility of new residential developments with established neighborhoods and the community.



Policy 1: Maintain quality design and landscaping in the new developments.

HE Goal 6: Improve Public Facilities.

Policy 1: Support the revitalization of neighborhoods by improving and supporting public facilities that serve neighborhoods of all income levels.

Policy 2: Improve parks and recreation facilities in targeted neighborhoods by supporting a range of improvements to existing or new parks such as building bicycle and walking paths, improving public restrooms, landscaping, or installing play equipment.

Policy 3: Support beautification of our community by integrating art into public facilities in creative and engaging ways.

EXISTING CONDITIONS

Based on American Community Survey (ACS) Census data of 2015, Richland has a total of 22,130 housing units. About 65 percent of the housing units are owner-occupied and 35 percent renter-occupied. This is similar to the United States occupancy rate of 64 percent owner-occupied and 36 percent renter-occupied. Single unit detached housing types dominate the existing housing inventory with 63 percent of the total share. Based on this data, the housing occupancy rate in Richland is 94 percent.

Table HE-1: Housing Occupancy in Richland

Occupancy Type	Units	%
Owner-occupied	13,622	65.5
Renter-occupied	7,170	34.5
Total occupied ¹	20,792	100
¹ 94% of the total housing units		

Richland's single-family homes are mostly concentrated between Spengler Street and the greenbelt (Abbott Street) in north Richland, and between Columbia Park Trail and Interstate 82 in south Richland. Another concentration of housing exists in north Richland in the Horn Rapids area. The City has new housing developments as well as the old Alphabet Homes built between 1943 and 1951. Alphabet Homes are mostly located in the older part of the City near the downtown area.

PROJECTED NEEDS

As discussed in the Land Use Element, Richland's population growth will require additional housing units in the City in the next 20 years. An increase of over 23,000 people in the City and UGA will require 1,270 additional housing units. This will include housing demand for all income and age groups. With the baby boomers retiring, there is a growing need for affordable senior housing in the City. Based on a discussion with the affordable housing group for seniors over the period of 2010 and 2016, occupancy at the affordable senior housing communities averaged 98 percent. This indicates a high demand for affordable senior housing. The expansion of educational institutions triggers the need for student housing and multi-family housing in conjunction with the region's growing need for single-family housing.

ADDRESSING THE NEEDS

This demand of additional housing will be met by developments in the existing planned areas, infill developments, and by re-designating two Urban Reserve areas. This plan will create a mix of residential, commercial, and public facilities land uses as shown in the land use plan (Fig LU-3). This will add additional

housing units including single-family, multi-family, and apartment homes.

The City's current housing assistance program will continue to assist homeownership for Richland citizens. The City's policies promote infill development, which will be another option for housing development where infrastructure already exists. The City provides additional housing choices by allowing accessory dwelling units in single-family neighborhoods.

TRANSPORTATION ELEMENT



In this chapter, you will find:

- Goals and policies for transportation
- Existing systems and future improvements for:
 - Motorized systems
 - Non-motorized systems

INTRODUCTION

The City of Richland maintains a complete multi-modal network of transportation facilities serving residents and businesses. A brief summary of transportation facilities is provided here, with more details provided in the supporting analysis document (Appendix A).

GOALS AND POLICIES

TE Goal 1: Provide an efficient and multi-modal transportation network including road, trail, rail, water, and air, to support the City's land use vision and existing needs.

Policy 1: Plan new street segments and consider modifying existing streets to provide comfortable and safe elements for bicyclists, pedestrians,

and transit users in addition to vehicles.

Policy 2: Identify and secure the rights of way for new and/or expanded transportation corridors.

Policy 3: Support rail services for industries and commerce within the area.

Policy 4: Support regional planning efforts for roadway, rail, air, and non-motorized travel.

Policy 5: Plan and implement transportation system improvements that meet the needs of all areas and residents.

Policy 6: Plan transportation facilities that are compatible with adjacent land uses.

Policy 7: Plan and implement an appropriately classified and designed roadway system that provides for efficient movement of people and goods and the comfort and safety of residential neighborhoods.



TE Goal 2: Improve safety, connectivity, and operating efficiency of the transportation system.

Policy 1: Implement appropriate access control for arterial collectors and arterial streets.

Policy 2: Link local street networks through subdivisions to provide efficient local circulation, as appropriate, and provide additional collector arterial access for major residential areas.

Policy 3: Evaluate, plan, and install traffic control devices and intersection designs to improve travel safety and efficiency.

TE Goal 3: Encourage the use of transportation modes that promote energy conservation, circulation efficiency, and an active lifestyle.

Policy 1: Support increased use of transit, bicycling, and pedestrian travel.

Policy 2: Plan facilities for non-motorized travel across jurisdictional boundaries.

Policy 3: Require sidewalks, improved shoulders, appropriate signage, or off-street trails within new developments to accommodate internal bicycle and pedestrian circulation within and between neighborhoods.

Policy 4: Encourage new developments to be pedestrian-friendly and compatible with the public transportation system.

Policy 5: Design a circulation system to become a bicycle-friendly community with complete streets.

TE Goal 4: Ensure that the road network is sensitive to the natural and built environment and offers a sense of the community.

Policy 1: Use appropriate streetscape and gateway features along the major entryways into the City.

Policy 2: Implement landscaping and other types of buffers along major transportation corridors.

Policy 3: Construct street system improvements to reduce traffic congestion as a measure to improve air quality.

Policy 4: Plan new streets and consider modifying existing streets to include storm water management best practices to reduce pollution from stormwater runoff.

Policy 5: Plan and implement new streets with features that mitigate the hazard to wildlife.

Policy 6: Plan and implement new streets and consider modifying existing streets to improve access control to sensitive areas.

EXISTING SYSTEM AND FUTURE IMPROVEMENTS

The most recent Transportation Plan for the City of Richland was completed in 2005 and was used to prepare the 2008 Comprehensive Plan. Many of the improvements identified in that Plan have been completed. Several studies have been conducted to identify preferred improvements in corridors where congestion is occurring today. These studies have determined the basis for many of the short-range improvements that are identified in the Capital Improvement Program for the City.

A major transportation challenge within the City of Richland transportation system is the congestion facing north-south travel during commute times. Several factors contribute to this situation, such as the major regional employers situated north of the City, and significant amount of housing is provided south and east of the Yakima and Columbia Rivers within the region. Regional commute traffic from south Richland, Kennewick and Pasco, is currently limited to SR 240 and George Washington Way for north-south travel through the City of Richland due to the challenge of providing adequate capacity to cross the Yakima River to the south and

Columbia River to the east. I-182 also creates a barrier given that there are only three access points and four crossings within the city as well. Congestion as a result of this north-south demand at commute times is manifest at several locations as discussed in the supporting analysis document. A number of planned projects are being considered to address this issue; but the considerations are complicated by the needs and vision of residents as they relate to George Washington Way. As described above George Washington Way is a key element in supporting a regional travel need. George Washington Way is also a City street passing through areas of Richland in which a regional commute route doesn't align with the users goals. Achieving acceptable performance levels for the economic vitality of the City and region and meeting the desires for livability on the City's transportation system will continue to be significant challenges.

For the purposes of this Comprehensive Plan Update, traffic counts from 2016 conducted by the Benton Franklin Council of Governments were used to conduct an analysis of the existing system to identify any additional deficiencies. Those traffic counts were also used to calibrate and update the regional traffic model to be consistent with anticipated land use for year 2040. Subsequently, an analysis for forecast traffic volumes was used to identify potential long-range issues with the transportation network.

Motorized System

Automobile

There are over 275 miles of roadway within the City of Richland, including a functionally classified network of arterial and collector roadways as well as local streets. There are 66 traffic signals within the City (some are operated by WSDOT or the City of Kennewick) and four roundabouts.

Significant improvements identified in the short term include the Duportail Bridge over the Yakima River, the widening and extension of Queensgate Drive, South George Washington Way safety and mobility improvements, and the Center Parkway Extension west of Steptoe Street. These projects are anticipated to cost at least \$53 million.

Long-range improvements include the extension of Gage Boulevard and Queensgate Drive to serve the Badger Mountain South sub-area, interchange improvements on both I-182 and SR240, as well as other collector road improvements to serve developing areas. A new arterial route is proposed to connect the existing north end of Queensgate Drive to SR 224 (with a Yakima River crossing) as well as an extension south from Kingsgate Way to connect to SR 224. Additional traffic signals or roundabouts are anticipated at several locations as well.

Air

Commuter air travel service is provided at the Tri-Cities Airport in Pasco. The Richland Airport provides general aviation facilities on two 4,000 foot runways. The Airport Master Plan currently calls for the extension of the north-south runway to 5,000 feet in order to accommodate large aircraft. This runway extension will require further study and potential mitigation since the Runway Protection Zone will be extended over SR 240 and some developed industrial properties.

Freight

There are currently approximately 30 miles of railroad tracks within the City of Richland. Much of this track is owned by the Port of Benton and operated and maintained through a lease to the Tri-City Railroad (TCRR). TCRR provides local freight switching and interconnect services to the Union Pacific Railroad, while the Burlington Northern Santa

Fe provides direct service to the City of Richland.

The rail network has recently been expanded by the City to serve the Horn Rapids Industrial Park and includes a loop that accommodates the loading of unit trains. Additional expansions are anticipated to the north of Horn Rapids Road to serve new industrial property acquired from the Department of Energy.

Port Barge

The Port of Benton provides a high dock as well as a barge slip along the Columbia River in the northern part of the City. These facilities are able to serve barges that travel to the Pacific Ocean and Pacific Rim markets in a cost effective transportation mode.

Transit

There are currently nine transit routes operated by Ben Franklin Transit that serve the City of Richland, with four of those being Inter-City routes that also serve other communities and make connections at Transit Centers. Ben Franklin Transit regularly modifies its services and routes to accommodate growth and development.

Non-motorized System

Non-motorized facilities within the City of Richland are mainly composed of sidewalks constructed in association with streets and a separate bicycle and pedestrian trail system. There are currently about 30 miles of Class I trails that serve the City of Richland, with over six miles of secondary trails and 36 miles of soft trails that traverse natural areas such as Badger Mountain or Columbia Point South and the Amon Basin. There are also over 68 miles of on-street bike routes that facilitate bicycle travel throughout the City.

FINANCING

The City receives funding for transportation projects from a variety of sources, including impact fees, developer construction, City General Funds, Arterial Street Funds, Transportation Improvement Board grants, Highway Safety Program grants, State funding, Federal Surface Transportation Program funding as well as other Federal Grants.

The City collects Traffic Impact Fee according to Richland Municipal Code (12.03). It is called the South Richland Street Collector Financing Plan. It assists to develop the arterial street network in south Richland and to make other improvements such as traffic signals as traffic volumes grow. The impact fee area generally involves two zones and covers the area south of the Yakima River with the exception of the Badger Mountain South Sub-Area. The impact fee was updated in 2008 and 2012 and is expected to be updated again in 2017.

Details of proposed transportation improvements, timeframe and financing sources can be found in the supporting analysis document (Appendix A).

UTILITIES ELEMENT



In this chapter, you will find:

- Goals and policies for utilities
- Wastewater facilities
- Water supply system and facilities
- Storm water system and facilities
- Solid waste management and facilities
- Energy services
- Utilities provided by others
 - Natural gas supply
 - Telecommunications
 - Irrigation

INTRODUCTION

The Utilities Element of the City of Richland Comprehensive Plan describes utility policies and regulations to implement the goals of the Comprehensive Plan. It was developed in accordance with Section 36.70A.070 of the GMA to address utility service within the City of Richland over the next 20 years. It consists of the general location, proposed location, and capacity of all existing utilities in the UGA. General utility corridors are identified in this Element. The Element was also developed in accordance with the County-Wide Planning Policies and has been integrated with all other Comprehensive Plan elements to ensure consistency.

GOALS AND POLICIES

UE Goal 1: Utilities should support the land use and economic development goals of the City.

- Policy 1: Siting of proposed public facilities should be consistent with adopted land use policies.
- Policy 2: When available and permitted under prevailing power supply contracts, the City will use its market access to low-cost electricity to provide favorable rates targeted at expansion and attraction of industries offering additional family-wage jobs.
- Policy 3: Ensure that aesthetic impacts of utilities will be addressed through measures such as landscaping and screening.

UE Goal 2: Maintain existing service levels to current customers and ensure that public facilities and services necessary to support development are planned, sized, and constructed to serve new development.

- Policy 1: Maintain current utility service levels based on local, state, and federal standards.
- Policy 2: Use a minimum 20-year planning horizon to plan for City-provided public utilities and identify new facilities, expansions, and improvements that will be needed. The City will work with other purveyors of public services to provide facilities and services concurrent with development.
- Policy 3: Promote the efficient use of land and minimize environmental disturbance by requiring that the facilities of various utilities be

located together in the City right-of-way wherever possible.

- Policy 4: The City will designate utility corridors and utility facilities as required to facilitate and promote the expansion of commercial and industrial development.
- Policy 5: The City will actively cooperate with other utility providers to establish a City electrical service territory boundary that allows the City's municipal utility to serve new loads.

UE Goal 3: Provide utility facilities that ensure environmentally sensitive, safe, and reliable service.

- Policy 1: All utility expansion and construction will consider the environment and ways to minimize impacts to it in siting, construction, and use.
- Policy 2: The City will use the best available technology to mitigate adverse impacts resulting from utilities projects.

UE Goal 4: Adopt programs to conserve and promote sustainable use of resources.

- Policy 1: Establish public outreach programs to promote the conservation of resources, waste reduction, reuse, and recycling.
- Policy 2: Implement the City's utility systems management plans.

UE Goal 5: Coordinate with outside utility providers for efficient, cost-effective, and reliable utility service.

- Policy 1: Ensure that land will be made available for the location of utility lines, including location within transportation corridors.
- Policy 2: Promote, when feasible, location of new public and private utility

distribution facilities in shared trenches, and coordination of construction timing to minimize construction-related disruptions to the public and reduce the cost of utility delivery.

Policy 3: When and where natural gas franchises exist, promote the extension of natural gas distribution lines to and within the UGA, constructed or reconstructed.

Policy 4: Promote a wider range of high-speed internet providers to encourage competition.

WASTEWATER FACILITIES

The Richland sanitary sewer system was originally developed to serve the Richland core area, but has been extended to other areas as they have developed, including north Richland, south Richland, the Badger Mountain area, and the Horn Rapids community. The sanitary sewer system includes a conveyance system, a wastewater treatment facility, and effluent disposal. A General Sewer Plan was adopted in 2016, which provides a general evaluation of the sewer collection system and Wastewater Treatment Plant, a Capital Improvement Plan (CIP) with a particular emphasis on the next 20 years, and assessment of the utility's financial condition and ability to support the recommendations of the CIP.

The existing Richland sanitary sewer collection system serves approximately 40 square miles of area that is divided into seventeen drainage basins. The collection system consists of over 262 miles of gravity collection pipes, which range in size from six inches in diameter to 54 inches in diameter. The City owns and operates 14 pump stations, ranging in size from 1.5 to 35 horsepower.

Overall, the collection system had adequate hydraulic capacity to convey current flows as well as future flows. Although the hydraulic analysis indicated relatively few capacity issues, the collection system is showing its age and a proactive renewal and replacement program has been developed to address this.

All flows collected by the Richland sanitary sewer collection system are transported to and treated at the Richland Wastewater Treatment Plant. Since its completion in 1985, the plant has consistently achieved the discharge requirements specified in its National Pollution Discharge Elimination System (NPDES) permit. The plant provides primary sedimentation, followed by secondary treatment using an activated sludge process. Plant effluent is disinfected with chlorine prior to discharge to the Columbia River. Several renewal and replacement projects have been identified at the Wastewater Treatment Plant through the planning period.

WATER SUPPLY SYSTEM

The Richland water system was constructed during the 1940s to support the wartime activities at the Hanford Nuclear Reservation. This temporary system has developed into the modern permanent water system used in the City today. The City's water supply system consists of wells, a surface water treatment plant, pump stations and chlorinators, interties, water lines, and reservoirs. A Water System Plan was completed in 2016 to be adopted in 2017, which provides a general evaluation of the water distribution system and Water Treatment Plant, a CIP with a particular emphasis on the next 20 years, and assessment of the utility's financial condition and ability to support the recommendations of the CIP.

The majority of the population within the corporate limits of the City of Richland is served by the City of Richland Water Utility. The Utility serves approximately 18,689 connections (as of 2016), which includes residential, commercial, and industrial users.

The City has a total available water right of 34,948 acre-feet per year and 43,786 gallons per minute (gpm) for instantaneous flow. The City appears to have adequate water rights for future growth. The City's potable water sources include a wellfield and the Columbia River Water Treatment Plant (WTP). The wellfield has a total capacity of 15 million gallons per day (MGD) while the WTP has a capacity of 36 MGD. Source capacity is adequate for future growth, and water supplied to the City of Richland is of high quality meeting federal and state drinking water standards.

The City has approximately 340 miles of pipelines in the water distribution system ranging in size from two inches in diameter to 36 inches in diameter. There are ten storage facility sites that provide approximately 22 million gallons of storage and ten booster pumping stations that provide direct water storage to seven pressure zones within the City. Several projects to address capacity as well as renewal/replacement have been identified through the planning period.

STORM WATER SYSTEM

Richland's storm water system facilities consist of collection and conveyance, pumps, underground injection control (UIC) facilities, regional detention/ water quality facilities, and regional outfalls. A Storm Water System Plan was developed by the City in April 2017.

Collection and conveyance facilities include catch basins, manholes, pipes, forced main, culvert and open channel. There are currently

over 4000 catch basins and over 127 miles of gravity pipe in the City.

There are seven public and privately owned pump stations throughout the City.

Some storm water runoff generated within the City is infiltrated via the City's over 280 UIC facilities.

Regional detention/ water quality facilities include 22 ponds, 2 bioretention cells, 6 underground storm chambers, and 21 swales.

Stormwater runoff that does not infiltrate is conveyed to surface receiving waters via 21 regional outfalls that discharge to the Columbia River, the Yakima River, and the Amon Wasteway.

Future improvements of the storm water system are identified to reduce:

- Existing conveyance capacity and flooding issues;
- Potential future conveyance capacity and flooding issues;
- Pollutant loading to receiving water bodies; and
- Chronic system maintenance needs.

SOLID WASTE MANAGEMENT

The City of Richland Solid Waste Division provides municipal solid waste collection and disposal services to residences and businesses within the City limits. About 26 percent of the solid waste is recycled in Richland based on the 2015 tonnage of generation, recycling, and disposal.

The City of Richland owns and operates the Richland Landfill (also known as the Horn Rapids Landfill). The landfill site is 275 acres in size. Approximately 46 acres are permitted for solid waste disposal. The site also includes a 14-acre composting facility, a residential and small commercial customer transfer station, a

scale house and administration building, and an operations and equipment maintenance building.

The City offers curbside recycling to its residential and commercial customers. The City currently operates seven drop-box recycling collection centers throughout the City and delivers the collected recyclable items to Clayton-Ward Recycling in Richland.

The City's waste generation is forecast to increase to 80,000 tons by 2031. The current space in the Landfill will be used up sometime in 2020 at the City's current rate of waste placement. The City is planning for its future solid waste disposal capacity by exploring two options:

1. Expanding landfill capacity on the current site by building a landfill that meets current state and federal design regulations; or
2. Building a transfer station and hauling waste to a large regional landfill.

It is expected that a decision will be made in calendar year 2017, after which preparations will be made to construct the necessary facilities. Regardless of the disposal alternative selected, the City anticipates maintaining its current customer service levels at the Richland landfill.

ENERGY

Richland provides electrical service throughout the City, most of the UGA, and the City's 50-square mile service territory using 552 miles of primary line and eight substations. Ownership and operation of these facilities is shared by the City and the Bonneville Power Administration (BPA). Bulk transmission of electrical power supply to customers in the UGA has historically been provided from the BPA transmission grid, with the local utilities providing final pass-through services. Benton PUD also provides power to a limited number of people in Richland through

a service agreement between Benton PUD and the City.

The City currently runs an energy efficiency program by providing incentives for reduced energy usage. Its renewable option program allows residents to purchase clean, zero-emission wind energy. The City also offers low-interest loans to promote use of solar power.

Electrical service plans are designed and upgraded to provide for future growth and accommodate new and increased loads. Richland maintains a performance based level of service where failure in one system will not cause failure of other systems and can be picked up by other components within eight hours.

Future deficiencies are identified based on projected loads. The City has identified multiple capital improvement projects through the year 2027. Major capital improvement projects include: plan, design, and construction of a new substation in the Dallas Road and Leslie Road area; construction of Kingsgate substation for the Horn Rapids Industrial Park; design and implementation of smart grid/smart metering infrastructure; and purchase of southwest service area infrastructure.

OTHER AGENCY UTILITIES

Natural Gas Supply

Cascade Natural Gas Corporation builds, operates, and maintains natural gas distribution facilities serving the City of Richland. It currently serves most parts of the City. Natural gas is made available concurrently with growth to the best of the purveyor's ability. The City will promote locating utility distribution lines together and

using existing utility easements wherever possible.

Telecommunications

Telecommunication in Richland is provided by the licensing agency's franchise agreements with the City. Telecommunication is mostly regulated at the state level by the Washington Utilities and Transportation Commission.

The City of Richland currently franchises Charter Communications to serve its population. Charter provides cable TV, Internet, and phone services in Richland. Some other phone and Internet services providers include but are not limited to Verizon, Cellular One, U.S. Cellular, AT&T Wireless, T-Mobile, and Cingular Wireless. Telecommunication facilities offer services through cell towers on tall poles, lattice towers, and/or co-located in buildings.

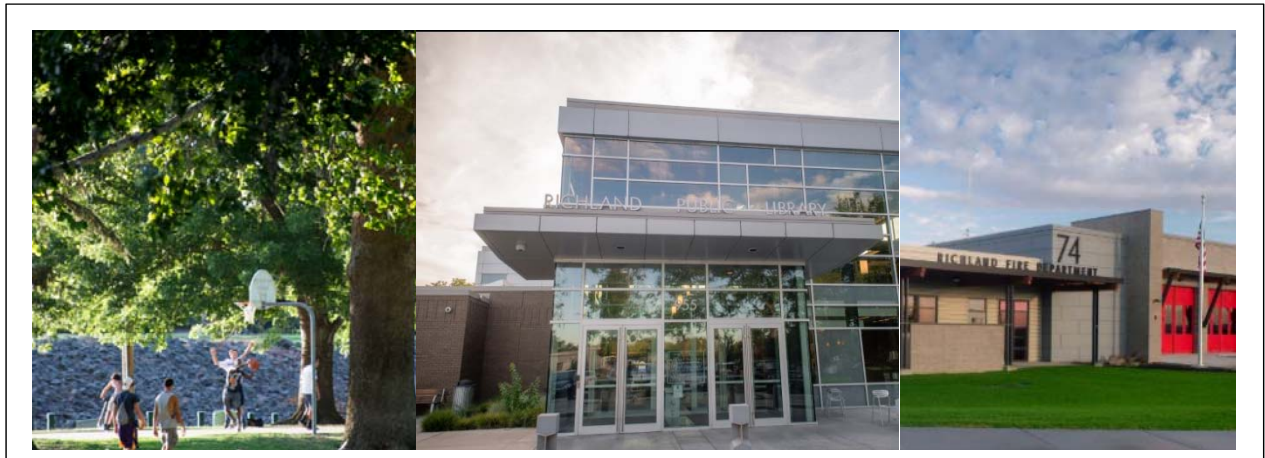
As growth occurs within the City, demand for reliable telecommunication services also grows. Telecommunication companies provide adequate services according to Federal Communications Commission (FCC).

Irrigation

Only portions of the City of Richland currently have irrigation services. The southern part of the City is served by the Columbia, Kennewick and Badger Mountain Irrigation Districts. Columbia Irrigation District operates an irrigation canal and a pump station in that area.

Within the unincorporated UGA, irrigation services are provided by the Columbia and Badger Mountain Irrigation Districts.

CAPITAL FACILITIES ELEMENT



In this chapter, you will find:

- Goals and policies for Capital Facilities
- Parks, recreation, and open spaces
- Municipal facilities
- Fire and emergency services
- Police services
- Schools
- Essential public facilities

INTRODUCTION

The Capital Facilities Element addresses facilities that are important for the City's growth in the next 20 years. Accommodation of the additional growth within the City's available land area and the provision of adequate services for the expected growth are two key aspects to be addressed in the comprehensive planning process. The Comprehensive Plan Supporting Analysis (Appendix A) provides additional details of the Capital Facilities Plan.

This element integrates the Comprehensive Plan with the City's Capital Improvement Plan (CIP) for capital facilities budget allocations. The CIP prioritizes the needs of the City for infrastructure and other capital needs, both within the City and the UGA. Prioritization for budget decisions are made based on the goals and policies and future growth indicated in the Comprehensive Plan. The Capital Improvement Plan (CIP) is a tool for

identifying and prioritizing capital projects and major capital purchases for budget consideration. The plan provides a project planning schedule for at least a six-year period and identifies funding sources for projects approved in the current budget cycle.

The CIP is useful in coordinating community planning, determining financial capacity and ensuring capital expenditures demonstrate support for the key elements of the City's Strategic Plan. The CIP is comprised of projects that maintain, enhance, or construct new facilities and infrastructure.

The Richland CIP uses many revenue sources to fund the capital investment projects identified in the CIP, including various taxes, revenues, bonds, and grants. The City also collects park impact fees to mitigate park impacts. Impact fees collected from specific park zones are used within that park district to address the impact by providing park and facilities according to the standards set in the 2014-2019 Parks, Recreation and Open Space Plan.

GOALS AND POLICIES

General Goals and Policies

CF Goal 1: Ensure that adequate infrastructure and public facilities exist or can be provided concurrent with new development takes place.

Policy 1: The City will work with other purveyors of public services to provide facilities and services concurrent with development.

Policy 2: The City will strive to ensure convenient and safe student access to school sites.

CF Goal 2: The City will provide capital facilities that ensure environmentally sensitive, safe, and reliable service.

Policy 1: The City will consider ways to minimize environmental impacts in siting, construction, and use of all capital facility expansion and construction projects.

Policy 2: The City will mitigate adverse impacts resulting from capital facilities projects according to the State Environmental Policy Act (SEPA) and other local, state and federal requirements.

Policy 3: The City will locate capital facilities identified as essential public facilities to provide the necessary service to the intended users with the least impact on surrounding land uses.

CF Goal 3: Provide adequate resources for capital improvements and make efficient use of fiscal and other resources.

Policy 1: Prioritize capital improvement needs that are consistent with overall planning goals.

Parks, Recreation and Open Space

CF Goal 4: Provide an integrated system of parks, recreation facilities, trails, and open spaces as an asset consistent with the Parks, Trails, Open Space, and Facilities Master Plan that enhances the community's quality of life.

Policy 1: Implement the Parks, Trails, Open Space, and Facilities Master Plan and programs for park and recreation facilities.



Policy 2: Coordinate the development of City of Richland trails, open space, and other recreational facilities and programs with other municipal facilities development, where appropriate.

Policy 3: Develop and adopt Master Plans for specific parks as necessary.

CF Goal 5: Provide diverse active and passive recreational opportunities for residents and visitors of all ages, based on needs.

Policy 1: Develop participation and interest in organized and individual recreation based on trends and changing lifestyles.

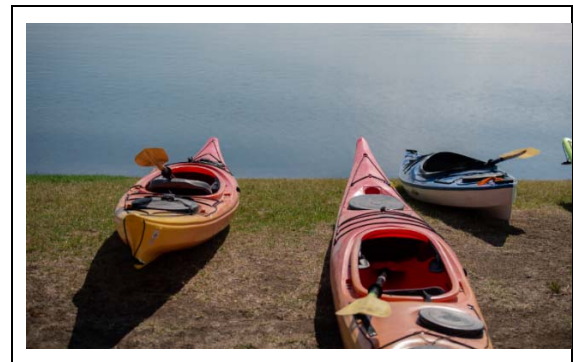
Policy 2: Provide adequate facilities to meet the sports and active recreational needs of different age groups.

Policy 3: Help citizens make full use of existing facilities through increased public awareness, revised and clear maps, and directional signage.

CF Goal 6: Identify, prioritize, and preserve unique natural habitat, ecologically critical areas, shorelines, and significant landforms and develop public recreational activities appropriate to these resources.

Policy 1: Develop property and ecological management programs consistent with the SMP, and Critical Areas Ordinance.

Policy 2: Provide public access and use of the Columbia River and Yakima River shoreline consistent with the SMP.



Policy 3: Evaluate opportunities to acquire and/or protect additional open space to protect significant landforms, critical habitat areas, and appropriate native vegetation areas.

Policy 4: Promote environmental education in an appropriate manner based on the sensitivity of the subject area.

CF Goal 7: Enhance the community and region's cultural and historic heritage through features incorporated in community and regional parks.

Policy 1: In cooperation with the Arts Commission, incorporate art in suitable public locations.

CF Goal 8: Extend and improve the multi-use trail system to link parks, activity centers, schools, and employment centers.

Policy 1: Identify desirable trail linkages and trail extensions needed to connect with the City's trail network as part of existing trail plan.



Schools

CF Goal 9: Work with the Richland and Kennewick School Districts to help meet the needs of the school districts to serve the community.

Policy 1: Coordinate with the school districts to identify locations of future school sites.

Policy 2: Continue to work closely with the Richland and Kennewick School Districts and special user groups to promote joint use recreation programs and facilities.

Policy 3: Develop and maintain safe routes to schools by pedestrian and other modes of transportation.

Municipal Facilities

CF Goal 10: Provide municipal facilities as needed for efficient services, rapid response times, and convenient customer service.

Policy 1: Consider leveraging investments in new municipal facilities that help the City achieve other goals and operate efficiently.

CF Goal 11: The City's investment in municipal facilities should, to the extent practicable, encourage additional private investment.

Policy 1: Consider strategically locating certain municipal facilities in areas that can act as catalysts for private developments.

Fire, Police, and Emergency Services

CF Goal 12: The City will provide efficient, cost-effective, and concurrent levels of public safety services designed to maintain quality of life.

Policy 1: The City will identify the funding mechanism to construct and staff fire and emergency service facilities in areas of the City wherever five hundred homes or more are located outside a four-minute drive time from an existing Richland Fire & Emergency Services facility or a neighboring jurisdiction facility with similar staffing levels participating in an automatic aid agreement.

Policy 2: The City will identify a funding mechanism to increase staffing levels from three to six in station's initial response districts when the resources/crew out of service norm

reaches 4.8 hours per 24-hour period for emergency response.

Policy 3: Policy 3: The City will identify the funding mechanism to construct and staff Fire & Emergency Service facilities in areas of our city wherever 1350 or more employees work outside a 4 minute drive time from an existing Richland Fire & Emergency Services facility or a neighboring jurisdiction facility with similar staffing levels participating in an automatic aid agreement.

Policy 4: The City will evaluate the adequacy of the public safety facilities and equipment, mutual and auto aid agreements, and personnel staffing levels and deployment needs for the present and projected change.

CF Goal 13: Maintain and improve safe neighborhoods in Richland.

Policy 1: Maintain an adequate force of police officers throughout the City.

Policy 2: Implement physical planning and Crime Prevention Through Environmental Design (CPTED) principles to enhance user surveillance, de-opportunize criminal activities, and minimize potential for crimes.

Policy 3: Create a high level of public awareness and support from the community for positive engagement with the police and crime prevention and deterrence programs

CF Goal 14: Provide efficient, cost-effective, and concurrent levels of public safety services designed to maintain quality of life.

Policy 1: Maintain community education programs on crime and fire

prevention to increase the level of community awareness.

Policy 2: Emphasize continued cooperation through inter-local agreements with rural fire districts, fire, and police agencies of adjacent jurisdictions and other public safety service providers.

Policy 3: Evaluate the adequacy of public safety facilities and equipment, mutual aid agreements, and personnel staffing and program needs, for the present and for changes in needs with anticipated growth.

Policy 4: Ensure quality public safety personnel to serve the community.

Library Facilities

CF Goal 15: Maintain the Richland Public Library as a safe, inviting, inclusive destination, as well as a center of creativity and innovation that also offers services, collections, and gathering spaces that meet diverse needs.



Policy 1: Provide library facilities appropriate for Richland's population, circulation, technology, books, and material resources.

Policy 2: Maintain adequate service levels, based on comparative statistics gathered by the Washington State

Library for libraries of a similar statistical size.

Policy 3: Maintain and accommodate technological advances in resource and information management.

PARKS, RECREATION, AND OPEN SPACE

Richland's parks system consists of neighborhood parks, community parks, regional parks, special use areas, linear parks, and natural open spaces in 2,286 acres of land. Although some natural open spaces are included, many natural open space areas are not included in the park system. Richland's natural open space in general is discussed under the Land Use Element.

Table CF-1: Park Categories

Park type	Acres	Number of Parks
Neighborhood Parks	78.6	25
Community Parks	220	4
Regional Parks	170	2
Special Use Areas	702	11
Linear Parks	240	9
Natural Open Space	873.98	7
Total Parks and Recreation Areas	2,285.6	58

In addition to City-owned parks, Richland residents enjoy parks and recreational facilities owned by other agencies such as the Badger Mountain Centennial Preserve owned by Benton County, the open space owned by USACE, and Richland School District facilities, etc.

The City also has a system of trails consisting of Class 1 trails, secondary trails, and soft trails. The existing trails map (Fig. TE-6) indicates the locations and distribution of trails throughout the City.

Richland Parks and Public Facilities Department offers events, aquatic, and athletics programs in multiple City-owned facilities (see Table CF-2). Listed below is a brief sample of activity categories with categories changing based on demand:

- Aquatics swim lessons, lap swim, open swim pre-school educational activities
- Arts & Crafts, General Education-chess, hunter education, first aid, and more
- Dog training, park ranger programs, geocaching, hikes, and classes
- Home and garden, language, computer and technologies
- Fitness
- Yoga, martial arts, dance, wellness-check-ups
- Sports: team and individual sports
- Adventure camp for youth
- Cards, socials trips

Table CF-2: School District and City of Richland Facilities

Facility Type	Existing Inventory
Youth Baseball Game Fields	10 Fields
Youth Baseball Practice Fields	12 Fields
Youth Softball Game Fields	5 Fields
Youth Softball Practice Fields	10 Fields
Adult Softball Fields	4 Fields
Indoor Basketball Practice Courts (Richland School District)	7 Courts
Indoor Basketball Game Courts (Richland School District)	5 Courts
Indoor Volleyball Courts	21 Courts
Outdoor Swimming Pool	1 Pool
Youth Soccer Practice Fields	27 Fields
Youth Lacrosse Game Fields	0 Fields
Youth Lacrosse Practice Fields	0 Fields
Youth Football Game Fields	1 Field
Youth Football Practice Fields	0 Fields
Golf Driving Ranges	1 Range
Golf, 18-Hole Courses	1 Course

Facility Type	Existing Inventory
Archery Ranges	1 Course
Skateboard Park	22,700 sf
Outdoor Tennis Courts	28 Courts

As the City grows, the use of park and recreation facilities will increase. The current inventory of neighborhood parkland is adequate to meet the future demand. New areas re-designated with this Comprehensive Plan update will require one additional community park to serve the area. There is a need to complete the park amenities at Badger Mountain Park and Hanford Legacy Park. Master plans have been completed for each Community Park. Additional recreational facilities will be needed such as sports fields and courts, golf courses, etc.

Although Richland includes more open space than adjacent communities do, there is community interest in preserving open space. Approximately 34 acres of Urban Reserve land along the Yakima River is re-designated to Natural Open Space (Table LU-3). The need for open space and associated cost to maintain them should be further assessed through stakeholders and public involvement.

MUNICIPAL FACILITIES

This section describes the City of Richland's administrative buildings and other municipal facilities, including City Hall, City Hall Annex, Community Center, Development Services Center, and the City Shops and Warehouse Facility.

The current City Hall, located at the intersection of Swift Boulevard and George Washington Way was constructed in 1959. It houses the Council Chambers, along with a few other departments. The City Hall Annex adjacent to it was built in 1977.

The Community Center was constructed in 2002 and serves a dual role as a new senior center and a recreation and meeting facility. It also houses the administrative offices of the Parks Department.

The Development Services Center building was acquired from the federal government as surplus property and renovated to become a one-stop planning and development facility.

The City's shops complex is located on a 160-acre parcel near the Queensgate interchange. The complex was constructed in 1999. In 2010, the City constructed an addition to house the City's IT data center. The complex consists of three separate buildings and outdoor storage.

An evaluation of the City Hall building was done last in 2003 and was assessed that the facility was inadequate in size and flexibility and does not comply with basic accessibility and energy code requirements. Based on this, a new City Hall has been planned across the street from its current location, in the parking lot of the Federal Courthouse. The new building will be three stories, approximately 46,000 square feet, and will combine the City Hall, the City Hall Annex, and the Development Services Building into one facility, therefore eliminating three aging buildings. Construction will begin in 2017 and will be completed in 2019.

An assessment of major municipal facilities is available in the supporting analysis document (Appendix A), under the Capital Facilities Element.

FIRE AND EMERGENCY SERVICES AND FACILITIES

Fire and emergency medical services are a key part of public safety services for the citizens of Richland and the thousands of visitors and workers who pass through the City. The City of Richland has a professional fire department, which provides fire and life safety protection, emergency medical services (EMS), technical rescue and hazardous materials response to citizens, visitors, and the business community.

The Richland Fire & Emergency Services Department also provides Advanced Life Support EMS through Inter-local Agreements to segments of unincorporated areas of Benton County.

The Richland Fire & Emergency Services Department has developed a facility deployment model based on the current and projected needs of the community over the next 10 years. This plan encompasses potential growth and development in the community, current and future urban growth boundaries, the City of Richland transportation improvement plan, and industry standard response times. The facility deployment model aligns with the City of Richland Core Focus Areas as well as meets the mission and vision of Richland Fire & Emergency Services.

POLICE SERVICES

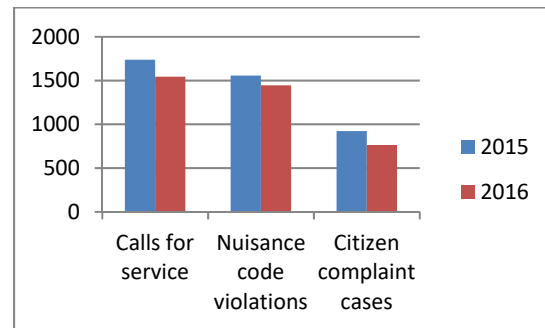
The Richland Police Department provides law enforcement services within the City limits. Law enforcement within the unincorporated UGA is currently provided by the Benton County Sheriff's office. The Police Department

is located at 871 George Washington Way. The station was constructed in 2001.

The Richland Police Department established a partnership with the Washington State Department of Corrections (DOC) in 2002 to better monitor criminals who are under active DOC supervision and living in Richland. At present, Richland Police is also leading the Benton County Emergency Management Agency's activities.

Based on 2015 and 2016 data, the incidence of some types of crime is decreasing while other types are increasing. For code enforcement cases, calls for service, code violations, and citizen complaints are decreasing as shown in the table below.

Figure CF-1: Code Violations



Richland Police provides a value-based service. Richland measures its levels of service for public safety based on the committed and uncommitted time of the officers and support staff. Future growth will increase demand for police protection services and police department community programs. However, the Department is currently not seeking an increase in the number of police officers as it aims to meet its demand through an efficient allocation of committed time. It continues its current programs of community services and crime prevention programs.

LIBRARY FACILITIES

Library services for Richland residents are provided primarily by the Richland Public

Library, operated by the City of Richland Parks and Public Facilities Department. Additional library services are available at the Washington State University (WSU) Consolidated Information Center (CIC), Columbia Basin College in Pasco, and the Mid-Columbia Library System in the adjacent jurisdictions. The Kadlec Neurological Resource Center has a specialized library on neurological disorders that is open to the public.

SCHOOLS

Richland is served by both Richland and Kennewick School Districts, as the school district borders do not follow the municipalities' geographic borders. Schools serving Richland students are as follows:

Elementary schools: Badger Mountain, Jason Lee, Jefferson, Lewis and Clark, Marcus Whitman, Orchard, Sacajawea, Tapteal, White Bluffs, William Wiley, and Vista.

Middle schools: Carmichael, Chief Joseph, Enterprise, and Desert Hills.

High schools: Richland High, Hanford High, Rivers Edge, Three Rivers HomeLink, and Kamiakin.

Special education schools located outside Richland but serving the region include: Delta High School (Science, Technology, Engineering, Math) located in Pasco and Tri-Tech Skills Center located in Kennewick.

School districts provide services based on population growth. Currently, the planned growth of the Badger Mountain South area is creating the need for future schools in this area. The Richland School District is planning to expand service in this area on approximately 54 acres owned by the school district. Adequate services such as roads, utilities, and safety are needed in this area to serve the school site once built. The school districts face challenges in locating school

sites within the UGAs. Coordination between the school district and City during the planning process helps addressing the siting issues.

ESSENTIAL PUBLIC FACILITIES

Essential Public Facilities (EPF) include facilities that are typically difficult to site due to difficulties in finding the suitable and appropriate locations and perceived or real environmental, economic, or social impacts. Examples of EPF include airports, state education facilities, state and local correctional facilities, solid waste handling facilities, state or regional transportation facilities, the interstate highway system etc.

Cities and counties are required to establish a process for identifying and siting essential public facilities and adopt or amend its development regulations as necessary to provide for the siting of secure community transition facilities.

Richland reviews the siting of such facilities with a process established in the Richland Municipal Code (RMC 23.42.060, Essential public facilities).

REFERENCES

Anchor QEA, 2014. City of Richland Shoreline Inventory, Analysis and Characterization Report. 2014.

APPENDICES

- A. Comprehensive Plan Supporting Analysis
- B. Benton County Countywide Planning Policies
- C. Environmental Impact Statement Summary Document
- D. Public Involvement Summary
- E. City of Richland Shoreline Master Program Update , 2014
- F. City of Richland Capital Improvement Plan 2017 to 2030
- G. 2015 General Sewer Plan Update
- H. City of Richland Comprehensive Water System Plan, 2017
- I. City of Richland Storm Water Management Plan , March 2016
- J. City of Richland 2011 Solid Waste Management Plan
- K. Parks, Trails, Open Space and Facilities Master Plan, 2014-2019
- L. Strategic Leadership Plan

Exhibit 5

City of Richland

Badger Mountain Subarea Plan

April 2010

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Badger Mountain Subarea Plan



1 Introduction

The Badger Mountain Subarea Plan is an appendix to the City of Richland Comprehensive Plan and is designed to identify the City of Richland's future growth opportunities presented in the 1,998-acre area located south and east of the Badger Mountain Centennial Preserve and north of I-82. The plan sets out a vision for orderly and efficient development and includes direction for land use, transportation, utilities and public services, in accordance with the provisions of the City of Richland Comprehensive Plan, and other adopted plans and policies. It is intended to be practical in economic terms and visionary in terms of its ability to address emerging issues such as sustainability -- while being flexible to respond to future market conditions. It is intended to provide an overall understanding and rationale for the quality and character of the uses, the proposed level of service and infrastructure needed. It addresses land uses, traffic circulation, housing, parks and recreation and public facilities. Some facets of the plan are prescriptive while others provide guidance to encourage creative responses to emerging issues.

A subarea plan is one way the city can implement its goals and policies for a specific geographic area. It functions as a supplement to the city's Comprehensive Land Use Plan and it is intended to provide guidance for growth and development in this area of the city over the next 20 years. In this case, the Badger Mountain Subarea is unique in that the majority of the undeveloped portions of the site are largely in single ownership, with much of the other undeveloped portions of the site controlled by a second major landholder. The Subarea Plan contains both a detailed master plan for the western 1,480

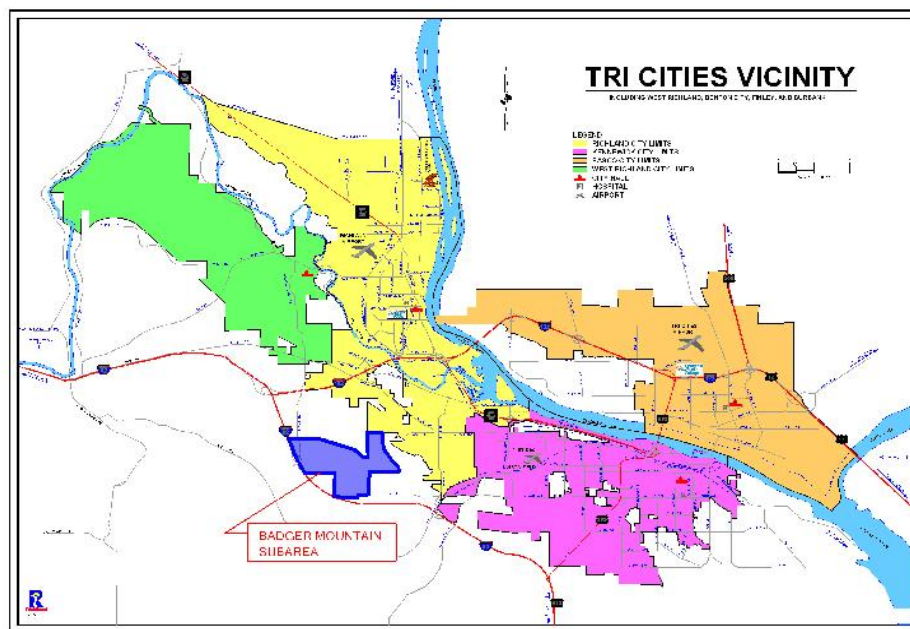
acres, which is referred to in this plan as Badger Mountain South, and a land use plan the remaining 518 acres of the Subarea.

The Badger Mountain Subarea was identified by Benton County, in conjunction with the City of Richland, as part of the city's Urban Growth Area (UGA) in 2006. This means that urban expansion will occur here, in conjunction with the construction of the necessary and appropriately sized urban infrastructure.

While the Badger Mountain Subarea has capacity to absorb growth and development for the city, timing for the creation of new neighborhoods and the type and amount of areas built for commercial activity will be influenced by the state, regional and local economy, by the level of accessibility, by the extension of public services and by other external factors. The Subarea Plan is intended to forecast and plan for the growth of the city while being responsive to these decision factors and to the fluctuations in demand of the land market over time.

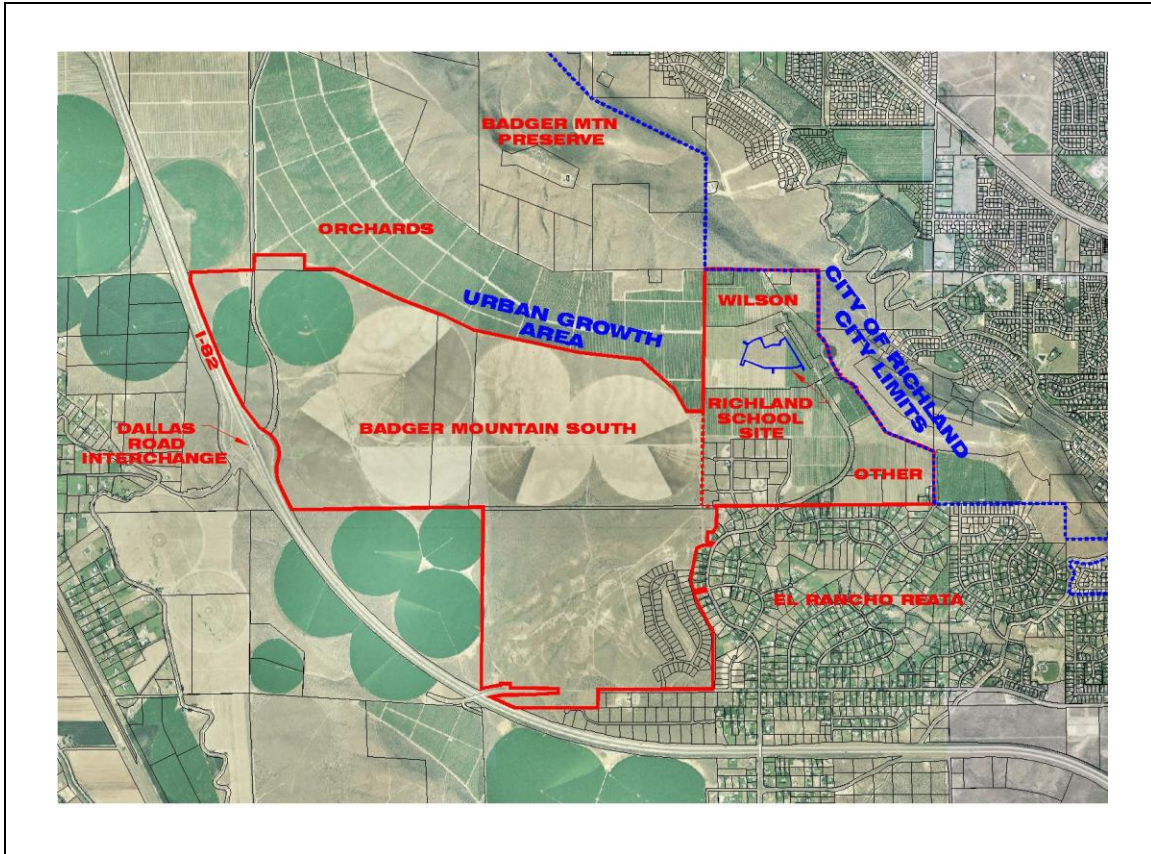
The Badger Mountain Subarea is located south and east of Badger Mountain lying east of I-82, and north of Reata Road. It lies about eight miles southwest from downtown Richland. The Dallas Road I-82 interchange intersects the site north to south in the western part of the Subarea. The Tri-Cities Regional Airport in Pasco is about 16 miles from the Subarea, a distance easily traveled by freeways and local roads, and provides excellent access and connection for future residents and businesses.

Map 1: Badger Mountain Subarea in Relationship to the Tri-Cities



The proximity of the Badger Mountain Subarea to existing transportation facilities, community services, and regional commercial and cultural facilities makes it a prime location for urban development.

Map 2: Badger Mountain Subarea Plan Boundaries – Local Setting



2.1 Surrounding Land Uses:

Properties surrounding the area of the Subarea Plan are shown above in **Map 2: Badger Mountain Subarea Plan Boundaries – Local Setting**, and are generally described as follows:

- North: The Subarea Plan properties are bordered to the north with orchards that are outside of the Urban Growth Area, the Badger Mountain Centennial Preserve, and then moving northeast, to the City of Richland’s existing city limits.
- South: Properties to the south lie outside of the Urban Growth Area. Areas south of Reata Road are developing as large lot subdivisions in the County.
- East: Properties to the northeast lie within the City of Richland and are undeveloped while those in the southeast are in the County in the developed El Rancho Reata subdivision.
- West: The Subarea Plan properties are bordered by Interstate 82 and by the pie-shaped section in the southwest which lies outside of the Urban Growth Area.

As can be seen in **Map 2**, the property that is the pie-shaped parcel in the southwest lies north and adjacent to the I-82 freeway; it contains about 254 acres that are now in agricultural uses. It is not included within the city's Urban Growth Area and therefore lies outside of the planning area of the Badger Mountain Subarea Plan, remaining within Benton County jurisdiction. Previous County approvals for related residential development south of I-82 included requirements that this pie-shaped area would remain in agricultural uses until the County adopts revised or new density regulations. If in the future Benton County authorizes the further expansion of Richland's Urban Growth Area, this property could be annexed by the city, and then would be subject to city requirements and controls.

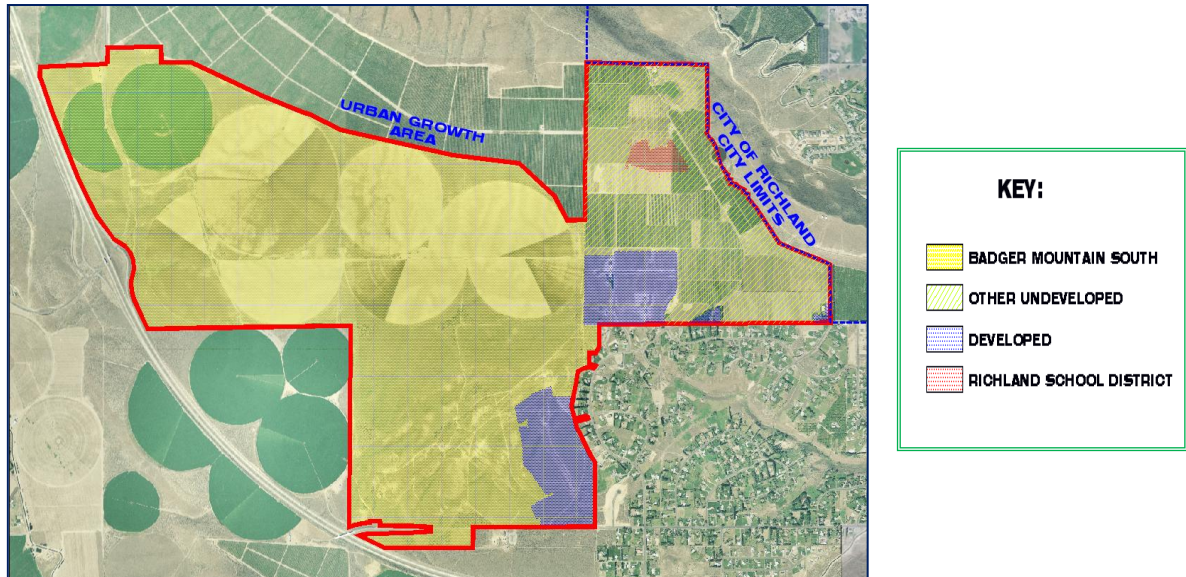
2.3 Badger Mountain Subarea Properties General Description

The properties within the Subarea are primarily undeveloped with a moderately rolling topography and a gradual northern slope to the Badger Mountain saddle where they meet the City of Richland's current corporate boundary. Elevations generally range from 700' in the westerly, southwest corner of the site near Dallas Road, to 850' on the south side along east Reata Road, then to 1050' in the northeast corner of the UGA.

Much of the Subarea is visible from vehicles travelling along I-82. Panoramic views are generally available in the higher elevations of the Subarea along the south facing hillside towards the high ridges in the distance. The soils in the Badger Mountain Subarea are primarily silt loam of variable thickness and present no barriers to development. Some existing natural drainage channels are evident in the topography generally running to the southeast and southwest, although they are typically dry due to low precipitation conditions. Except for water service, the majority of the undeveloped portions of the site are generally unserved by utilities and other urban infrastructure.

While much of the vacant land is either planted with agricultural crops or covered in grassy vegetation, a large portion of the site, known in this plan as Badger Mountain South, previously had received Benton County's approval for a large, low-density residential and golf course development, with associated commercial uses. Phase 1-A of the previously approved development, located in the southeast portion of the site and called the Reata Ridge Subdivision, was developed with 78 residential lots that are now in the process of being marketed for sale. While no houses have yet been built within this subdivision, for planning purposes it is considered developed property. The Badger Mountain Subarea Plan proposes a different vision for the remainder of the Badger Mountain South area.

Map 3: Developed and Undeveloped Parcels



In addition to the newly developing Reata Ridge subdivision, the other developed portion of the Subarea is located north and east and contains moderate slopes to the north. This area, called the Badger Mountain Plateau Subdivision, contains single-family residences on two-acre lots. The developed areas of the planning area are served with private septic systems, roadways and utilities, and border existing development outside of the UGA to the south and east. No additional development is expected to occur within these developed portions of the Subarea.

Table 1: Acreages in the Badger Mountain Subarea

Undeveloped Area	Developed Area	Total
1,892 acres	121 acres	2,013 acres
94%	6%	100%

Undeveloped properties are those owned by large and small property owners and which are now planted in orchards or in other agricultural uses, or otherwise vacant. Also included within the Undeveloped Area category is a 15 acre parcel owned by the Richland School District which was previously acquired for future development as an elementary school.

Table 2: Undeveloped Acreages by Ownership³

Badger Mountain South	Wilson⁴	Other⁵	Richland School District	Total Undeveloped Area
1,480 acres	296 acres	101 acres	15 acres	1,892 acres
78%	16%	5%	1%	100%

³ Acreages are rounded up to the next whole number.

⁴ During the development of this Subarea Plan, Wilson filed a preliminary plat application with Benton County for the Hidden Hills Subdivision, containing approximately 41 acres and creating 58 residential lots within the area of the Subarea Plan. These lots are adjacent to and east of the developed Badger Mountain Plateau Subdivision.

⁵ This category includes 16 acres south of Reata Road and 85 acres of other undeveloped parcels.

3 Vision

The Badger Mountain Subarea neighborhoods are home to people in all stages of their lives, from children to the elderly. People here share and enjoy an exceptional quality of life due to the unique physical environment, which complements that found in other Richland neighborhoods. Residents find numerous opportunities to stay healthy by using the connected trails and parks that offer beautiful vistas to the nearby ridges. Just a walkable few blocks away from many homes is a park or a community gathering place where people come together to barbeque, play sports or have a quiet conversation. Most children can walk to their schools because they are only a short distance from their homes. Parents feel safe for their children because they know their neighbors and other parents along the school routes.

Residents also come together at the farmers' market, bookstore, shops or other gathering places. Young professionals are attracted here because the area offers a wide range of housing choices, many in neighborhoods that are built with the latest green technologies. They find a variety of stores, restaurants, and recreational opportunities that cater to people at all stages of their careers. They appreciate the quality of life as reflected in building and landscape design, and the human scale of the commercial structures. Older residents enjoy their homes without having to maintain large yards; they meet over the community gardens or at one of the community centers for an outdoor summer concert.

Residents can get anywhere within their community on local streets, the pedestrian trails, by bike or by accessing the fine transit service that runs within the neighborhoods. Some people who live in this area of the city will have opened their own business here, while others will work nearby at one of the office parks, businesses or other employment places. Tourists will find their way to the distinctive Badger Mountain South Wine Village and related shops where they can stay to explore the many tasting rooms and view demonstration vineyards that have many sustainable features, or take classes and explore the fine regional wineries located in nearby Red Mountain and throughout the area.

This Vision Statement is intended to guide future planning efforts as well to describe the quality of life being advanced through the Subarea Plan. The Badger Mountain Subarea is intended to be developed to protect existing residential land uses, conserve and protect natural systems, and provide quality and choice in housing, shopping, employment, education, transportation, and recreation. The Subarea Plan proposes a healthy balance of market-driven, private sector uses along with a range of public facilities, open space, parks and trail uses. It anticipates the future by identifying and promoting uses, activities and institutions that will accommodate and attract new jobs to the City of Richland. It identifies the community facilities and infrastructure necessary to support the planned uses including the local

transportation system, pedestrian trails and bikeways. The location and mix of uses within the area of the Subarea Plan are intended to minimize noise, traffic and other potential environmental impacts to create residential and business neighborhoods that are healthy to the people who live, work or visit there.

The Badger Mountain Subarea is sufficiently large and well-situated to accommodate new local and regional employment centers while providing opportunities for a full range of commercial activity from those supporting local convenience needs to areas for regional tourist activities. Additional jobs associated with these types of uses will range from entry level to professional and can help to diversify the local Richland economy. A more diversified economy will help to sustain the balance between jobs and housing that supports the high quality of life found in the City of Richland.

Residential neighborhoods are the foundation of the Richland community and the residents provide strong support for local business growth and expansion. The Subarea Plan establishes a range of housing densities in neighborhoods that can accommodate a variety of housing preferences. Many neighborhoods will be close by a walking or bike trail to facilitate a healthy lifestyle and to offer transportation options. Most streets will be planned with multiple connections and in some areas higher density will be encouraged along arterials to support the future expansion of transit.

Key to this development concept is that much of the current undeveloped portion of the planning area, that is, the large, vacant acreage now under single ownership and referenced in this plan as Badger Mountain South, will be developed according to sustainable development principles intended to advance the quality of life of residents and businesses, and reduce energy use and conserve resources. The consideration of the Badger Mountain South as a whole permits the creative deliberation of both thoughtful planning and intelligent architecture so that energy efficient measures for both infrastructure and land uses can yield the greatest benefit to the community, the city and the region. Conservation measures and development standards will be built into the related Badger Mountain South Development Agreement (BMSDA). The development agreement is a legal tool that allows the customization of development standards that most efficiently and effectively implement the City's Comprehensive Plan on a project-specific basis. It is within the BMSDA that the broad principles of sustainability and project design described in the Subarea Plan are defined. The BMSDA would be reviewed and approved at time of annexation into the city.

4 Goals and Policies

A Subarea Plan must be consistent with the general goals and policies of the City of Richland's Comprehensive Plan, which is itself consistent with the Benton County-Wide Planning Policies and the Growth Management Act. The Badger Mountain Subarea Plan (BMSP) is consistent with the Comprehensive Plan goals and policies and further implements those goals in an identified area where the city's growth will occur, accommodating its future land use needs. The BMSP treats that portion of the subarea called Badger Mountain South as unique and distinct because it is expected to follow sustainable development principles that introduce additional development constraints and opportunities, as compared to the remainder of the city. Certain policies and implementation tools are to be tested in this area and considered for application in other areas of the city in the future.

The Subarea Plan is also a document that reflects the city's direction found in the City of Richland's Strategic Plan "7 Keys to Unlock Our Future." The Strategic Plan identifies the city's desire, or vision, to:

- Grow the city's tax base;
- Leverage investment through public-private partnerships;
- Acquire property for infrastructure and investment;
- Protect water resources;
- Establish entryways and gateways;
- Identify opportunities for recreational and leisure activities;
- Optimize the use of new parks and recreation facilities to meet the needs of the community; and
- Encourage the development of walkable neighborhoods with nearby services.

These strategic elements of the city's vision are addressed within the BMSP. The goals and policies of the City's Comprehensive Plan also apply to the Badger Mountain Subarea. In addition, new policies are proposed that focus on development of the Badger Mountain Subarea. The new policies are numbered and identified below to reflect the Comprehensive Plan element goal most closely associated with the new policy including Land Use, Economic Development, Housing Element or Urban Design. "BMLU" for example, means *Badger Mountain Land Use*.

4.1 Badger Mountain Subarea Goals and Policies

Comprehensive Plan Land Use Goal 1. The City will establish land uses that encourage cost-effective development.

BMLU Policy 1.1 – Phase development within the Badger Mountain Subarea over a 20-year planning period so that it can capitalize on existing and planned infrastructure improvements and develop those uses with the best revenue generation potential first in order to support the required initial infrastructure investments.

BMLU Policy 1.2 – Link development of the northeast portion of the Badger Mountain Subarea into the existing street network to the south and east, and over time, to the City’s planned transportation network.

BMLU Policy 1.3 – Focus development at the Dallas Road and I-82 interchange where projected land uses can most readily accommodate anticipated costs for infrastructure improvements.

BMLU Policy 1.4 – Support the sustainable development practices proposed for Badger Mountain South including a mix of land uses and densities to facilitate transit use and walkability, and increased water and energy conservation measures.

Comprehensive Plan Economic Development Goal 6. Richland has established a sense of place that appeals to citizens of all ages. The City has become the entertainment and upscale retail center for the Tri-Cities with a range of retail and service businesses that meet the needs of local residents and visitors to the community.

BMED Policy 6.1 – Provide areas for new commercial activity that can accommodate the needs of businesses, residents and visitors.

BMED Policy 6.2- Accommodate employment growth with a balance of retail, business, commercial, office park and tourism-related uses.

BMED Policy 6.3 – Encourage the development of Neighborhood Activity Centers where local shopping needs can be accommodated while supporting the reduction of travel trips.

BMED Policy 6.4 – Cooperate with other governmental entities to develop tourism uses that capitalize on the growing Washington wine industry.

BMED Policy 6.5 – Consider opportunities for public-private partnerships that enhance Richland’s economic competitiveness and promote job growth.

BMED Policy 6.6 – Encourage the siting of commercial uses and business areas to serve adjacent neighborhoods.

BMED Policy 6.7 – Capture emerging housing and commercial market growth by providing the necessary infrastructure.

BMED Policy 6.8 – Ensure the availability of sufficient quantities of land suitable for new employment centers.

Comprehensive Plan Housing Element Goal 3. Accommodate growth and maintain affordability.

BMHE Policy 3.1 – Support the development of residential neighborhoods that provide a variety of housing types, styles and densities to serve a broad spectrum of incomes, ages, and life stages.

BMHE Policy 3.2 –Promote walkable neighborhoods by encouraging a mix of land uses, nodes of higher land use intensity and access to sidewalks and a connected trail and parks system.

BMHE Policy 3.3 –Encourage higher density housing close to employment centers, retail and services, and along arterials to support the efficient expansion of public transit.

BMHE Policy 3.4 –Support the development of energy-efficient housing choices.

Comprehensive Plan Land Use Goal 5. The City will encourage efficient use and location of municipal and public facilities such as transportation centers, utility facilities, schools, parks and other public uses.

BMLU Policy 5.1 – Accommodate bicycles and pedestrians in roadway designs.

BMLU Policy 5.2 – Identify a sufficient area for a future transit facility within the Badger Mountain Subarea.

BMLU Policy 5.3 –Locate school facilities using sound urban design principles and work with the school districts to identify future school sites that are walkable.

BMLU Policy 5.4 – Encourage the wise use of public dollars by providing for the joint use of public facilities, particularly between schools and parks.

BMLU Policy 5.5 – Provide for an integrated system of parks, trails, and open spaces that will link to other city facilities as growth occurs.

BMLU Policy 5.6 – Provide opportunities for multi-use civic facilities such as community centers, libraries, parks, schools, gazebos and other gathering places.

BMLU Policy 5.7 – Participate in the dialogue among residents and educational institutions when those institutions seek to expand or make significant changes to their facilities or campuses.

BMLU Policy 5.8 – Consider new and emerging technologies that support sustainable development principles and encourage the use of appropriate technologies with Badger Mountain South.

Comprehensive Plan Land Use Goal 6. The City will protect and conserve its natural resources and critical lands and provide public access based on ability of the resource to support the use.

BMLU Policy 6.1 – Encourage the creation of a system of connected neighborhood and community parks, open spaces, trails and preserved natural areas within the Badger Mountain Subarea.

BMLU Policy 6.2 – Link new trails to the city’s existing trail system when possible.

BMLU Policy 6.3 – Promote the use of native and climate-adapted landscaping materials where possible.

BMLU Policy 6.4 – Plan the location and design of trails, open space and parks to include known areas of geologic or environmental significance including steep slopes, natural drainage contours, significant views, glacial erratics and others.

Comprehensive Plan Urban Design Goal 1. The City will create a well-planned community with an aesthetically pleasing environment.

BMUD Policy 1.1 – Use site planning techniques such as buffers, setbacks or trail corridors to transition development of the Badger Mountain Subarea with existing neighborhoods.

BMUD Policy 1.2 – Consider additional dark-sky measures beyond those in existing city code.

BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.

BMUD Policy 1.4 – Develop and adopt the use of a detailed land use and development regulation for Badger Mountain South to facilitate the overall design and sustainability objectives of the planned development.

BMUD Policy 1.5 – Consider alternate road widths, parking standards, and unique approaches to streetscape design for areas within Badger Mountain South to accommodate multi-modal transportation choices, to enhance pedestrian safety and to encourage walkability.

5 Land Use Plan: Overview

Development in the Badger Mountain Subarea is intended to provide a healthy balance of market driven, private sector uses with a wide range of public uses. The Land Use portion of the plan is fundamental to creating a platform for a vibrant, economically strong, environmentally responsible, and attractive area that captures future growth. Its main focus is establishing areas where people will live, where they will work and where public spaces, parks and natural areas will be located. **Table 3** below provides an overall summary of the land uses with acreages within the Subarea and **Figure 1** shows this in graphic form. The Subarea contains a variety of opportunities to develop housing and commercial uses as well as locations for educational uses, parks, civic spaces and other uses that complement Richland’s urban character and strengthens and diversifies its economic base.

Table 3: Badger Mountain Subarea Land Use Summary

Land Use by Type	Gross Acreage ⁶ (estimated acres)	Percentage of Total	Estimated Number of All Housing Units ⁷
All Residential	1,324 acres	66%	6,247 units
Low-density ⁸	451 acres	(34% of residential)	571 units
Medium-density ⁹	718 acres	(54% of residential)	3,676 units
High-density ¹⁰	155 acres	(12% of residential)	2,000 units
Commercial/Office/Retail/ Destination Retail ¹¹	225 acres	11%	NA
Open space, parks, trails schools and other public buildings ¹²	464 acres	23%	NA
Total All Uses	2,013 acres	100%	NA

⁶ “Gross Acreage” figure includes future ROW; actual acreage will be refined during the site plan and subdivision process.

⁷ “All Housing Units” category includes an estimate of new units as well as those all ready existing within the Subarea; actual number of new units will be determined during subdivision process.

⁸ Low-density development ranges between 0-5 DU/acre.

⁹ Medium-density ranges between 5.1-10DU/acre.

¹⁰ High-density of 10.1+DU/acre found only in Badger Mountain South.

¹¹ Includes 200 acres in Badger Mountain South and 25 acres in all other undeveloped properties.

¹² Includes 444 acres in Badger Mountain South, 15 acres owned by Richland School District and 20 acres in all other undeveloped properties.

Today within the Badger Mountain Subarea, 75 percent of the land area is controlled by a single ownership group; that area is called Badger Mountain South in this plan. The previous development concept for Badger Mountain South, approved by the Benton County Board of Commissioners in 2001, was a suburban-style, low-density residential development with golf course and, near Dallas Road, commercial uses. That original development concept is no longer proposed. In its place, and included within this document, is a project that more closely reflects the historic urban qualities found in the City of Richland, with an added focus to foster sustainable development including the principles of complementary mix of uses, a connected street system providing transportation choice, and compact building design, all with the goal of creating great neighborhoods. These development concepts apply to Badger Mountain South while the City's traditional land use regulations apply to the remainder of the subarea.

Undeveloped areas located within the Subarea but outside of Badger Mountain South are proposed to develop primarily as single family residential land uses with some commercial uses.



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The following sections discuss in more detail the proposed land uses and their distribution within the Subarea and distinguish between properties within Badger Mountain South and all other properties in the Subarea.

5.1 Land Use Designations

The City of Richland wishes to capture residential growth to develop as healthy neighborhoods and attract new workers and businesses that add to the economic vitality of the community. The Land Use Plan contains nine (9) separate land use designations which are defined below and are illustrated in **Figure 1, Badger Mountain Subarea Land Use Plan**. These land use categories are intended to accommodate the needs of residents within new neighborhoods, deliver the need for additional goods and services within Richland and from other nearby cities, and to capture revenue from area tourists. Within the Badger Mountain South area, a mixing of the following land use categories will be encouraged to implement sustainable development principles.

5.2 Residential Land Uses Categories

In the Badger Mountain Subarea Plan, residential land uses consume about 69 percent of the total gross land area. Three residential classifications are proposed. Each of these residential classifications represents a range of residential densities allowed within any particular development. By allowing a range of densities, residential development can provide a mix of housing types to better meet the needs of housing consumers at different stages of their lives, and in different economic situations. Having a broad range of housing choices allows people more opportunities in choice of jobs, schools, and connection to the community at large while fostering vibrant and age-integrated neighborhoods.

Within the classification of residential uses, densities that range between 1 and 20 dwelling units to the acre will result in about 6,247 housing units being added in the City of Richland over the course of the 20 year planning timeline.

A small number of these dwelling units are already developed or developing now in the Subarea. The Badger Mountain Plateau neighborhood just north of Rancho Reata has 23 two-acre lots that were previously developed. A final plat was recently approved for the 78 lot Reata Ridge subdivision lying in the southeast of the Subarea. A preliminary plat called Hidden Hills with 58 half-acre-plus lots and located just east of and adjacent to the Badger Mountain Plateau neighborhood, was recently approved by Benton County. The Reata Place preliminary plat with 15 residential lots and located south of Reata Road was recently submitted to Benton County¹³. These developed or developing residential land uses

¹³ Both the Hidden Hills and the Reata Place subdivisions are considered as “undeveloped” properties in the Subarea Plan because neither has reached final plat approval in the County review process.

complement the established residential neighborhood of El Rancho Reata and those south of Reata Road as properties at both locations will be bordered by other, low-density residential land uses.

Other undeveloped properties in the Subarea, identified in **Table 2** as “Wilson” and “Other,” are expected to continue to develop primarily with low and medium-density residential land uses, resulting in an estimated additional 1,143 housing units, although the actual number of new units developed may be higher or lower over the planning timeline¹⁴.

In the Badger Mountain South properties, neighborhoods are intended to include a mix of housing types, densities and other complementary, non-residential uses. Most residences will be connected both within each neighborhood and to the greater community through their relationship to a trail, park or preserved open space. This mix of uses and densities will foster a unique and high quality of life for people living here. The proposed development pattern will also help reduce traffic congestion and long commutes by having locations for employment both within and close by residential neighborhoods. In neighborhoods that contain more than one type of land use, uses are regulated by building type and by design standards in order to control intensity, protect neighborhood scale and maintain pedestrian access. This approach provides development flexibility by identifying other land uses that are compatible with residential while also protecting the integrity of those same neighborhoods.

Among residential land use categories within Badger Mountain South, single family land uses predominate with an anticipated 3,000 units. Urban-size lots that average 5,000 square feet will consume about 553 gross acres; larger single-family lots of about 20,000 square feet are also included, consuming about 142 gross acres, located primarily along the project boundaries. Development of housing other than single family residences is also anticipated. Townhomes, apartments, live-work spaces and residential within mixed-use buildings are also planned, averaging about 18 dwelling units to the acre, or about 2,000 total multi-family units.

Table 4 below provides a summary of residential land uses in Badger Mountain South and **Figure 2** provides a conceptual, pictorial representation of how development could occur there. New residential development in Badger Mountain South will contribute to the diversity of Richland’s existing housing stock including housing prices which can support moderate to middle income households. Accessory dwelling units may provide affordable housing options for new households or for older adults such as a parent or elderly relative while housing in mixed-use structures is often well-situated to persons new to the housing market. Residential units within mixed used buildings are located to take advantage of transit and nearby services and can add to the liveliness of the neighborhood. Units found in mixed use structures are included within the multi-family unit counts below; accessory dwelling units are not identified in the unit counts.

¹⁴ Figure is comprised of an estimate of 1,128 new housing units north of Reata Road and 15 new units south of Reata Road.

Table 4: Badger Mountain South Residential Land Use Summary

Residential Use by Type	Area¹⁵ (estimated gross acres)	Number of Units	Percentage of Total Units
Single-family Large Lot ¹⁶	142 acres	250 units	5%
Single-family Urban Lot ¹⁷	553 acres	2,750 units	55%
Multi-family Residential ¹⁸	155 acres	2,000 units	40%
All Residential within Badger Mountain South	850 acres	5,000 units	100%

Badger Mountain South neighborhoods will be interconnected by a variety of trails and bikeways so that neighborhoods are walkable and residents' transportation needs can be met in a number of different ways. Street layouts within the Badger Mountain South neighborhoods will be organized to allow building sites that maximize the solar access orientation of structures and that ensure safety and mobility for pedestrians and other non-motorized transport. Other sustainable development principles found in Badger Mountain South are discussed in more detail on page 34, and are intended to foster neighborhoods that are unique to the community and that provide a high quality and healthy living environment.

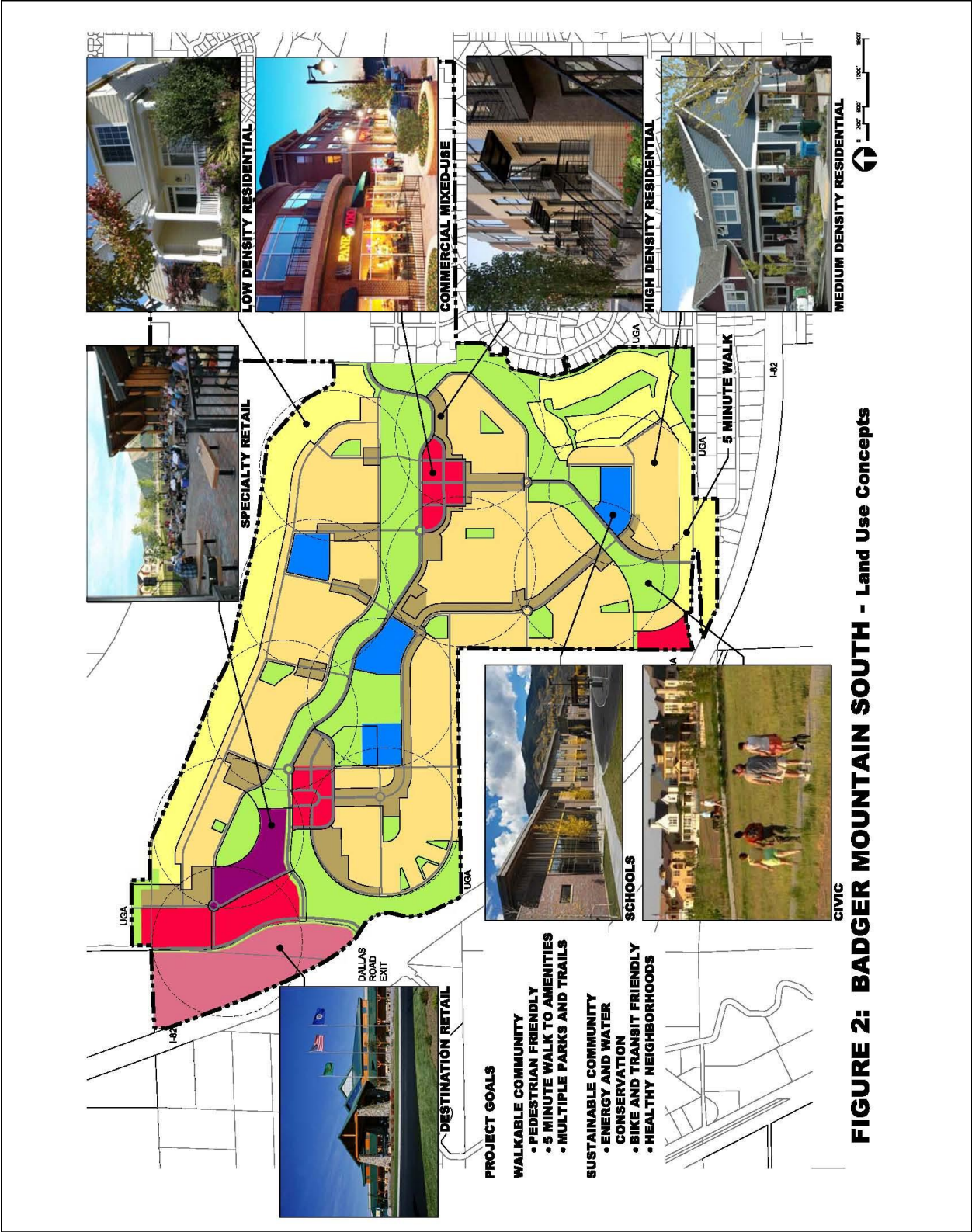
¹⁵ Acreages include ROW.

¹⁶ Large lots range from 16, 500 square feet to more than 20,000 square feet.

¹⁷ Urban lots have an average size of 5,000 square feet.

¹⁸ Multi-family residential includes townhomes, apartments, live-work units and residential within mixed-use structures.

Figure 2: Badger Mountain South Land Use Concepts



5.3 Description of Residential Density

Badger Mountain Low-Density Residential (0 - 5 du/acre):

The Badger Mountain Low-Density Residential (BMLDR) designation includes the existing and vested low-density subdivisions within the Subarea while also accommodating the development of new low-density dwellings. It is intended to accommodate a variety of housing types and sizes. It supports the idea that housing choice and opportunities for homeownership responds best when a mixture of price ranges are available within the new neighborhoods of the Badger Mountain Subarea.

The BMLDR designation also provides a transition between the existing Badger Mountain Plateau and El Rancho Reata neighborhoods with the new, denser neighborhoods proposed within the Badger Mountain South development.

Badger Mountain Medium-Density Residential (5.1 – 10 du/acre):

The Badger Mountain Medium-Density Residential (BMMDR) classification supports the idea that housing choice and homeownership should come in a mix of price ranges within the new neighborhoods of the Subarea.

Within Badger Mountain South, this land use designation is primarily comprised of traditional, urban-sized, single-family lots that average 5,000 square feet. However, it can also accommodate other types of dwellings including mansion apartments, cottages, condominiums, cooperatives and co-housing. Design and site standards that foster a sense of place will be applied to these Badger Mountain South properties. Medium-density designated land areas within Badger Mountain South may also include up to three elementary schools and one middle school location, sited to provide a walkable-orientation for neighborhood children.

Badger Mountain High-Density Residential (10.1 + du/acre):

The High-Density Residential (BMMHDR) classification is found only within the Badger Mountain South neighborhoods. It is situated principally along the main collector roads in the Subarea as well as within the identified Mixed-use Villages (Neighborhood Activity Centers). The BMMHDR designation largely provides for development of multiple family dwellings at a higher density and may include apartments, condominiums, townhomes and live-work units. Some units may be within mixed-use structures. The BMHDR category also supports and facilitates economic development because housing developed within this type of classification is shown to attract residents likely to work in emerging labor markets of the knowledge-based economy.

The intent of the BMHD classification is to provide a quality, multiple-family living environment that is attractive to a broad demographic including the elderly, married couples without children and single people who want to live in an urban environment, close to shopping and to their work.¹⁹ The BMHDR category will also provide sufficient design flexibility to adjust the type of residential units to best meet the objectives of the unique Badger Mountain South goals of sustainability and walkability, as well as providing higher density housing adjacent to transportation facilities that can encourage the expansion and use of public transit within the Subarea. Uses such as private parks and open spaces/institutional facilities, churches and other religious institutions, and commercial uses which are compatible with and oriented towards the needs of these developments may also allowed.

5.4 Other Land Use Designations

Besides residentially designated property, the Subarea Plan contains six (6) other land use designations which are defined and illustrated in **Figure 1**. The nonresidential land use classifications are intended to accommodate the needs of the new residents, the need for additional services within Richland and other nearby cities, as well as accommodating tourists and other visitors over the 20 year planning timeline. **Table 5** below provides an overall summary of the development potential of the commercially designated properties in the Badger Mountain Subarea.

¹⁹ “As (baby boomers) sell off their homes, they will relocate into smaller ones, including multifamily options. Other demographic trends are afoot as well. In addition to more senior households, the numbers of households without children will represent the lion’s share of household growth. Indeed, single-person households will rival households with children and will be the fastest-growing market segment.” Nelson, Arthur C., “Demographic Outlook”, *Urban Land*, Sept. 2009: 196.

Table 5: Badger Mountain Subarea Commercial Land Use Summary

Commercial Use by Type	Area (estimated gross acres)	Percentage of Total Commercial Acres	Potential Developable Commercial Square Feet²⁰
Commercial	25 acres	11%	544,500 sq. ft.
Commercial Mixed-Use	90 acres	40%	490,050 sq. ft. ²¹
Specialty Retail	28 acres	12%	250,000 sq. ft. ²²
Destination Retail	82 acres	37%	1.8M sq. ft.
All Commercial Uses	225 acres	100%	2,859,550 sq. ft

5.6 Commercial Categories

For Richland to continue to have a strong economy and to thrive, the city must have land for employment centers that can capitalize on the city's historic strengths, respond to emerging markets and provide room for economic diversification through business expansion and new business establishment. The Badger Mountain Subarea Plan includes a variety of areas for economic activity as described in the following paragraphs. Areas identified for economic activity are intended to provide a flexible range of commercial and business-related environments that are tailored to different business needs, i.e., highway oriented commercial, hospitality, neighborhood centers and independent retail, medical or commercial office and pedestrian-oriented mixed use. By providing opportunity for business growth and expansion, related job growth will occur for occupations ranging from manager to entry-level positions.

Some commercial designations described below apply only to areas within the Badger Mountain South properties while others apply to the remaining properties of the Subarea. The commercial categories

²⁰ Assumes a typical commercial lot consumes 50% of area for nonbuilding footprint (parking, landscaping and other); buildings will vary from one to three stories tall although this figure is most closely aligned with single-story structures.

²¹ Assumes mixed-use buildings will contain about 25% commercial to 75% residential; actual build out percentages will respond to market conditions.

²² Development concept for Specialty Retail includes wine-related businesses, retail and wine-industry support facilities and hospitality, education center, and outdoor amphitheater.

that apply only to Badger Mountain South are distinct because they are tied to development and design standards that are intended to be part of the Badger Mountain South Development Agreement.

Commercial:

The Commercial (C) designation would allow retail business and service uses that provide products and services. It is found in future commercial nodes in areas outside of Badger Mountain South. The Commercial designation may include areas that provide limited retail business for the convenience of nearby neighborhoods or areas that provide a wider array of business and service uses.

Badger Mountain Commercial Mixed Use:

The Badger Mountain Commercial Mixed Use (BMCMU) designation applies only to properties in Badger Mountain South. It is concentrated within two neighborhood centers as well as being applied to some of the land area adjacent to Dallas Road. The purpose of the BMCMU designation is to concentrate a greater variety of activities within key areas of the community that include public transit, retail, medical and office uses along with residential uses. In many instances, residential will be located within many of the same commercial structures; some residential units may be live-work units where the living quarters is above one's shop or office. Residents will benefit by having a short walk for groceries, or to other stores and service providers, and businesses benefit by having customers living above or around them. Other areas identified for BMCMU may be appropriate for general and corporate office or limited medical facilities and other professional activities. In all cases, in areas identified as BMCMU an important component will be the inclusion of gathering places, public areas that help to provide a sense of identity and an opportunity for community-building.

The type, configuration, and density of development here will also appeal to neighborhood shoppers and will encourage pedestrian traffic between businesses, facilitate efficient mass transit, and consequently require less reliance on motor vehicles. Low intensity uses are not desirable within this area. However, places of worship and public uses including a fire station, satellite police facility, or public library branch can be important additions to the mixed use districts.

Badger Mountain Specialty Retail:

The Badger Mountain Specialty Retail (BMSR) commercial designation is identified for areas that will be developed to have a particular draw for tourists or other visitors, while also providing goods and services to the local population. This land use designation is only found within the Badger Mountain South area. It is intended that areas identified as BMSR be developed according to distinct design standards found in the related Badger Mountain South Development Agreement to ensure that a sense of cohesiveness is achieved through coordinated use of building materials, landscaping, signage and lighting. Its location near the freeway interchange will allow the creation of an attractive and inviting entry to South Richland and will concentrate the impact from more auto-oriented uses away from the primary residential neighborhoods.

The area identified as BMSR is being planned to develop as the Badger Mountain South Wine Village and would include a variety of uses and employers such as a wine business incubator, other wineries, demonstration vineyards, boutique hotel, other retail, and goods and services associated with wineries and hospitality in general. The concept plan also includes a public gathering plaza, outdoor amphitheater and sustainable design demonstration features. The build out of the Badger Mountain South Wine Village would occur in stages dependent upon market conditions.

Badger Mountain Destination Retail:

Badger Mountain Destination Retail (BMDR) is a land use designation applicable to properties in Badger Mountain South that lie west of Dallas Road at the I-82 interchange. The purpose of this designation is to capture retail and other commercial users that provide goods and services to both the nearby neighborhoods and to the traveling public. At full build out this area would contain a well-conceived and well-designed retail center with a variety and mix of uses, including anchor stores, multi-screen theater, restaurants, service stations, as well as a major, stand-alone retailer. This district is especially suitable for freeway-related uses, including high volume retail, food and specialty stores. Uses here would be sited using the design guidelines found in the Badger Mountain South Development Agreement in order to provide an attractive southern gateway to the City of Richland and to the neighborhoods within the Badger Mountain Subarea.

5.7 Other Categories

Badger Mountain Civic Uses:

Badger Mountain Civic Uses are uses and places that play an important component to community placemaking. They help to identify a neighborhood or area and give it a distinct and recognizable identity. Neighborhoods and communities are often identified by the school attended by neighborhood children or by the park or other community facility within the neighborhood. In this Plan, civic uses and spaces include schools, neighborhood and community parks, green spaces, trails, community facilities or buildings including churches, post office or public service buildings, plazas and playgrounds. Not all civic spaces are places that are owned and maintained by the city but they are places that people know, gather and relate to because some activity within the space appeals to and functions with some or all within the community. Within the Badger Mountain South properties, approximately 30 percent of the land area is identified as Civic Uses.

In **Figure 1**, the Land Use Plan found on page 19, schools, which are identified here as civic uses, are distinguished from other civic uses because it is important to shown how they relate to and are integrated within the proposed neighborhoods. Civic uses that include active and passive open space and park uses are discussed in more detail beginning on page 38, the **Parks, Trails and Open Space Section**.

6 Population Projections and Assumptions

6.1 Population

Population growth in the Badger Mountain Subarea will respond to national, statewide and regional population and economic trends. With the national economy in its current state, most communities in Washington are expected to grow slower for the next few years.²³ However, the City of Richland's economic outlook is strong and the city can expect additional job growth and housing demand particularly in light of 2009 federal financial commitments of nearly \$2 billion through the American Recovery and Reinvestment Act to fund Hanford cleanup activities.

The Washington State Office of Financial Management (OFM) calculates population projections and assigns them to each county. Benton County apportions its allocated projected population to each jurisdiction in the county. The City of Richland was assigned 28 percent of the total expected population growth in the county. The Benton County Comprehensive Plan, using OFM's high projection allocation, identifies that Richland's population by 2030 will be 69,540 persons, or 22,530 more people than included in the city's 2009 OFM population estimate.

During the expected 20 year planning period, the Badger Mountain Subarea will capture a major portion of Richland's expected population growth and will reflect the age demographics of the city as a whole.

Table 6: Badger Mountain Subarea Population at Build Out

Total Number of New Housing Units²⁴	Percent of Occupied Housing Units²⁵	Average Household Size²⁶	Estimated Population
6,247	94.5	2.49	14,670

²³ See OFM's "Washington Population Growth Continues to Slow," June 29, 2009.

²⁴ See full discussion of Badger Mountain Subarea housing in Table 3 and related text.

²⁵ U.S. Census Bureau, Census 2000, Profile of General Demographic Characteristics for the City of Richland.

²⁶ Latest OFM Data.

Table 7: City, County and State Age of Population (2000 Census)

Age	City	Benton County	State
Birth to 17 years	27%	30%	26%
18 to 44 years	35%	37%	40%
45 to 64 years	25%	23%	23%
65 and older	13%	10%	11%
Median Age	38	34	39

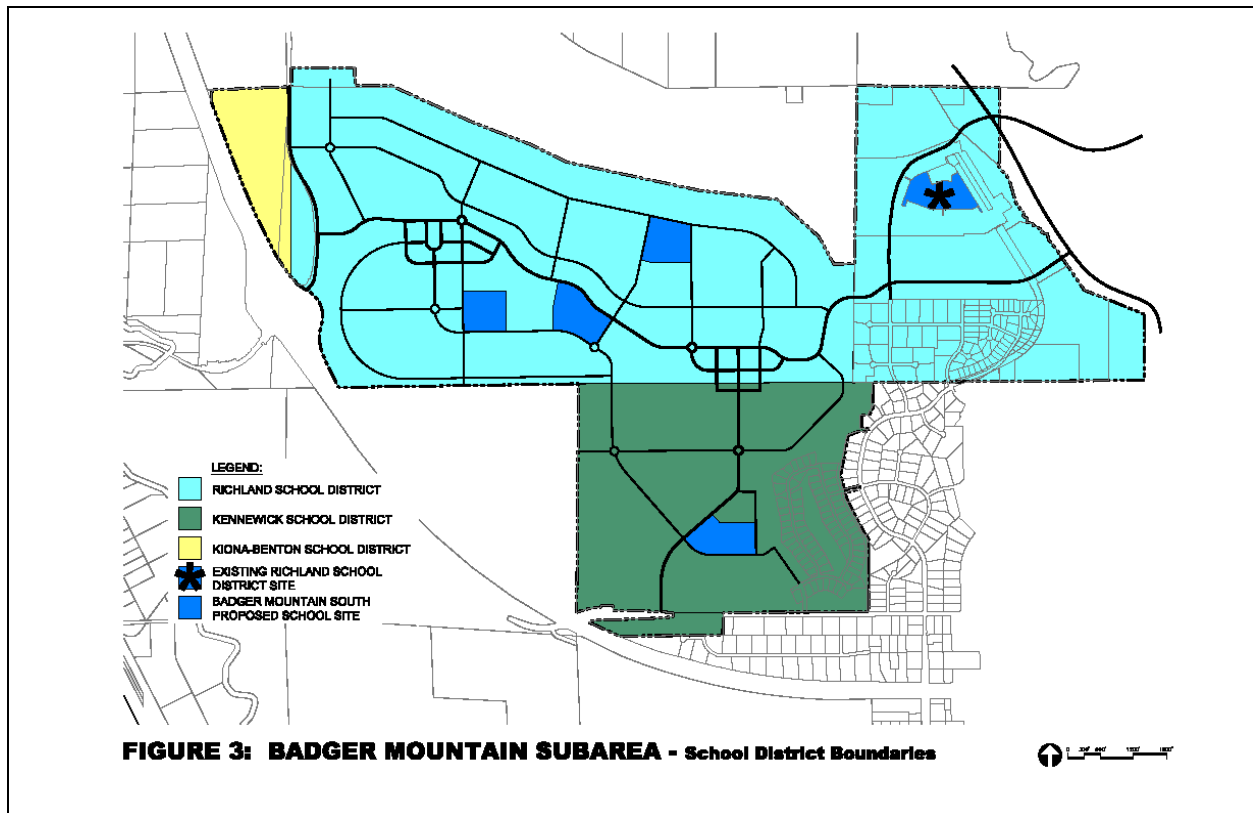
6.2 School Population

The Badger Mountain Subarea includes properties that lie within three school districts, the Kiona-Benton School District, the Richland School District and Kennewick School District, see **Figure 3** below. Because no residential development is planned within the Kiona-Benton School District, the following discussion about schools and projections of numbers of school children that could be generated from residential development here is focused on the remaining two districts.

School-aged children will be among the new residents of the Badger Mountain Subarea as it is expected that about 66 percent of the gross land area will become housing.²⁷ By projecting enrollments using the average numbers of students enrolled today in elementary and middle schools, it is anticipated that over time, there will be sufficient numbers of school children living within the Badger Mountain Subarea to impact school capacity in both the Richland and Kennewick School Districts for elementary-aged children. Within the area of the Richland School District, middle school-aged children will also be of sufficient numbers to impact the district's middle school facilities. It is not anticipated that either school district will see significant numbers of high school-aged children living within the Subarea.

²⁷ See "Land Use Plan Overview", page 20.

Figure 3: Badger Mountain Subarea School District Boundaries



The Richland School District now owns a 15 acre parcel located in the northeast of the Subarea. An additional four sites were identified for future school facilities in the area of Badger Mountain South, one in the Kennewick School District and three in the Richland School District. Both the possible school sites and the existing school district property are identified in **Figure 3**.

School sites which fall within the Badger Mountain South area were placed within neighborhoods and adjacent to other public facilities, like trails and parks, to promote a walkable facility and to support the overall development concept for Badger Mountain South of creating a “walkable and sustainable community.” Whether or not any of these sites become the actual locations for future school facilities within the Subarea will be determined as the project builds out over time and the districts determine their need for additional school capacity. If identified sites within the area of Badger Mountain South do not become school locations, these areas will develop with housing.

7 Sustainability Principles in Badger Mountain South

Throughout this Subarea Plan distinctions are made between Badger Mountain South and other areas included in the Subarea Plan. That distinction occurs because Badger Mountain South is intended to be designed as a walkable and sustainable community of neighborhoods and business areas that combine many of the historic Richland neighborhood development patterns with current thinking about sustainability. **Figure 4** below is a presentation of a schematic land use plan for Badger Mountain South. In the Badger Mountain South Development Agreement (BMSDA), the general layout and land use concepts will be consistent with the schematic concepts illustrated in **Figure 4**.

In Badger Mountain South, “sustainable development” means development that looks to the long-term social and environmental health of the community. Sustainable development is often best understood through its core principles of compact design, mix of uses, energy conservation, walkability, connectivity and housing and transportation choice. The goal of sustainable development is to promote a livable community and make better use of both land and public investment in infrastructure.

- Compact Design

Compact design is recognized as an element of sustainable development because it includes a reduction in infrastructure, yields a higher proportion of contiguous preserved open space, is more conducive to walking and promotes transit use.²⁸ Although compact design can take many forms, within Badger Mountain South it means that housing areas will include a mix of densities, including areas of higher density, and that other non-residential uses will be permitted when they are designed to address the issues of scale, form and intensity.

- Mix of Uses

The integration of mixed land uses into neighborhoods is a key element of creating an attractive place to live. Commercial uses in close proximity to residential areas encourage alternatives to driving -- walking and biking become viable mobility options. Mixed land uses also provide a more diverse and sizable population and commercial base for supporting public transit. Businesses recognize the benefits of attracting more customers and workers who live nearby.

- Energy Conservation

Reducing energy use through conservation, design and construction plays a significant role in sustainability. In Badger Mountain South building placement and materials, parking layout and landscape material selection will all reflect the underlying goal of reducing energy use.

²⁸ Ford, Jonathan, P.E. “Smart Growth and Conventional Suburban Development: Which Costs More?” An infrastructure case study completed for the EPA , Morris Beacon Design, July 9, 2009.

- Walkability

A walkable community locates goods (such as housing, offices, and retail) and services (such as transportation, schools, libraries) that a resident or employee needs on a regular basis within an easy and safe walk. It makes pedestrian activity possible, expanding transportation options, and creating a streetscape that better serves a range of users -- pedestrians, bicyclists, transit riders, and vehicles. Incorporating schools into neighborhoods promotes walkable schools. In Badger Mountain South walkability is addressed by using the “5 minute walk” yardstick. Each neighborhood is designed to create multiple destinations within a five-minute walk for 75 percent of the future households.

- Connectivity

In Badger Mountain South approximately 30 percent of the developable area will remain available for the community as parks, trails and open space. Connected open space in Badger Mountain South means a resident living near Reata Road will be able to walk or bike to the commercial and employment activities near Dallas Road, without ever getting onto the street system. Vehicle users will have multiple ways to get from one place to the other because of the connected layout of streets.

- Housing Choice

By providing a range of housing options for people in both types of housing and housing price, individuals and families can choose housing that best suits them. Housing diversity enables families to “move up” without moving out of their neighborhoods. When housing is available to a person at all stages of his or her life, intergenerational neighborhoods are created.

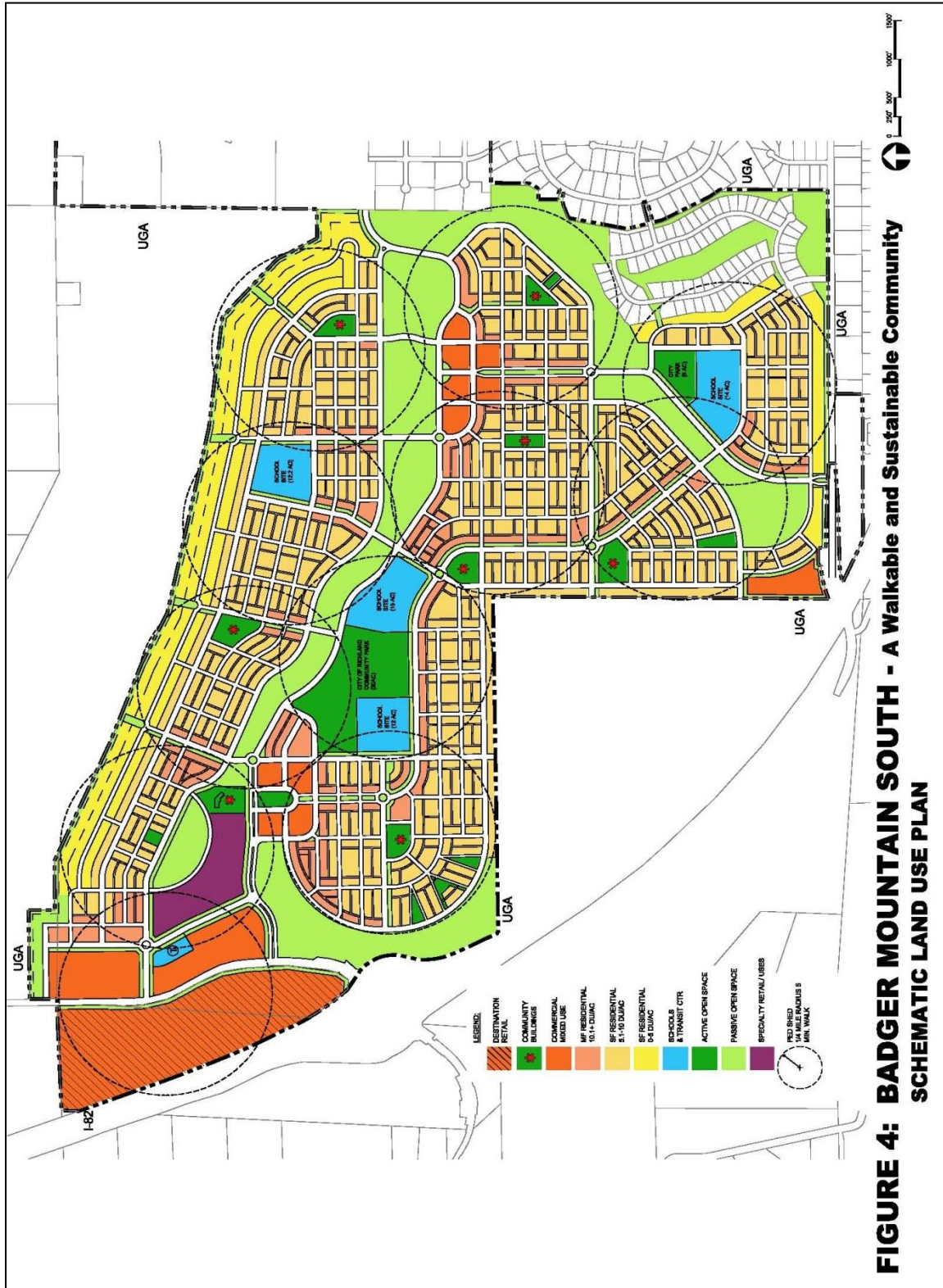
- Transportation Choice

To support transit at a minimum level, residential density must average four to five dwelling units to the acre.²⁹ Within Badger Mountain South residential densities will average about nine dwelling units to the acre.³⁰ To encourage transit long-term as a viable transportation option within Badger Mountain South, a site is identified adjacent to the major employment areas that may be appropriate for a future transit facility or in the short run, for vehicles of those participating in van pool transit.

²⁹ “Fun with Density and Transit Statistics,” posted June 26, 2007, www.PedShed.net.

³⁰ Net 9DU/acre is achieved by dividing all residential acres in Badger Mountain South by the total number of dwelling units.

Figure 4: Badger Mountain South - A Walkable and Sustainable Community



8 Relationship to City Codes, Regulations and Comprehensive Plan

The City of Richland has adopted zoning regulations (Title 23 in the Richland Municipal Code) that are consistent with and serve to implement the city's Comprehensive Plan. The Badger Mountain Subarea Plan will become an appendix of the Comprehensive Plan and related zoning and other development standards will implement the City's long-range plan.

In areas identified for single-family residential uses outside of Badger Mountain South, the Richland Zoning Regulations provide a range of residential densities. Those include the R-1-12, Single-Family Residential District with 12,000 square feet average lot size, the R-1-10, Single-Family Residential District with 10,000 square feet average lot size, and the R-2, medium density residential.

In areas identified for commercial uses outside of Badger Mountain South, the C-LB, Commercial Limited Business or the C-1, Neighborhood Retail Business District may be most appropriate.

To accommodate the goal of creating a walkable and sustainable community as proposed by Badger Mountain South, the zoning regulations will be replaced with land use and development regulations that are intended to be adopted as part of a Planned Unit Development. These regulations are designed to address both land uses as well as building forms including the relationship between building facades and streets; the form and mass of buildings in relation to one another; and the scale of streets and blocks. This approach can be used to implement the Badger Mountain South property owners' vision for compact, pedestrian-scale development.

This approach to implementing the Badger Mountain Subarea Plan zoning is supported by the city's Comprehensive Plan Land Use Goal 7 which states that "the City will address unique land use situations in the urban area with policies specific to those situations."

9 Parks, Trails and Open Space

The Badger Mountain Subarea is near the Benton County 574-acre Badger Mountain Centennial Preserve. This landmark is outside of the UGA and the Badger Mountain Subarea but it provides a strong sense of place or reference for all who will live, work or play in this area of Richland. People who live in the new neighborhoods or work in the commercial areas of the Badger Mountain Subarea will additionally find an array of recreational places, spaces and facilities available to them as the Subarea develops. People who live elsewhere in the city will also come here to use the bike trails, the public playfields or to enjoy the other civic spaces and activities. All will benefit from the wide variety of well-maintained parks, trails and open spaces. As the City of Richland's Parks, Trails and Open Space Master Plan (Parks Master Plan) states:

Every community needs facilities for recreational activity that includes physical education, organized athletics, and leisure time pursuits. These needs cannot be met without a wide variety of indoor and outdoor facilities. These facilities are essential in supporting community values and quality of life (p.5).

One of the most valued elements of a high quality living and working environment is a system of parks, trails and open spaces. The City currently maintains a recreation system that includes eight types of parks and open spaces – mini parks, neighborhood parks, community parks, regional parks, special use parks, linear parks, natural open space, and pathways and trails. The Richland Parks Master Plan also identifies Richland School District recreational facilities among those available to city residents as well as private recreational facilities that are most closely associated with particular groups, clubs or other private organizations. This wide assortment of recreational opportunities available for city residents indicates the importance the community assigns to these types of facilities, activities and places.

The Badger Mountain Subarea Plan includes the establishment of an extensive system of parks, playgrounds, trails and active and passive open space totaling approximately 460 acres and is spread across much of the Subarea. The list of types of uses and acreages associated with them are detailed below in **Table 10: Parks, Trails and Open Space Summary** and are geographically identified in **Figure 5: Badger Mountain Subarea Parks, Trails and Open Space Plan**.

The overarching goal to identifying this recreational network is to provide a range of activities that match the interests of Richland's residents and establish a quality of life that encourages the enjoyment of the outdoors and natural habitats. As can be noted in **Table 10**, some of the amenities identified here will be city-owned, developed and operated while others will be developed and operated by private homeowners associations as neighborhoods are built out. Since many of the facilities will be privately developed and maintained, the city's commitment to ongoing maintenance costs associated with such facilities is reduced.

In addition to space allocated to a city-developed, 30-acre Community Park and a 6-acre Neighborhood Park, other parks found here will include other privately-developed neighborhood parks, pocket parks, tot lots, picnic areas, dog parks and other specialty parks. Within Badger Mountain South a two miles-long linear park will include places for community gardens, trails and other recreational activities. This linear park helps give definition to the future neighborhoods and complement areas retained as natural habitat or open space. The extensive development of parks and play areas within the Badger Mountain South properties reflects the development commitment and goal of creating a “walkable and sustainable community.”

Within the Badger Mountain South area identified as Specialty Retail in **Figure 1**, page 19, the development concept includes a water feature and public amphitheater or informal performance venue, including a performance platform and grass seating area. These facilities will add to the attraction of the retail and hospitality uses expected to develop here but they also would be available to the community at large and provide different types of amenities than found elsewhere within the Subarea. By layering different types of recreational opportunities within the development of the Subarea, people who live, work or visit here will find a rich assortment of places to discover and enjoy. These activities, facilities and places will also facilitate intergenerational recreational events that support families, children, young adults and the elderly.

The city’s Parks Master Plan identifies Park Area Level of Service (LOS) Standards and these are captured below in **Table 9**. By identifying the extensive network of trails, open space and recreational facilities in **Table 10**, including an area for a city-developed 30-acre Community Park and 6-acre Neighborhood Park, the Subarea Plan meets City of Richland’s identified LOS for parks and other recreational facilities.

The city has adopted a park mitigation ordinance that requires developers to dedicate and/or improve park land or pay fees in lieu of park dedication. This system ensures that the necessary park facilities are provided to serve the population of the new development. It is anticipated that within Badger Mountain South, significant park lands will be dedicated to the city that will offset payment of mitigation fees. Some impact fees may be paid by developers of other properties within the Subarea.

Table 9: Level of Service (LOS) Standards

Facility	Existing LOS	Proposed LOS
Neighborhood Park ³¹	½ mile radius	Five neighborhood parks
Community Park	2 mile radius	One 30-acre community park
Other parks	NA ³²	60 acres of other parks in Badger Mountain South
Trails	NA	Additional Trails and Open Space = 320 acres
Open Space	NA	

9.1 Goals and Objectives

The City of Richland’s Parks Master Plan includes a number of goals and objectives related to the development, maintenance and programming for parks and recreational activities. It defines these as:

A goal is usually a broad statement, which gives the community a sense of direction and an end to which effort is directed. Objectives are a more precise statement, some specific action toward which effort is directed (p.20).

Below is a review of some of the City of Richland Parks Master Plan goals with new objectives identified that are specific to properties within the Subarea. In the text below, *BMSP* stands for “Badger Mountain Subarea Park.”

Goal #1. Provide an integrated system of parks, recreation facilities, trails and open spaces as an asset that enhances the community’s quality of life.

BMSP Objective 1.1 - Develop parks and open space that includes retaining existing drainage areas as natural open space, creating linear and other park types, and establishing a range of recreational opportunities that are linked by trails and walkways.

BMSP Objective 1.2 - Integrate natural habitat into parks and trail systems through the use of native and other drought-tolerant plantings that support the local wildlife and conserves water.

³¹ One of the five Neighborhood Parks is intended to be a city-developed and maintained park.

³² NA indicates that a LOS for this type of park has not been established.

Goal #4. Provide diverse active and passive recreational opportunities for residents and visitors of all ages, based on needs.

BMSP Objective 4.1 - Create opportunities for active and passive recreation through the establishment of civic gathering spaces, tot lots and other playgrounds, picnic areas, community gardens and a dog park.

BMSP Objective 4.2 – Establish public recreational facilities that also serve to enhance the visitor experience to the City of Richland.

Goal #6. Promote community beautification through enhancement of public spaces and thoroughfares, and encouragement of private property beautification.

BMSP Objective 6.1 - Provide a public gathering place with a panoramic viewpoint.

BMSP Objective 6.2 - Site a public art piece in Badger Mountain South dedicated to the concept of sustainable community.

BMSP Objective 6.3 - Integrate civic spaces or gathering places within commercial areas.

Goal #8. Develop new parks and redevelop existing parks to provide amenities in accordance with master plans and citizen input.

BMSP Objective 8.1 – Complete a master plan for the community park and for one of the neighborhood parks located within the Badger Mountain Subarea and implement.

Table 10: Badger Mountain Subarea Parks, Trails and Open Space Summary

Active Parks				
Quantity	Type	Site Size ³³ Total Acres	Typical Features	Service Area/ Maintenance
1	City Community Park	30 acres/ 30 acres	Natural areas, connected to trail system, recreational buildings, sports fields and courts, restrooms, picnic and playgrounds.	Service radius of 1 – 2 mile area; CM ³⁴
1	City Neighborhood Park	6 acres/ 6 acres	Playfields and courts, playgrounds, picnic shelter and tables.	Service radius of 1 mile and less; CM
5	Badger Mountain South Neighborhood Parks	3 to 4 acres/ 14 acres	Playgrounds, play courts, picnic areas, tables.	Service radius of 1 mile and less; MHOA ³⁵
+/-10	Badger Mountain South Mini Park	+/-1 acre/ 10 acres	Tot lots, benches, picnic tables.	Service radius of 2 to 3 blocks; MHOA
10	Badger Mountain South Special Use Park	1- 5 acres/ 20 acres	Serves individual neighborhoods with a wide range of types of activities including active/passive recreation; community gardens; dog park.	Service radius of ½ mile; MHOA
Total		84 Acres		
Passive Open Space and Trails ³⁶				
Several	Passive Open Space Class 1 trail Secondary trail	320 acres	Includes natural open space areas as well as trail systems that connect Badger Mountain South neighborhoods and major open space areas.	Serves entire community; CM for maintenance of trail surfaces only.
1	Equestrian Trail		Equestrian link between Reata Ridge and Rancho Reata subdivisions.	
Several	Public plazas and open space within Specialty Retail area		In addition to plazas, Specialty Retail area will include other public recreation features.	
Total		320 Acres		

³³ Acreages are approximate and will be finalized during platting and subdivision.

³⁴ CM means facility maintained by the City of Richland

³⁵ MHOA means facility maintained by private Home Owners Associations

³⁶ In a recent Richland Parks and Recreation Survey, over 66% of survey respondents identified the City's trail system as the most important recreation opportunity for their household.

Table 10: Badger Mountain Subarea Parks, Trails and Open Space Summary*continued*

Community Building Area Open Space ³⁷				
Quantity	Type	Site Size/ Total acres	Features	Service Area
1	Middle School	10 acres/ 10 acres	Playfields/ passive green areas	Serves entire community
4	Elementary School	8.5 acres/ 34 acres	Playfields/ passive green areas	Serves entire community
8	Community Centers	2 to 3 acres/ 16 acres	Variety of open space areas	Serves entire community
Total		60 acres		
Total Parks, Trails and Open Space Acreage in Badger Mountain Subarea				464 acres ³⁸

³⁷ Actual sites for public buildings and other structures are larger than the acres shown here; Table 10 cites only acres developed as open space and playfields, not including the area of the building footprint.

³⁸ Total parks, trails and open space in Badger Mountain South = 444 acres; all other properties' parks, trails and open spaces = 20 acres.

Figure 5: Badger Mountain Subarea Parks, Trails and Open Space Plan

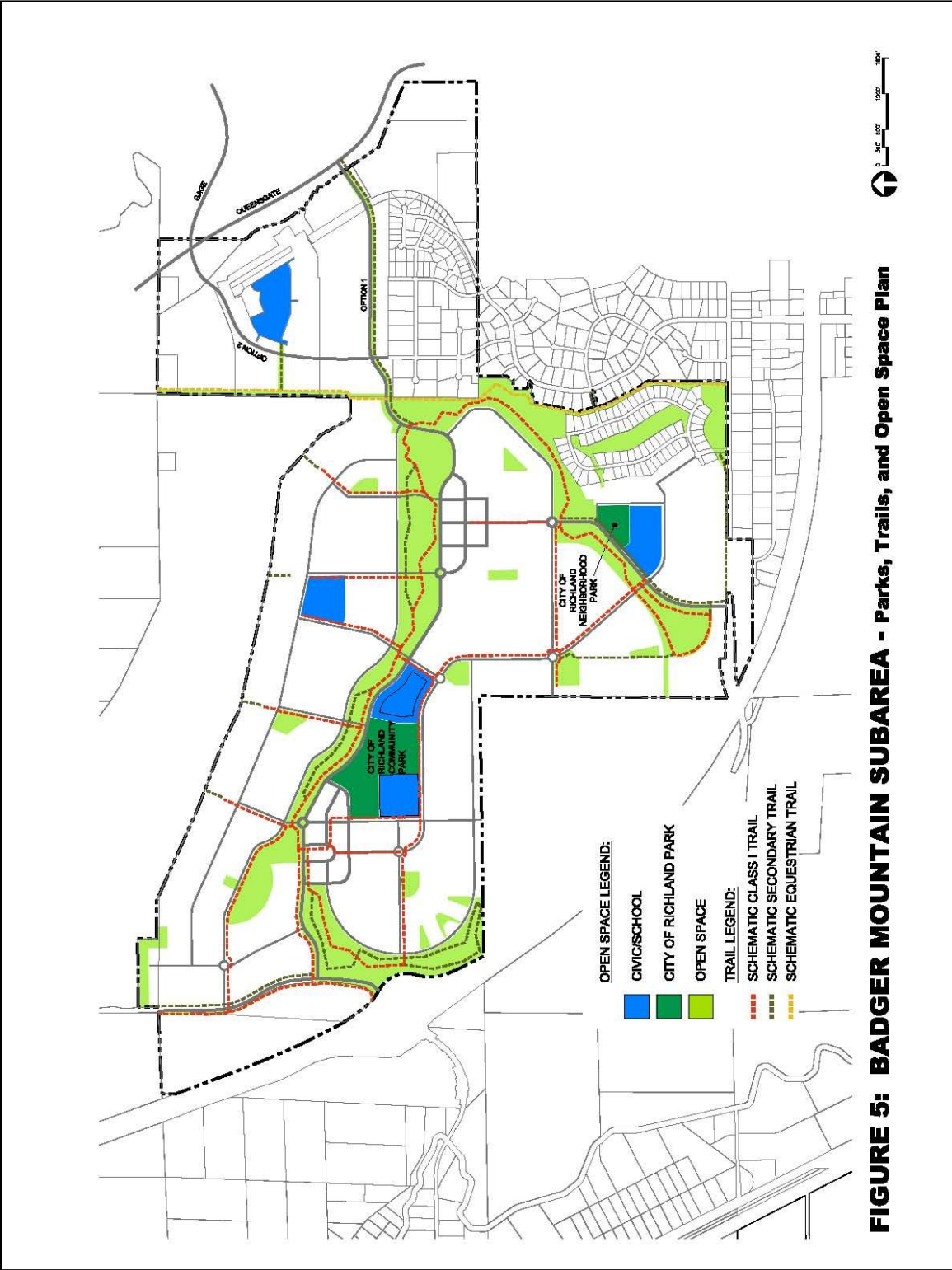


FIGURE 5: BADGER MOUNTAIN SUBAREA - Parks, Trails, and Open Space Plan

10 Transportation

The transportation system in the Badger Mountain Subarea is expected to accommodate traffic, pedestrians and bicyclists. The street system should be attractive and will be an important component to the final outcome of the neighborhood. Streets in the Subarea are expected to contribute to the quality of life and offer opportunities for multi-modal transportation options.

Portions of the Badger Mountain Subarea Transportation Plan are summarized here but it is fully developed in **Tab 1**. The plan includes an analysis of existing conditions at key intersections, evaluates the impact of future growth, and proposes appropriate mitigation measures.

10.1 Existing Conditions

Existing traffic volumes were recorded and analyzed at eleven major intersections that may be affected by development of the Subarea. The analysis of the existing conditions at these intersections found that most of the intersections and approaches operate with an existing Level of Service A or Level of Service B. Specific results are outlined in **Table 11: Existing Level of Service**, below.

Table 11: Existing Level of Service

<i>Intersection</i>	<i>Control</i>	<i>Approach</i>	<i>LOS</i>	<i>Delay (seconds per vehicle)</i>
(1) Dallas Rd & I-82 (SB)	Stop	Southbound	A	9.3
		Westbound	A	3.8
(2) Dallas Rd & I-82 (NB)	Stop	Northbound	A	9.5
		Eastbound	A	3.4
(3) Queensgate & Keene	Signal	Eastbound	C	33.7
		Westbound	C	29.6
		Southbound	C	30.0
		Overall	C	30.9
(4) Queensgate & I-182 (EB)	Signal	Eastbound	C	22.1
		Northbound	A	6.1
		Southbound	B	10.7
		Overall	A	9.9
(5) Queensgate & I-182 (WB)	Stop	Northbound	A	2.3
(6) Queensgate & Duportail	Signal	Eastbound	B	19.6
		Westbound	B	18.7
		Northbound	A	3.2
		Southbound	B	14.5
		Overall	B	13.7
(7) Keene & Bombing Range	Roundabout	Eastbound	B	12.1
		Northbound	B	14.2
		Westbound	A	8.2
		Southbound	B	14.7
		Overall	B	12.8
(8) Leslie & Gage	Signal	Eastbound	C	21.0
		Westbound	C	26.7
		Northbound	B	19.3
		Southbound	B	19.1
		Overall	C	22.2
(9) Badger & Leslie	All-Way Stop	Eastbound	C	21.7
		Westbound	C	16.3
		Northbound	D	27.2
		Southbound	C	17.5
		Overall	C	21.9
(10) Badger & I-82 (WB)	Stop	Westbound	B	14.5
		Southbound LT	A	8.1
(11) Badger & I-82 (EB)	Stop	Westbound	B	11.3
		Southbound LT	A	8.0

10.2 Future Conditions (Phase 1 of Development)

The analysis of future conditions assumes that primary access to the Subarea is to be via Dallas Road and the existing I-82 ramps. As the Subarea continues to develop, additional connections to Reata Road will provide access. A connection to the future extension of Queensgate Drive would also be provided by full build out of the Badger Mountain Subarea.

The number of trips at full build out of the Subarea was projected by using Land Use Codes found in the ITE Trip Generation Manual. Additionally, a significant amount of the future traffic volumes are

expected to remain internal to the Subarea. Trips between the retail/commercial sites and the residential areas would not add trips to the external intersections. An internal capture rate of 17 percent was utilized in the analysis.

The analysis of future conditions assumes that the build out of the Badger Mountain Subarea will be phased with the first phase expected to be built in roughly 5 years (year 2015) while the full build out of the Subarea will take 20 years. The first phase of development is assumed to be roughly 20% of the full Subarea build out, focusing on the west side of the Subarea.

The eleven intersections considered in **Table 11** were analyzed for future conditions (2015) both with and without the addition of traffic generated from the Badger Mountain Subarea. The future conditions without Badger Mountain traffic is similar to the existing conditions except that there are additional intersections operating at reduced level of service with low to moderate delays. The future conditions with Badger Mountain 2015 traffic indicate that the addition of Phase 1 Badger Mountain traffic would require several mitigations in order to ensure adequate flow on the roadway network surrounding the site. Specific results of the analysis are outlined in the following table.

Table 12: Future 2015 Level of Service

<i>Intersection</i>	<i>Control</i>	<i>Geometry</i>	<i>Without Project</i>		<i>With Project</i>	
			<i>LOS</i>	<i>Delay (seconds per vehicle)</i>	<i>LOS</i>	<i>Delay (seconds per vehicle)</i>
(1) Dallas and I-82 (SB)	Stop	Southbound	A	9.5	F	137.4
		Westbound	A	3.9	A	6.3
(2) Dallas and I-82 (NB)	Stop	Northbound	A	9.7	C	20.7
		Eastbound	A	3.4	A	1.1
(3) Queensgate and Keene	Signal	Eastbound	D	38.2	D	35.5
		Westbound	C	34.5	D	37.4
		Southbound Overall	D	29.3	D	40.6
			D	37.5	D	38.2
(4) Queensgate and I-182 (EB)	Signal	Eastbound	C	25.5	C	29.7
		Northbound	A	6.1	A	6.7
		Southbound	B	18.0	C	20.7
		Overall	B	14.6	B	16.8
(5) Queensgate and I-182 (WB)	Stop	Northbound	A	2.6	A	3.1
(6) Queensgate and Duportail	Signal	Eastbound	B	19.5	B	19.7
		Westbound	C	25.0	C	26.7
		Northbound	A	3.3	A	3.3
		Southbound	B	15.4	B	15.7
		Overall	B	17.1	B	18.2
(7) Keene and Bombing	Round- about	Eastbound	B	12.8	B	13.4
		Northbound	B	16.0	B	17.3
		Westbound	A	8.2	A	8.5
		Southbound	B	15.1	B	15.6
		Overall	B	13.5	B	14.2

(8) Leslie and Gage	Signal	Eastbound	D	29.2	D	31.1
		Westbound	C	18.9	C	19.7
		Northbound	E	41.2	F	62.8
		Southbound	C	21.8	D	29.2
		Overall	D	30.4	E	41.0
(9) Badger and Leslie	All-Way Stop	Eastbound	D	29.2	D	31.1
		Westbound	C	18.9	C	19.7
		Northbound	E	41.2	F	62.8
		Southbound	C	21.8	D	29.2
		Overall	D	30.4	E	41.0
(10) Badger and I-82 (WB)	Stop	Westbound	C	16.6	C	24.4
		Southbound LT	A	8.3	A	3.3
(11) Badger and I-82 (EB)	Stop	Westbound	B	11.9	B	12.4
		Southbound LT	A	8.1	A	8.1
(12) Dallas and Badger Mountain	Signal	Eastbound	-	-	A	4.3
		Westbound	-	-	C	33.4
		Northbound	-	-	B	10.5
		Southbound	-	-	C	20.8
		Overall	-	-	B	18.1

10.3 Recommended Mitigations

Potential mitigations to accommodate the addition of Phase 1 Badger Mountain traffic are listed below:

Dallas Road

Phase 1 of the Badger Mountain Subarea is expected to add roughly 900 trips to Dallas Road just north of the I-82 ramps during the PM peak hour, and over 9,400 daily trips. While Badger is currently a high speed, low-volume road with significant excess capacity, the additional volumes would require the roadway to be widened to a four-lane cross section between the site and the I-82 NB ramp intersection. Dallas Road north of the site should be adequate as a two-lane section.

Dallas Road and Project Access

While the access configurations are not known at this time, some preliminary analysis indicates that a major project access could require dual left turn lanes for the westbound approach. Dallas Road would require left turn lanes at project entrances, and right turn lanes would be advisable.

Dallas Road and I-82 SB Ramps

This intersection would see heavy delays for the left turn from the off ramp onto Dallas Road. MUTCD Warrant 3 is met for the PM peak hour. Recommended mitigation for this intersection is widening on Dallas Road for a left turn lane for the westbound to southbound turn onto the on ramp. In addition, the southbound off-ramp approach should be widened for a separate left turn lane. Finally, the intersection should be signalized.

Dallas Road and I-82 NB Ramps

While this intersection would meet MUTCD Warrant 3 for the PM peak hour, delays at this location would not be as severe as at the I-82 SB ramp intersection. Recommended improvements include a free right turn lane for the I-82 NB off ramp approach (this movement becoming the additional travel lane required on Dallas between I-82 and the project as listed above), and a free right turn drop lane for the turn from Dallas onto the NB on ramp. Finally, the eastbound Dallas approach should be widened for a left turn lane for the eastbound left turn onto the on ramp. This would be a continuation of the left turn lane widening for the SB ramp intersection (continuous 3-lane section for Dallas between the two ramp intersections, assuming adequate space is available under the I-82 overpass). This intersection should be monitored for signal warrants as the project develops.

Dallas Road and Badger Mountain Parkway

At the start of Phase 1, this intersection should have additional left turn lanes and right turn pockets on Dallas Road. The intersection could operate adequately with stop control for Badger Mountain Parkway at roughly up to 60% of Phase 1 volumes, or 7.5% of full build out. At higher volumes, a signal should be considered to mitigate delays. At full build out this intersection should be widened with separate lanes for all turning movements, and dual left turn lanes for the westbound approach.

Queensgate Drive & I-182 EB Ramps

This intersection should perform adequately with project traffic assuming WSDOT improvements are in place.

Leslie Road & Badger Road

This intersection is to be reconstructed from its current all-way stop configuration to a roundabout, as listed in the City of Richland TIP. Performance at this intersection would depend upon the roundabout configuration.

10.4 Future Conditions with Project and Mitigation

The analysis of future conditions including Badger Mountain 2015 traffic, and assuming the mitigations recommended above are completed, is summarized in the following **Table 13**.

Table 13: Future 2015 LOS with Project & Recommended Mitigation Improvements

<i>Intersection</i>	<i>Control</i>	<i>Approach</i>	<i>LOS</i>	<i>Delay (seconds per vehicle)</i>
(1) Dallas Rd & I-82 (SB) 60% Ph 1, no imps	Stop	Southbound	D	28.6
		Westbound	A	5.6
(1) Dallas Rd & I-82 (SB) 60% Ph 1, no imps	Stop	Southbound	D	27.1
		Westbound LT	A	7.8
(1) Dallas Rd & I-82 (SB)	Signal	Southbound	A	7.2
		Eastbound	A	6.6
		Westbound	B	13.2
		Overall	A	9.4
(2) Dallas Rd & I-82 (NB)	Stop	Northbound	C	15.2
		Eastbound LT	A	8.7
(4) Queensgate & I-182 (EB)	Signal	Eastbound	C	31.5
		Northbound	A	2.2
		Southbound	C	22.2
		Overall	B	15.2
(9) Badger & Leslie	Round About	Eastbound	B	14.2
		Northbound	B	11.6
		Westbound	B	16.3
		Southbound	B	11.5
		Overall	B	12.7
(12) Dallas & Badger Mtn Pkwy 60% Ph 1, lanes added	Stop	Eastbound	A	9.6
		Westbound	C	21.4
		Northbound LT	A	7.6
		Southbound LT	A	8.1
(12) Dallas & Badger Mtn Pkwy	Signal	Eastbound	A	4.3
		Westbound	C	33.4
		Northbound	B	10.5
		Southbound	C	20.8
		Overall	B	18.1

11 Water

The Badger Mountain Subarea is located within the Retail Service Area for the Badger Mountain Irrigation District (BMID). Neighboring the BMID to the north is the City of Richland Water Service Area. Based on initial discussions, domestic water will be supplied to the Subarea by the BMID which will construct a reservoir within the City of Richland service area. The City will become a wholesale water supplier to the BMID which will then provide the water supply to serve the whole of the Subarea. When complete, the water system will be dedicated to the BMID for operation and maintenance as part of the overall system. More detailed information is provided in **Tab 2, Badger Mountain Subarea Water System Plan**.

Within the area of Badger Mountain South, additional techniques will be used to reduce water consumption overall. First, creating attractive landscapes means incorporating the use of xeriscaping techniques including the use of native and other drought tolerant plants that have adapted to dry conditions and require less water once established. Second, residential and commercial structures will include low-flow and water-efficient appliances. Developers of commercial structures will be encouraged to consider the use of “green roofs” or “cool roofs” on their buildings. Also, the majority of communities that promote water conservation do so by educating their residents.³⁹ In the Badger Mountain South area, all private homeowners associations will be provided education materials for their membership that provides water conservation methods for the typical household.

12 Storm Water

The Badger Mountain Subarea Stormwater Management Plan (BMSSMP) evaluates the facilities needed to accommodate future growth, and proposes strategies that are compliant with federal and state stormwater requirements; it is fully developed in **Tab 3**. The BMSSMP uses procedures described by the Department of Ecology’s Stormwater Management Manual for Eastern Washington for Hydrologic and Hydrology design. The Department of Ecology manual establishes the minimum requirements for modeling small and large drainage basins. The manual outlines stormwater quantity, quality, and erosion control Best Management Practices that have been adopted as the standard of practice in the City of Richland and Eastern Washington.

The BMSSMP identifies that development within the Subarea can use Low Impact Development (LID) techniques as a solution for most stormwater management. These systems would be developed as development occurs and would be maintained under private ownership. LID is a stormwater management and land development strategy applied at the parcel and subdivision scale that emphasizes conservation and use of on-site natural features integrated with engineered, small-scale hydrologic controls to more closely mimic predevelopment hydrologic functions. Most LID techniques infiltrate, filter, store, evaporate, and/or detain runoff as close to its original source as possible. The use of LID techniques benefits the local creeks, streams, rivers, and lakes and may be in addition to, or in lieu of traditional stormwater management solutions.

Conventional stormwater management techniques typically address increases in peak flows from large, infrequent events, but not the increase in annual volume or the increase in peak flows from smaller, more frequent events. Studies have shown that LID techniques can infiltrate and treat 95 percent or more of the annual volume. LID techniques are conducive to implementation in new projects.

³⁹ The City of Richland has had an environmental education program since 1996.

The most common LID techniques include:

Bioretention – Construct landscaped areas with a special soil and plant mix that is conducive to filtering and storing runoff and is aesthetically attractive.

Disconnectivity – Direct runoff from impervious areas to landscaped and vegetated areas to reduce the volume of runoff, encourage groundwater recharge, and filter runoff.

Open Swales – Provide grass or other vegetated areas at the edges of roadways, parking lots, or other runoff-producing areas to slow and filter the runoff, promote infiltration, and remove pollutants.

Permeable Pavements – Install porous concrete, porous asphalt, geo-grid, or pavement blocks that allow water to flow to an underground gravel area where water can infiltrate and/or be slowly released.

Soil Amendment – Amending soils is a method of regaining some of the absorption and infiltration capability of the soil, and increasing the ability to retain runoff and filter pollutants.

13 Sewer

The Badger Mountain Subarea Sewer Plan, fully detailed in **Tab 4**, is prepared as a preliminary analysis of the sewer needs to support future development within the Subarea. It concludes that there is adequate capacity in the City of Richland sewer treatment plant to serve the anticipated level of development proposed in the Subarea Plan. It is understood that aspects of the Plan may need to be updated based on the planning, design and construction phases of future development here. However, the Badger Mountain Subarea Sewer Plan includes the major design assumptions considered in preparing the design and analysis of the sewer system to serve the Subarea including the phasing of improvements and design and construction standards.

The Sewer Plan includes a review of planning data and sewer flows, systems analysis and modeling method with alternatives and capital improvements.

14 Public Services

The City of Richland's Comprehensive Plan reflects the Benton County-Wide Planning Policies and the requirements of the Growth Management Act (GMA) to ensure that growth can be accommodated without decreasing the City's current level of service (LOS) for Public Services.

14.1 Police

Development of the Badger Mountain Subarea will have an impact on the city's Police Services as households are established and commercial activity areas grow. The city has identified in its Capital Facilities Element of the Comprehensive Plan as Goal 1 that it *"...will provide cost-effective and concurrent levels of public safety services designed to maintain quality of life."*

The Comprehensive Plan has identified Police Services LOS as 1.36 commissioned officers per 1000 population and a 1 to 5 minute average response time for high priority calls. In 2006 when the City Council adopted its ordinance to approve a revised area for the Badger Mountain Urban Growth Area, it found that the city could provide law enforcement services to the UGA with the addition of staff and equipment, but without the need for new facilities in the area.

14.2 Life Safety Services

Development of the Badger Mountain Subarea will have an impact on the city's Life Safety or Fire and Emergency Services. Currently this area is served by Benton County Rural Fire District No. 1. If the City of Richland assumes life safety services for the Subarea, a new station may be required, as identified in the ordinance approving the revised Urban Growth Area Boundary. According to the City of Richland Comprehensive Plan, a threshold of 500 hundred homes outside a 4-minute drive time from an existing Richland Fire and Emergency Services Facility will trigger a process to identify funding mechanism to construct and staff a new facility. The Comprehensive Plan also states the city's current LOS for fire protection and emergency medical service is measured in terms of response times, that is, from time of dispatch to time on scene. The desired goal is to achieve a 5-minute response time for 90 percent of all calls. The actual response time measured during the 2002-2003 study period and captured in the Comprehensive Plan is 8.03 minutes for all call types.

Transportation improvements within the Subarea will promote more efficient fire and emergency service response times by the city's existing facilities, maximizing the service area per station and the

number of properties served. Providing more efficient services by existing facilities is also more efficient for taxpayers as costs for operating a fire station are fixed and are mostly operating costs. In cities that have analyzed the degree to which a connected street network impacts Fire Station service areas, higher connectivity or street grids as found in traditional neighborhood development patterns, and as proposed in Badger Mountain South, allows larger service areas that can distribute fixed operating costs over a greater number of households.⁴⁰

A fire station facility would require up to 2 acres of land and would be best located on an arterial or collector. Under current city policy, lands will be set aside for public acquisition in developing areas should sites be determined to be necessary for public facilities. As the city works to meet its identified LOS for fire and emergency services system-wide, the timing of the impact of growth on fire and emergency services in the Subarea will need to be evaluated further as development progresses.

14.3 Natural Gas

Natural gas is available through the Cascade Natural Gas Company and there is a Cascade pipeline at Reata Road so an extension of service from the south of the Subarea could be possible if desired. The actual extension of a natural gas network would be based on interest at time of development.

14.4 Communications

Standard telephone service is supplied by the Verizon Telephone Company and a number of additional cellular phone providers available. Charter Communications is the current cable TV provider.

The area is currently unserved by fiber-optic infrastructure but it is a desired utility.

14.5 Electrical Service

The City of Richland's Energy Services Department currently has about 23,000 customers. These customers currently use approximately 202,500 KVA out of a total capacity of 316,000 KVA. Until the specific power requirements of the commercial customers have been determined, it is not possible to accurately predict total power demand for the Badger Mountain Subarea. However, the addition of approximately 5,564 new residential units would likely be enough load to require a new single bank substation with some support from one or more adjacent substations. The City has two substations north of the Badger Mountain Subarea from which the City could extend lines. Given the fact that only

⁴⁰ See studies conducted by the City of Charlotte, NC.

about 64 percent of the available power capacity has currently been utilized by the total customer base of the City, it can be safely assumed that sufficient capacity exists to serve this area.

The City has worked with Benton PUD to address service territories. Currently, the area of the Badger Mountain Subarea is identified to be served by Benton PUD. However in 2015, the City will be responsible for serving all new electrical loads in the Subarea. At that time, the City can purchase the existing electrical infrastructure from Benton PUD although the PUD has indicated that they do not plan to sell the entire pre-2015 electrical infrastructure to the City. As development proceeds upon annexation, there will be several options for how to proceed with power here because of this split service responsibility until 2015. This will be a determined at time of development submittal.

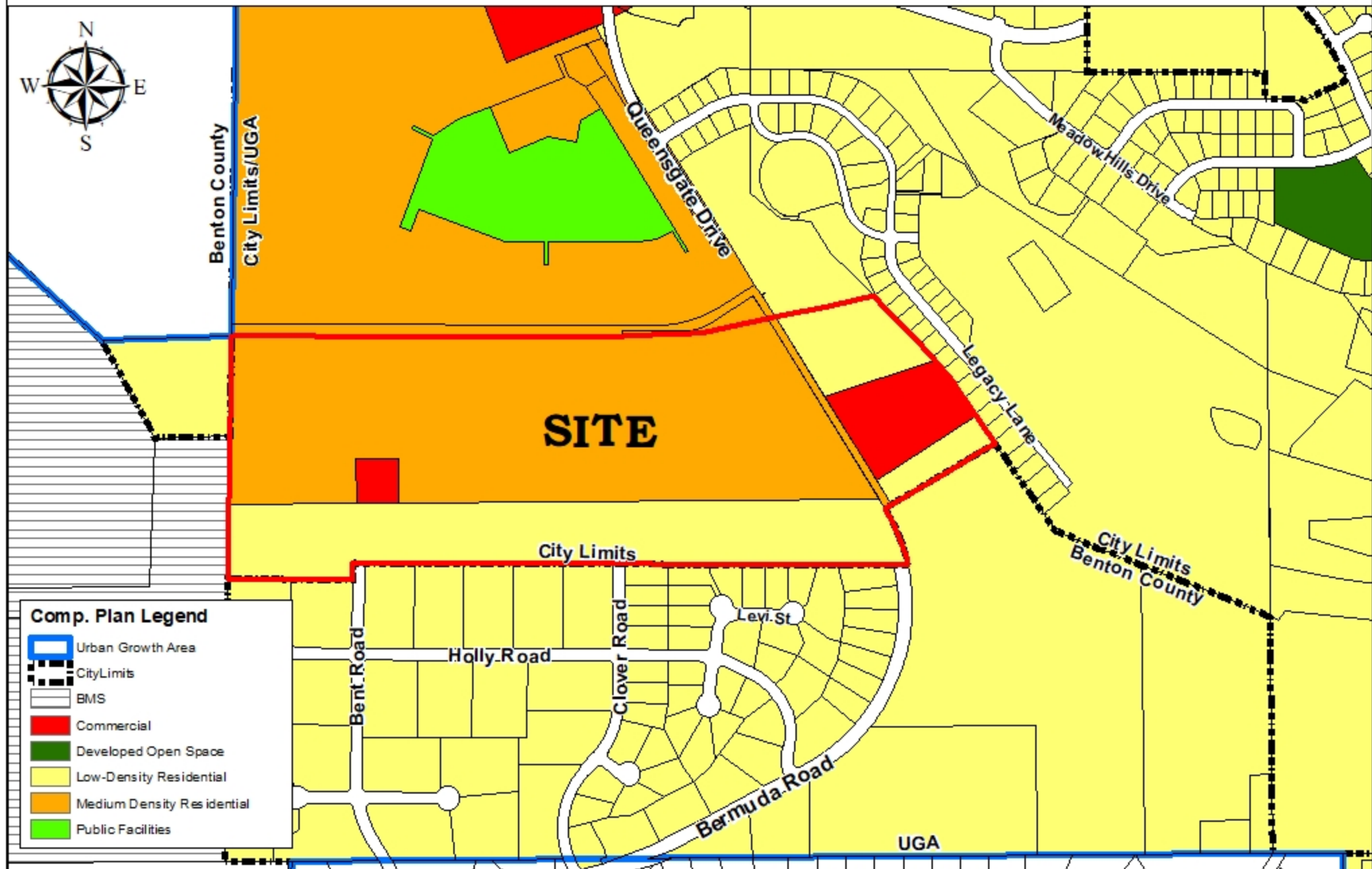
In the instance of the development of the Badger Mountain South properties, it is the intention to establish a development and building pattern that includes significant goals for energy conservation.

15 Conclusion

The Badger Mountain Subarea is a unique geographic area that will add choice and diversity to the quality of life available to residents of the City of Richland. The Badger Mountain Subarea Plan reflects the general concepts of the city's vision statement and Comprehensive Plan goals and provides the flexibility needed to respond to market conditions.

Land Use Map

Item: Preliminary Plat of Sienna Hills **Exhibit 7**
Applicant: Richland Properties LLC c/o Greg Johnson
File #: S2019-101



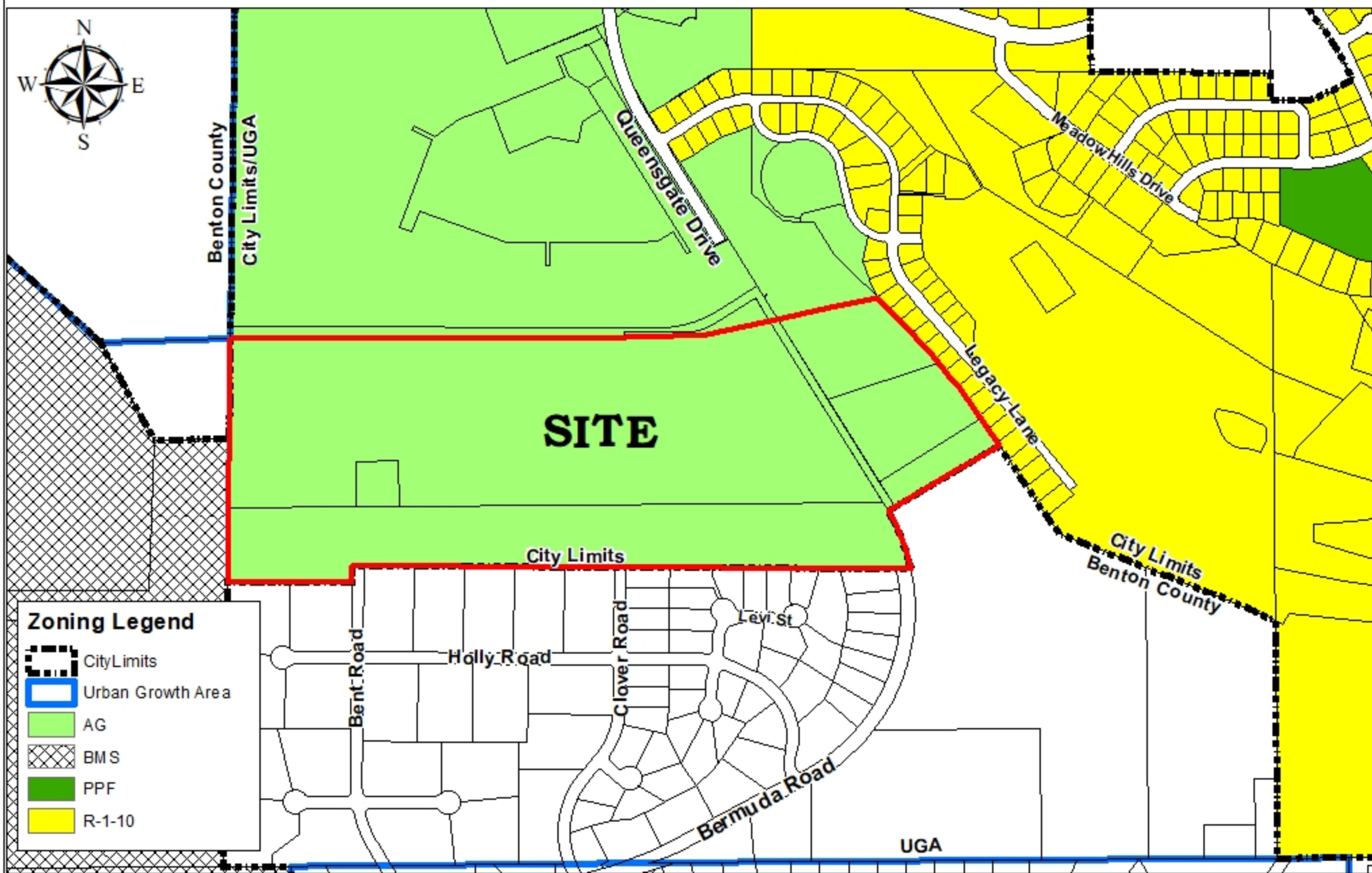
Zoning Map

Item: Preliminary Plat of Sienna Hills

Exhibit 8

Applicant: Richland Properties LLC c/o Greg Johnson

File #: S2019-101



**BEFORE THE HEARING EXAMINER
FOR THE CITY OF RICHLAND**

Regarding the Application to **Rezone** a 98+)
acre site from AG to zoning districts that are) **File No. Z2019-106**
consistent with Comprehensive Plan land)
use designations assigned to the area,)
submitted by the property owner,) **FINDINGS OF FACT,**
) **CONCLUSIONS AND**
 SIENNA HILLS DEVELOPMENT, LLC ON) RECOMMENDATION
 BEHALF OF RICHLAND PROPERTIES, LLC)
 (GREG JOHNSON),)
)
Applicant)

I. SUMMARY OF RECOMMENDATION.

The applicant, Sienna Hills Development, LLC, acting on behalf of the property owner Richland Properties, LLC (Greg Johnson), can meet its burden of proof to demonstrate that its requested rezone merits approval, subject to certain conditions that will ensure the zoning reclassification conforms to the relevant elements of the city's development regulations and comprehensive plan, and that any significant adverse environmental impacts have been adequately addressed. *See RMC 19.60.060.*

The proposed rezone would assign mostly Residential and a small segment of Commercial zoning districts to portions of the 98+ acre site in a manner that is consistent with provisions of the City's Comprehensive Plan.

The relevant Comprehensive Plan Land Use Map for the rezone-area was first adopted in 2010, through approval of the Badger Mountain Subarea Plan, an appendix to the City of Richland Comprehensive Plan. To correct a scrivener's error made during the 2017 review process, the Badger Mountain Subarea Plan, with its Land Use Plan map for the area on page 19 of such document, was fully re-adopted and effectively ratified and confirmed as part of the City's Comprehensive Plan

**FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: SIENNA HILLS
REZONE APPLICATION TO CHANGE A 98+ ACRE
SITE FROM AG (AGRICULTURE) TO ZONING
DISTRICTS IN ACCORD WITH LAND USE
DESIGNATIONS PROVIDED FOR THE AREA IN
THE CITY'S COMPREHENSIVE PLAN –
FILE NO. Z2019-106**

**GARY N. MCLEAN
HEARING EXAMINER FOR THE CITY OF RICHLAND**

CITY HALL – 505 SWIFT BOULEVARD
RICHLAND, WASHINGTON 99352

1 through passage of Ordinance No. 38-19 in October of 2019. The City's 2019 Comprehensive Plan
2 ordinance took effect without any timely challenge to any state board, agency or court with
jurisdiction over the matter.

3 This requested rezone does not approve any development activity on the site, it merely brings
4 the zoning districts assigned to portions of the area into full compliance with land use designations
5 now specified for the property in the City's Comprehensive Plan. City Development Regulations will
6 apply to any specific projects that may eventually be proposed on the site. Comments, concerns and
opposition expressed at the public hearing for this matter are more appropriately directed at future
project-specific development proposals that may come forward, and do not provide a basis in fact or
law to deny the pending rezone request.

7 **II. BACKGROUND and APPLICABLE LAW.**

8 In this matter, the Hearing Examiner has jurisdiction to conduct an open record public hearing
9 on the site-specific rezone application at issue and is directed to issue a written recommendation for
consideration and final action by the Richland City Council. See Richland Municipal Code (RMC)
10 19.20.010(D)(identifies "site-specific rezones" as Type IIIA permit applications); RMC
11 23.70.210(A)("The hearing examiner shall conduct an open record public hearing as required by
RMC Title 19 for a Type IIIA permit application."); and RMC 19.20.030(granting jurisdiction to
Hearing Examiner to conduct public hearing and issue recommendation to City Council); RMC
12 19.25.110(authority for Examiner actions, including conditions of approval on applications or
appeals); and RCW 35A.63.170(state statute regarding hearing examiner system).

13 The applicant bears the burden of proof to show that its application conforms to the relevant
14 elements of the city's development regulations and comprehensive plan, and that any significant
15 adverse environmental impacts have been adequately addressed. RMC 19.60.060.

16 Finally, Washington Courts apply three basic rules when reviewing appeals of rezone
17 applications: (1) there is no presumption favoring the rezone request; (2) the proponent of a rezone
must demonstrate that there has been a change of circumstances since the original zoning,
18 PROVIDED if a proposed rezone implements the policies of a comprehensive plan, a showing of
changed circumstances is usually not required¹; and (3) the rezone must have a substantial relationship
19 to the public health, safety, morals, or general welfare. *Woods v. Kittitas County*, 162 Wn.2d 597
(2007), citing *Citizens for Mount Vernon*, 133 Wn.2d 861, at 875 (1997); *Parkridge v. City of Seattle*,
20 89 Wn.2d 454, 462 (1978).

21 **III. QUESTIONS PRESENTED.**

22 ¹ *Save Our Rural Env't v. Snohomish County*, 99 Wn.2d 363, 370-71 (1983); *Henderson v. Kittitas County*, 124 Wn. App.
23 747, 754 (Div. III, 2004); *Bjarnson v. Kitsap County*, 78 Wn. App. 840, 846 (Div. III, 1995).

24 **FINDINGS OF FACT, CONCLUSIONS AND**
RECOMMENDATION RE: SIENNA HILLS
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CITY HALL – 505 SWIFT BOULEVARD
RICHLAND, WASHINGTON 99352

For purposes of the pending rezone application, the central questions presented are:

A. Whether the requested rezone implements policies of the City's Comprehensive Plan, and/or whether there has been a change of circumstances since the original AG (Agriculture) zoning was adopted for the site?

Short Answer: Yes to both. The requested rezone would implement land use designations assigned to the area in the Badger Mountain Subarea Land Use Plan, the portion of the City's Comprehensive Plan addressing the Sienna Hills site, using zoning districts, boundaries, and conditions of approval to ensure the rezone is consistent with provisions of such plan. Further, the entire rezone-area has already been annexed into the City, and is within its Urban Growth Area, making the existing AG zone inconsistent with recent urban development of residential and commercial uses in portions of the City abutting the area.

B. Whether the rezone bears a substantial relationship to the public health, safety, morals, or general welfare?

Short Answer: Yes, because the rezone would implement policies and direction provided in the Badger Mountain Subarea Plan, which is included as part of the City's Comprehensive Plan, and any future, project-specific proposals will have to meet city development regulations, including SEPA, subdivision codes, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application.

IV. RECORD.

Exhibits entered into evidence as part of the record, and an audio recording of the public hearing, are maintained by the City of Richland, and may be examined or reviewed by contacting the City Clerk's Office. The Notices issued for the pending Sienna Hills Rezone application (File No. Z2019-106) and Sienna Hills Preliminary Plat application (File No. S2019-101) were combined. (*See Ex. 2, notice materials included in Rezone application file; and Ex. 4, notice materials included in Preliminary Plat application file*). The criteria for approval of each application are different. Accordingly, the public hearing first sought to focus on the Rezone matter, followed by a separate hearing segment devoted to consideration of the Preliminary Plat application.

However, given the number of public comments made during the public hearing and the spill-over that many comments presented – talking about one matter while standing at the microphone during time devoted to the other matter – the Examiner finds and concludes that it is prudent to consider all public comments made during each portion of the public hearing together, rather than exclude someone's remarks because they chose to make them in the wrong part of the hearing held on the same night. This Recommendation on the requested Rezone, and Preliminary Plat application is based on all comments and materials included in the record for both matters. Key aspects of the

**FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: SIENNA HILLS
REZONE APPLICATION TO CHANGE A 98+ ACRE
SITE FROM AG (AGRICULTURE) TO ZONING
DISTRICTS IN ACCORD WITH LAND USE
DESIGNATIONS PROVIDED FOR THE AREA IN
THE CITY'S COMPREHENSIVE PLAN –
FILE NO. Z2019-106**

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1 full hearing record are summarized below, noting that several comments overlapped and covered the
2 same ground, and that none of the comments presented a legal or factual basis to deny either
3 application, subject to appropriate conditions.

4 **Hearing Testimony:** The following individuals presented testimony under oath at the duly
5 noticed public hearing for the underlying application, held on December 9, 2019:

- 6 1. Mike Stevens, Planning Manager for the City of Richland;
- 7 2. Shane O'Neill, Senior Planner for the City of Richland;
- 8 3. Jason Mattox, applicant's project engineer and primary hearing representative;
- 9 4. Rebecca Clapperton, lives in home south of the Sienna Hills site, outside the Richland
10 City limits;
- 11 5. John Becker, lives in home to the south of the Sienna Hills site, outside the Richland
12 City limits;
- 13 6. Sean Flinders, lives in home on Clover, to the south of the Sienna Hills site, outside
14 the Richland City limits;
- 15 7. Stacy Fveum, lives in home to the south of the Sienna Hills site, outside the Richland
16 City limits;
- 17 8. Tony Waldo, lives in home on Clover, to the south of the Sienna Hills site, outside
18 the Richland City limits;
- 19 9. Joe Angingh, local resident
- 20 10. David Shelbourne, lives in home on Burmuda, south of the Sienna Hills site;
- 21 11. Brooks Bayne, local resident;

22 **Exhibits:** The Development Services Division Staff Report for the requested Rezone,
23 including a recommendation of approval, was provided to the Examiner in the week before the
24 hearing. The Staff Report, and the following Exhibits, were all accepted into the Record in their
25 entirety without modification:

- 26 1. Application materials for Rezone, dated September 6, 2019.
**NOTE: The proposed rezone map is found on the 4th full page of Ex. 1 provided to the
Examiner, and is also depicted as Figure 2.1 on page 4 of the Staff Report;*
2. Public Notices and affidavits confirming same;
3. Public comments;
4. SEPA DNS and SEPA Checklist for both Sienna Hills Rezone and proposed preliminary
plat;
5. Copy of Badger Mountain Subarea Plan, part of the City's Comprehensive Plan
addressing area that includes the Sienna Hills site. **NOTE: Page 19 of the Plan features
Figure 1, the Badger Mountain Subarea – Land Use Plan map, which is the official city
Comp. Plan land use map for the area;*
6. Ordinance No. 38-19, adopted by the Richland City Council on October 1, 2019,

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1 regarding the City's Comprehensive Plan, includes correction of a scrivener's error in
2 prior action that mistakenly omitted the northeast segment of the Badger Mountain South
3 site (where the Sienna Hills site is located) from the Badger Mountain South Sub-Area
4 map, and formally confirming;

- 5 7. Copy of GIS map that at some point showed the Sienna Hills area with zoning
6 assignments similar to those requested in the rezone application, but not identical to
7 (though not necessarily inconsistent with) the Badger Mountain Subarea Land Use Plan
8 Map found on page 19 of the Badger Mountain Subarea Plan (Ex. 5, above);
- 9 8. Current zoning map for the Sienna Hills area, correctly depicting the entire area with its
10 place-holder zoning assignment, i.e. "AG – Agricultural," officially assigned to the area
11 by the City Council after the land was annexed into the city of Richland; and
- 12 9. Written comments offered as part of Ms. Clapperton's testimony at the public hearing.

13 The Examiner has visited the road network and vicinity of the proposed rezone on multiple
14 occasions over the past few years in connection with other applications, and is fully advised on matters
15 at issue herein, including without limitation adjacent developments and land uses, applicable law,
16 application materials, and relevant comprehensive plan provisions.

17 V. FINDINGS OF FACT.

18 Based upon the record, the undersigned Examiner issues the following Findings of Fact.

19 *Application.*

20 1. The site of the proposed Sienna Hills Rezone and Preliminary Plat applications is a 98+ acre
21 portion of the much larger Badger Mountain Subarea, an almost 2,000-acre area located south and
22 east of the Badger Mountain Centennial Preserve and north of Interstate 82. (*Ex. 5, Badger Mountain*
23 *Subarea Plan, Introduction on page 1*).

24 2. The smaller Sienna Hills site was part of an almost 1,900-acre annexation into the City of
25 Richland that took effect in 2010, through passage of Ordinance No. 41-10, which assigned the AG-
26 Agriculture zoning designation to the entire northeast portion of the annexation area where the Sienna
Hills site is located. (*See Ord. No. 41-10, Sec. 6, and Ex. B thereto, labeled "Zoning Designations*
for Annexation Area", included as part of the application materials, Ex. 1).

Mapping errors that generated confusion and misunderstandings.

3. For some reason unknown and unclear to the Examiner, unofficial city mapping resources
have presented public illustrations with zoning assignments for the Sienna Hills area that were in
error. At one point, the Staff Report explains that the *"2017 Comprehensive Plan Periodic Update*
contained a scrivener's error, which resulted in the entire site being designated as Low-Density
Residential. This scrivener's error was discovered during the 2018-2019 annual Comprehensive

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1 *Plan update and was rectified via Ordinance No. 38-19 (Exhibit 6). ”*

2 4. In any event, the City Council’s passage of Ord. No. 38-19 in October of 2019 formally
3 corrected the scrivener’s error from 2017 by expressly including the northeast portion of the Badger
4 Mountain Subarea on the city’s official maps for such subarea and adopting (more accurately,
5 ratifying and confirming) the Comprehensive Plan of the City of Richland, which includes the Badger
6 Mountain Subarea Plan and its Land Use Plan map for the area on page 19. Unfortunately, it appears
7 that some city maps available online to members of the public and the applicant team before the public
8 hearing, perhaps GIS maps, inaccurately depict a land use map of unknown origin for the Sienna Hills
9 area (*See Ex. 9, comment regarding GIS database mapping; Testimony of Mr. Stevens*).

6 5. To eliminate confusion and misunderstandings, the Examiner expressly finds and concludes
7 that the Comprehensive Plan policies and land use maps that should be used for consideration of this
8 pending rezone are those adopted, and effectively ratified and confirmed, in Ord. No. 38-19. The
9 Comprehensive Plan Land Use Map for the area is as depicted on page 19 of the Badger Mountain
10 Subarea Plan, which is republished following this paragraph:

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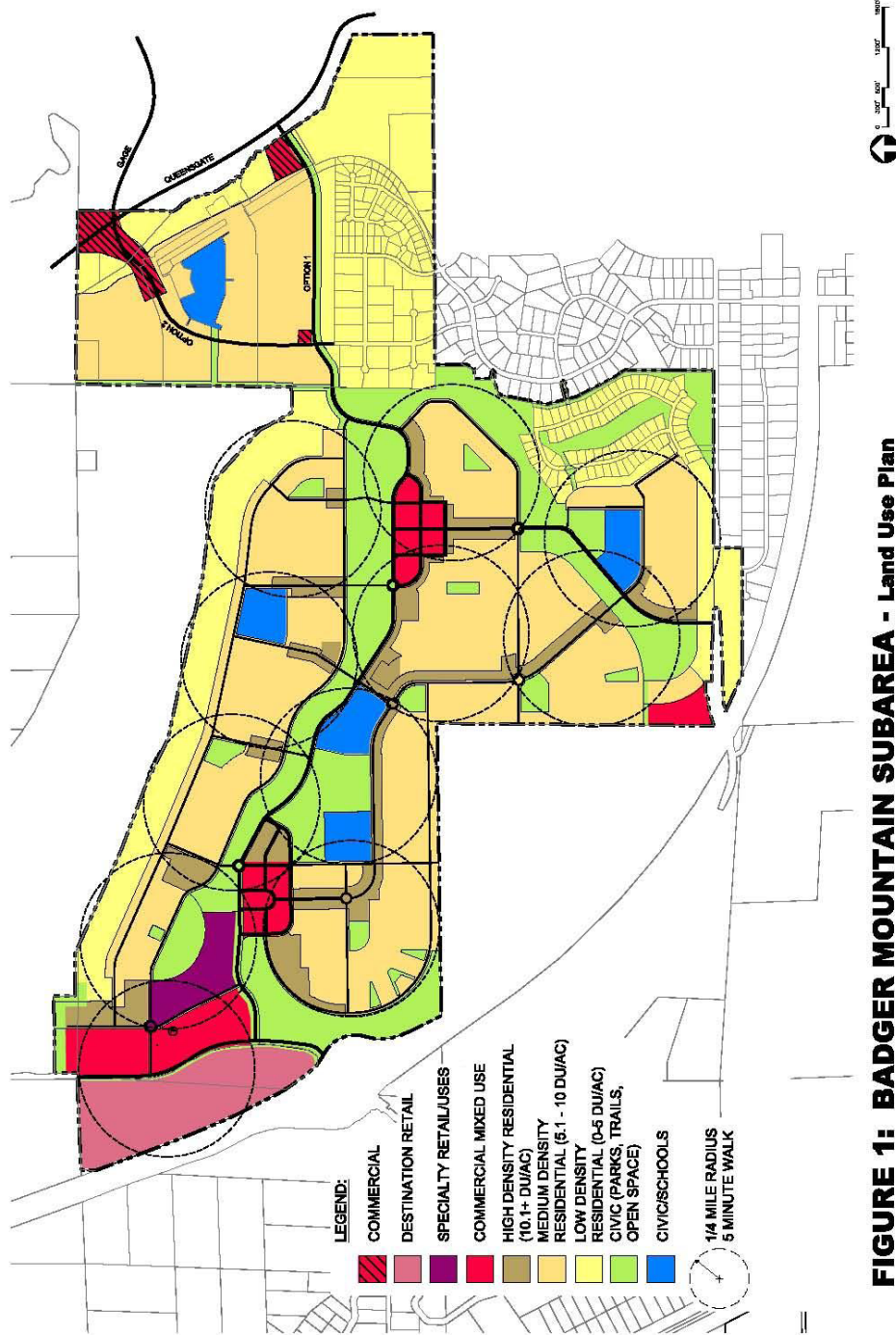


FIGURE 1: BADGER MOUNTAIN SUBAREA - Land Use Plan

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6. For purposes of this Recommendation, the Examiner disregards the illustration included as Figure 3 on page 8 of the Staff Report, derived from Ex. 7, which has never been reviewed or approved by the City Council, so it should have no legal effect for purposes of considering this rezone application.

Existing AG zoning for the site is entirely inconsistent with the Comprehensive Plan, and the requested rezone has been thoroughly reviewed under SEPA.

7. At no time has the Sienna Hills site been rezoned (or reclassified, as referenced in some parts of the City's Municipal Code, though the terms rezone and reclassification/reclassify mean the same thing), from anything other than the "placeholder" AG-zone assigned to the area when it was first annexed. There is no credible dispute that the AG-zone for the Sienna Hills area is entirely inconsistent with its location in the City's urban growth area, where transition from previous orchard uses to residential and commercial development is readily apparent in this part of the Tri-Cities area, including many new neighborhoods and commercial projects built in the City of Richland in the past few years.

8. The Examiner takes official notice of previous City Council actions related to its Comprehensive Plan, including its most recent 10-year update, in 2017, on issues and topics that have not been challenged or mistakenly depicted in publicly available materials. Relevant portions of the 2017 process provide summaries of previous public review processes in the City that explain how AG (Agricultural) zoned properties are generally inconsistent with growth and development targets assigned to properties within an urban growth area. These findings support the requested rezone.

9. Before undertaking its last major "10-Year" review and revisions to the Richland Comprehensive Plan, the City hired the consulting firm of Oneza and Associates, to assist City staff in updating the plan. After meeting, discussing and considering the physical and social development needs and potential of the Richland Urban Growth Area, and receiving information from federal, state and city agencies, including municipal and non-municipal departments and agencies, and holding public meetings and workshops, the City's consultant and staff developed and prepared a new Comprehensive Plan and submitted said Plan to the Richland City Council for its review and adoption, which occurred on October 3, 2017. *(See explanation provided in preamble of Ord. No. 42-17).*

10. The City Council prepared a public participation plan for its 10-year comprehensive plan update process and published said plan on its website. Public participation included a variety of methods including visioning workshops, focus group discussions, an on-line survey, open houses, two public hearings, providing a webpage devoted to the plan update, planning commission and city council workshops, review by other City boards including the parks and recreation commission and the economic development committee, and soliciting comments from other local agencies and organizations. Public notification was also provided in a variety of methods including notices through City utility bills, notices on the City webpage and in the newspaper and notices via email. *(Id.)*

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11. The City considered the Benton County Countywide Planning Policies in the development of its comprehensive plan and used the population projections provided by Benton County in its planning efforts as mandated under the Growth Management Act. (*Id.*)

12. The City provided formal 60-day comment periods for the draft plan to the public and to a wide variety of local, state and federal agencies and private organizations in accordance with Growth Management Act requirements. (*Id.*)

13. The Planning Commission conducted public hearings on the proposed Comprehensive Plan on May 10, 2017 and August 30, 2017, and adopted findings of fact and a made a formal recommendation to the City Council for approval of the proposed Comprehensive Plan and associated amendments to Title 23 of the Richland Municipal Code. (*Id.*)

14. Consistent with the State Environmental Policy Act, the City prepared Draft and Final Environmental Impact Statements for the proposed Comprehensive Plan amendments considered in 2017. The City Council did not take action until after the EIS was final, at which time the City Council considered all recommendations and reports submitted to it and all comments made to it at public hearings, and concurred with the findings and recommendations of the Planning Commission and City staff, as proposed at that time. (*Id.*)

15. Some of the key findings made by the City's Planning Commission back in 2017 – with which the City Council formally concurred – included the following:

The City's plan demonstrates that it has adequate land area to accommodate the future growth forecast for the next twenty-year period as required under RCW 36.70A.115; includes chapters addressing economic development, land use, housing, transportation, utilities, capital facilities and parks and recreation as required under RCW 36.70A.070; considers and incorporates the 14 goals stated in the growth management act under RCW 36.70A.020; and, most significantly, considered, but did not identify, any agricultural, forest or mineral resource lands of long term significance within the City's urban growth area in conformance with RCW 36.70A.050. (*See Findings of the Planning Commission, included in Staff Report issued prior to adoption of Ord. 42-17, in Agenda File No. Z2017-103, for the Council's Oct. 3, 2017 meeting.*)

16. The Sienna Hills rezone-site was included in such review, meaning that the Council has already determined that it is not an agricultural land of long-term significance within the City's urban growth area. Maintaining it as such runs contrary to a basic Growth Management principal that urban development should not sprawl, but should be concentrated on lands located within urban growth areas.

17. Finally, this rezone request, and the connected Sienna Hills preliminary plat application, were

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the subject of a combined SEPA review process, resulting in issuance of a Determination of Non-Significance, issued on December 2, 2019. (*Ex. 4, SEPA Checklist and DNS for both the requested rezone and proposed preliminary plat*). All of the modifications included in this Recommendation are well-within the scope of topics covered in the SEPA review and are intended to reduce the potential for impacts associated with each application. For instance, by conditioning the rezone to expressly include future development of a trail/pedestrian pathway running through the property, walkability and connectivity goals in the Badger Mountain Subarea Plan (BMSP) can be implemented in a manner substantially consistent with the general alignment depicted on the Land Use Plan map for the area. (*Land Use Map, found on page 19 of the BMSP, republished above on page 6 of this Recommendation*).

The requested zoning reclassifications are consistent with the Comprehensive Plan.

18. As shown above, the Badger Mountain Subarea Land Use Plan map envisions Low Density Residential uses running along the southern boundary of the Sienna Hills project site; Medium Density Residential uses in the upper/northern portion of the site; a small Commercial area situated in the west/southwest portion of the site where proposed streets/trails would intersect; another larger Commercial area in the western portion of the site; and a Civic use, shown as a green line on the Land Use Plan map (which could be a “Trail” according to the Legend provided on the face of the Land Use Plan map), running in an east west alignment through the lower portion of the Sienna Hills site, connecting with trail/transportation corridors to the west and east of the site.

19. The proposed rezone would assign R-1-10 (Single Family Residential) zoning to Low Density Residential areas running along the southern portion of the site; R-2 (Medium Density Residential) zoning to the upper portion of the rezone site; and C-LB (Limited Business) zoning to the two relatively small commercial areas in the Sienna Hills rezone site.

20. There is no credible dispute that the requested residential zoning classifications are consistent with the Land Use Plan for the area. Opposition comments involving this topic appeared to be motivated by personal interests, with neighboring property owner preferences for as little density as possible in the Sienna Hills site, for instance, a few comments suggested that the lower/southern portion of the site should be zoned R-1-12 (requiring larger lots) instead of R-1-10. The City’s code expressly provides that both zones are appropriate for areas designated Low Density Residential in the City’s Comprehensive Plan. *See RMC 23.18.010(A) and (B)*. Such comments did not provide any legal or factual basis to reject the requested residential zoning reclassifications.

21. With respect to the requested C-LB Commercial zoning classification for the two commercial nodes in the rezone area (NOTE: the rezone area is NOT part of the much larger Badger Mountain South area addressed in a separate Development Agreement for such properties), the Examiner finds and concludes that the requested C-LB zoning classification is appropriate and fully supported by the discussion of Commercial uses envisioned for such properties. (*See pages 27 and 28 of the Subarea Plan, re: Commercial Categories*).

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The requested Rezone must be conditioned to mandate development of a trail/pathway/non-motorized linear connection running through the site, in an alignment generally consistent with that depicted on the Badger Mountain Subarea Land Use Plan map for the rezone area.

22. Some public comments challenged the requested rezone because it fails to establish a “Civic” zoning classification for the area, running along or near the green line shown on the Badger Mountain Subarea Land Use Plan map, or something to this effect. These comments appropriately seek to ensure that a genuine trail route should be included in any final land use plan for the Sienna Hills site. However, such comments are in error if their basis for challenging the rezone relies on the mistaken assumption that “Civic” uses must be defined in the zoning code and included as a specific zoning classification.

23. The Badger Mountain Subarea Plan expressly provides that “civic uses and spaces” include “trails.” (Ex. 5, *Badger Mountain Subarea Plan* at page 30, Sec. 5.7 re: *Badger Mountain Civic Uses*). The Plan also recognizes that “[n]ot all civic spaces are places that are owned and maintained by the city but they are places that people know, gather and relate to because some activity with the space appeals to and functions with some or all within the community.” *Id.*

24. Figure 5 on page 44 of the Subarea Plan depicts the potential east/west green line running through the Sienna Hills area as a “Schematic Secondary Trail,” which is NOT an equestrian trail, as some people requested. Instead, equestrian trails are depicted in other portions of the much larger subarea, generally running north and south to the west of the site. *Id.* There is no legal or factual basis to condition this requested rezone or the connected preliminary plat to require development of any equestrian trail.

25. The term “Secondary Trails” is defined on page 11 of the City of Richland’s Parks, Trails, Open Space and Facilities Master Plan version that was in effect until July of last year, and reads as follows: “Secondary Trails shall serve a neighborhood park or provide access to the Class 1 Trail system. Secondary Trails may also be constructed to provide ADA access in Natural Open Space areas. Secondary Trails shall be concrete, or asphalt surface and 6-10 feet wide”. An online word-search of the City’s new Parks Master Plan failed to turn up the term “Secondary Trails,” but the new Parks plan addresses wide-sidewalks/trail facilities by directing attention to the City-wide Transportation Plan, which “provides additional information about bikeways, bike lanes and other non-motorized transportation facilities that are generally associated with streets and street right-of-way”. (See current Parks Master Plan, at page 27, adopted in July of 2019).

26. The current Parks Master Plan for the City defines the term “Trail/Pathway/Linear Connections” as follows: “*Trails, pathways and linear connections are designed to provide walking, bicycling and other non- motorized means of linking various parts of the community, development or open space system. Both paved and unpaved trails are appropriate. The primary purpose is to provide a recreation experience. The secondary purpose is transportation to other parts of the community, development or open space system.*” (See current Parks Master Plan, Appdx. B, Definitions, at page B-3).

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1 27. The Sienna Hills Preliminary Plat proposal now includes a recommended condition of
2 approval that would require development of an 8-foot wide pedestrian sidewalk/trail located just south
3 of the main street, labeled "C" Street on the proposed plat map, which runs in an east-west direction
4 through the Sienna Hills property, in an alignment that is substantially similar to and consistent with
5 that depicted by the green line shown through the Sienna Hills site on the Badger Mountain Subarea
6 Land Use Plan map. Development of such a wide sidewalk/trail through the Sienna Hills site would
7 be fully consistent with the City's Comprehensive Plan policies and vision for the area. (See Ex. 5,
8 at page 19, BMS Land Use Plan map, which includes "trails" in the Legend for Civic uses shown in
9 green; and on page 30, Sec. 5.7 re: Badger Mountain Civic Uses).

10 28. Because proposed plats are development permits that sometimes change, and sometimes fail
11 to go forward as originally planned, the Examiner finds and concludes that the requested rezone
12 should be specifically conditioned in a manner that will require any future development on the Sienna
13 Hills site (whether under the current proposed subdivision plan, or some other plat proposal from any
14 other applicant or owner) to include dedication and development of a pedestrian pathway/trail/wide-
15 sidewalk generally running to the south of an east/west street alignment in the rezone area. A
16 condition of approval to accomplish this purpose is included as part of this Recommendation
17 regarding the requested rezone.

18 29. Relying on a development project like a proposed subdivision to go forward on faith is not
19 sufficient. If this rezone were to be approved without any mandate for a trail through the rezoned
20 area, any future development application on the site could have a valid basis to challenge any future
21 request for a trail/pedestrian pathway through the site. To avoid this problem at any point in the
22 future, the rezone itself must be conditioned to ensure that the trail vision – a "Civic" use – is
23 accomplished as part of any future development project on the site.

24 ***The boundaries of the requested rezone should be adjusted to be more consistent with the Badger
25 Mountain Subarea Land Use Plan map, and in a manner more consistent with City development
26 regulations providing guidance on zoning district boundaries.***

27 30. Multiple public comments noted how the requested rezone boundaries deviate somewhat
28 from those generally depicted on the Land Use Plan map for the Badger Mountain Subarea. Staff
29 credibly explained that this may have been the result of mistaken GIS generated maps that were
30 publicly available at the time pre-application meetings for the Sienna Hills project took place, which
31 showed zoning boundaries in more of a straight line configuration, which was used to generated the
32 map included in the rezone application itself. For reasons explained below, the Examiner believes
33 the rezone should be approved, but with zoning boundaries adjusted to be more consistent with the
34 Badger Mountain Subarea plan policies and its Land Use Plan map, and in a manner more consistent
35 with City development regulations that provide guidance on where zoning district boundaries should
36 be located.

37 31. RMC 23.08.050 provides guidelines that city officials should seek to follow when

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determining where zoning district boundaries should be located. For instance, where streets, alleys, or highways might be present, the actual centerline shall be construed to be the boundary; where district boundaries are indicated on maps as approximately following the lot or tract lines, the actual lot or tract lines shall be construed to be the boundary of such use district; and where a district boundary divides a tract in unsubdivided property, the location of zoning boundaries should seek to approximate the dimensions and scale appearing on any available sectional district map. In this application, there appears to be no formally adopted sectional district map, but only the general Land Use Plan map from page 19 of the Badger Mountain Subarea Plan.

32. Because this rezone application has been reviewed in conjunction with the connected preliminary plat application, which includes proposed street alignments that appear to be based on logical topographical and other site-specific conditions, particularly including an east-west roadway identified as “C-Street”, the Examiner finds and concludes that the C-Street alignment should be used as the proper zoning district boundary to the fullest extent possible, in keeping with guidelines that list the centerline of available streets as the first rule for placement of zoning district boundaries. (*See RMC 23.08.050(A), discussed above*). This adjustment to the requested rezone boundaries would also be more consistent with the green line, or Civic, i.e. “Trail”, alignment running east/west through the rezone area immediately south of a future east/west roadway generally depicted on the BMSP Land Use Plan map. Where the roadway (C-Street) moves north, and becomes B-Street, on the western portion of the rezone site, the zoning boundary should follow a logical lot line for the stormwater tract from east to west, ending at the rezone area’s western boundary, shown as Gage Blvd. on the proposed preliminary plat map.

33. The proposed rezone boundaries and zoning districts for properties located east of Burmuda road should be approved as submitted by the applicant and described in the Staff Report.

34. As shown in the application materials, the small node of Commercial / C-LB zoning in the western part of the rezone-area appears to float without purpose or reason away from any intersection, where commercial uses are more commonly located, especially when they are part of a subdivision proposal with mixed zoning assignments. The Examiner finds and concludes that the Badger Mountain Subarea Plan Land Use map for the affected area envisions a small commercial space in the rezone-area that should be located where future east-west and north-south roadways serving the property intersect, in the lower southwest portion of the site, appearing to be served/accessible using the green “trail” area on the Land Use Plan map. The range of uses permitted outright in the C-LB zone would be better served if located at an intersection and with easy access to the Badger Mountain Subarea trail network. As proposed, the small Commercial zone location is illogical, and poorly placed. It should be moved, to the northeast corner of the future intersection of C-Street (the east-west roadway) and Bent Road (the extension of a north-south roadway running through the rezone site). This move is further supported by the placement of the wide-trail/walkway that will be required to run along the southern alignment of C-Street, meaning pedestrians or non-motorized forms of transportation could easily access the small C-LB site.

35. With modifications and conditions described above, the requested rezone will be more

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consistent with the Badger Mountain Subarea Plan and zoning boundary placement guidelines in existing city codes, and it will be in the public interest.

36. In any event, the final action of the City Council will control in this rezoning matter, over potential challenges that the requested rezone somehow is a modest deviation from map lines allegedly carved in stone (which they are NOT) in the City's Comprehensive Plan provisions for the rezone-property, i.e. the map found on page 19 of the BMSP. The Washington Supreme Court has long maintained that: "We resolve any conflict between a city's comprehensive plan and specific zoning regulation in favor of the zoning regulation." (*Citizens for Mount Vernon v. City of Mount Vernon*, 133 Wn.2d 861, 873, 947 P.2d 1208 (1997); also see *Chinn v City of Spokane*, 173 Wn. App. 89, 293 P.3d 401 (Div. II, 2013)("Even if Comprehensive Plan provisions were mandatory, such that they conflicted with City zoning regulations, we resolve conflicts between a city's comprehensive plan and its specific zoning regulations in favor of the zoning regulations.")).

37. Given the extensive public review, issue-specific SEPA analysis, and balancing of land-use needs throughout the City, which all occurred as part of the City's 10-year Comprehensive Plan Update process completed in 2017, and which modified the designated land uses for the rezone-area, the Examiner finds that any decision to deny the pending request would be difficult to defend in any appeal. Instead, substantial evidence supports the rezone request, as modified by this recommendation, and the request is seeking to implement and effectuate policies and land-use designations assigned to the area in the Badger Mountain Subarea Plan portion of the City's Comprehensive Plan.

38. For all these reasons, and others included in the Staff Report and this Recommendation, the Sienna Hills Rezone application merits approval, as modified and conditioned herein.

39. City staff complied with all applicable public notice requirements for the rezone application and the public hearing held for the matter. (*Staff Report, Exhibits 2 and 4, copies of various public notices published and mailed, and SEPA DNS*).

40. Because all future, project-specific development proposals are required to follow City development regulations, including those addressing traffic impacts, impact fees, and the like, the rezone is not likely to have any material impact on capacity for the existing local street system surrounding the property.

Public services and utilities are adequate and readily available to serve the site.

41. As part of the review process, City staff confirmed that adequate utilities, including without limitation water, power, and sewer, are readily available to serve the property, though most will require extensions or modifications to serve portions of the property, the cost of which is typically borne by the developer of a specific project, or financed using an LID, latecomer's agreement, or other available options. *Staff Report, pages 5-6.*

FINDINGS OF FACT, CONCLUSIONS AND
RECOMMENDATION RE: SIENNA HILLS
REZONE APPLICATION TO CHANGE A 98+ ACRE
SITE FROM AG (AGRICULTURE) TO ZONING
DISTRICTS IN ACCORD WITH LAND USE
DESIGNATIONS PROVIDED FOR THE AREA IN
THE CITY'S COMPREHENSIVE PLAN –
FILE NO. Z2019-106

GARY N. MCLEAN
HEARING EXAMINER FOR THE CITY OF RICHLAND
CITY HALL – 505 SWIFT BOULEVARD
RICHLAND, WASHINGTON 99352

1
2
3 ***Consistency with City Codes and Comprehensive Plan.***

4 42. As explained elsewhere in this Recommendation, the rezone site is already assigned land use
5 designations in the City's Comprehensive Plan that are consistent with those requested through this
6 rezone. The modifications included as part of this Recommendation will make the requested rezone
7 boundaries more consistent with the Badger Mountain Subarea Plan.

8 43. Based on the record, the Examiner finds and concludes that the requested rezone is not
9 inconsistent with existing land uses located on or zoning designations assigned to surrounding
10 properties in the area.

11 44. Standing alone, the requested rezone, as modified herein, conforms to the Comprehensive
12 Plan, because the plan already identifies the property as suitable for the uses and zoning districts
13 proposed in the application materials.

14 ***General findings.***

15 45. As modified and conditioned herein, the requested rezone bears a substantial relationship to
16 the public health, safety, and general welfare. The requested rezone is appropriate in the context of
17 adjacent properties.

18 46. Any factual matters set forth in the foregoing or following sections of this Recommendation
19 are hereby adopted by the Hearing Examiner as findings of fact, and incorporated into this section as
20 such.

21 **VI. CONCLUSIONS.**

22 Based upon the record, and the Findings set forth above, the Examiner issues the following
23 Conclusions:

24 1. As modified and conditioned in this Recommendation, the applicant has met its burden to
25 demonstrate that the requested rezone conforms to, and in fact implements objectives of, the City's
26 Comprehensive Plan. *Findings; Staff Report.*

2 2. The applicant has met its burden to demonstrate that the requested rezone bears a substantial
3 relationship to the public health, safety, or welfare.

4 3. The rezoned site will not be materially detrimental to uses or property in the immediate vicinity of

5 **FINDINGS OF FACT, CONCLUSIONS AND**
6 **RECOMMENDATION RE: SIENNA HILLS**
7 **REZONE APPLICATION TO CHANGE A 98+ ACRE**
8 **SITE FROM AG (AGRICULTURE) TO ZONING**
9 **DISTRICTS IN ACCORD WITH LAND USE**
10 **DESIGNATIONS PROVIDED FOR THE AREA IN**
11 **THE CITY'S COMPREHENSIVE PLAN –**
12 **FILE NO. Z2019-106**

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the subject property

4. Development regulations, including without limitation those requiring traffic analysis for specific proposals, will apply to any future project built on the site.

5. Based on the record, the applicant demonstrated that its rezone application merits approval, if modified and conditioned as provided in this Recommendation, meeting its burden of proof imposed by RMC 19.60.060.

6. Approval of this rezone will not and does not constitute, nor does it imply any expectation of, approval of any permit or subsequent reviews that may be required for development or other regulated activities on the site of the subject rezone.

7. Any finding or other statement contained in this Recommendation that is deemed to be a Conclusion is hereby adopted as such and incorporated by reference.

VII. RECOMMENDATION and CONDITIONS of APPROVAL.

Based upon the preceding Findings and Conclusions, the Hearing Examiner recommends that the Sienna Hills rezone application (File No. Z2019-106) to rezone a 98+acre site, assigning zoning districts to portions of the property using boundaries as described, modified and conditioned below, should be **APPROVED**.

To eliminate potential confusion and misunderstandings about specific zoning districts that will be assigned to the Sienna Hills area, Staff should work with the applicant to generate a revised Rezone Map that illustrates the modified zoning district boundaries described herein, for review and initials of the Hearing Examiner, to be submitted with this Recommendation for final consideration and approval by the City Council.

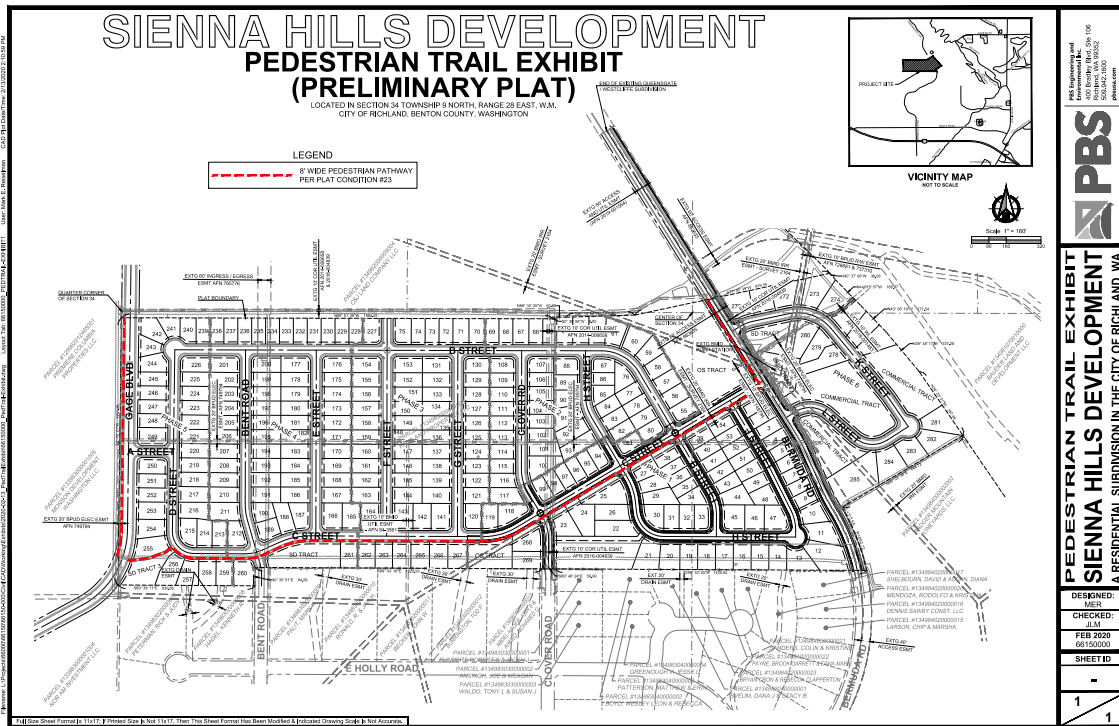
CONDITIONS OF APPROVAL FOR REZONE

1. TRAIL/PEDESTRIAN PATHWAY REQUIREMENT – Consistent with, and to effectuate development of a “civic use,” i.e. a pedestrian trail alignment running through the rezone area, as addressed in the Badger Mountain Subarea Plan, any future development on the Sienna Hills rezone site (whether under the current proposed subdivision plan, assigned File No. S2019-101, or any subsequent subdivision or development permit proposal regarding relevant portions of the rezone-property addressed in this Recommendation) shall include dedication and development of a pedestrian pathway/trail/sidewalk at least 8-feet wide, generally running along the south-side of an east/west street alignment in the rezone area, between the property’s western boundary and Bermuda Road on the east. Construction of a trail substantially similar to that described in Condition No. 23 of the Examiner’s Recommendation of Approval for the Sienna Hills Preliminary Plat, assigned File No. S2019-101, as depicted on Exhibit 25 from such file, republished below, subject to review and

**FINDINGS OF FACT, CONCLUSIONS AND
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approval by the Director as part of final engineering design review, shall satisfy this Condition of Approval for the requested rezone.



Ex. 25, from Sienna Hills Preliminary Plat, File No. S2019-101

2. ZONING DISTRICT BOUNDARIES –

The official zoning map for the City of Richland and corresponding zoning classifications for the Sienna Hills Rezone site, located within Benton County Assessor Parcel No. 134983000001005, should be amended and approved as follows:

- A. LOWER PORTION OF REZONE SITE SHOULD BE RECLASSIFIED FROM AG TO R-1-10, LOW-DENSITY SINGLE FAMILY RESIDENTIAL – Using the final centerline of the proposed C-Street alignment in the Sienna Hills Preliminary Plat, shown in the image of Ex. 25 above, as reviewed and approved by the Director following final engineering design review, property to the south of such line from Bermuda Road on the east to D Street on the west, then continuing to the rezone-area’s western boundary along the northern lot-line for stormwater Tract 3, shall be reclassified from AG (Agriculture) to R-1-10 (Single Family Residential);

FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION RE: SIENNA HILLS REZONE APPLICATION TO CHANGE A 98+ ACRE SITE FROM AG (AGRICULTURE) TO ZONING DISTRICTS IN ACCORD WITH LAND USE DESIGNATIONS PROVIDED FOR THE AREA IN THE CITY’S COMPREHENSIVE PLAN – FILE NO. Z2019-106

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1 B. EXCEPT FOR THE SMALL COMMERCIAL NODE, THE UPPER PORTION OF REZONE SITE
2 SHOULD BE RECLASSIFIED FROM AG TO R-2, MEDIUM DENSITY RESIDENTIAL – Using the C-
3 Street/northern lot line for stormwater Tract 3 boundary described above, except for the small
4 Commercial area addressed below, property to the north of such line from Bermuda Road on
the east to the rezone-area's western boundary shall be reclassified from AG (Agriculture) to
R-2 (Medium Density Residential);

5 C. COMMERCIAL NODE – Using final centerlines of public streets constructed on the site
6 as the east, west, and southern boundary, and lot lines approved for any final plat addressing
7 relevant portions of the rezone-area as the northern boundary, property located between Bent
8 Road on the west, E Street on the east, C Street on the south, and final lot lines on the north,
for an area at least 7.5 acres (noting original proposal was for 7.83 acres of Commercial land
area), shall be reclassified from AG (Agriculture) to C-LB (Commercial, Limited Business);

9 D. AREA EAST OF BERMUDA ROAD ALIGNMENT – Using the final centerline of Bermuda
10 Road as depicted on the Sienna Hills Preliminary Plat map shown on Ex. 25 above, the area
11 east of Bermuda Road to the rezone area's eastern boundary shall be reclassified from AG
(Agriculture) to R-1-10 (Single Family Residential) on the northern and southern portions of
such area, with C-LB (Commercial, Limited Business) in the central portion of such area, as
depicted on page 4, Figure 2.1, of the Staff Report, the original rezone application map.

12
13 ISSUED this 3rd Day of March, 2020

14 

15
16 Gary N. McLean
Hearing Examiner

17
18
19
20 Attachment: Proposed Rezone Map, to be generated by Staff and Applicant, depicting boundaries
21 and zoning classifications addressed in this Recommendation (to be included as part
22 of City Council packet).

23
24 FINDINGS OF FACT, CONCLUSIONS AND
25 RECOMMENDATION RE: SIENNA HILLS
26 REZONE APPLICATION TO CHANGE A 98+ ACRE
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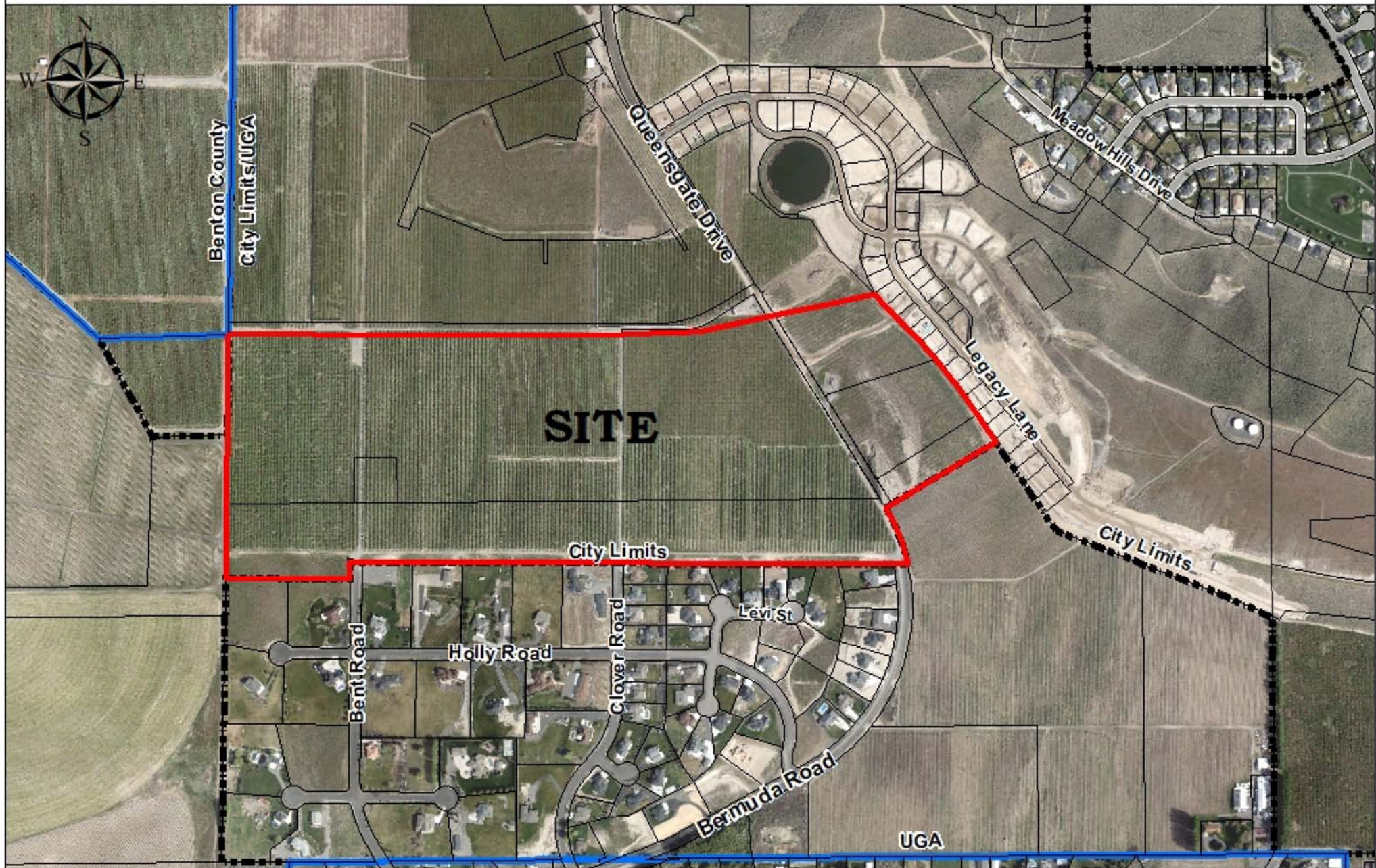
CITY HALL – 505 SWIFT BOULEVARD
RICHLAND, WASHINGTON 99352

Vicinity Map

Item: Sienna Hills Rezone

Applicant: Richland Properties LLC c/o Greg Johnson

File #: Z2019-106





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Ordinances - First Reading

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 20-20, Amending the 2020 Budget to Include the 2019 Budget Carryovers

Department:

Administrative Services

Ordinance/Resolution Number:

20-20

Document Type:

Ordinance

Recommended Motion:

Give first reading, by title only, to Ordinance No. 20-20, approving the identified carryovers and new revenues, and authorizing staff to make the necessary budget adjustments to appropriate \$38,623,681 into the 2020 Budget as indicated therein.

Summary:

All appropriations in any current operating fund lapse at the end of each fiscal year.

At this time, it is necessary to carry over unexpended appropriations from the prior fiscal year to the current fiscal year for goods and services which had not yet been received by the end of 2019, but were encumbered and committed during that year; and for uncompleted improvements in progress, including capital improvement and business license reserve projects, and grant-related expenditures at the end of the year. RCW 35.33.151 expressly allows for this action.

Ordinance No. 20-20 amends the 2020 Budget to increase appropriations in the funds listed in the ordinance for the proposed carryovers. The proposed 2019 Budget carryover total of \$38,623,681 includes previously approved capital improvement projects (CIP), grant-funded programs, and encumbered goods and services not yet received at year end. The carryover ordinance also authorizes the appropriation of certain earned revenues not previously budgeted.

The sources of funds for the 2019 carryovers include unrealized grants, loans, and contributions of \$10,269,820 and fund balance of \$28,353,861.

To comply with state law, a public hearing is scheduled for tonight's meeting. Staff recommends approval of Ordinance No. 20-20 for first reading, by title only.

Fiscal Impact:

Yes

The total increase in appropriations to the 2020 Budget is \$38,623,681. This includes the carryover of \$34,056,023 in approved CIP projects, \$2,852,814 in other grant-funded programs, and \$1,714,844 in encumbered goods and services.

Attachments:

1. Ordinance No. 20-20
2. 2019 Appropriation Carryovers

ORDINANCE NO. 20-20

AN ORDINANCE of the City of Richland amending the 2020 Budget to provide for additional appropriations from the carryover of prior year budget to complete certain uncompleted capital projects and encumbered purchases of goods and services and certain revenues not previously appropriated.

WHEREAS, on November 19, 2019, the Richland City Council passed Ordinance No. 55-19 approving the 2020 Budget, including the 2020-2025 Capital Improvement Plan (CIP); and

WHEREAS, it is necessary to carry over unexpended appropriations from the prior fiscal year to the current fiscal year for goods and services which had not yet been received by the end of the year, but were encumbered and committed in the prior year; and for uncompleted improvements in progress, including capital improvement and business license reserve projects, and grant related expenditures at the end of the year; and

WHEREAS, RCW 35.33.151 provides for carryover of appropriations to the following year for payment of uncompleted programs and improvements in progress or on orders subsequently filled or claims subsequently billed for goods or services not completed by the end of the fiscal year; and

WHEREAS, this funding appropriation enables completion of unfinished capital improvement projects and payment of encumbered goods and services not received by year end; and

WHEREAS, pursuant to RCW 35.33.091, a duly noticed public hearing was held on July 7, 2020 regarding the increase in appropriations from beginning fund balance and new revenue as listed in the table of Section 3 of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Facts Constituting Emergency. The expenses contained within this ordinance were not anticipated when the 2020 budget was approved. The increased appropriations contained within this ordinance total \$38,623,681 of which \$38,623,681 was previously appropriated in the prior fiscal year's final budget. These appropriations are necessary for completion of approved projects and purchases and are identified by fund in Section 3 of this ordinance.

Section 2. Declaration of Public Emergency. Due to circumstances described above, the City Council declares that a public emergency exists in the City's Funds described in Section 3 of this ordinance.

Section 3. Amendment of the 2020 Budget. The 2020 Budget is hereby amended to provide for additional appropriations. The sources of funds contained in this ordinance included unrealized grants, loans and contributions in the amount of \$10,269,820, and fund balance in the amount of \$28,353,861. These balances are identified for each fund in the following table:

CHANGES IN APPROPRIATION FROM 2019 CARRYOVERS							
FUND #	FUND NAME	SOURCES OF FUNDS			USES OF FUNDS		
		CARRYOVER REVENUE	CARRYOVER APPROPRIATED FUND BALANCE	TOTAL INCREASE IN SOURCES OF FUNDS	CURRENT APPROVED APPROPRIATIONS	CHANGE IN APPROPRIATIONS	TOTAL AMENDED APPROPRIATIONS
001	General	\$ 9,467	\$ 1,737,012	\$ 1,746,479	\$ 61,254,785	\$ 1,746,479	\$ 63,001,264
101	Streets	\$ -	\$ 122,505	\$ 122,505	\$ 4,098,906	\$ 122,505	\$ 4,221,411
150	Hotel/Motel	-	200,000	200,000	1,220,000	200,000	1,420,000
153	Community Dev. Block Grant	350,326	105,177	455,503	474,246	455,503	929,749
154	HOME	1,524,182	863,662	2,387,844	929,814	2,387,844	3,317,658
301	Streets Capital Construction	6,812,935	5,822,481	12,635,416	16,939,985	12,635,416	29,575,401
380	Park Project Construction	700,000	3,542,662	4,242,662	3,412,956	4,242,662	7,655,618
385	General Government Const.	-	604,770	604,770	-	604,770	604,770
402	Water Utility	50,000	6,783,208	6,833,208	24,221,320	6,833,208	31,054,528
403	Wastewater Utility	-	2,105,097	2,105,097	14,257,631	2,105,097	16,362,728
404	Solid Waste Utility	-	4,147,477	4,147,477	10,795,977	4,147,477	14,943,454
405	Storm Water Utility	822,910	1,015,843	1,838,754	3,317,914	1,838,754	5,156,668
407	Medical Services Utility	-	1,425	1,425	6,516,963	1,425	6,518,388
408	Broadband Utility	-	176,234	176,234	460,855	176,234	637,089
503	Equipment Replacement	-	1,126,307	1,126,307	7,457,234	1,126,307	8,583,541
	Total	\$ 10,269,820	\$ 28,353,861	\$ 38,623,681	\$ 155,358,586	\$ 38,623,681	\$ 193,982,267

Section 4. This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the _____ day of _____, 2020.

Ryan Luckson, Mayor

ATTEST:

APPROVED AS TO FORM:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: _____

2019 Carryovers - Encumbered, Expanded and Special Programs

Expenditure Org	Object	Vendor	Description	PO #	Amount
K1710100	4117	AHBL, INC	EXPERT SERVICES	25040	30,966
D2586000	4117	GARY MCLEAN	EXPERT SERVICES	25233	7,178
IT188500	4107	SMARSH, INC	OTHER PROFESSIONAL SERVICES	25244	3,864
C5131100	1104	STAFF INTERNSHIP	INTERMITTENT/TEMP SALARIES		15,346
A2148920	4202	INFOSEND, INC	POSTAGE	25459	38,823
A2148920	4911	INFOSEND, INC	OUTSIDE SERVICES PROVIDED	25459	71,782
K1710100	4117	MCKAY & SPOSITO, INC	EXPERT SERVICES	26055	2,136
F1222000	2201	SEA WESTERN, INC	UNIFORM/CLOTHING ALLOWANCE	26144	968
K3755000	4806	BENJAMIN'S CARPET ONE	REPAIRS AND MAINT-STRUCTURES	26247	44,200
K3755000	4806	PAINTMASTER SERVICES, INC	REPAIRS AND MAINT-STRUCTURES	26249	13,901
F1222000	3501	FIANDER & ASSOCIATES, LLC	SMALL TOOLS AND EQUIPMENT	26273	4,903
IT188500	4117	CERIUM NETWORKS, INC	EXPERT SERVICES	26352	3,270
L1212200	2201	LN CURTIS & SONS	UNIFORM/CLOTHING ALLOWANCE	21900025	1,178
K1710100	3583	ATHLACTION TOPCO, LLC	SOFTWARE-LICENSING & UPGRADES	21900030	850
L1212200	2201	SEATTLE SEWING SOLUTIONS, INC	UNIFORM/CLOTHING ALLOWANCE	21900041	1,070
L1212200	2201	LN CURTIS & SONS	UNIFORM/CLOTHING ALLOWANCE	21900045	972
C2131000	4107	FINANCIAL CONSULTING SOLUTIONS GROUP, INC	OTHER PROFESSIONAL SERVICES	21900047	7,695
L1212200	2201	SEATTLE SEWING SOLUTIONS, INC	UNIFORM/CLOTHING ALLOWANCE	21900049	1,072
L1212200	2201	SEATTLE SEWING SOLUTIONS, INC	UNIFORM/CLOTHING ALLOWANCE	21900050	547
L1212200	2201	SEATTLE SEWING SOLUTIONS, INC	UNIFORM/CLOTHING ALLOWANCE	21900051	525
L1212200	2201	SEATTLE SEWING SOLUTIONS, INC	UNIFORM/CLOTHING ALLOWANCE	21900052	498
L1212200	3501	GALLS, LLC	SMALL TOOLS AND EQUIPMENT	21900078	2,706
L1211000	4135	PCARD CHARGE	SHARED VALUES		1,798
IT188500	4802	CERIUM NETWORKS, INC	REPAIRS AND MAINT-EQUIPMENT	21900103	3,801
L1212200	2201	GALLS, LLC	UNIFORM/CLOTHING ALLOWANCE	21900105	152
L1212200	3102	GALLS, LLC	OPERATING SUPPLIES & MATERIALS	21900105	186
K3768010	4814	RECREATION TODAY OF IDAHO, LLC	REPAIR & MAINT PKS FACILITIES	21900123	3,868
L1212200	3501	MOTOROLA SOLUTIONS, INC	SMALL TOOLS AND EQUIPMENT	21900124	5,667
IT188500	3520	DELL COMPUTER CORPORATION	REPLCEMNT COMPUTING EQUIPMENT	21900151	2,357
IT188500	3520	DELL COMPUTER CORPORATION	REPLCEMNT COMPUTING EQUIPMENT	21900153	874
		Total General Fund			273,152
T1429000	4117	JUB ENGINEERS, INC	EXPERT SERVICES	25780	22,084
T1423000	3109	TRAFFIC SAFETY SUPPLY CO, INC	FIELD SUPPLIES	21900093	12,023
T1429000	9848	NORTHEND TRUCK EQUIPMENT, LLC	SNOW REMOVAL EQUIPMENT	21900118	22,630
T1429000	9848	THE PAPE' GROUP	SNOW REMOVAL EQUIPMENT	21900176	65,768
		Total Streets Fund			122,505
S2013500	4117	GRAY & OSBORNE, INC	EXPERT SERVICES	23223	1,131
S2013500	4117	JUB ENGINEERING	EXPERT SERVICES	25463	10,000
S3358000	4117	MURRAYSMITH, INC	EXPERT SERVICES	25471	8,396
S3358000	4911	ALS GROUP USA CORP	OUTSIDE SERVICES PROVIDED	21900129	1,061
S3358000	3102	SOLENI, LLC	OPERATING SUPPLIES & MATERIALS	21900131	9,382
S3358000	4911	ALS GROUP USA CORP	OUTSIDE SERVICES PROVIDED	21900139	1,671
S3358000	3138	HURLEY ENGINEERING	REPAIR/MAINTENANCE SUPPLIES	21900142	2,054
S3358000	4911	ALS GROUP USA CORP	OUTSIDE SERVICES PROVIDED	21900154	1,641
S3358000	4911	ALS GROUP USA CORP	OUTSIDE SERVICES PROVIDED	21900155	1,671
		Total Wastewater Fund			37,007
G2013700	4117	PARAMETRIX, INC	EXPERT SERVICES	23220	114,650
G4378200	4117	TESTAMERICA LABORATORIES, INC	EXPERT SERVICES	25539	7,481
G4378200	4117	PARAMETRIX, INC	EXPERT SERVICES	25569	32,316
		Total Solid Waste Fund			154,447
F2227000	2201	SEA WESTERN, INC	UNIFORM/CLOTHING ALLOWANCE	26144	1,425
		Total Medical Services Fund			1,425
A5941810	6405	GRANDE FORD TRUCK SALES, INC	REPLACE TRUCK #3296	24799	283,289
A5941810	6405	GRANDE FORD TRUCK SALES, INC	NEW DUMP TRUCK	25237	214,230
A5941810	6405	WESTERN PETERBILT, INC	REPLACE GARBAGE TRUCK #3285	25832	314,394
A5941810	6405	WESTERN PETERBILT, INC	REPLACE GARBAGE TRUCK #3311	25833	314,394
		Total Equip Replacement Fund			1,126,307
		Total Encumbered/Miscellaneous Carryover			\$ 1,714,844
M1587080	4924		COMMERCIAL IMPROVEMENT PROJECT		30,000
M1189000	6209		ANIMAL CONTROL SHELTER		1,433,860
		Total General Fund			1,463,860
D6970000	5528		CIP - TRANSFER TO PARKS CONSTR FOR WAYFINDING		200,000
		Total Hotel/Motel Fund			200,000
T2953010	6397		CIP - REVITALIZATION AREA (RAISE)		86,419
T2953010	6368		CIP - ECON DEVELOPMENT ROAD PROJECTS		119,100
T2955010	6302		CIP - DUPORTAIL BRIDGE		6,812,935

2019 Carryovers - Encumbered, Expanded and Special Programs

Expenditure Org	Object	Vendor	Description	PO #	Amount
T2953010	6369		CIP - CENTER PARKWAY - NORTH-GAGE TO TAPT		646,591
T2953010	6331		CIP - COL PARK TRAIL IMPROVE EAST		1,319,566
T2953010	6395		CIP - STEPTOE/TAPTEAL IMPROVEMENTS		168,886
T2953010	6322		CIP - CENTER PKY WEST LESLIE TO CLEARWATE		168,115
T2956200	6403		CIP - VANTAGE HIGHWAY PATHWAY PHASE 2		79,500
T2953010	6326		CIP - SWIFT BLVD IMPROVEMENTS		487,565
T2953010	6318		CIP - SOUTH RICHLAND COLLECTOR STREETS		19,673
T2953010	6394		CIP - PAVEMENT PRES GWW RESURFACE		2,043,666
T2953010	6367		CIP - VAN GIESEN/THAYER IMPROVEMENTS		64,600
T2956400	6310		CIP - MCMURRAY RAPID FLASH BEACON		40,100
T2956400	6319		CIP - TRAFFIC SIGNAL SYSTEM SAFETY UPGRAD		578,700
			Total Streets Capital Construction Fund		12,635,416
K5947610	6403		CIP - HOWARD AMON PARK		14,871
K5947610	6403		CIP - BADGER MOUNTAIN PARK IMPROVEMENTS		280,905
K5947610	6403		CIP - DROLLINGER PARK AMENITIES		31,644
K5947610	6403		CIP - HORN RAPIDS INFIELD & FENCE RENEWAL		43,377
K5947610	6335		CIP - PARKS & NEIGHBORHOOD SAFETY PROGRAM		97,958
K5947610	6403		CIP - TRAILHEAD PARK REPLACEMENT STEPS BY		24,374
K5947610	6403		CIP - GOETHALS PARK IMPROVEMENTS		-
K5947610	6312		CIP - RIVERS TO RIDGES TRAIL BADGER MT		896,029
K5947610	6403		CIP - MCMURRAY PARK SPORTS COURT		75,000
K5947610	6403		CIP - COLUMBIA PLAYFIELD IMPROVEMENTS		140,268
K5947610	6403		CIP - JOHN DAM PLAZA		-
K5947610	6403		CIP - SHORELINE DEFERRED MAINTENANCE		85,279
K5947610	6209		CIP - HOWARD AMON PARK IMPROVEMENTS		632,488
K5947610	6403		CIP - WAYFINDING SIGNAGE & GATEWAY ENTRAN		880,123
K5947610	6403		CIP - COL PT MARINA PARK ENHANCEMENTS		870,345
K5947610	6403		CIP - LESLIE GROVES PARK ENHANCEMENTS		-
K5947610	6403		CIP - GEORGE PROUT POOL RENEWAL		-
K5947610	6403		CIP - CITY READER BOARD		170,000
			Total Park Project Construction Fund		4,242,662
MH941810	6335		CIP - ACCESS CONTROL & SECURITY CAMERA RP		183,980
MH941810	6417		CIP - RICHLAND COMMUNITY CENTER ROOF REPR		-
MH941810	6417		CIP - FIRE STATION 72 BUILDING REPAIRS		-
MH941820	6403		CIP - SWIFT CORRIDOR: CITY HALL REPLACEMT		176,562
MH941820	4177		CIP - SWIFT CORRIDOR: CITY HALL REPLACEMT		244,229
			Total General Govt Construction Fund		604,770
W1943410	6403		CIP - LORAYNE J WATER IMPROVEMENTS		1,797,841
W1943410	6403		CIP - DISTRIBUTION R&R		530,649
W1943410	6403		CIP - IRRIGATION CAP IMPROVEMENT		339,220
W1943410	6403		CIP - WATER TREATMENT PLANT R&R		530,649
W1943410	6403		CIP - YAKIMA RIVER CROSSING PIPELINE REPL		64,297
W1943410	6403		CIP - CHIEF JOSEPH MIDDLE SCHOOL IRRIG		149,950
W1943410	6403		CIP - AUTOMATIC METER READING SYSTEM		3,235,000
W1943410	6403		CIP - COLUMBIA RIVER INTAKE SCREEN UPGRAD		160,602
W1943410	6403		CIP - ISLAND VIEW SUPPLY REDUNDANCY PROJE		25,000
			Total Water Fund		6,833,208
S1943510	6403		CIP - COLLECTION SYSTEM RENEW & REPLACEME		975,307
S1943510	6403		CIP - INFLUENT UPGRADES		154,657
S1943510	6403		CIP - WASTEWATER TREATMENT FAC R&R		938,125
			Total Wastewater Fund		2,068,089
G1943710	6403		CIP - DISPOSAL CAPACITY IMPROVEMENTS		3,784,756
G1943710	6403		CIP - LANDFILL CLOSURE PHASE 2		225,000
G1943710	6403		CIP - COMPOST PROCESSING IMPROVEMENTS		(16,726)
			Total Solid Waste Fund		3,993,030
R1943110	6403		CIP - STORMWATER REHABILITATION & REPLACE		223,253
R1943110	6403		CIP - WATER QUALITY RETROFIT PROGRAM		1,015,211
R1943110	6403		CIP - COL PARK TRAIL EAST STORM		600,290
			Total Stormwater Fund		1,838,754
N1013200	6421		FIBER OPTIC INFRASTRUCTURE		176,234
			Total Broadband Fund		176,234
			Total CIP/Capital Project Carryover		\$ 34,056,023
L1211000	4117		HUMAN TRAFFICKING GRANT		9,467
			Total General Fund Grant Carryover		9,467
D7587110	4995		OWNER OCCUPIED REHAB - PROGRAM INCOME		105,177

2019 Carryovers - Encumbered, Expanded and Special Programs

Expenditure Org	Object	Vendor	Description	PO #	Amount
D7970000	5502		TRANSFER TO STREETS		219,645
D7970000	5528		TRANSFER TO PARKS PROJECT CONSTRUCTION		75,000
D7587110	4997		UNALLOCATED EXPENSES		55,681
			Total CDGB Fund Grant Carryover		455,503
D8587110	4982		CHDO-RICHLAND		318,914
D8587110	4985		PROGRAM INCOME-RICHLAND		127,372
D8587110	4986		PROGRAM INCOME-KENNEWICK		492,792
D8587110	4987		PROGRAM INCOME-PASCO		207,976
D8587110	4988		ENTITLEMENT-RICHLAND		413,038
D8587110	4989		ENTITLEMENT-KENNEWICK		396,728
D8587110	4991		ENTITLEMENT-PASCO		294,452
D8587020	5200		RICHLAND UNALLOCATED ADMIN		98,927
D8587020	5202		PASCO UNALLOCATED AD		1,409
D8587020	5203		KENNEWICK UNALLOCATED AD		36,237
			Total HOME Fund Grant Carryover		2,387,844
			Total Grant Carryover		\$ 2,852,814
			2018 Encumbered/Miscellaneous Carryover		\$ 1,714,844
			2018 CIP/Capital Project Carryover		\$ 34,056,023
			2018 Grant Carryover		\$ 2,852,814
			Total 2018 Carryover		\$ 38,623,681



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Ordinances - Second Reading & Passage

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Ordinance No. 13-20, Amending Richland Municipal Code Section 21.01.020 related to Fence Permits

Department:
City Attorney

Ordinance/Resolution Number:
13-20

Document Type:
Ordinance

Recommended Motion:

Give second reading and pass Ordinance No. 13-20, amending Richland Municipal Code Section 21.01.020 related to fence permits.

Summary:

The City has need, from time to time, to amend the Richland Municipal Code to bring it into alignment with best practices and to mitigate risk. For years, the City has administrated a no fee fence permit in an attempt to proactively regulate the construction of fences throughout the City.

Unfortunately, compliance rates are very low, with citizens often constructing fences and then applying for a permit. In addition, permits have been approved on incomplete, inaccurate or misrepresented information, which creates challenges for the City when, after the fact, staff discover that the fence was built in the right-of-way or sight clearance triangle.

After studying the practice, staff concludes that the no fee fence permit is not the effective regulatory tool it was believed to be when it was first introduced. To mitigate risk, the best interests of the City are served by eliminating the no fee fence permit from the Richland Municipal Code, and replacing it with easily understandable public-facing information and education on the code requirements related to erecting a fence in Richland.

Property owners erecting fences in Richland are required to comply with fence regulations found in the Richland Municipal Code regardless of whether a fence permit is required. Nothing about Ordinance No. 13-20 changes the fencing regulations currently in effect.

Staff recommends approval of Ordinance No. 13-20 for second reading and passage.

Fiscal Impact:

None. Staff resources will be reallocated to other permit review, which will increase efficiencies in the Development Services Department.

Attachments:

- I. Ordinance No. 13-20

ORDINANCE NO. 13-20

AN ORDINANCE of the City of Richland amending Section 21.01.020 of the Richland Municipal Code related to administration, permits and fees.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code to bring it into alignment with best practices; and

WHEREAS, for years, the City has administrated a no fee fence permit in an attempt to successfully regulate the construction of fences throughout the City; and

WHEREAS, given low compliance rates and the frequency with which applicants obtain permits based on incomplete, inaccurate or misrepresented information, the no fee fence permit is not the effective regulatory tool it was believed to be when it was first introduced; and

WHEREAS, the best interests of the City are served by eliminating the no fee fence permit from the Richland Municipal Code; and

WHEREAS, property owners erecting fences in the City of Richland are required to comply with fence regulations found in the Richland Municipal Code regardless of whether a fence permit is required.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 21.01.020, entitled Administration, permits and fees, as first enacted by Ordinance No. 77, and last amended by Ordinance No. 01-11, is hereby amended to read as follows:

21.01.020 Administration, permits, and fees.

Chapter 1 of the International Building Code and Chapter 34 of the International Building Code and Chapter 1 of the International Residential Code are hereby amended by the following additions, deletions, and exceptions. Section numbers referenced here are to the International Building Code with the International Residential Code referenced by "R" and the section number in parenthesis. Notwithstanding these section numbers referenced from the current codes, all additions, deletions, and exceptions as noted herein shall apply to all future codes adopted by the state of Washington and thence adopted as the building codes for the city of Richland.

A. 101.4.5 Fire Prevention. This subsection shall be amended to add the following paragraph:

Table 20.05.020 from RMC Title 20 shall be considered as if they were integral to and part of this code. All affected chapters and sections of this code regarding fire sprinklers and fire alarms are hereby amended to include Table 20.05.020, including Chapter 34 requirements which are amended as noted below under sub-section 3401.3.

B. 103.2 (R103.2) Appointment. This subsection shall be amended to read as follows:

The building official shall be the person appointed by the City of Richland to fill the position of Building Inspection Supervisor or its subsequent renamed position title acting in the same capacity.

C. 105.1.1 Annual Permit. This subsection shall not be adopted. Annual permits shall not be issued within the city of Richland.

D. 105.1.2 Annual Permit Records. This subsection shall not be adopted. Annual permit records shall not be valid within the city of Richland.

E. 105.2 (R105.2) Work Exempt from Permit.

1. Building. Items (1) ~~and (2)~~ of this subcategory of Section 105.2 (R105.2) ~~are~~ is hereby amended as shown below, and items (14) and (15) are hereby added to this subcategory of Section 105.2 (R105.2). For the International Residential Code, items (14) and (15) as noted below shall be numbered and referenced as items (11) and (12).

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet, are exempted from the requirements for a building permit. A permit for location placement of such exempt structures shall be issued by the City of Richland prior to construction or erection of these structures. The location placement permit shall be based upon a scalable site plan provided by the applicant and shall show all existing structures on the property together with the distances from all structures to property lines and to other structures, all existing easements and property lines, and all new structure or building proposals. The location placement permit shall be binding upon the applicant for location placement of the structure for all purposes and requirements of Title 23 of the Richland Municipal Code. The location placement permit shall not require payment of any permit fees. Fees associated with any other aspect of the structure or building proposal including, but not limited to, easement encroachment permits and right-of-way construction permits, shall be as currently enacted in the Richland Municipal Code.

~~2. Fences not over six (6) feet high are exempted from the requirements for a building permit. A permit for location placement of all fences shall be issued by the City of Richland prior to construction or erection of any fence or fences. The location placement permit shall be based upon a scalable site plan provided by the applicant for said permit and shall show all existing structures on the property, all existing easements and property lines, and all new fence proposals. The location placement permit shall be binding upon the applicant for all purposes and requirements of Title 23 of the Richland Municipal Code. The location placement permit shall not require payment of any permit fees. Fees associated with any other aspect of the fence proposal including, but not limited to, easement encroachment permits and right-of-way construction permits, shall be as currently enacted in the Richland Municipal Code.~~

10. In the International Residential Code, the entire item shall be amended to read as, "Decks that are not more than 30 inches above grade." In the International Building Code, this item remains as stated.

14. (Item 11 for International Residential Code). Radio, television antennas or antenna towers of light weight construction intended for domestic use only, and not to exceed thirty-five (35) feet in height.

15. (Item 12 for International Residential Code). Amusement devices and structures, including Merry-go-rounds, ferris wheels, rotating conveyances, slides, similar devices, and accessory structures whose use is necessary for operation of such amusement devices and structures, any accessory structure included in the provisions of this sub-section shall be limited to a cover or roof over each device; but shall not include any storage building or detached structure which is not an integral part of the device.

2. Electrical. This entire subcategory, including repairs and maintenance, radio and television transmitting devices, and temporary testing systems, shall not be adopted. All electrical permits and permit exemptions shall be as set forth by the State of Washington Department of Labor and Industries.

3. Plumbing. Items (1) and (2) of this subcategory shall not be adopted. All plumbing permits and plumbing permit exemptions shall be as set forth in the adopted plumbing code.

F. 105.8 (R105.8). This subsection shall be amended to add the following paragraph:

All contractors and sub-contractors shall have a valid and current business license to conduct business within the City of Richland pursuant to Title 5 of the Richland Municipal Code and shall have a valid and current contractor's license and registration with the State of Washington, Department of Labor and Industries, prior to commencing any actual construction work within the City of Richland.

G. 109.2 and 109.3 (R108.2 and R108.3) Schedule of Permit Fees and Building Permit Valuations. Shall adopt the code of these subsections as stated in both the International Building Code and the International Residential Code; in addition, the following subsection language shall be added as clarification to fees and valuations:

Building. Fees for building permits and related inspections shall be as set forth in Table 1-A from the 1997 Uniform Building Code as previously published by the International Code Council, Inc. The valuation of construction used for the calculation of the building permit fee from Table 1-A shall be the greater of either the valuation noted in Supplemental Table 1-B or the declared valuation of construction from the applicant for the permit. The declared valuation shall include the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, and any other permanent equipment. Valuations not shown in Supplemental Table 1-B shall be based on the "Building Valuation Data" as published in the Building Safety Journal by the International Code Council, Inc., or shall be as determined by the building official to reflect the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, and any other permanent equipment. The Supplemental Table 1-B shall be updated on January 1st of each year and shall incorporate changes from the "Building Valuation Data" as published in the Building Safety Journal by the International Code Council, Inc., except that those mathematical formulas presented in the "Building Valuation Data" which calculate fees shall not be incorporated or adopted.

Plan Review. Fees for review and examination of required construction plans and/or construction data shall be calculated at sixty-five percent (65%) of the building permit fee as set forth in Table 1-A from the 1997 Uniform Building Code as previously published by the International Code Council, Inc. These plan review fees shall be in addition to the building permit fee and shall be payable at the time of first submittal of plans together with a completed application for permit. There shall be no fee required for the review and examination of plans for any detached, single-family dwelling construction; attached, two-family dwelling construction; or construction of accessory buildings to or additions to such one- and two-family dwellings; except for additional review and examination of changes made to plans for such one- and two-family dwellings, additions, or accessory buildings after completion of the plan review or after issuance of the building permit, all of which will be required to pay a fee as shown in item (4) of Table 1-A. Additional plan review required by changes, additions, corrections, or revisions made to the

plans after completion of the plan review or after issuance of the building permit shall be required to pay a fee as shown in item (4) of Table 1-A.

Plumbing. Fees for plumbing permits and related inspections shall be as set forth in Table 1-1 of the 1997 Uniform Plumbing Code as previously published by the International Association of Plumbing and Mechanical Officials, Inc., except that plumbing work associated with a current and active building permit shall not require any permit fee. Fees for review and examination of plumbing plans and/or construction data shall be calculated at twenty-five percent (25%) of the plumbing permit fee as set forth in Table 1-1, except that plumbing plans associated with a submittal of building plans shall not require any plan review fee or additional plan review fee. Additional plan review required by changes, additions, corrections, or revisions to the plans after completion of the plan review or after issuance of the permit shall be required to pay a fee as shown in item (4) of Table 1-1 or as shown in item (4) of Table 1-A of the 1997 Uniform Building Code for plumbing work associated with a building permit.

Mechanical. Fees for mechanical permits and related inspections shall be as set forth in Table 1-A of the 1997 Uniform Mechanical Code as previously published by the International Conference of Building Officials, Inc., except that mechanical work associated with a current and active building permit shall not require any permit fee. Fees for review and examination of mechanical plans and/or construction data shall be calculated at twenty-five percent (25%) of the mechanical permit fee as set forth in Table 1-A, except that mechanical plans associated with a submittal of building plans shall not be required to pay any plan review fee or additional plan review fee. Additional plan review required by changes, additions, corrections, or revisions to the plans after completion of the plan review or after issuance of the permit shall be required to pay a fee as shown in item (4) of Table 1-A or as shown in item (4) of Table 1-A of the 1997 Uniform Building Code for mechanical work associated with a building permit.

Grading. Fees for grading permits, for review of grading plans, and for related inspections shall be as set forth in Table A-33-A and Table A-33-B of the 1997 Uniform Building Code, Appendix Chapter 33, as previously published by the International Code Council, Inc.

Factory-Assembled Structures. Notwithstanding any other provision of the Richland Municipal Code, fees for installation of a factory-assembled structure, including structures meeting the requirements of Title 23 of the Richland Municipal Code for manufactured homes or designated manufactured homes, shall be one hundred fifty dollars (\$150.00) per installation. Fees for building permits for structures attached to a factory-assembled structure, including, but not limited to, garages that are not structurally dependent upon the factory-assembled structure for support, shall be as noted above for building permits and plan review based on valuation of construction. Where a conflict exists between the fee noted here and fees described in other titles of the Richland Municipal Code, the fee noted here shall apply. Factory-assembled structures constructed prior to June 15, 1976, shall be required to undergo inspection and approval by the State of Washington, Department of Labor and Industries, prior to issuance of the installation permit.

Energy Code (NREC). Fees for review of plans and inspection of the construction work related to sections of the Washington State Energy Code that prescribe requirements for non-residential buildings, previously referred to as the Non-Residential Energy Code (NREC), shall be as set forth in the following table. This fee shall not be applied to mechanical permits where mechanical equipment is being replaced with equipment of the same fuel source as the existing equipment.

TOTAL VALUATION	NREC FEE
\$1 to \$20,000	\$100
\$20,001 to \$300,000	\$100 for the first \$20,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$300,000.
\$300,001 to \$800,000	\$940 for the first \$300,000 plus \$1.00 for each additional \$1,000 or fraction thereof, to and including \$800,000.

\$800,001 to \$1,020,000	\$1,440 for the first \$800,000 plus \$0.50 for each additional \$1,000 or fraction thereof, to and including \$1,020,000.
\$1,020,001 or more	\$1,550 maximum

H. 111.1 (R110.1) Use and Occupancy. This subsection shall be amended to add the following paragraph:

The building official shall not issue a certificate of occupancy until approval has been obtained from all City of Richland departments and divisions and from all State of Washington and Federal agencies having jurisdiction or authority over the building project. The finance manager, or currently designated person responsible for finances and accounting, of the City of Richland is authorized and directed to deny any requests for utility services, including, but not limited to, electrical service, solid waste removal, water service, and sewer service, on a permanent-user basis, unless the applicant demonstrates that the building for which such service is requested has been issued a certificate of occupancy or temporary certificate of occupancy by the building official. Provisional utility services may be provided to the extent necessary for construction of the building prior to issuance of such a certificate so long as the building is not used or occupied.

I. 113.1 (R112.1) General. The Board of Appeals as described in this section shall mean the Mid-Columbia Board of Appeals as currently established by the jurisdictions of the City of Richland, the City of Kennewick, the City of West Richland, the City of Pasco, Benton County, and Franklin County, together with such other jurisdictions as currently constitute the Mid-Columbia Board of Appeals. The Board of Appeals as described in other codes adopted herein as the Building Codes for the City of Richland shall also mean the Mid-Columbia Board of Appeals. The code enforcement board as established in RMC Title 2 shall not constitute the Board of Appeals as described here.

J. 3401.3 Existing Buildings or Structures. This subsection shall be amended to add the following paragraph:

Pursuant to the requirement of RMC Title 20, Section 20.05.010(B) concerning conflict of codes, in cases where the valuation for calculating the application of Table 20.05.020 to additions or alterations of existing buildings pursuant to RMC Title 20 results in conflicting requirements compared to requirements based on the application of Chapter 34 with Table 20.05.020 included as part of this code, the more restrictive requirements shall apply. Notwithstanding the valuation requirements described here and in RMC Title 20, any building which proposes an addition or change-of-use or change-of-occupancy where the existing building currently exceeds the square footage or occupant loads shown in RMC Title 20, Table 20.05.020, and any building which will exceed the square footage or occupant loads shown in those tables after the proposed addition(s) shall comply with those requirements for fire alarms, fire sprinklers, and/or fire areas.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this ordinance, including but not limited to the correction

of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

Date Published: July 12, 2020



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 88-20, Authorizing an Award of Bid to Northbank Civil & Marine, Inc. for the Columbia River Intake Screen Upgrade Project

Department:
Public Works

Ordinance/Resolution Number:
88-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 88-20, authorizing the City Manager to sign and execute an agreement with Northbank Civil & Marine, Inc. for the Columbia River Intake Screen Upgrade project.

Summary:

The City's primary drinking water source is the Snyder Street Intake on the Columbia River, which is located on U.S. Army Corps of Engineers property and is authorized by a license from the Corps. The Corps of Engineers requires compliance with current screen criteria as part of its site license. The City's screening equipment was last updated in the 1970s, and does not meet current screening standards.

The 2020-2025 Capital Improvement Plan (CIP) includes a project titled Columbia River Intake Screen Upgrade, intended to achieve compliance with the Corps requirements.

All project development, design and permitting work required to advance the project to construction has been completed, and staff solicited bids in accordance with the City's purchasing policies. Of the five (5) bids received, Northbank Civil & Marine, Inc. submitted the lowest responsible bid.

If awarded, the construction work is scheduled to occur this upcoming winter as required by permits issued by the Corps.

Because the project budget is adequate to complete the project using the lowest bid, staff recommends adopting Resolution No. 88-20, authorizing the award of bid and execution of a construction contract to Northbank Civil & Marine, Inc.

Fiscal Impact:

Project funding has been approved by Council in the amount of \$4,630,000. To date, project costs are \$291,783, which includes design engineering, permitting and asbestos removal at the intake. Remaining project costs are estimated to be \$2,301,012 and will cover construction, contingency and construction management. Total project costs are estimated to be \$2,592,795.

Attachments:

1. Resolution No. 88-20
2. Columbia River Intake Screen Upgrade - Vicinity Map
3. Columbia River Intake Screen Upgrade - Bid Tab

RESOLUTION NO. 88-20

A RESOLUTION of the City of Richland authorizing the award of bid and execution of a construction contract with Northbank Civil & Marine, Inc., for the Columbia River Intake Screen Upgrade project.

WHEREAS, the 2020-2025 Capital Improvement Plan (CIP) includes a project titled Columbia River Intake Screen Upgrade; and

WHEREAS, the City's primary drinking water source is the Snyder Street Intake on the Columbia River; and

WHEREAS, the Snyder Street Intake is located on U.S. Army Corps of Engineers property and is authorized by a license from the Corps; and

WHEREAS, the Corps requires compliance with current screen criteria as part of its site license; and

WHEREAS, the 2020-2025 Capital Improvement Plan (CIP) includes a project titled Columbia River Intake Screen Upgrade intended to achieve compliance with the Corps requirements; and

WHEREAS, all project development, design and permitting work required to advance the project to construction has been completed; and

WHEREAS, staff solicited bids in accordance with the City's purchasing policies, receiving and opening five (5) bids on June 15, 2020; and

WHEREAS, Northbank Civil & Marine, Inc. submitted the lowest responsible bid of the five (5) received; and

WHEREAS, the project budget is adequate to complete the project using the lowest responsible bid; and

WHEREAS, the City's best interests are served by completing the project in accordance with the CIP, project design and lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Northbank Civil & Marine, Inc. in the amount of \$1,944,157.20, and to execute change orders in an aggregate amount not to exceed \$250,000 as needed to fulfill the project's design intent.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

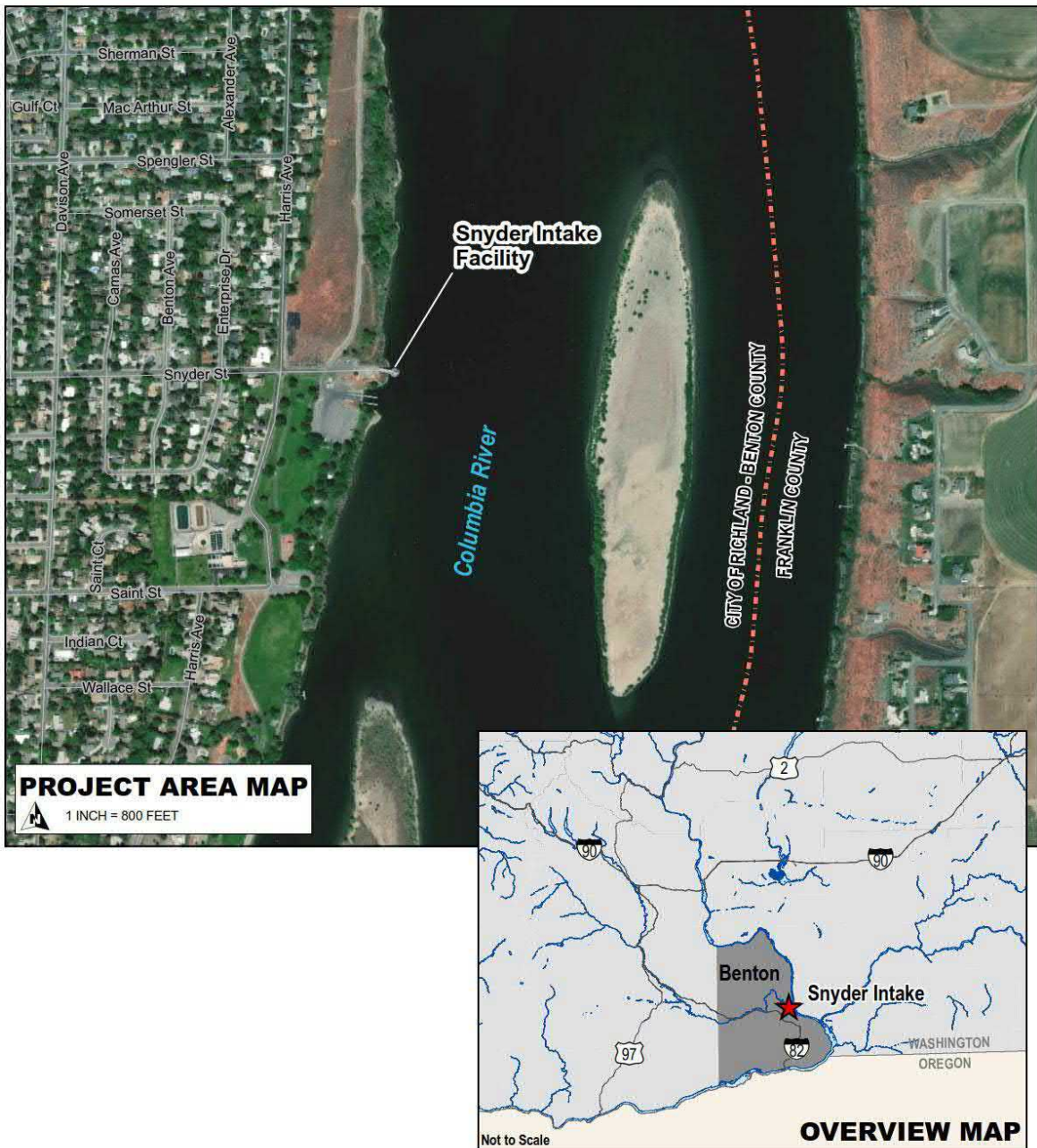
Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



City of Richland

DATE BIDS OPENED: June 15, 2020	ITB# 20-0039
COLUMBIA RIVER INTAKE SCREEN UPGRADE	

ENGINEER'S ESTIMATE	NORTHBANK CIVIL & MARINE, INC VANCOUVER, WA	BALLARD MARINE CONSTRUCTION, LLC WASHOUGAL, WA
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Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
SCHEDULE A - WATER									
1	Mobilization / demobilization, site preparation & clean-up.	1	LS	\$235,700.00	\$235,700.00	\$100,000.00	\$100,000.00	\$149,121.00	\$149,121.00
2	Temporary erosion & sedimentation control (TESC).	1	LS	20,000.00	20,000.00	6,000.00	6,000.00	2,939.00	2,939.00
3	22.5 MGD barrel screens.	4	EA	104,000.00	416,000.00	78,000.00	312,000.00	58,877.50	235,510.00
4	Air burst system.	1	LS	181,000.00	181,000.00	140,000.00	140,000.00	133,770.00	133,770.00
5	Concrete anchors.	4	EA	34,000.00	136,000.00	40,000.00	160,000.00	24,304.00	97,216.00
6	4" DR11 HDPE piping.	480	LF	500.00	240,000.00	60.00	28,800.00	197.00	94,560.00
7	24" & larger DR21 HDPE piping.	80	LF	3,000.00	240,000.00	1,705.00	136,400.00	3,685.83	294,866.40
8	Mechanical valves, fittings & misc.	1	LS	236,000.00	236,000.00	180,000.00	180,000.00	281,894.00	281,894.00
9	Steel bulkheads.	1	LS	264,000.00	264,000.00	170,000.00	170,000.00	154,088.00	154,088.00
10	Dewatering & forebay preparation.	1	LS	71,000.00	71,000.00	120,000.00	120,000.00	54,466.00	54,466.00
11	Forebay dividing wall & sluice gate.	1	LS	69,000.00	69,000.00	192,000.00	192,000.00	93,015.00	93,015.00
12	Removal of mechanical & electrical items.	1	LS	234,000.00	234,000.00	30,000.00	30,000.00	115,481.00	115,481.00
13	Top deck opening repairs.	1	LS	52,000.00	52,000.00	50,000.00	50,000.00	24,593.00	24,593.00
14	Equipment shelter.	1	LS	36,000.00	36,000.00	59,000.00	59,000.00	105,620.00	105,620.00
15	Electrical room structural improvements.	1	LS	63,000.00	63,000.00	31,000.00	31,000.00	8,611.00	8,611.00
16	Electrical & SCADA.	1	LS	84,000.00	84,000.00	60,000.00	60,000.00	25,941.00	25,941.00
17	Final As-Built records.	1	LS	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00

SCHEDULE A - WATER SUBTOTAL **\$2,592,700.00** **\$1,790,200.00** **\$1,886,691.40**

8.6% SALES TAX **222,972.20** **153,957.20** **162,255.46**

SCHEDULE A - WATER TOTAL **\$2,815,672.20** **\$1,944,157.20** **\$2,048,946.86**

GRAND TOTAL **\$2,815,672.20** **\$1,944,157.20** **\$2,048,946.86**

City of Richland

DATE BIDS OPENED: June 15, 2020	ITB# 20-0039
COLUMBIA RIVER INTAKE SCREEN UPGRADE	

ROTSCHY, INC VANCOUVER, WA		ADVANCED AMERICAN CONSTRUCTION, INC PORTLAND, OR		POW CONTRACTING PASCO, WA	
Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price

Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
SCHEDULE A - WATER									
1	Mobilization / demobilization, site preparation & clean-up.	1	LS	\$200,000.00	\$200,000.00	\$134,000.00	\$134,000.00	\$178,000.00	\$178,000.00
2	Temporary erosion & sedimentation control (TESC).	1	LS	8,000.00	8,000.00	15,000.00	15,000.00	2,070.00	2,070.00
3	22.5 MGD barrel screens.	4	EA	84,000.00	336,000.00	102,000.00	408,000.00	74,072.00	296,288.00
4	Air burst system.	1	LS	125,000.00	125,000.00	200,000.00	200,000.00	110,636.00	110,636.00
5	Concrete anchors.	4	EA	33,800.00	135,200.00	15,000.00	60,000.00	43,500.00	174,000.00
6	4" DR11 HDPE piping.	480	LF	142.00	68,160.00	270.00	129,600.00	165.00	79,200.00
7	24" & larger DR21 HDPE piping.	80	LF	2,300.00	184,000.00	5,200.00	416,000.00	3,133.00	250,640.00
8	Mechanical valves, fittings & misc.	1	LS	250,000.00	250,000.00	265,000.00	265,000.00	205,456.00	205,456.00
9	Steel bulkheads.	1	LS	220,000.00	220,000.00	160,000.00	160,000.00	299,500.00	299,500.00
10	Dewatering & forebay preparation.	1	LS	170,000.00	170,000.00	50,000.00	50,000.00	173,199.00	173,199.00
11	Forebay dividing wall & sluice gate.	1	LS	149,000.00	149,000.00	100,000.00	100,000.00	171,000.00	171,000.00
12	Removal of mechanical & electrical items.	1	LS	50,000.00	50,000.00	60,000.00	60,000.00	125,175.00	125,175.00
13	Top deck opening repairs.	1	LS	30,000.00	30,000.00	35,000.00	35,000.00	16,729.00	16,729.00
14	Equipment shelter.	1	LS	55,000.00	55,000.00	45,000.00	45,000.00	14,900.00	14,900.00
15	Electrical room structural improvements.	1	LS	35,000.00	35,000.00	30,000.00	30,000.00	14,910.00	14,910.00
16	Electrical & SCADA.	1	LS	33,750.00	33,750.00	60,000.00	60,000.00	65,000.00	65,000.00
17	Final As-Built records.	1	LS	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00

SCHEDULE A - WATER SUBTOTAL **\$2,064,110.00** **\$2,182,600.00** **\$2,191,703.00**

8.6% SALES TAX **177,513.46** **187,703.60** **188,486.46**

SCHEDULE A - WATER TOTAL **\$2,241,623.46** **\$2,370,303.60** **\$2,380,189.46**

GRAND TOTAL **\$2,241,623.46** **\$2,370,303.60** **\$2,380,189.46**



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Resolution No. 89-20, Authorizing an Agreement with RH2 Engineering, Inc. for the Water System Risk and Resilience Assessment Study

Department:
Public Works

Ordinance/Resolution Number:
89-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 89-20, authorizing the City Manager to sign and execute an agreement with Rh2 Engineering, Inc. for the Water System Risk and Resilience Assessment Study

Summary:

The City of Richland owns and operates a potable water utility regulated by state and federal laws. The federal 2018 America's Water Infrastructure Act (AWIA) requires water utilities, including the City, to prepare a Risk and Resilience Assessment (RRA) as well as an Emergency Response Plan (ERP) associated with their water systems.

The schedule of those requirements is dependent on the system size. Richland's system size mandates the RRA be completed by December 31, 2020, and the ERP be certified within six months of the RRA certification.

City staff resources are not sufficient to complete the RRA and ERP update by the established deadlines. A competitive Request for Proposals (RFP) was therefore conducted, soliciting a consulting engineering firm to assist with preparing the RRA and ERP. Of the seven (7) responses received, RH2 Engineering was the most qualified vendor.

Staff negotiated a scope of work and budget with RH2 Engineering, Inc. that will result in the required work being completed within available budget capacity in the Water Fund.

Staff recommends adoption of Resolution No. 89-20.

Fiscal Impact:

Since this required work was not anticipated within the 2020 Water Fund budget, staff will reallocate budget capacity from capital project capacity to the operating budget to fund this work. Budget savings from approved capital projects exceed \$500,000, more than enough to cover the \$58,391 cost of this work.

Attachments:

1. Resolution No. 89-20
2. Draft RH2 Agreement - RRA & ERP

RESOLUTION NO. 89-20

A RESOLUTION of the City of Richland authorizing a consultant agreement with RH2 Engineering, Inc. for the Water System Risk and Resilience Assessment Study.

WHEREAS, the City of Richland operates a potable water utility regulated by state and federal law; and

WHEREAS, the federal 2018 America's Water Infrastructure Act (AWIA) requires water utilities, including the City, to prepare a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) associated with its water system; and

WHEREAS, the AWIA requirements schedule is dependent on system size; and

WHEREAS, Richland's system size mandates the RRA be completed by December 31, 2020, and the ERP be certified within six (6) months of RRA certification; and

WHEREAS, City staff resources are not sufficient to complete the RRA and ERP update by the established deadlines; and

WHEREAS, a competitive Request for Proposals process was conducted, in compliance with the City's purchasing policies, to solicit the services of a consulting engineering firm to assist with preparing the RRA and ERP; and

WHEREAS, the City received seven (7) responses to the RFP; and

WHEREAS, RH2 Engineering, Inc. is the most qualified vendor to prepare the RRA and ERP for certification; and

WHEREAS, an acceptable scope of work and budget has been negotiated with RH2 Engineering, Inc. that will result in the required work being completed at a reasonable cost and within available budget capacity in the Water Fund; and

WHEREAS, the City's best interests are served by executing a contract to procure engineering consulting services for preparation and certifications of the RRA and ERP.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a consultant agreement with RH2 Engineering, Inc. to complete the required Risk and Resilience Assessment and Emergency Response Plan update for the City's water system.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



AGREEMENT BETWEEN CITY AND CONSULTANT

Water Risk & Resilience Assessment & Emergency Response Plan

This Agreement is entered into this _____ day of July, 2020 ("Effective Date") by and between the **City of Richland** ("**City**"), a Washington municipal corporation located at 625 Swift Blvd. Richland, WA 99352, and **RH2 Engineering, Inc.** ("**Consultant**"), a Washington for-profit corporation with service at 114 Columbia Point Drive, Richland, WA. **City** and **Consultant** are referred to individually herein as a "Party" and collectively herein as the "Parties."

WITNESSETH:

1. SCOPE OF WORK

- a. Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work outlined in Exhibit A. In performing these services, Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.
- b. This Agreement consists of this Agreement and other documents listed below. These form the entire Agreement between the Parties, and are fully integrated into this Agreement as if stated or repeated herein. In the event of a conflict between documents, the order of precedence will be the order listed below. An enumeration of the Agreement documents is set forth below (mark all that apply):
 1. ☒ City of Richland Agreement No. 139-20
 2. ☒ Exhibit A: Scope of Work
 3. ☐ City Richland Solicitation No. _____
 4. ☐ Exhibit B: Solicitation No. _____ proposal response submitted by Consultant dated ____.
 5. ☐ Additional Documents – _____.

2. TIME FOR COMPLETION

Consultant shall not begin any work under the terms of this Agreement until authorized in writing by the City. Consultant agrees to use best efforts to complete all work described under this Agreement by July 31, 2021.

3. TERM

The term of this Agreement shall commence on the Effective Date identified above and end at midnight on July 31, 2021.

4. PAYMENT

- a. Services rendered by Consultant under this Agreement will be paid at the rate set forth in Exhibit A Scope of Work, but in no event shall the total compensation for services rendered under this Agreement exceed **Fifty-Eight Thousand Three Hundred Ninety-One Dollars (\$58,391.00)**, including all fees and those reimbursable expenses listed in Exhibit A.
- b. City shall pay Consultant for services rendered after receipt of a detailed invoice. Invoices not in dispute by the City will be paid net thirty (30) days and shall reference the contract number and/or purchase order applicable to the work. The invoice shall provide sufficient detail on the work being billed and include detailed receipts for any invoices.
- c. Partial payments to cover the percentage of work completed may be requested by Consultant. These payments shall not be more than one (1) per month.
- d. Pre-approved travel, meals and lodging will be reimbursed at cost and only when consultant travels at least 150 miles per one way trip. Reimbursable expenses are limited to the following: coach airfare, ground transportation (taxi, shuttle, car rental), hotel accommodations as provided below, personal or company vehicle use at the then-current federal mileage rate, and meals at the current federal per-diem meal allowance or up to the current federal per-diem with detailed receipts, no alcohol, and a 20% maximum gratuity.
 - i. Hotel accommodations: eligible lodging expenses include the room cost only; itemized receipts must be provided for hotel reimbursements.
 - ii. Hotel reimbursement is limited to the single room rate. If two or more consultants are sharing a room, reimbursement is allowable for only one consultant at the double room rate.
 - iii. The maximum reimbursement should be limited to the best discount rate available and allowable that meets traveler's business needs and basic needs for health, safety and cleanliness. Non-smoking rooms are authorized even if they are more expensive.
- e. Reimbursement for extra services/reimbursable expenses are not authorized under this Agreement unless detailed in the Scope of Work or agreed upon in writing as a modification to this Agreement.
- f. Consultant will allow access to the City, State of Washington, Federal Grantor Agency, Comptroller General of the United States, or any of their duly authorized representatives, to any books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. Unless otherwise provided, said records must be retained for three (3) years from the date of receipt of final payment. If any litigation, claim, or audit arising out of, in connection with, or relating to this Agreement is initiated before the expiration of the three-year period, the records shall be retained until such litigation, claim, or audit involving the records is completed.

5. INDEPENDENT CONTRACTOR

Consultant, and any and all employees of Consultant or other persons engaged in the performance of any work or services required of Consultant under this Agreement, are independent contractors and shall not be considered employees of the City. Any and all claims

that arise at any time under any Workers' Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of Consultant's employees or other persons engaged in any of the work or services required to be provided herein, shall be the sole obligation and responsibility of Consultant.

6. OWNERSHIP OF DOCUMENTS

Any and all data, analyses, documents, photographs, plans, designs, drawings, specifications, surveys, films, documents, reports and other work products created, prepared, produced, constructed, assembled, made, performed, or otherwise produced by Consultant or Consultant's subcontractors for delivery to the City pursuant to this Agreement shall become the sole and absolute property of the City upon completion of the services and payment in full of all payment due to Consultant of the fees set forth in this Agreement. Such property shall constitute "work made for hire" as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or paid for by the City is owned by Consultant and is not "work made for hire" within the terms of this Agreement. Consultant will ensure that all independent contractors have written agreements in place that transfers ownership of all Intellectual Property created by them or provided by them to the City.

The City may make or permit to be made any modifications to the plans and specifications without the prior written authorization of Consultant. The City agrees to waive any claim against Consultant arising from any unauthorized reuse of the plans and specifications, and to indemnify and hold Consultant harmless from any claim, liability or cost arising or allegedly arising out of any reuse of the plans and specifications by the City or its agent not authorized by Consultant.

7. TERMINATION

- a. This Agreement may be terminated by either Party upon thirty (30) days' written notice. In the event this Agreement is terminated by Consultant, the City shall be entitled to reimbursement of costs occasioned by such termination. In the event the City terminates this Agreement, the City shall pay Consultant for the work performed, which shall be an amount equal to the percentage of completion of the work as mutually agreed between the City and Consultant.
- b. If any work covered by this Agreement shall be suspended or abandoned by the City before Consultant has completed the assigned work, Consultant shall be paid an amount equal to the costs incurred up to the date of termination or suspension as mutually agreed upon between the City and Consultant.

8. AVAILABILITY OF RECORDS FOR PUBLIC INSPECTION

- a. As a public contract, all records prepared, generated or used by Consultant or its agents, employees and subcontractors relating to this Agreement and associated work (hereinafter "public records") may be subject to disclosure under the Washington State Public Record Act, Chapter 42.56 RCW.
- b. Contractor shall maintain and retain all such public records in a manner that is readily accessible for a minimum term of no less than three (3) years following completion of the contract work. City shall have the right to timely review all such public records upon

request. Contractor shall provide copies of any public records requested by City within thirty (30) calendar days of City's request. If City requests that copies of public records be provided to City in an electronic format, said records shall be provided at no cost to City. If paper copies are requested by City, City shall pay \$.10 per page. Payment for paper copies shall be rendered to Consultant within twenty (20) calendar days of receipt.

- c. All records subject to a public disclosure request will be provided to a requester unless exempted from disclosure by law. The City's decision to exempt or redact any public record shall be based only upon valid exemptions that apply to the City. City will not refrain from disclosing any record under an exemption that may be personal to Consultant. In the event Consultant objects to release of any public record under this Agreement, Consultant may seek judicial approval to prevent such disclosure at Consultant's sole expense. City shall neither aid nor interfere with Consultant's request for an injunction to prevent disclosure of any public record under this Agreement.
- d. Consultant shall insert this provision in all contracts with subcontractors or agents providing services relating to this Agreement.

9. DISPUTE RESOLUTION

- a. The City and Consultant agree to negotiate in good faith for a period of thirty (30) days from the date of notice of all disputes between them prior to exercising their rights under this Agreement, or under law.
- b. All disputes between the City and Consultant not resolved by negotiation between the Parties may be arbitrated only by mutual agreement of the City and Consultant. If not mutually agreed to resolve the claim by arbitration, the claim will resolve by legal action.

10. DEBARMENT CERTIFICATION

Consultant certifies that neither Consultant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this contract by any federal or state department or agency. Further, Consultant agrees not to enter into any arrangements or contracts related to completion of the work contemplated under this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs" which can be found at:

www.sam.gov and

<http://www.lni.wa.gov/TradesLicensing/PrevWage/AwardingAgencies/default.asp>

11. VENUE, APPLICABLE LAW AND PERSONAL JURISDICTION

In the event that either Party deems it necessary to initiate a legal action to enforce any right or obligation under this Agreement, the Parties agree that any such action shall be initiated in the Superior Court of the State of Washington situated in Benton County. The Parties agree that all questions shall be resolved by application of Washington law, and that the Parties to such action shall have the right of appeal from such decision of the Superior Court in accordance with the laws of the State of Washington. Consultant hereby consents to the personal jurisdiction of the Superior Court of the State of Washington situated in Benton County.

12. ATTORNEY'S FEES

The Parties agree that should legal action be necessary to enforce any of the provisions of this Agreement, that the substantially prevailing Party will be awarded its reasonable

attorney's fees and costs in action, including costs and attorney's fees on appeal if appeal is taken.

13. INSURANCE

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees.

- a. No Limitation. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.
- b. Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:
 1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
 2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
 3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
 4. Professional Liability, Errors or Omissions insurance appropriate to the Consultant's profession. Coverage shall be provided if Consultant is providing services under this Agreement as a licensed professional, including, but not limited to, engineers, architects, accountants, surveyors, and attorneys.
- c. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:
 1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
 3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.
- d. Other Insurance Provisions. Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any insurance, self-insurance, or self-insured

pool coverage maintained by the City shall be excess of Consultant's insurance and shall not contribute with it.

- e. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.
- f. Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of Consultant before commencement of the work.
- g. Notice of Cancellation. Consultant shall provide the City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.
- h. Failure to Maintain Insurance. Failure on the part of Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due Consultant from the City.
- i. Public Entity Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimum shown above, the City shall be insured for the full available limits of the Commercial General and Excess or Umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by Consultant.

14. INDEMNIFICATION / HOLD HARMLESS

- a) Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the willful or negligent acts, or alleged willful or alleged negligent acts, errors or omissions of the Consultant or the Consultant's employees or agents in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.
- b) Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Agreement.

15. STANDARD OF CARE

The professional services will be furnished in accordance with the care and skill ordinarily used by members of the same profession practicing under similar conditions at the same time and in the same locality.

16. SUCCESSORS OR ASSIGNS

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the Parties hereto, and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the non-assigning Party, which may be given in the non-assigning Party's sole discretion.

17. NOTICES

Any notices required under this Agreement will be in writing, addressed to the appropriate Party at the address which appears below (as modified in writing from time to time by such party), and given by electronic submission, by facsimile personally, by registered or certified mail, return receipt requested, or by nationally recognized overnight courier service. All notices shall be effective upon the date sent.

Purchasing Manager
City of Richland
625 Swift Blvd., MS-11
Richland, WA 99352
Email: purchasing@ci.richland.wa.us
Phone: (509) 942-7710
Fax: (509) 942-7397

Contact Name: Paul Cross
Name of Firm: RH2 Engineering, Inc.
Address: 114 Columbia Point Drive, Suite C
Address: Richland, WA 99352
Email: pcross@rh2.com
Phone Number: 509-886-6767
Fax Number:

18. EQUAL OPPORTUNITY AGREEMENT

Consultant agrees that Consultant will not discriminate against any employee or job applicants for work under this Agreement for reasons of race, sex, nationality, religious creed, or sexual orientation.

19. SEVERABILITY

If any provision of this Agreement conflicts with applicable law, or its application is found to be invalid by a court of competent jurisdiction, the remainder of this Agreement shall not be affected, and to this end, the terms of this Agreement are declared to be severable.

20. AMENDMENTS

All amendments must be in writing and be approved and signed by both Parties.

21. CHANGE IN LAW

The Parties hereto agree that in the event legislation is enacted or regulations are promulgated, or a decision of court is rendered, or any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation is published that affects or may affect the legality of this Agreement or any part thereof or that materially and adversely affects the ability of either Party to perform its obligations or receive the benefits intended hereunder ("Adverse Change in Law"), then within fourteen (14) calendar days following written notice by either Party to the other Party of such adverse change in law, the Parties shall meet to negotiate in good faith an amendment which will carry out the original intention of the Parties to the extent possible. If, despite good faith attempts, the Parties cannot reach agreement upon an amendment within sixty (60) calendar days after commencing negotiation, then this Agreement may be terminated by either Party as of the

earlier of: (i) the effective date of the adverse change in law, or (ii) the expiration of a period of sixty (60) days following written notice of termination provided by one Party to the other.

22. CONFIDENTIALITY

In the course of performing under this Agreement, Consultant, including its employees, agents or representatives, may receive, be exposed to, or acquire confidential information. Confidential information may include, but is not limited to, patient information, contract terms, sensitive employee information, or proprietary data in any form, whether written, oral, or contained in any computer database or computer readable form. Consultant shall: i) not disclose or sell confidential information except as permitted by this Agreement; (ii) only permit use of such confidential information by employees, agents and representatives having a need to know in connection with performance under this Agreement; and (iii) advise each of its employees, agents, and representatives of their obligations to keep such information confidential.

23. CHANGES OF WORK

- a. When required to do so, and without any additional compensation, Consultant shall make such changes and revisions in the completed work of this Agreement as necessary to correct or revise any errors, omissions, or other deficiencies in the design, drawings, specifications, reports, and other similar documents which Consultant is responsible for preparing or furnishing under this Agreement.
- b. Should the City find it desirable for its own purposes to have previously satisfactorily completed work or parts thereof changed or revised, Consultant shall make such revisions as directed by the City. This work shall be considered as Extra Work and will be paid for as herein provided under Section 24, Extra Work.

24. EXTRA WORK

The City may desire to have Consultant perform work or render additional services within the general scope of this Agreement. Such work shall be considered as extra work and will be specified in a written supplement to this Agreement which will set forth the nature of the scope, schedule for additional work, additional fees and the method of payment. Work under a supplemental Agreement shall not proceed until authorized in writing by the City.

25. ENTIRE AGREEMENT

This Agreement contains the entire agreement of the Parties hereto and supersedes all previous understandings and agreements, written and oral, with respect to this transaction. Neither Party shall be liable to the other for any representations made by any person regarding the terms of this Agreement, except to the extent that the same are expressed in this Agreement.

26. AUTHORITY TO EXECUTE

Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity or party for which he or she is signing. The Parties hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

27. COUNTERPART ORIGINALS

Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

(Signature page to follow)

Draft

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY OF RICHLAND, WASHINGTON

CONSULTANT

Cynthia D. Reents, City Manager

Signature

Attested by:

Printed Name

Jennifer Rogers, City Clerk

Title

Approved as to form:

Heather Kintzley, City Attorney

EXHIBIT A: Detailed Scope of Work

See attached Scope of Work

Draft

EXHIBIT A
Scope of Work
City of Richland
America's Water Infrastructure Act
Risk and Resilience Assessment and Emergency Response Plan
June 2020

Background

Under the 2018 America's Water Infrastructure Act (AWIA), the City of Richland (City) is facing 2021 deadlines for preparation of a Risk and Resilience Assessment (RRA) and Emergency Response Plan (ERP) associated with its water system. RH2 Engineering, Inc.'s (RH2) intimate knowledge of the City's water system and staff, which has been gained through the preparation of the City's Water System Plan (WSP) update, will allow it to work efficiently with the City to facilitate the RRA and to update the City's ERP. The water system must certify compliance with RRA and ERP requirements on a schedule dependent on system size. Recertification will be required every 5 years.

Since the City's service population is between 50,000 and 99,999, the U.S. Environmental Protection Agency (EPA) mandated RRA deadline is December 31, 2020. This project is targeting:

- RRA completion on December 1, 2020; and
- RRA certification on December 15, 2020.

ERP certification is due within 6 months of RRA certification; therefore, it is due June 30, 2021. This project is targeting:

- ERP completion on June 1, 2021; and
- ERP certification on June 15, 2021.

The RRA and ERP includes the review and development of sensitive information. RH2 will work closely with the City to securely transmit files and information and will restrict file access of sensitive information where required by the City.

Risk and Resilience Assessment (RRA)

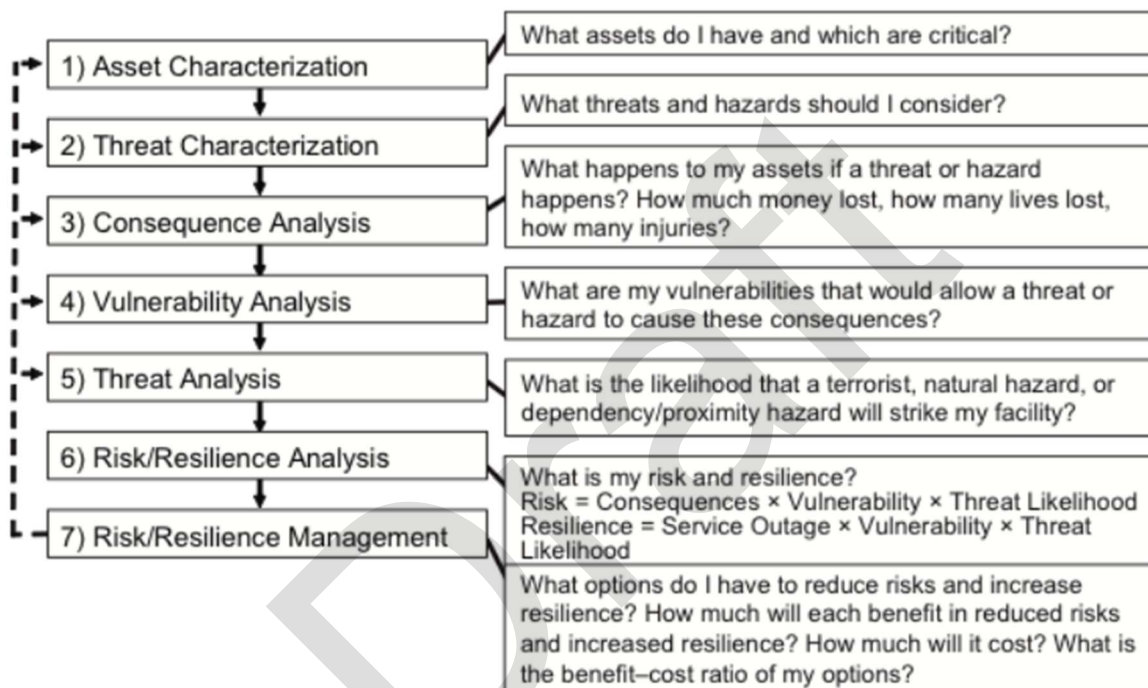
The RRA will include an assessment of the water system assets and an all-hazard approach to threats, including the following:

1. The risk to the system from malevolent acts and natural hazards;
2. The resilience of the pipes and constructed conveyances, physical barriers, source water, water collection and intake, pretreatment, treatment, storage and distribution facilities, electronic, computer, or other automated systems (including the security of such systems) that are utilized by the system;
3. The monitoring practices of the system;
4. The financial infrastructure of the system;

5. The use, storage, or handling of various chemicals by the system; and
6. The operation and maintenance of the system.

The assessment also may include an evaluation of capital and operational needs for risk and resilience management for the system.

RH2 will follow the standards outlined in American Water Works Association/American National Standards Institute (AWWA/ANSI) J100-10 R13 *Risk and Resilience Management of Water and Wastewater Systems* (J100) when performing the RRA. J100 outlines a seven step Risk Analysis and Management for Critical Asset Protection (RAMCAP) process, as illustrated in the figure that follows.



Emergency Response Plan (ERP)

The findings of the RRA are to be incorporated in the ERP update. The updated ERP must include the following:

1. Strategies and resources to improve the resilience of the system, including the physical security and cybersecurity of the system;
2. Plans and procedures that can be implemented, and identification of equipment that can be utilized, in the event of a malevolent act or natural hazard that threatens the ability of the community water system to deliver safe drinking water;
3. Actions, procedures, and equipment that can obviate or significantly lessen the impact of a malevolent act or natural hazard on the public health and the safety and supply of drinking water provided to communities and individuals, including the development of alternative source water options, relocation of water intakes, and construction of flood protection barriers;

4. Strategies that can be used to aid in the detection of malevolent acts or natural hazards that threaten the security or resilience of the system;
5. Examination of financial infrastructure;
6. Addressing the use, storage, or handling of chemicals; and
7. Consideration of operations, maintenance, and asset management.

General Assumptions

In preparing this Scope of Work, the following overall assumptions were made. Additional assumptions are listed within the tasks.

- *The City has the institutional knowledge of its water system, and the City must respond quickly to information requests, involve the correct staff, perform timely and thorough reviews of draft documents, and be actively involved in the RRA and ERP development to meet the EPA deadlines. RH2's role is to support the City's efforts through collection and organization of relevant information and presentation in a way that allows City decision makers to quickly make informed decisions at key points in the RRA and ERP development.*
- *RRA and ERP documents will be limited to the water system. Impacts of other utility failures will be analyzed (to the extent that their failure impacts the water system) and response coordination planned, but analysis and planning for other utilities (such as wastewater) are outside the scope of this project.*
- *Analysis will include a cursory review of applicable business systems. Applicable business systems are assumed to include those systems and IT directly affecting water operations, such as maintenance and communication systems, as well as financial infrastructure such as accounting, purchasing, billing systems, or third parties used for these services.*
- *Project documents will be provided in electronic format (Word and/or PDF format). Deliverables will be provided in PDF format.*
- *Restrictions to in-person meetings and workshops due to COVID-19 will not impact the schedule and are assumed to continue through much of 2020. All meetings can be held via videoconference using either RingCentral or Microsoft Teams platforms. If in-person meetings are necessary, all participants will adhere to health guidelines for in-person activities in order to protect the health of RH2 and City staff. RH2 staff have visited most facilities in the past and it is assumed that specific questions about certain facilities can be documented by City staff and relayed to RH2 without the need for RH2 to perform site visits.*
- *Infrastructure cost estimates will be Association for the Advancement of Cost Engineering (AACE) Class 5 (conceptual level).*
- *RH2 will rely on the accuracy and completeness of any data, information, survey, or materials generated or provided by the City or others in relation to this Scope of Work.*
- *The City will provide timely feedback on deliverables identified in this Scope of Work.*

- *RRA information may be compiled and processed in AEM Engineering's PARRE™ software. The City will purchase and provide one (1) license of the PARRE software. The license, along with all data, will be transferred to the City following completion of the work for City use in future RRA efforts. The City will be responsible for maintenance of the license for future RRA efforts.*
- *The City will be responsible for certifying, via electronic submission to EPA, completion of the RRA and ERP by the deadlines.*

Tasks

The following task descriptions provide details regarding the objective, approach, additional assumptions, items to be provided by the City, and deliverables of RH2.

Task 1 – Project Management Services

Objective: Manage RH2's project team, maintain communications, including phone calls and emails, and attend coordination meetings.

Approach:

1.1 Perform Project Management: Provide direction, coordination, and oversight to the RH2 project team. Work includes the following:

- Organize, manage, and coordinate technical disciplines as described herein, and implement quality assurance and quality control (QA/QC) to perform this Scope of Work in close coordination with City staff.
- Document and retain information generated by the RH2 team during execution of the project.
- Prepare monthly invoices and budget status summaries.
- Create, maintain, and update an internal project schedule. Monitor, modify, and update the project schedule periodically throughout the project to determine potential impacts of proposed changes. Adjust the schedule to reflect the current status of the project and revisions made to this Scope of Work.

1.2 Attend Coordination Meetings: Prepare for and attend (in-person or via video conference) coordination meetings with City staff, as requested. Prepare agenda and meeting minutes. *A total of three (3) meetings are assumed for this Scope of Work.*

RH2 Deliverables:

- Monthly invoices.
- Meeting agendas and minutes.
- Periodic project updates.

Task 2 – Project Kickoff

Objective: Streamline communication between the City and RH2. Identify available existing resources necessary to identify critical assets.

Approach:

2.1 Establish Primary Points of Contact: The City will provide one primary point of contact for RH2 and will assume responsibility for coordinating all communications to others within the City's organization related to different aspects of the system, including:

- Management;
- Operations;
- Engineering;
- Electrical;
- IT/Supervisory Control and Data Acquisition (SCADA);
- Administrative/Billing; and
- Physical Security.

2.2 Obtain and Review Background Information: Provide the City with initial AWIA Information Request Form. Obtain and organize background information identified in information request form. Review information to assess whether information is relatively sufficient, complete, and up to date. Update information request form and coordinate with the City to obtain or update information as needed. Prepare bibliography of data obtained.

2.3 Identify Critical Thresholds: Coordinate with the City to review the organization's mission statement and translate the mission statement into terms that will help determine criticality of assets during an emergency, such as:

- Fire flow (gallons per minute at hydrants);
- Water system pressure (pounds per square inch in distribution system);
- Water quality (specific);
- Water treatment (specific);
- Service disruption length (hours or days);
- Critical customer need requirements (specific); and
- Other.

Provided by City:

- Existing information as identified on the AWIA Information Request Form, including the City's Vulnerability Assessment prepared in response to the 2002 Bioterrorism Act.
- Decision on critical thresholds.

RH2 Deliverables:

- AWIA Information Request Form.
- Bibliography of data.
- Summary of critical thresholds.

Task 3 – Threat and Asset Characterization and Creation of Threat-Asset Pairs

Objective: Identify City water system assets and threats. Eliminate non-critical assets and non-feasible threats. Create Threat-Asset (T-A) Pairs for analysis in more detail in future tasks. The purpose of this Task is to narrow the number of assets, threats, and T-A pairs from a comprehensive list to a limited list of the top T-A pairs based on consequence. *For budgeting and planning purposes, it is assumed that this process will begin with a maximum of 500 water system T-A pairs. These T-A pairs then will be ranked and reduced to a top 100 list of T-A pairs for full analysis. The Vulnerability Assessment by EMA (June 2004) will be used as the starting point for listing and reducing pairs, limiting this effort to more of a gap analysis.*

Approach:

- 3.1 Identify and Characterize Assets: Work with the City and use the available documents and threshold criteria to create an initial asset table and chapter of the RRA Report.
 - Use threshold criteria to identify critical assets and to eliminate non-critical assets from further consideration.
 - Document why assets are critical.
 - Organize and prepare tables and Assets chapter of RRA Report.
- 3.2 Identify and Characterize Threats: Work with the City and other resources to identify and characterize natural hazards, malevolent threats, and dependency/proximity threats.
 - Document which threats are likely and deserve additional consideration and which are highly unlikely to this system and area and should be eliminated from further consideration.
 - Organize and prepare Threats chapter of RRA Report.
- 3.3 Create T-A Pairs: Pair threats and assets for further analysis.
 - Create table of T-A pairs.
- 3.4 Develop Consequence Rating Criteria for Preliminary Screening: Work with the City to identify and document numerical consequence rating criteria that can be used for preliminary screening of the T-A pairs. Consequence categories will include the following:
 - Fatalities;
 - Serious injuries;
 - Utility economic loss;

- Regional economic loss;
- Environmental impacts;
- Public confidence;
- Service denial (hours or days); and
- Other.

Document the criteria, apply the consequence rating criteria to the T-A pairs, and rank them in a table. Organize and prepare Consequence Rating Criteria chapter of RRA Report.

3.5 Reduce the Number of T-A Pairs: Work with City staff contact to reduce the number of T-A pairs to no more than 100. The number of T-A pairs will be reduced based upon:

- T-A pairs that can be grouped based on similar assets facing the same threats with similar consequences;
- Bottom-cutting of lower consequence T-A pairs; and
- Professional judgement.

Provided by City:

- Assistance on initial asset identification.
- Richland Water Utilities, Vulnerability Assessment, EMA (June 2004)
- Review of initial asset table.
- Review of Asset chapter of RRA Report.
- Review of Threats chapter of RRA Report.
- Review of T-A pairs table.
- Agreement upon consequence rating criteria for preliminary screening.
- Review of Consequence Rating Criteria chapter of RRA Report.
- Participation in reducing the number of T-A pairs.

RH2 Deliverables:

- Initial asset table.
- Critical asset table.
- Assets chapter of RRA Report (electronic form only).
- Threats chapter of RRA Report (electronic form only).
- Table of initial T-A pairs.
- Table of initial T-A pairs containing preliminary screening consequence criteria.
- Consequence Rating Criteria chapter of RRA Report (electronic form only).

- Table of T-A pairs to be analyzed for baseline risk and resilience.

Task 4 – Calculate Baseline Risk and Resilience

Objective: Identify, calculate, and document values for consequence cost, vulnerability, and threat likelihood that will allow for calculation of baseline risk for each T-A pair. Consider the cost of service denial to calculate the resilience of each T-A pair.

Approach:

- 4.1 Evaluate and Summarize Consequence Costs: Estimate the planning-level costs if a threat is realized against an asset. Organize and prepare Consequence chapter of RRA Report.
- 4.2 Evaluate and Summarize Vulnerability: Calculate the probability (0 = not vulnerable; 1 = highly vulnerable) that the asset will fail if the paired threat occurs using methods such as available data, event trees, path analysis, vulnerability logic diagrams, historical knowledge, and interviews with suppliers. Organize and prepare Vulnerability chapter of RRA Report.
- 4.3 Evaluate Threat Likelihood: Utilize available sources of information to calculate the likelihood of a threat occurring in any given year (1 = certain; 10^{-10} = highly unlikely) for each T-A pair. Organize and prepare Threat Likelihood chapter of RRA Report.
- 4.4 Calculate Baseline Risk of Each T-A Pair: Calculate baseline risk (\$ per year) for each T-A pair.
 - Multiply the values of Consequence, Vulnerability, and Threat Likelihood developed in this Task.
- 4.5 Calculate Baseline Resilience of Each T-A Pair: Calculate the baseline resilience (\$ per year) for each T-A pair.
 - Multiply the cost to the City (duration in days multiplied by lost revenue per day) by the vulnerability and threat likelihood. Use the values for vulnerability and threat likelihood as developed in this Task.

Provided by City:

- Review of Consequence chapter of RRA Report.
- Review of Vulnerability chapter of RRA Report.
- Review of Threat Likelihood chapter of RRA Report.
- Review of table of T-A pairs showing values for variables and calculated baseline risk and resilience.

RH2 Deliverables:

- Consequence chapter of RRA Report (electronic form only).
- Vulnerability chapter of RRA Report (electronic form only).
- Threat Likelihood chapter of RRA Report (electronic form only).
- Table of T-A pairs showing values for variables and calculated baseline risk and resilience.

Task 5 – Risk and Resilience Management

Objective: Identify potential mitigation measures to reduce the risk and/or increase the resilience of T-A pairs and the system as a whole.

Approach:

- 5.1 Identify Potential Mitigation Measures: Identify up to ten (10) potential mitigation measures to reduce the risk of T-A pairs.
- 5.2 Develop Live-Cycle Cost Estimates for Potential Mitigation Measures: Prepare planning-level costs covering both capital and operations and maintenance costs of the potential mitigation measures.
- 5.3 Calculate Mitigated Risk: Recalculate risk based on revised consequence, vulnerability, and threat likelihood values based on the potential mitigation measure being carried out.
- 5.4 Calculate Benefits of Potential Mitigation Measures: For T-A pairs with reduced risk due to mitigation measures, calculate the following:
 - Gross Benefit = Baseline Risk – Mitigation Risk.
 - Net Benefit = Gross Benefit – Mitigation Measure Cost.
 - Benefit/Cost Ratio = Net Benefit/Mitigation Measure Cost.
 - Identify Timeline of Mitigation: Short (immediately), mid-term (1 to 5 years), or long-term (greater than 5 years).
- 5.5 Select Mitigation Measures: Assist the City with determining and prioritizing which potential mitigation measures to include in a prioritized implementation plan. Organize and prepare Risk and Resilience Management chapter of RRA Report.

Provided by City:

- Decide and prioritize which mitigation measures to implement.
- Review Risk and Resilience Management chapter of RRA Report.

RH2 Deliverables:

- Table of T-A pairs showing benefit and potential mitigated risk calculations.
- Risk and Resilience Management chapter, including prioritized implementation plan (electronic form only).

Task 6 – Finalize RRA

Objective: Finalize RRA and prepare certification letter for the City's submittal to EPA.

Approach:

- 6.1 Finalize RRA: Incorporate all chapters and tables previously prepared into a single RRA report. Prepare an executive summary, cover, table of contents, and redacted prioritized

implementation plan. Provide to the City for review. Prepare certification letter and final RRA Report based on City comments.

Provided by City:

- Review of complete RRA Report.
- Submittal of electronic certification to EPA.

RH2 Deliverables:

- Final RRA Report (electronic form only).

Task 7 – Emergency Response Plan Update

Objective: Prepare a simple and flexible ERP update that incorporates the work of the RRA and addresses new requirements under the AWIA.

Approach:

- 7.1 Review Existing ERP: Review existing ERP (*Emergency Response Plan*, dated September 2010).
- 7.2 Conduct Existing ERP Gap Analysis: Compare findings from RRA and requirements of the AWIA to the existing ERP and identify gaps.
- 7.3 Identify Proposed Updates to the ERP: Identify sections of the ERP proposed to be updated and discuss proposed updates with the City to determine which to undertake.
- 7.4 Prepare Initial Draft ERP: Draft the updated ERP to comply with AWIA requirements. Obtain City comments on the initial draft and prepare an updated draft document.
- 7.5 Provide Material for ERP Training Workshop: Provide material for City to perform self-perform a workshop and testing of ERP as follows:
 - Introduce City staff and emergency management personnel to the ERP.
 - Discuss the ERP with participants and identify any needed ERP adjustments.
- 7.6 Finalize ERP: Based on feedback received during Subtask 7.4, prepare final ERP, draft certification letter and submit to the City.

Provided by City:

- Existing *Emergency Operations Plan*.
- Review of ERP Gap Analysis and Proposed Updates technical memorandum.
- Review and comment on initial draft ERP.
- Meeting space and arranging for participation of necessary staff to perform an ERP training workshop.
- Guidance on updates to make to draft ERP based on the workshop result.
- Review of final ERP.

- Submittal of electronic certification to EPA.

RH2 Deliverables:

- ERP Gap Analysis and Proposed Updates technical memorandum (electronic form only).
- Initial Draft ERP (electronic form only).
- Draft ERP (electronic form only).
- Training workshop outline.
- Final ERP (electronic form only).
- ERP certification document (electronic form only).

Draft

EXHIBIT B**Fee Estimate****City of Richland****America's Water Infrastructure Act****Risk and Resilience Assessment and Emergency Response Plan****Jun-20**

Description		Total Hours	Total Labor	Total Expense	Total Cost
Classification					
Task 1	Project Management Services	12	\$ 2,239	\$ 72	\$ 2,311
1.1	Perform Project Management	3	\$ 475	\$ 21	\$ 496
1.2	Attend Coordination Meetings	9	\$ 1,764	\$ 51	\$ 1,815
Task 2	Project Kickoff	16	\$ 3,183	\$ 225	\$ 3,408
2.1	Establish Primary Points of Contact	1	\$ 196	\$ 5	\$ 201
2.2	Obtain and Review Background Information	6	\$ 1,184	\$ 147	\$ 1,331
2.3	Identify Critical Thresholds	9	\$ 1,803	\$ 73	\$ 1,876
Task 3	Threat and Asset Characterization and Creation of Threat-Asset Pairs	95	\$ 17,680	\$ 528	\$ 18,208
3.1	Identify and Characterize Assets	11	\$ 1,865	\$ 76	\$ 1,941
3.2	Identify and Characterize Threats	9	\$ 1,577	\$ 68	\$ 1,645
3.3	Create T-A Pairs	42	\$ 8,200	\$ 205	\$ 8,405
3.4	Develop Consequence Rating Criteria for Preliminary Screening	15	\$ 2,753	\$ 69	\$ 2,822
3.5	Reduce the Number of T-A Pairs	18	\$ 3,285	\$ 110	\$ 3,395
Task 4	Calculate Baseline Risk and Resilience	64	\$ 11,229	\$ 454	\$ 11,683
4.1	Evaluate and Summarize Consequence Costs	24	\$ 3,893	\$ 180	\$ 4,073
4.2	Evaluate and Summarize Vulnerability	16	\$ 3,035	\$ 112	\$ 3,147
4.3	Evaluate Threat Likelihood	14	\$ 2,565	\$ 101	\$ 2,666
4.4	Calculate Baseline Risk of Each T-A Pair	5	\$ 868	\$ 31	\$ 899
4.5	Calculate Baseline Resilience of Each T-A Pair	5	\$ 868	\$ 31	\$ 899
Task 5	Risk and Resilience Management	67	\$ 12,387	\$ 531	\$ 12,918
5.1	Identify Potential Mitigation Measures	18	\$ 3,390	\$ 169	\$ 3,559
5.2	Develop Life-Cycle Costs Estimates for Potential Mitigation Measures	28	\$ 4,982	\$ 235	\$ 5,217
5.3	Calculate Mitigated Risk	4	\$ 792	\$ 20	\$ 812
5.4	Calculate Benefits of Potential Mitigation Measures	4	\$ 792	\$ 20	\$ 812
5.5	Select Mitigation Measures	13	\$ 2,431	\$ 88	\$ 2,519
Task 6	Finalize RRA	7	\$ 1,161	\$ 29	\$ 1,190
6.1	Finalize RRA	7	\$ 1,161	\$ 29	\$ 1,190
Task 7	Emergency Response Plan Update	49	\$ 8,274	\$ 400	\$ 8,674
7.1	Review Existing ERP	2	\$ 424	\$ 20	\$ 444
7.2	Conduct ERP Gap Analysis	11	\$ 2,058	\$ 60	\$ 2,118
7.3	Identify Proposed Updates to the ERP	15	\$ 2,390	\$ 69	\$ 2,459
7.4	Prepare Initial Draft ERP	14	\$ 2,201	\$ 73	\$ 2,274
7.5	Prepare ERP Training Workshop Materials	3	\$ 604	\$ 65	\$ 669
7.6	Finalize ERP	4	\$ 597	\$ 113	\$ 710
PROJECT TOTAL		310	\$ 56,153	\$ 2,238	\$ 58,391

EXHIBIT C
RH2 ENGINEERING, INC.
2020 SCHEDULE OF RATES AND CHARGES

RATE LIST	RATE	UNIT
Professional I	\$144	\$/hr
Professional II	\$157	\$/hr
Professional III	\$171	\$/hr
Professional IV	\$184	\$/hr
Professional V	\$196	\$/hr
Professional VI	\$212	\$/hr
Professional VII	\$227	\$/hr
Professional VIII	\$235	\$/hr
Professional IX	\$235	\$/hr
Control Specialist I	\$130	\$/hr
Control Specialist II	\$141	\$/hr
Control Specialist III	\$155	\$/hr
Control Specialist IV	\$168	\$/hr
Control Specialist V	\$178	\$/hr
Control Specialist VI	\$191	\$/hr
Control Specialist VII	\$206	\$/hr
Control Specialist VIII	\$214	\$/hr
Technician I	\$106	\$/hr
Technician II	\$118	\$/hr
Technician III	\$135	\$/hr
Technician IV	\$145	\$/hr
Technician V	\$157	\$/hr
Technician VI	\$172	\$/hr
Technician VII	\$187	\$/hr
Technician VIII	\$196	\$/hr
Administrative I	\$72	\$/hr
Administrative II	\$83	\$/hr
Administrative III	\$98	\$/hr
Administrative IV	\$118	\$/hr
Administrative V	\$138	\$/hr
CAD/GIS System	\$27.50	\$/hr
CAD Plots - Half Size	\$2.50	price per plot
CAD Plots - Full Size	\$10.00	price per plot
CAD Plots - Large	\$25.00	price per plot
Copies (bw) 8.5" X 11"	\$0.09	price per copy
Copies (bw) 8.5" X 14"	\$0.14	price per copy
Copies (bw) 11" X 17"	\$0.20	price per copy
Copies (color) 8.5" X 11"	\$0.90	price per copy
Copies (color) 8.5" X 14"	\$1.20	price per copy
Copies (color) 11" X 17"	\$2.00	price per copy
Technology Charge	2.50%	% of Direct Labor
Mileage	\$0.575	price per mile (or Current IRS Rate)
Subconsultants	15%	Cost +
Outside Services	at cost	

Rates listed are adjusted annually.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 3 - Increase Economic Vitality

Subject:

Resolution No. 90-20, Authorizing a Land Exchange Agreement with Martin and Jacqueline Stout

Department:

Development Services

Ordinance/Resolution Number:

90-20

Document Type:

Resolution

Recommended Motion:

Adopt Resolution No. 90-20, authorizing the City Manager to sign and execute a land exchange agreement and all related documents necessary for the exchange of property with Martin and Jacqueline Stout.

Summary:

The City owns approximately 42,000 square feet of commercial property along the north and south side of Stevens Drive at the intersection of Wellsian Way. Martin and Jacqueline Stout own approximately 41,200 square feet of commercial property adjacent to the City's property and also located along the north and south side of Stevens Drive at the intersection of Wellsian Way.

As part of the Stevens Drive South Extension Project, these once uninterrupted parcels of land were bisected by the extension of Stevens Drive from Lee Boulevard to Wellsian Way.

Bisection of the properties rendered the City's property undevelopable based on the location of the intersection and traffic control lanes fronting the City's corner properties, which restrict access. Further, development on the Stout properties is limited by site constraints, since the remaining property is too narrow to accommodate commercial buildings and required parking/location of access.

To remedy these outcomes, the parties propose to exchange portions of their respective properties to accommodate future commercial development, and to provide more efficient access from Stevens Drive further away from the intersection. The City desires to transfer 17,161 square feet of its property along the south side of Stevens Drive to the Stouts, and the Stouts desire to transfer 17,103 square feet of their property along the north side of Stevens Drive to the City. The property to be exchanged is of like kind, both in size and value.

On June 15, 2020, the Economic Development Committee (EDC) favorably recommended the exchange. Staff also recommends adoption of Resolution No. 90-20.

Fiscal Impact:

None. No money is being exchanged with this transaction.

Attachments:

1. Resolution No. 90-20
2. Draft Stout Land Exchange Agreement
3. Land Exchange Site Map

RESOLUTION NO. 90-20

A RESOLUTION of the City of Richland approving a land exchange agreement with Martin and Jacqueline Stout for property located on Stevens Drive and Wellsian Way.

WHEREAS, the City of Richland owns 42,041 square feet of property located along the north and south side of Stevens Drive, respectively, at the intersection of Wellsian Way, and legally described as Lot 1, Short Plat No. 2502; and

WHEREAS, Martin and Jacqueline Stout own 41,218 square feet of property adjacent to the City's property located along the north and south side of Stevens Drive, respectively, at the intersection of Wellsian Way, and legally described as Lot 2, Short Plat No. 2502; and

WHEREAS, as part of the Stevens Drive South Extension Project, these once uninterrupted parcels of land were bisected by the extension of Stevens Drive from Lee Boulevard to Wellsian Way; and

WHEREAS, the City desires to transfer 17,161 square feet of its property along the south side of Stevens Drive to the Stouts; and

WHEREAS, the Stouts desire to transfer 17,103 square feet of its property along the north side of Stevens Drive to the City; and

WHEREAS, the parties, by exchanging comparable portions of their respective properties, will accommodate future commercial development and provide more efficient access to both properties from Stevens Drive; and

WHEREAS, the parties acknowledge and agree that the portions of their respective properties to be exchanged are of like kind, both in size and value; and

WHEREAS, the best interests of the parties are served by exchanging the comparable portions of their respective properties to form contiguous lots more suitable for commercial development consistent with established land uses in the area; and

WHEREAS, on June 15, 2020, the Economic Development Committee favorably recommended surplus of the City's portion of the property to accommodate the anticipated land exchange.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a land exchange agreement and all related documents necessary for the exchange of property with Martin and Jacqueline Stout as identified herein.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

REAL PROPERTY EXCHANGE AGREEMENT

between

City of Richland and Martin & Jacqueline Stout

Re: 414 and 421 Stevens Drive

This Real Property Exchange Agreement (the "Agreement") is made and entered into between the **CITY OF RICHLAND**, a Washington municipal corporation ("City"), and **MARTIN S. STOUT AND JACQUELINE R. STOUT**, husband and wife ("Stout"). The Effective Date of this Agreement shall be determined pursuant to the terms of Section 2 herein.

WHEREAS, the City is the owner of that certain parcel of unimproved real property comprised of 17,161 square feet, legally described as a portion of Lot 1, Short Plat No. 2502 and located at 414 Stevens Drive ("Parcel A"); and

WHEREAS, Stout is the owner of that certain parcel of unimproved real property comprised of 17, 103 square feet, legally described as apportion of Lot 2, Short Plat No. 2502 and located at 421 Stevens Drive ("Parcel B"); and

WHEREAS, the City and Stout wish to exchange portions of their properties under the terms and conditions of set forth herein.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the City and Stout agree as follows:

1. City Approval. The execution and delivery of this Agreement by the City is contingent upon approval of this Agreement by the City Council of the City of Richland in its sole discretion. In the event the Richland City Council does not approve this Agreement, this Agreement shall immediately terminate and be without any further force and effect, and without further obligation of either party to the other.

2. Executed Contract. The "Effective Date" of this Agreement is the date upon which both parties have signed this Agreement. If this Agreement is signed on different days, the "Effective Date" of this Agreement is the date of the last signing party. Notwithstanding the foregoing, Stout and City must sign this Agreement within fifteen (15) business days of approval from the City Council of the City of Richland. If signatures are not obtained from both parties within fifteen (15) business days, this Agreement shall automatically terminate and be without any further force and effect, and without further obligation of either party to the other.

3. Laws and Rights. The City and Stout acknowledge and agree that the exchange of the parcels to be made pursuant to this Agreement shall be subject to any and all applicable federal, state and local laws, orders, rules and regulations, and any and all outstanding rights of record or which are open and obvious on the ground.

4. Title Matters.

4.1. Title Review. Within five (5) business days after the Effective Date, both the City and Stout, at their sole cost and expense, shall order from Chicago Title Insurance Company (the

“Title Company”) a preliminary title commitment for each Party’s parcel, respectively, and copies of all documents referred to therein (the “Preliminary Commitment”), and upon receipt, furnish same to the other Party.

4.2. Title to Parcel A shall be conveyed to Stout by the City together with any easements or restrictions of record, but free and clear of all liens, encumbrances, encroachments or defects.

4.3. Title to Parcel B shall be conveyed to the City by Stout together with any easements or restrictions of record, but free and clear of all liens, encumbrances, encroachments or defects.

4.4. Title to each Parcel shall be conveyed by Statutory Warranty Deed free of encumbrances or defects except those disclosed as General Exceptions and Standard Special Exceptions contained in the preliminary commitment.

5. Due Diligence. Both the City and Stout are granted a due diligence period until and including sixty (60) days after receipt of the Preliminary Commitment described in Section 4.1 above (the “Due Diligence Period”). Said Due Diligence Period may be extended an additional thirty (30) days upon written mutual agreement by both the City and Stout. Each party may conduct, at its own expense, a full review of legal, title, environmental, archaeological and any other related issues subject to the terms of this Section 5. If the results of said review are unsatisfactory in each party’s sole discretion, the City or Stout may, at their respective option, elect to terminate this Agreement by giving the other Party written notice of termination prior to the end of the Due Diligence Period (the “Due Diligence Termination Notice”). In the event of termination by the City or Stout under this section, this Agreement shall immediately terminate and be without any further force and effect, and neither party shall have any rights or responsibilities to the other except as otherwise expressly provided herein.

6. Prorations. All unpaid real property taxes and imposed assessments against Parcel B shall be pro-rated as of the date of Closing and paid by Stout before the Closing Date.

7. Possession. Possession shall be exchanged on the Closing Date.

8. Property Conveyed As Is. Both parties offer to convey their respective parcels in their “as is” condition. Neither party makes any representations or warranties of any kind regarding the condition of the land or any improvements thereon. Without in any way limiting the generality of the directly preceding sentence, the City makes no representations or warranties to Stout regarding the condition of Parcel A or its suitability for Stout’s intended investment or development purposes. Notwithstanding the foregoing, both parties represent and warrant that, to the best of their knowledge without inquiry or investigation, there are no hazardous materials or dangerous substances on, under, around or released from their respective parcels and/or the improvements (if any) thereon.

9. Closing. Closing shall occur in the office of the Title Company on or before the date that is sixty (60) days after the expiration or waiver of the Due Diligence Period. Stout and the City shall deposit in escrow with Title Company all instruments and documents reasonably necessary to complete the transaction in accordance with this Agreement, including, but not limited to, the Deed. As used herein, “Closing” or “date of Closing” means the date on which all

appropriate documents are recorded with Benton County. Because Parcel A and Parcel B are being traded and are similarly situated with regard to assessed value, neither party anticipates proceeds for disbursement.

10. Closing Costs; Expenses. Except as expressly provided for herein, each party shall be responsible for payment of their own costs and expenses, including fees of attorneys and accountants, incurred in conjunction with this transaction.

11. Covenants, Representations and Warranties.

11.1. City's Covenants. City hereby covenants and agrees as follows:

(a) From the Effective Date through the Closing Date, the City shall not make any material alterations to its Property or to any of the licenses, permits, legal classifications or other governmental regulations relating to its Property, nor enter into any leases or agreements pertaining to its Property which are not terminable, without penalty, on 30 days' notice, without Stout's prior written consent.

(b) From the Effective Date through the Closing Date, the City shall not voluntarily cause to be recorded any encumbrance, lien, deed of trust, or easement against the title to its Property without Stout's prior written consent.

(c) From the Effective Date through the Closing Date, the City will operate and maintain its Property in a manner consistent with the City's past practices relative to the Property and so as not to cause waste to the Property.

11.2. City's Representations and Warranties. The City hereby makes the following representations and warranties to Stout, each of which shall be true on the Effective Date and on the date of Closing. The City shall immediately provide Stout with written notice of any event which would make any representation or warranty set forth below materially incorrect or untrue, and upon receipt of such notice, Stout may elect to terminate this Agreement. Upon Stout's election to terminate, this Agreement shall be without any further force and effect, and without further obligation of either part to the other.

(a) The City has full power and authority to enter into and carry out the terms and provisions of this Agreement and to execute and deliver all documents which are contemplated by this Agreement, and all actions of the City necessary to confer such authority upon the persons executing this Agreement and such other documents will have been, or will be, taken.

(b) The City has not received any written notice from any governmental authorities or regulatory agencies that eminent domain proceedings for the condemnation of the Property are pending or threatened.

(c) The City has not received any written notice of pending or threatened investigation, litigation or other proceeding before a local governmental body or regulatory agency which would materially and adversely affect the Property.

(d) The City has not received any written notice from any governmental authority or regulatory agency that the City's use of the Property is presently in violation of any applicable zoning, land use or other law, order, ordinance or regulation affecting the Property.

(e) To the City's knowledge, no special or general assessments have been levied against the Property except those disclosed in the Preliminary Title Report, and the City has not received written notice that any such assessments are threatened.

(f) The City is not a "foreign person" for purposes of Section 1445 of the Internal Revenue Code.

(g) The City is a Washington municipal corporation, duly formed and organized, validly existing and in good standing under the laws of the State of Washington.

11.3. Stout's Representations. Stout hereby makes the following representations to the City, each of which shall be true on the Effective Date hereof and on the date of Closing.

(a) Stout has full power and authority to enter into and carry out the terms and provisions of this Agreement, and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Stout necessary to confer such authority upon the persons executing this Purchase Agreement and such other documents have been, or will be, taken.

(b) As of the Effective Date and as of the date of Closing, neither Stout nor, to Stout's knowledge, any of its affiliates, nor any of their respective partners, members, shareholders or other equity owners, and none of their respective employees, officers, directors, representative or agents, is a person or entity with whom U.S. persons or entities are restricted from doing business under regulations of OFAC (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit or Support Terrorism) or other governmental action ("OFAC").

(c) Stout represents that it has sufficient funds to close this transaction.

12. Miscellaneous.

12.1. Finder's Fee. The City and Stout each agree that a real estate finder's fee ("Real Estate Compensation") is not due to each other or to any third party. Each party hereby agrees to indemnify and defend the other against and hold the other harmless from and against any and all loss, damage, liability or expense, including costs and reasonable attorney's fees, resulting from any claims for Real Estate Compensation by any person or entity other than provided herein.

12.2. Legal Counsel. The City and Stout each covenant and warrant that they were advised of their opportunity to be represented in this transaction by independent legal counsel or advisors of their own choosing, and that the other party has done nothing to interfere or discourage their respective rights to seek such advice.

12.3. Time of the Essence. Time is of the essence of every provision of this Agreement.

12.4. Notices. Whenever any party hereto shall desire to give or serve upon the other any notice, demand, request or other communication, each such notice, demand, request or other communication shall be in writing and shall be given or served upon the other party by personal delivery (including delivery by written electronic transmission) or by certified, registered or Express United States Mail, or Federal Express or other commercial courier, postage prepaid, addressed as follows:

If to City: City of Richland
Attn: Economic Development Office
625 Swift Blvd., MS-18
Richland, Washington 99352
Phone: (509) 942-7583

If to Stout: Martin S. & Jaqueline R. Stout
428 Cherry Blossom Lane
Richland, Washington 99352
Phone: 509.302.1683
Email: richlandin@aol.com

Any such notice, demand, request or other communication shall be deemed to have been received upon the earlier of personal delivery thereof or two (2) business days after having been mailed as provided above, as the case may be.

12.5. Assignments and Successors. Stout may not assign this Agreement without the City's written consent. Any assignment made without the City's consent is null and void, and does not relieve Stout of any liability or obligation hereunder.

12.6. Captions. Paragraph titles or captions contained herein are inserted as a matter of convenience and for reference, and in no way define, limit, extend or describe the scope of this Agreement.

12.7. Exhibits. All exhibits attached hereto shall be incorporated herein by reference as if set out herein in full.

12.8. Binding Effect. Regardless of which party prepared or communicated this Agreement, this Agreement shall be of binding effect between Stout and the City only upon its execution by an authorized representative of each such party.

12.9. Construction. The parties acknowledge that each party and its counsel have reviewed and revised this Agreement, and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any amendment or exhibits hereto.

12.10. Counterparts. Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, including by portable document format (.pdf), each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

12.11. Time. Any extension of time granted for the performance of any duty under this Agreement shall not be considered as an extension of time for the performance of any other duty under this Agreement. As used in this Agreement, “business day” refers to any day which is not a Saturday, Sunday or a holiday in the State of Washington. In the event the time for performance of any obligation hereunder shall fall on a Saturday, Sunday or a holiday, such time for performance shall be extended to the next business day.

12.12. Merger. The delivery of the Deed and any other documents and instruments by each party and the acceptance and recordation thereof by each party shall effect a merger, and be deemed the full performance and discharge of every obligation on the part of each party to be performed hereunder, except those clauses, covenants, warranties and indemnifications specifically provided herein to survive the Closing.

12.13. Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Washington. The parties agree that Benton County is the appropriate venue for filing of any civil action arising out of this Agreement, and both parties expressly agree to submit to personal jurisdiction in Benton County Superior Court.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Agreement on the date shown below.

CITY OF RICHLAND

MARTIN S. STOUT

Cynthia D. Reents, City Manager

Owner

Date

Date

Approved as to form:

JACQUELINE R. STOUT

Owner

Heather Kintzley, City Attorney

Date

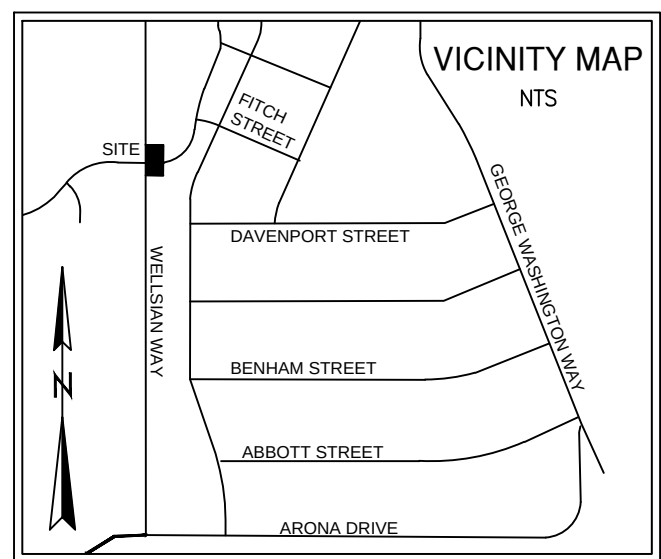
Exhibit A
Record Survey

Draft

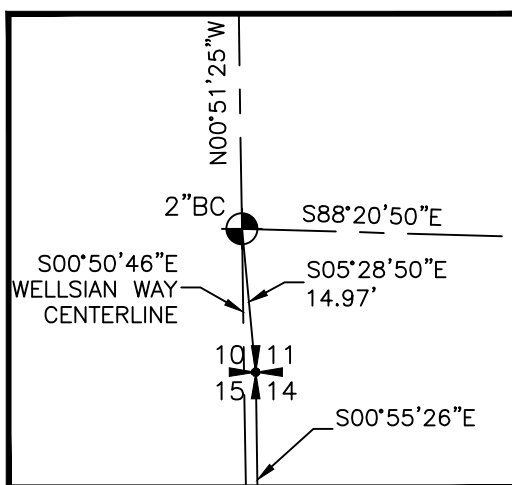
EXHIBIT A

RECORD OF SURVEY NO. _____

FOR THE PURPOSES OF A BOUNDARY LINE ADJUSTMENT
FOR THE CITY OF RICHLAND
A PORTION OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 11, TOWNSHIP 09 NORTH, RANGE 28 EAST,
AND A PORTION OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4
OF SECTION 14 TOWNSHIP 09 NORTH, RANGE 28 EAST,
WILLAMETTE MERIDIAN,
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



DETAIL (NOT TO SCALE)



LEGEND

- FOUND BRASS CAP AS NOTED
- FOUND 5/8" REBAR (NO CAP)
- SET 5/8" REBAR & CAP
"PERMIT SURVEY PLS 54534"

(XXX.XX) GROUND DISTANCES

- DATE OF SURVEY: NOVEMBER 26, 2019.
- BASIS OF BEARING: NAD83(11) WASHINGTON STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- UNITS OF MEASURE: US SURVEY FEET GRID DISTANCES. MULTIPLY GRID DISTANCES BY A COMBINED SCALE FACTOR OF 1.000087605 TO ACHIEVE GROUND DISTANCES. REFERENCE SURVEY DISTANCES AND LOT AREA ARE GROUND DISTANCES. MULTIPLY GROUND DISTANCES BY A COMBINED SCALE FACTOR OF 0.999912403 TO ACHIEVE SURVEYED GRID DISTANCES.
- EQUIPMENT/PROCEDURES: TOPCON HIPER GNSS, RTK METHOD. LINEAR CLOSURES MEET OR EXCEED STANDARDS CONTAINED IN WAC 332-130-090.
- REFERENCE DOCUMENT: CITY OF RICHLAND PUBLIC WORK CIVIL PLANS STEVENS DRIVE EXTENSION WELLSIAN WAY TO LEE BOULEVARD C4-140 (MARCH 2015).

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME
OR UNDER MY DIRECTION IN CONFORMANCE WITH THE
REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE
REQUEST OF THE CITY OF RICHLAND IN JANUARY 2020.



ASHLEY D. GARZA
CERTIFICATE NO. 54534

DATE

AUDITOR'S CERTIFICATE

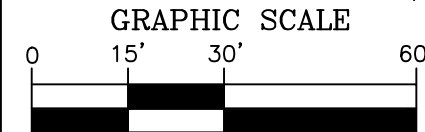
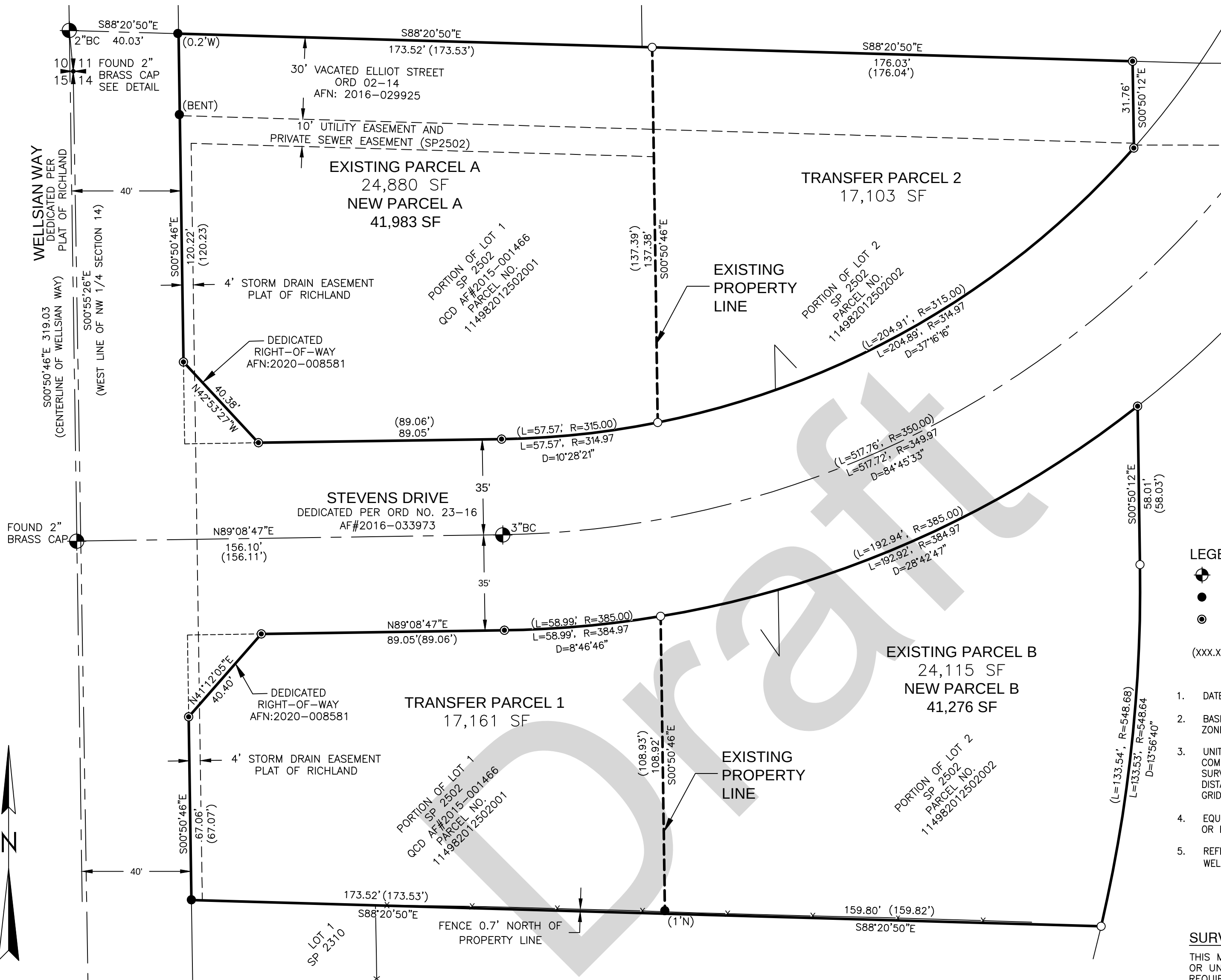
FILED FOR RECORD THIS _____ DAY OF _____, 2020 AT _____ M.,
AND RECORDED IN VOLUME _____ OF SURVEY'S, PAGE _____ AT THE REQUEST OF
ASHLEY D. GARZA
BENTON COUNTY AUDITOR _____
FEE NO. _____



2245 Robertson Drive
Richland, Washington 99354

Office 509-375-4123
Fax 509-371-0999

DATE: 04/28/2020
SCALE: 1"=30'
DRAWN BY: ADG
APPROVED BY: CCA
PROJECT: 19163
SHEET 1 OF 1



1 INCH = 30' FT.

DESCRIPTION (EXISTING)

EXISTING PARCEL A
THE LAND IN THE COUNTY OF BENTON, STATE OF WASHINGTON, DESCRIBED AS
FOLLOWS:
LOT 1, SHORT PLAT NO. 2502, ACCORDING TO THE SURVEY THEREOF RECORDED
UNDER AUDITOR'S FILE NO. 2000-014210, RECORDS OF BENTON COUNTY,
WASHINGTON, TOGETHER WITH THAT PORTION OF ELLIOTT ST. VACATED BY CITY OF
RICHLAND ORDINANCE NO. 02-14 AND RECORDED ON OCTOBER 4, 2016 UNDER
AUDITORS FILE NO. 2016-029925, A RE-RECORD OF 2014-001618.
EXCEPT FOR THAT PORTION OF STEVENS DRIVE DEDICATED PER ORDINANCE NO.
23-16, RECORDED UNDER AUDITOR'S FILE NUMBER 2016-033973, RECORDS OF
BENTON COUNTY, WASHINGTON.

EXISTING PARCEL B
THE LAND IN THE COUNTY OF BENTON, STATE OF WASHINGTON, DESCRIBED AS
FOLLOWS:
LOT 2, SHORT PLAT NO. 2502, ACCORDING TO THE SURVEY THEREOF RECORDED
UNDER AUDITOR'S FILE NO. 2000-014210, RECORDS OF BENTON COUNTY,
WASHINGTON, TOGETHER WITH THAT PORTION OF ELLIOTT ST. VACATED BY CITY OF
RICHLAND ORDINANCE NO. 02-14 AND RECORDED ON OCTOBER 4, 2016 UNDER
AUDITORS FILE NO. 2016-029925, A RE-RECORD OF 2014-001618.
EXCEPT FOR THAT PORTION OF STEVENS DRIVE DEDICATED PER ORDINANCE NO.
23-16, RECORDED UNDER AUDITOR'S FILE NUMBER 2016-033973, RECORDS OF
BENTON COUNTY, WASHINGTON.

DESCRIPTION (NEW)

NEW PARCEL A
THE LAND IN THE COUNTY OF BENTON, STATE OF WASHINGTON, DESCRIBED
AS FOLLOWS:
THAT PORTION OF LOT 1 AND LOT 2, SHORT PLAT NO. 2502, ACCORDING
TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO.
2000-014210, RECORDS OF BENTON COUNTY, WASHINGTON LYING NORTH
OF STEVENS DRIVE DEDICATED PER ORDINANCE NO. 23-16, RECORDED
UNDER AUDITOR'S FILE NUMBER 2016-033973, RECORDS OF BENTON
COUNTY, WASHINGTON.

TOGETHER WITH: THAT PORTION OF ELLIOTT ST. VACATED BY CITY OF
RICHLAND ORDINANCE NO. 02-14 AND RECORDED ON OCTOBER 4, 2016
UNDER AUDITORS FILE NO. 2016-029925, A RE-RECORD OF 2014-001618.

NEW PARCEL B
THE LAND IN THE COUNTY OF BENTON, STATE OF WASHINGTON, DESCRIBED
AS FOLLOWS:
THAT PORTION OF LOT 1 AND LOT 2, SHORT PLAT NO. 2502, ACCORDING
TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO.
2000-014210, RECORDS OF BENTON COUNTY, WASHINGTON LYING SOUTH
OF STEVENS DRIVE DEDICATED PER ORDINANCE NO. 23-16, RECORDED
UNDER AUDITOR'S FILE NUMBER 2016-033973, RECORDS OF BENTON
COUNTY, WASHINGTON.

DESCRIPTION (TRANSFER)

TRANSFER PARCEL 1
THE LAND IN THE COUNTY OF BENTON, STATE OF WASHINGTON, DESCRIBED
AS FOLLOWS:
THAT PORTION OF LOT 1, SHORT PLAT NO. 2502, ACCORDING TO THE
SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2000-014210,
RECORDS OF BENTON COUNTY, WASHINGTON LYING NORTH OF STEVENS
DRIVE DEDICATED PER ORDINANCE NO. 23-16, RECORDED UNDER AUDITOR'S
FILE NUMBER 2016-033973, RECORDS OF BENTON COUNTY, WASHINGTON.

TRANSFER PARCEL 2
THE LAND IN THE COUNTY OF BENTON, STATE OF WASHINGTON, DESCRIBED AS
FOLLOWS:
LOT 2, SHORT PLAT NO. 2502, ACCORDING TO THE SURVEY THEREOF
RECORDED UNDER AUDITOR'S FILE NO. 2000-014210, RECORDS OF BENTON
COUNTY, WASHINGTON LYING NORTH OF LYING NORTH OF STEVENS DRIVE
DEDICATED PER ORDINANCE NO. 23-16, RECORDED UNDER AUDITOR'S FILE
NUMBER 2016-033973, RECORDS OF BENTON COUNTY, WASHINGTON.
TOGETHER WITH THAT PORTION OF ELLIOTT ST. VACATED BY CITY OF RICHLAND
ORDINANCE NO. 02-14 AND RECORDED ON OCTOBER 4, 2016 UNDER
AUDITORS FILE NO. 2016-029925, A RE-RECORD OF 2014-001618.





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 91-20, Authorizing an Interlocal Agreement with West Richland for the Tapteal I Booster Pump Station Upgrade Project

Department:
Public Works

Ordinance/Resolution Number:
91-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 91-20, authorizing the City Manager to sign and execute an interlocal agreement with the City of West Richland for the Tapteal I Booster Station Upgrade project.

Summary:

In February of 2008, the cities of Richland and West Richland entered into a Wholesale Water Service Agreement whereby Richland provides potable water to the City of West Richland through a metered intertie connection on Arena Road. In November 2016, the cities amended the agreement, adjusting the service rate and committing to partner in a future project to upgrade the pump station most directly providing service to the intertie.

Growing demands on each cities' water system have, in recent years, put increasing pressure on Richland's pump station, making it apparent that increasing pumping capacity is needed.

Staff for each city believe it prudent to begin designing this improvement soon with the goal of constructing expanded capacity in 2022. A proposed interlocal agreement has been drafted to define the cities' respective roles and responsibilities to complete this project. The agreement identifies a planning study to be funded by equal shares from each city. After the planning study defines the scope of needed improvements, each cities' costs will be determined by a negotiated fair share allocation of project costs. The design and construction phases of the project will require amendments to the interlocal agreement.

Staff recommends adoption of Resolution No. 91-20.

Fiscal Impact:

The consultant and capital work to complete the Tapteal I Booster Pump Station Upgrades will be shared between Richland and West Richland. The planning study phase of the work is estimated to cost \$100,000, to be shared equally between the cities. The 2020 - 2025 Capital Improvement Plan shows this project with funding beginning in 2021. In order to begin work in 2020, Richland will execute a reallocation of approved capital funds from project savings to this project. There is in excess of \$500,000 available in approved project savings, which exceeds the \$50,000 needed to advance this work.

Attachments:

1. Resolution No. 91-20
2. Draft City of West Richland Interlocal - Tapteal I Booster Pump Station Upgrade

RESOLUTION NO. 91-20

A RESOLUTION of the City of Richland authorizing an interlocal agreement with the City of West Richland for improvements to the City of Richland's water system.

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, a public agency is authorized to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; and

WHEREAS, in February of 2008, the cities of Richland and West Richland entered into a Wholesale Water Service Agreement whereby Richland provides potable water to the City of West Richland through a metered intertie connection on Arena Road; and

WHEREAS, in November of 2016, the cities entered into an amendment to the 2008 Agreement, adjusting the service rate and committing to partner in a 2021 project to upgrade the pump station most directly providing service to the intertie; and

WHEREAS, the pump station upgrade is included in both cities' Capital Improvement Plans; and

WHEREAS, Richland's Water System Plan includes a distribution system upgrade project that may be necessary to support the upgraded pump station; and

WHEREAS, an interlocal agreement is necessary to establish the terms of the cities' partnership for the pump station upgrade project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to execute an interlocal agreement with the City of West Richland establishing a partnership to make improvements to the City of Richland's water system.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

WHEN RECORDED RETURN TO:

Richland City Clerk
625 Swift Blvd, MS 05
Richland, WA 99352

INTERLOCAL COOPERATIVE AGREEMENT
Between
THE CITY OF RICHLAND AND THE CITY OF WEST RICHLAND
Re: Tapteal 1 Booster Pump Station Upgrade Project

THIS INTERLOCAL COOPERATIVE AGREEMENT is entered into on this ____ day of July, 2020 (the "Effective Date") by and between the **City of Richland**, a Washington municipal corporation (hereafter "Richland"), and the **City of West Richland**, a Washington municipal corporation (hereafter "West Richland"). Richland and West Richland are also herein referred to individually as a "Jurisdiction" and collectively as "the Jurisdictions."

I. RECITALS

WHEREAS, RCW 39.34.010 permits local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, pursuant to RCW 39.34.080, each public agency is authorized to contract with any one or more public agencies to perform any governmental service, activity, or undertaking which each public agency entering into the contract is authorized by law to perform; and

WHEREAS, in February 2008, the Jurisdictions entered into a Wholesale Water Service Agreement whereby Richland provides potable water to the City of West Richland through a metered intertie connection on Arena Road; and

WHEREAS, in November 2016, the Jurisdictions entered into an amendment to the 2008 Agreement, adjusting the service rate and committing to partner in a 2021 project to upgrade the pump station most directly providing service to the intertie; and

WHEREAS, both Jurisdictions have included this pump station upgrade in their respective Capital Improvement Plans; and

WHEREAS, Richland's Water System Plan includes a distribution system upgrade project that may be necessary to support the upgraded pump station; and

WHEREAS, the Jurisdictions desire to establish the terms of their partnership for the pump station upgrade project.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the Jurisdictions agree as follows:

II. AGREEMENT

Section 1. Purpose and Scope of Work: The purpose of this Agreement is to formalize a commitment to make improvements to the City of Richland's Tapteal 1 Booster Pump Station, and to the City of Richland distribution pipe network that supports the pump station (the "Project"). The Project will be accomplished in three phases:

1. Planning and Improvement Scope Development;
2. Design and Bid Document Preparation;
3. Construction.

Section 2. Administration: The Richland City Manager or designee will administer this Agreement, and will be responsible for:

- a. Establishing policies for implementing this Agreement;
- b. Providing periodic progress reports to the elected officials of each Jurisdiction; and
- c. Monitoring progress of the Jurisdictions and other agencies in the fulfillment of their respective responsibilities.

Section 3. Funding: The Jurisdictions commit to sharing equally in the cost of Planning and Improvement Scope Development, with each responsible for 50% of the total cost. The Jurisdictions' funding shall consist of locally generated funds that will not impose state or federal procurement or environmental compliance requirements on the Project. The total cost of this phase is anticipated to be no more than \$100,000. The Jurisdictions commit to negotiating amendments to this agreement for Phases 2 and Phase 3 that reflect a fair assignment of project costs. West Richland will pay its share of the Planning and Improvement Scope Development phase within thirty (30) calendar days of Richland's execution of a consultant agreement to perform the work.

Section 4. Development: The Jurisdictions hereby commit to the following:

- a. Richland shall procure consultant services to support the Project using established City of Richland consultant procurement procedures and consistent with applicable law.
- b. Both Jurisdictions will participate in rating consultant statements of qualification. Each jurisdiction will have equal authority in the consultant selection process, and will work together in good faith to agree on the most qualified consultant for the Project.
- c. Richland will negotiate a work scope and budget with the mutually selected consultant. If the negotiations provide an agreement within the cost parameters in No. 3 above, Richland will execute an agreement with the selected consultant. If the negotiations fail to provide an agreement within the cost parameters in No. 3 above, Richland will consult with West Richland to determine the appropriate course of action.
- d. Richland will administer and manage the consultant agreement.

- e. The Jurisdictions will support the consultant's work by making staff and records available in a timely manner.
- f. The Jurisdictions will supplement the consultant's work as necessary with work from their respective water system planning consultants. Each Jurisdiction is responsible for procuring and funding this element of the Project (i.e., individual water system planning consultant support) independently and in addition to the funding provided under this Agreement.
- g. The Jurisdictions agree to timely negotiate amendments to this Agreement for Phase 2 and Phase 3. The general cost sharing principles that will guide these negotiations are a fair distribution of project costs based on the following:
 - West Richland is responsible for fully funding the work necessary to provide its anticipated peak demand pumping capacity for the upcoming twenty (20) year planning period, plus its share of the equipment redundancy included in the station design.
 - Richland is responsible for fully funding the work necessary to provide its anticipated peak demand pumping capacity for the upcoming twenty (20) year planning period, plus its share of the equipment redundancy included in the station design, plus the work necessary to remedy or replace any obsolete pump station elements if those elements of the existing pump station are retained in the upgraded pump station. The Jurisdictions recognize that Richland has previously funded all of the existing capacity present in the pump station. As such only that increment of Richland's anticipated peak demand pumping capacity that exceeds the current capacity shall be Richland's responsibility.
- h. The Jurisdictions recognize the urgency of completing these improvements. The Jurisdictions acknowledge and agree that failure to complete the improvements in a timely manner may result in Richland's inability to meet peak water use demands. In such event, Richland may impose water use restrictions in accordance with Title 18 of the Richland Municipal Code and Section 3.8 of the Wholesale Water Service Agreement. The Jurisdictions anticipate project construction will occur in 2022. The Jurisdictions agree to make a good faith effort to provide full funding for Phase 2 and Phase 3 to complete construction by year end 2022.

Section 5. Modification: Amendments to this Agreement must be in writing and executed by the duly-authorized representative for each Jurisdiction. Said amendments may be executed without further legislative body action.

Section 6. Term of Agreement and Termination:

- a. The term of this Agreement, commencing on the Effective Date, shall become effective on full execution hereof, and upon posting on at least one Jurisdiction's website as provided in RCW 39.34.040. Either Jurisdiction may choose to record this Agreement, but recordation is not required.
- b. This Agreement shall expire on the date of completion of the Project.

Section 7. Inspection of Records: The records and documents with respect to all matters covered by this Agreement shall be subject to inspection by any Jurisdiction during the term of this Agreement, and shall be maintained thereafter in accordance with the retention schedule established by the State of Washington for municipal records.

Section 8. No Separate Legal Entity: By this Agreement, the Jurisdictions do not intend to form a separate legal entity to conduct the cooperative undertaking. Further, no acquiring, holding or disposing of real or personal property will occur under this Agreement.

Section 9. Severability: In the event any term or condition of this Agreement or application thereof to any person, entity or circumstance is held invalid, such invalidity shall not affect any other terms, conditions or applications of this Agreement which can be given effect without the invalid term, condition, or application. To this end, the terms and conditions of this Agreement are declared severable.

Section 10. Venue, Applicable Law and Personal Jurisdiction: All questions related to this Agreement shall be resolved under the laws of the State of Washington. In the event that either Jurisdiction deems it necessary to institute legal action arising from this Agreement, such action shall be instituted in Benton County Superior Court.

Section 11. Authority To Execute: Each person executing this Agreement on behalf of another person, corporation, partnership, company, or other organization or entity represents and warrants that he or she is fully authorized to so execute and deliver this Agreement on behalf of the entity for which he or she is signing. The Jurisdictions hereby warrant to each other that each has full power and authority to enter into this Agreement and to undertake the actions contemplated herein, and that this Agreement is enforceable in accordance with its terms.

Section 12. Counterpart Originals: Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, including portable document format (.pdf), each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

IN WITNESS WHEREOF, the Jurisdictions have entered into this Agreement as of the day and year first written above.

CITY OF RICHLAND

CITY OF WEST RICHLAND

Cynthia D. Reents, City Manager

Brent Gerry, Mayor

Attest:

Attest:

Jennifer Rogers, City Clerk

Julie Richardson, City Clerk

Approved as to form:

Approved as to form:

Heather Kintzley, City Attorney

Bronson Brown, City Attorney



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 3 - Increase Economic Vitality

Subject:

Resolution No. 92-20, Approving the Final Plat of Quail Ridge Phase I & 2

Department:

Development Services

Ordinance/Resolution Number:

92-20

Document Type:

Resolution

Recommended Motion:

Adopt Resolution No. 92-20, approving the final plat of Quail Ridge Phase I & 2.

Summary:

The final plat of Quail Ridge Phase I & 2 proposes to divide a 23.7-acre site in the Horn Rapids residential community into thirty-six (36) lots and eight (8) tracts. This narrow, linear site is the first phase of development belonging to the preliminary plat of Quail Ridge, which was approved by Richland City Council in 2017 by adoption of Resolution No. 40-17.

One notable improvement associated with this plat is the construction of approximately 1,760 linear feet (0.3 miles) of Village Parkway, an arterial collector street. While some on-site public improvements remain incomplete, those improvements have been secured using a Security and Improvement Agreement in the amount of \$719,305.50 (see Richland Contract No. 113-20).

Staff recommends adoption of Resolution No. 92-20.

Fiscal Impact:

Final plat approval will allow for the creation of 36 new lots available for single-family residential home construction, the value of which will contribute to the City's tax base by increasing Richland's total assessed value.

Attachments:

1. Resolution No. 92-20
2. Quail Ridge Phase I & 2 Vicinity Map

RESOLUTION NO. 92-20

A RESOLUTION of the City of Richland approving the final plat of Quail Ridge Phase 1 & 2, subject to the conditions of approval contained in Richland Hearing Examiner's Report No. S2016-103 and the findings and conclusions of the Richland City Council as adopted by Resolution No. 40-17.

WHEREAS, on January 26, 2017, the Richland Hearing Examiner held an open record public hearing to consider the preliminary plat application of Quail Ridge submitted by Northstone Richland LLC; and

WHEREAS, the Richland Hearing Examiner recommended the Richland City Council conditionally approve the preliminary plat of Quail Ridge; and

WHEREAS, on March 7, 2017, Richland City Council held a closed-record hearing to consider the Quail Ridge preliminary plat application and the recommendation of the Hearing Examiner. Council took action to approve the preliminary plat request; and

WHEREAS, the public improvements required for the plat of Quail Ridge Phase 1 & 2, consisting of 36 lots and 8 tracts on 23.71 acres, are being constructed in accordance with the conditions of approval contained in the Technical Advisory Committee (TAC) Report dated January 17, 2017.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the final plat of Quail Ridge Phase 1 & 2, a copy of which is attached hereto as **Exhibit A**, and incorporated herein by this reference, is hereby approved subject to the conditions of approval contained in the Technical Advisory Committee Report attached hereto and incorporated herein as **Exhibit B**, the Richland Hearing Examiner's February 14, 2017 Report No. S2016-103 attached hereto and incorporated herein as **Exhibit C**, the duly executed Security and Improvement Agreement attached hereto and incorporated herein as **Exhibit D**, including the posting of security as required therein, and the findings and conclusions of the Richland City Council as adopted by Resolution No. 40-17.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

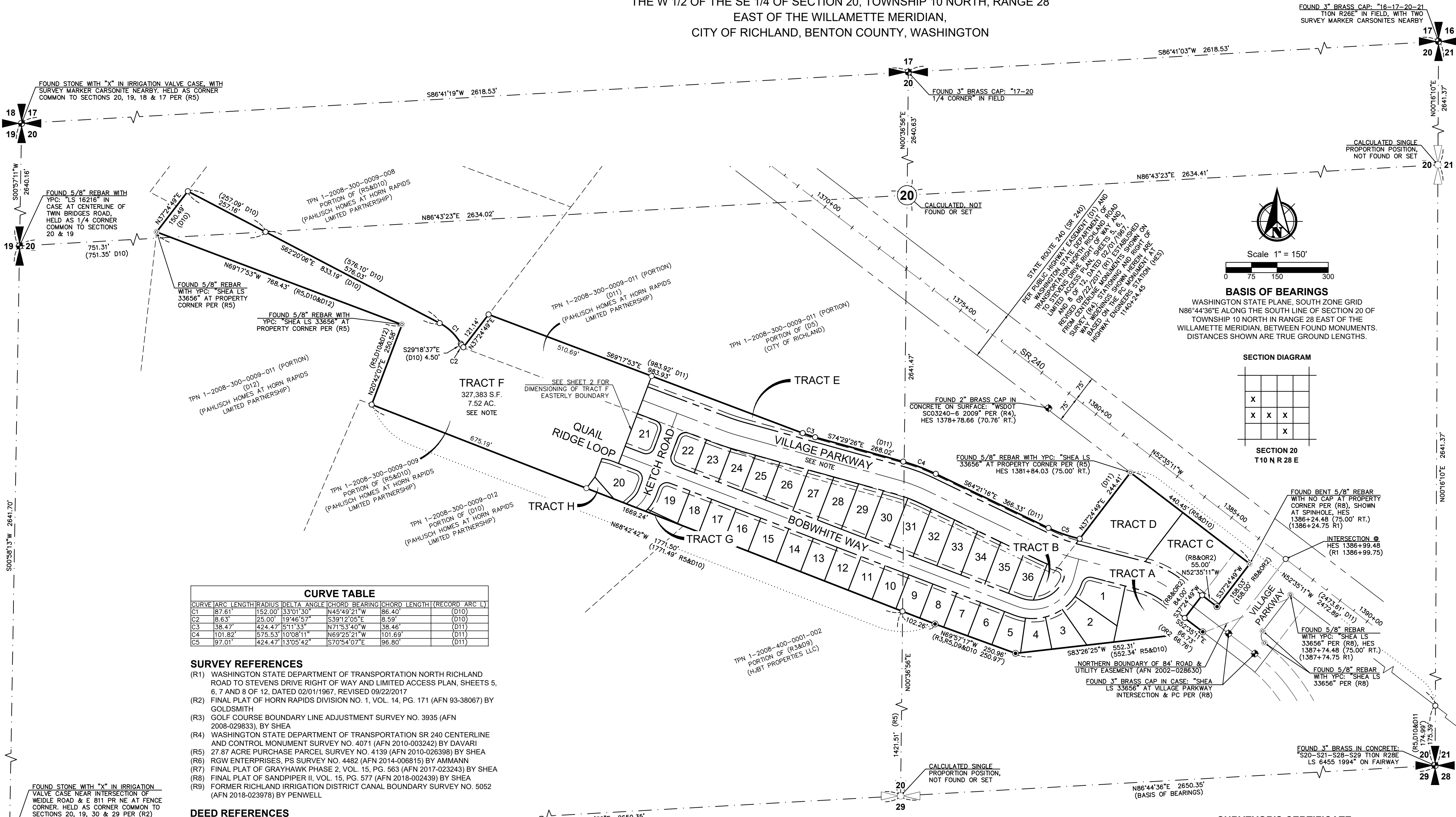
Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

QUAIL RIDGE PHASE 1 & 2

FINAL PLAT

LOCATED IN THE SW 1/4 OF THE NW 1/4, IN THE N 1/2 OF THE SW 1/4 AND IN THE W 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



CURVE TABLE						
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	(RECORD ARC L)
C1	87.61'	152.00'	33°01'30"	N45°49'21"W	86.40'	(D10)
C2	8.63'	25.00'	19°46'57"	S39°12'05"E	8.59'	(D10)
C3	38.47'	424.47'	51°13'33"	N71°53'40"W	38.46'	(D11)
C4	101.82'	575.53'	10°08'11"	N69°23'21"W	101.69'	(D11)
C5	97.01'	424.47'	13°05'42"	S70°54'07"E	96.80'	(D11)

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- ORDINANCE REFERENCES**
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- (OR2) CITY OF RICHLAND ORDINANCE NO. 24-17 FOR DEDICATION OF VILLAGE PARKWAY RIGHT OF WAY, PORTION CONNECTING TO SR 240 (AFN 2017-033383) 11/13/2017

LEGEND & ABBREVIATIONS

- ◆ FOUND SURVEY MONUMENT AS NOTED
- ⊙ FOUND 5/8" IRON REBAR AS NOTED
- ◆ SET 3" BRASS CAP IN MONUMENT CASE AND COVER STAMPED: "PBS LS 46318 2020" WITH THIS PLAT
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- S.F. / AC. SQUARE FEET / ACRES

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- (VOL., PG.) VOLUME, PAGE
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VILLAGE PARKWAY NOTE

VILLAGE PARKWAY IS CLASSIFIED AS AN ARTERIAL COLLECTOR STREET, SUBSEQUENTLY, NO DRIVEWAYS ACCESSING SINGLE FAMILY LOTS WILL BE ALLOWED ON IT.

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF PAHLISCH HOMES IN 2020.

ALEXANDER D. MATARAZZO, PLS 46318 DATE

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AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS DAY OF 2020 AT M. IN VOLUME OF PLATS AT PAGE AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

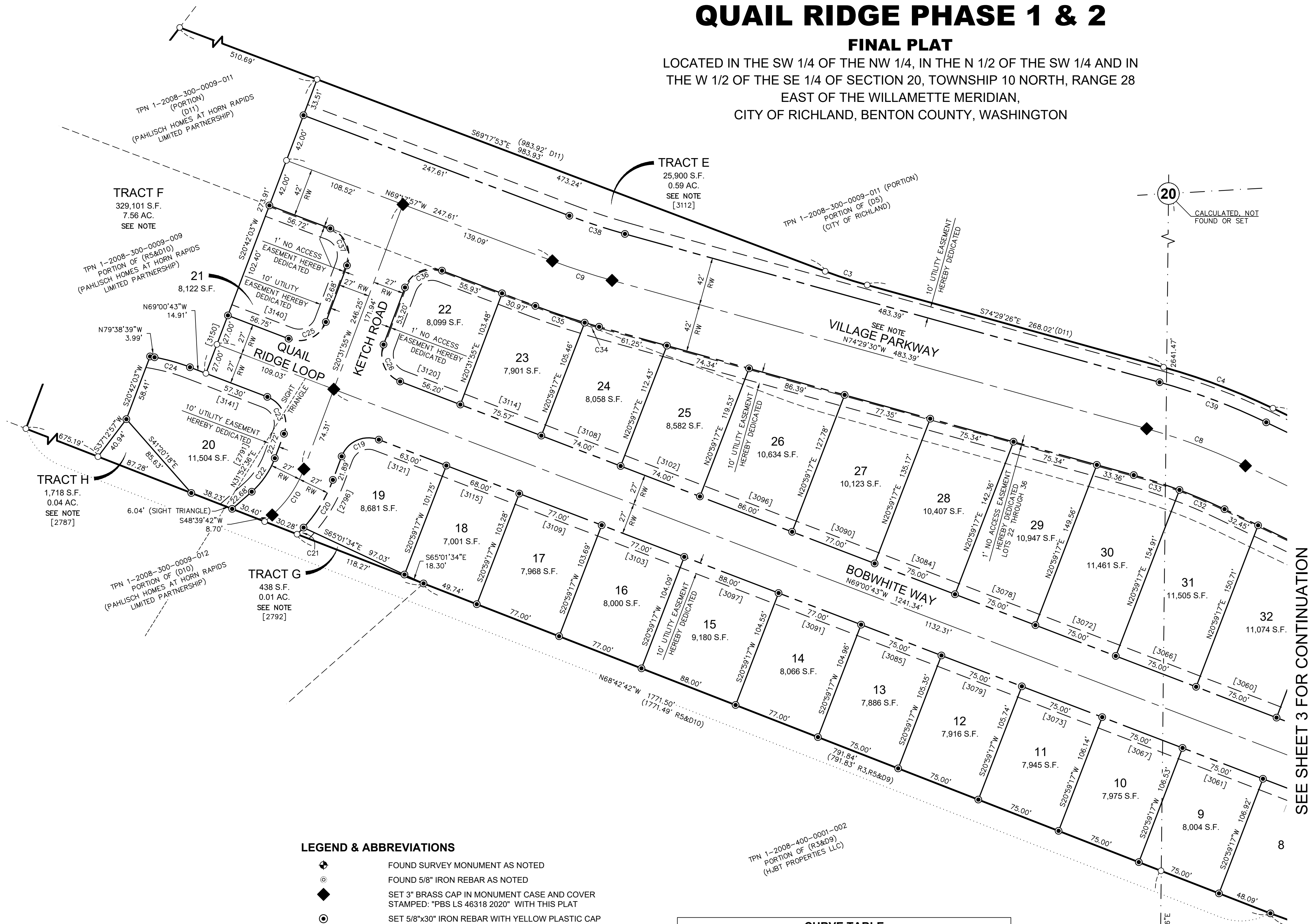
COUNTY AUDITOR

		PBS Engineering and Environmental Inc. 400 Bradley Blvd, Ste 106 Richland, WA 99352 509.942.1600 pbsusa.com		CLIENT: PAHLISCH HOMES PROJECT NO.: 66118.002	
SURVEYOR: ALEXANDER D. MATARAZZO		DATE: 06/30/2020		SCALE: 1" = 150'	
CALC BY: ROP		DRAWN BY: ROP		TOWNSHIP: 10 NORTH	
SECTION: 20		RANGE: 28 EAST		SHEET 1 OF 4	
CITY: RICHLAND		COUNTY: BENTON			

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SEE SHEET 3 FOR CONTINUATION

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C5	97.01'	424.47'	13°05'42"	S70°54'07"E	96.80'	(D11)
C6	99.69'	250.00'	22°50'52"	S64°00'37"E	99.03'	
C7	96.68'	500.00'	11°04'44"	N69°53'41"W	96.53'	
C8	91.99'	520.00'	10°08'11"	N69°25'25"W	91.87'	
C9	54.74'	604.00'	5°11'33"	S71°53'44"E	54.72'	
C10	49.10'	100.00'	28°07'47"	S34°35'49"W	48.60'	
C11	210.36'	125.00'	96°25'20"	N62°46'37"E	186.40'	
C12	82.84'	208.00'	22°50'52"	N64°00'37"W	82.40'	
C13	37.65'	25.00'	86°17'04"	S61°25'35"W	34.19'	
C14	44.42'	152.00'	16°44'42"	S26°39'14"W	44.26'	
C15	53.68'	152.00'	20°14'01"	N45°08'35"E	53.40'	
C16	54.41'	152.00'	20°30'34"	S65°30'53"W	54.12'	
C17	58.91'	152.00'	22°12'25"	N86°52'22"E	58.54'	
C18	34.52'	152.00'	13°00'42"	N75°51'04"W	34.44'	
C19	39.47'	25.00'	90°27'22"	S85°45'36"W	35.50'	
C20	49.06'	127.00'	22°07'52"	N31°35'52"E	48.75'	
C21	8.07'	127.00'	3°38'22"	S44°28'59"W	8.07'	
C22	35.84'	73.00'	28°07'47"	S34°35'49"W	35.48'	
C23	39.07'	25.00'	89°32'38"	S24°14'24"E	35.21'	
C24	32.10'	173.00'	10°37'56"	S74°19'41"E	32.06'	
C25	39.47'	25.00'	90°27'22"	N65°45'36"E	35.50'	
C26	39.07'	25.00'	89°32'38"	S24°14'24"E	35.21'	
C27	37.99'	98.00'	22°12'25"	S80°07'51"E	37.75'	
C28	113.58'	98.00'	66°23'44"	S55°34'49"W	107.32'	
C29	40.84'	25.00'	93°35'25"	S24°24'45"E	36.45'	
C30	34.98'	542.00'	3°41'53"	S69°21'31"E	34.98'	
C31	29.84'	542.00'	3°09'15"	S65°55'57"E	29.83'	
C32	42.70'	478.00'	5°07'07"	S66°54'53"E	42.69'	
C33	41.86'	478.00'	5°01'04"	N71°53'44"W	41.85'	
C34	13.08'	646.00'	1°09'36"	S73°54'42"E	13.08'	
C35	45.47'	646.00'	4°01'57"	S71°18'56"E	45.46'	
C36	39.34'	25.00'	90°10'07"	S65°36'59"W	35.41'	
C37	39.20'	25.00'	89°49'53"	S24°23'01"E	35.30'	
C38	50.93'	562.00'	5°11'33"	N71°53'44"W	50.91'	
C39	99.43'	562.00'	10°08'11"	S69°25'25"E	99.30'	
C40	80.39'	458.00'	10°03'26"	S69°23'02"E	80.29'	
C41	8.17'	458.00'	1°01'18"	S74°55'24"E	8.17'	
C42	116.44'	292.00'	22°50'52"	N64°00'37"W	115.67'	

SURVEY REFERENCES

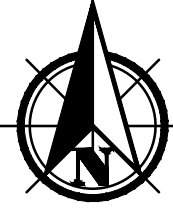
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Scale 1" = 50'

BASIS OF BEARINGS

WASHINGTON STATE PLANE, SOUTH ZONE GRID
N86°44'36"E ALONG THE SOUTH LINE OF SECTION 20 OF TOWNSHIP 10 NORTH IN RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, BETWEEN FOUND MONUMENTS. DISTANCES SHOWN ARE TRUE GROUND LENGTHS.

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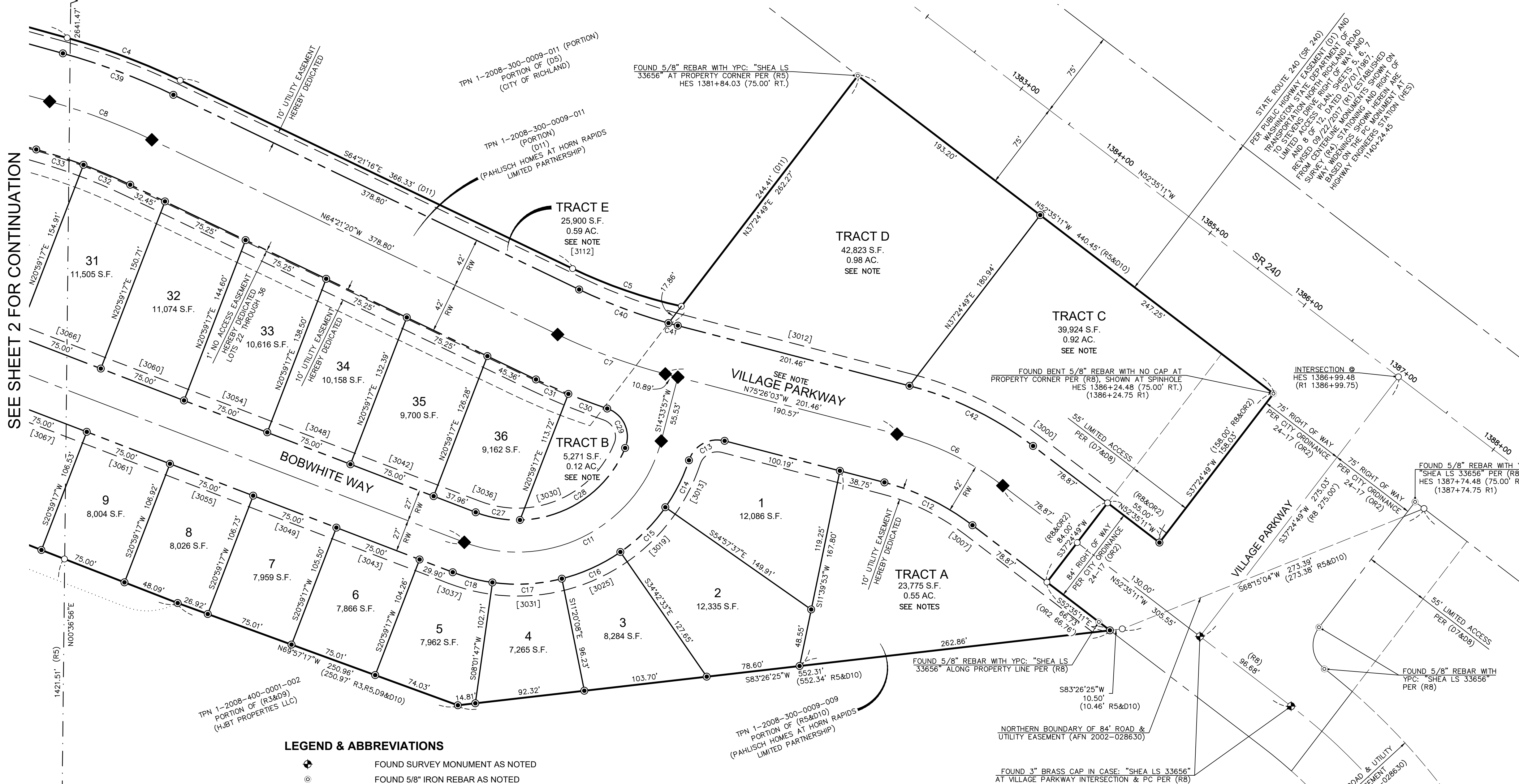


		CLIENT: PAHLISCH HOMES		PROJECT NO.: 66118.002	
SURVEYOR: ALEXANDER D. MATARAZZO		DATE: 06/30/2020			
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SECTION: 20	TOWNSHIP: 10 NORTH	RANGE: 28 EAST			
CITY: RICHLAND	COUNTY: BENTON	SHEET 2 OF 4			

QUAIL RIDGE PHASE 1 & 2

FINAL PLAT

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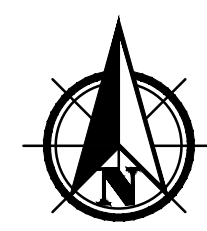
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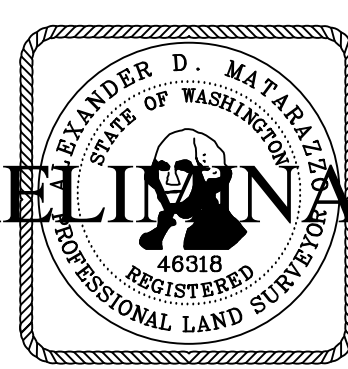
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CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	RECORD ARC
C1	87.61'	152.00'	33°01'30"	N45°49'21"W	86.40'	(D10)
C2	8.63'	25.00'	19°46'57"	S39°12'05"E	8.59'	(D10)
C3	38.47'	424.47'	5°11'33"	N71°53'40"W	38.46'	(D11)
C4	101.82'	575.53'	10°08'11"	N69°25'21"W	101.69'	(D11)
C5	97.01'	424.47'	13°05'42"	S70°54'07"E	96.80'	(D11)
C6	99.69'	250.00'	22°50'52"	S64°00'37"E	99.03'	
C7	96.68'	500.00'	11°04'44"	N69°53'41"W	96.53'	
C8	91.99'	520.00'	10°08'11"	N69°25'25"W	91.87'	
C9	54.74'	604.00'	5°11'33"	S71°53'40"W	54.72'	
C10	49.10'	100.00'	28°07'47"	S34°35'49"W	48.60'	
C11	210.36'	125.00'	96°25'20"	N62°46'37"E	186.40'	
C12	82.94'	208.00'	22°50'52"	N64°00'37"W	82.40'	
C13	37.65'	25.00'	86°17'04"	S61°23'25"W	34.19'	
C14	44.42'	152.00'	16°44'42"	S26°38'14"W	44.26'	
C15	53.68'	152.00'	20°14'01"	N45°08'35"E	53.40'	
C16	54.41'	152.00'	20°30'34"	S65°30'53"W	54.12'	
C17	58.91'	152.00'	22°12'25"	N86°52'22"E	58.54'	
C18	34.52'	152.00'	13°00'42"	N75°31'04"W	34.44'	
C19	39.47'	25.00'	90°27'22"	S65°45'36"W	35.50'	
C20	49.06'	127.00'	22°07'52"	N31°35'52"E	48.75'	
C21	8.07'	127.00'	3°38'22"	S44°28'59"W	8.07'	
C22	35.84'	73.00'	28°07'47"	S34°35'49"W	35.48'	
C23	39.07'	25.00'	89°32'38"	S24°14'24"E	35.21'	
C24	32.10'	173.00'	10°37'56"	S74°19'41"E	32.06'	
C25	39.47'	25.00'	90°27'22"	N65°45'36"E	35.50'	
C26	39.07'	25.00'	89°32'38"	S24°14'24"E	35.21'	
C27	37.99'	98.00'	22°12'36"	S80°07'01"E	37.75'	
C28	113.56'	98.00'	66°23'44"	S65°34'49"W	107.32'	
C29	40.84'	25.00'	93°35'25"	S24°24'45"E	36.45'	
C30	34.98'	542.00'	3°41'53"	S69°21'31"E	34.98'	
C31	29.84'	542.00'	3°09'15"	S65°55'57"E	29.83'	
C32	42.70'	478.00'	5°07'07"	S66°54'53"E	42.69'	
C33	41.86'	478.00'	5°01'04"	N71°58'59"W	41.85'	
C34	13.08'	646.00'	1°09'36"	S73°54'42"E	13.08'	
C35	45.47'	646.00'	4°01'57"	S71°18'56"E	45.46'	
C36	39.34'	25.00'	90°10'07"	S65°36'59"W	35.41'	
C37	39.20'	25.00'	89°48'53"	S24°23'01"E	35.30'	
C38	50.93'	362.00'	5°11'33"	N71°53'44"W	50.91'	
C39	99.43'	562.00'	10°08'11"	S69°25'25"E	99.30'	
C40	80.39'	458.00'	10°03'26"	S69°23'02"E	80.29'	
C41	8.17'	458.00'	1°01'18"	S74°55'24"E	8.17'	
C42	116.44'	292.00'	22°50'52"	N64°00'37"W	115.67'	



Scale 1" = 50'

BASIS OF BEARINGS
WASHINGTON STATE PLANE, SOUTH ZONE GRID
N86°44'36"E ALONG THE SOUTH LINE OF SECTION 20 OF
TOWNSHIP 10 NORTH IN RANGE 28 EAST OF THE
WILLAMETTE MERIDIAN, BETWEEN FOUND MONUMENTS.
DISTANCES SHOWN ARE TRUE GROUND LENGTHS.



PRELIMINARY

SURVEY REFERENCES

- (R1) WASHINGTON STATE DEPARTMENT OF TRANSPORTATION NORTH RICHLAND ROAD TO STEVENS DRIVE RIGHT OF WAY AND LIMITED ACCESS PLAN, SHEETS 5, 6, 7 AND 8 OF 12, DATED 02/01/1967, REVISED 09/22/2017
- (R2) FINAL PLAT OF HORN RAPIDS DIVISION NO. 1, VOL. 14, PG. 171 (AFN 93-38067) BY GOLDSMITH
- (R3) 2008-029883) BY SHEA
- (R4) WASHINGTON STATE DEPARTMENT OF TRANSPORTATION SR 240 CENTERLINE AND CONTROL MONUMENT SURVEY NO. 4071 (AFN 2010-003242) BY DAVARI
- (R5) 27.87 ACRE PURCHASE PARCEL SURVEY NO. 4139 (AFN 2010-026398) BY SHEA
- (R6) RGW ENTERPRISES, PS SURVEY NO. 4482 (AFN 2014-006815) BY AMMANN
- (R7) FINAL PLAT OF GRAYHAWK PHASE 2, VOL. 15, PG. 563 (AFN 2017-023243) BY SHEA
- (R8) FINAL PLAT OF SANDPIPER II, VOL. 15, PG. 577 (AFN 2018-002439) BY SHEA
- (R9) FORMER RICHLAND IRRIGATION DISTRICT CANAL BOUNDARY SURVEY NO. 5052 (AFN 2018-023978) BY PENWELL

DEED REFERENCES

- (D1) SECONDARY STATE HIGHWAY NO. 11-C (SR 240) EASEMENT QUITCLAIM DEED (AFN 573713) 03/02/1967
- (D2) TWIN BRIDGES ROAD EASEMENT DEED, PORTION LYING ON FORMER RICHLAND IRRIGATION DISTRICT CANAL RIGHT OF WAY (HORN RAPIDS CORPORATION CANAL) (AFN 616286) 11/09/1970
- (D3) TWIN BRIDGES ROAD QUITCLAIM DEED, PORTION LYING SOUTH OF FORMER RICHLAND IRRIGATION DISTRICT CANAL RIGHT OF WAY (AFN 616287) 11/09/1970
- (D4) FORMER RICHLAND IRRIGATION DISTRICT CANAL QUITCLAIM DEED (AFN 87-4170) 03/12/1987
- (D5) CITY OF RICHLAND 202.4 ACRE PARENT PARCEL QUITCLAIM DEED (AFN 2005-026833) 08/09/2005
- (D6) CITY OF RICHLAND 13.05 ACRE PARCEL QUITCLAIM DEED (AFN 2011-023857) 08/25/2011
- (D7) ACCESS RIGHTS ONLY QUITCLAIM DEED (AFN 2018-009302) 04/03/2018
- (D8) ACCESS RIGHTS ONLY QUITCLAIM DEED WITH ACCESS RESERVATION (AFN 2018-009303) 04/03/2018
- (D9) GOLF COURSE BARGAIN AND SALE DEED (AFN 2019-006258) 03/15/2019
- (D10) PAHLISCH HOMES 9.06 ACRE, 18.70 ACRE & 25.00 ACRE PARCEL STATUTORY WARRANTY DEED (AFN 2019-008939) 04/11/2019
- (D11) PAHLISCH HOMES 5.00 ACRE PARCEL STATUTORY WARRANTY DEED (AFN 2019-036871) 11/21/2019
- (D12) PAHLISCH HOMES 20.00 ACRE PARCEL STATUTORY WARRANTY DEED (AFN 2020-000064) 01/02/2020

ORDINANCE REFERENCES

- (OR1) CITY OF RICHLAND ORDINANCE NO. 18-10 FOR DEDICATION OF TWIN BRIDGES ROAD RIGHT OF WAY, PORTION LYING BETWEEN SR 240 & FORMER RICHLAND IRRIGATION DISTRICT CANAL RIGHT OF WAY (AFN 2010-020839) 07/26/2010
- (OR2) CITY OF RICHLAND ORDINANCE NO. 24-17 FOR DEDICATION OF VILLAGE PARKWAY RIGHT OF WAY, PORTION CONNECTING TO SR 240 (AFN 2017-033383) 11/13/2017

VILLAGE PARKWAY NOTE

VILLAGE PARKWAY IS CLASSIFIED AS AN ARTERIAL COLLECTOR STREET, SUBSEQUENTLY, NO DRIVEWAYS ACCESSING SINGLE FAMILY LOTS WILL BE ALLOWED ON IT.

TRACT NOTES

TRACT A IS TO BE USED FOR A STORM POND AND IS HEREBY CONVEYED TO THE CITY OF RICHLAND. HOMEOWNERS MAY MAINTAIN THE LANDSCAPING WITHIN TRACT A STORM POND FOR AESTHETIC PURPOSES IF SO DESIRED. TRACT B IS FOR OPEN SPACE WITH A MONUMENT AND LANDSCAPING AND IS RESERVED FOR FUTURE DEDICATION TO THE HOMEOWNER'S ASSOCIATION BY A SEPARATE INSTRUMENT. TRACTS C THROUGH H ARE FOR FUTURE DEVELOPMENT AND ARE TO BE RETAINED BY OWNER OF RECORD.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 2020 AT _____ M. IN VOLUME _____ OF PLATS AT
PAGE _____ AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

COUNTY AUDITOR _____

CLIENT: PAHLISCH HOMES		PROJECT NO.: 66118.002	
SURVEYOR: ALEXANDER D. MATARAZZO		DATE: 06/30/2020	
CALC BY: ROP	DRAWN BY: ROP	SCALE: 1" = 50'	
SECTION: 20	TOWNSHIP: 10 NORTH	RANGE: 28 EAST	
CITY: RICHLAND	COUNTY: BENTON	SHEET 3 OF 4	



PBS Engineering and Environmental Inc.
400 Bradley Blvd, Ste 106
Richland, WA 99352
509.942.1600
pbsusa.com

QUAIL RIDGE PHASE 1 & 2

FINAL PLAT

LOCATED IN THE SW 1/4 OF THE NW 1/4, IN THE N 1/2 OF THE SW 1/4 AND IN THE W 1/2 OF THE SE 1/4 OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

NARRATIVE

THIS PROJECT WAS PERFORMED AT THE REQUEST OF PAHLISCH HOMES TO SUBDIVIDE THOSE LANDS KNOWN AS TAX PARCEL 1-2008-300-0009-009 DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939 AND BEING A PORTION OF THE LANDS DEPICTED IN SURVEY NO. 4139 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2010-026398 AND THOSE LANDS KNOWN AS TAX PARCEL 1-2008-300-0009-011 DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-036871.

THIS PROJECT IS BOUND AS FOLLOWS:

ON THE NORTH BY TAX PARCEL 1-2008-300-0009-008, DESCRIBED IN SAID DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939, BY TAX PARCEL 1-2008-300-0009-011, BEING A PORTION OF THOSE LAND DESCRIBED DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2005-026833 AND BY STATE ROUTE 240, ESTABLISHED BY EASEMENT DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 573713 TOGETHER WITH WASHINGTON STATE DEPARTMENT OF TRANSPORTATION NORTH RICHLAND ROAD TO STEVENS DRIVE RIGHT OF WAY AND LIMITED ACCESS PLAN, SHEETS 5, 6, 7 AND 8 OF 12, DATED 02/01/1967, REVISED 09/22/2017 TOGETHER WITH THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION SR 240 CENTERLINE AND CONTROL MONUMENT SURVEY NO. 4071 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2010-003242.

ON THE EAST BY VILLAGE PARKWAY, ESTABLISHED PER CITY OF RICHLAND ORDINANCE NO. 24-17 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2017-033383.

ON THE SOUTH BY TAX PARCEL 1-2008-400-0001-002 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008258, BEING A PORTION OF THE LANDS DEPICTED IN SURVEY NO. 3835 RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2008-029833, BY TAX PARCEL 1-2008-300-0009-012 DESCRIBED IN SAID DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2019-008939 AND BY TAX PARCEL NUMBER 1-2008-300-0009-011, DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2020-000064.

ON THE WEST BY SAID TAX PARCEL 1-2008-300-0009-011, BEING A PORTION OF THOSE LAND DESCRIBED IN SAID DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2005-026833 AND BY TAX PARCEL 1-2008-300-0009-006 DESCRIBED IN DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NUMBER 2011-023857.

THIS SURVEY WAS PERFORMED AS A REAL TIME KINEMATIC SURVEY USING DUAL FREQUENCY TRIMBLE R8 RECEIVERS HAVING AN ACCURACY OF ONE CENTIMETER +/- 1 PPM PER MEASURED LENGTH. THE CONTROLLING MONUMENTS SHOWN HEREUPON WERE VISITED BETWEEN DECEMBER 2019 & MARCH 2020.

TITLE REPORT REFERENCE

ALL TITLE INFORMATION SHOWN ON THIS MAP HAS BEEN EXTRACTED FROM INFORMATION CONTAINED IN FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE, ORDER No. 3411092, DATED: FEBRUARY 25, 2020 AT 08:00 AM. IN PREPARING THIS PLAT, PBS ENGINEERING AND ENVIRONMENTAL, INC. HAS CONDUCTED NO INDEPENDENT TITLE SEARCH, NOR IS PBS ENGINEERING AND ENVIRONMENTAL, INC. AWARE OF ANY TITLE ISSUES AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN ON THE PLAT AND DISCLOSED BY THE REFERENCED FIRST AMERICAN TITLE INSURANCE COMPANY SUBDIVISION GUARANTEE. PBS ENGINEERING AND ENVIRONMENTAL, INC. HAS RELIED WHOLLY ON FIRST AMERICAN TITLE INSURANCE COMPANY'S REPRESENTATION OF THE TITLE'S CONDITION TO PREPARE THIS MAP AND THEREFORE PBS ENGINEERING AND ENVIRONMENTAL, INC. QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS TO THAT EXTENT.

LEGAL DESCRIPTION

THE FOLLOWING DESCRIPTION IS PER THE REFERENCED TITLE REPORT FOR PARCEL A THEREOF.

PARCEL A (PORTION OF TAX PARCEL NUMBER 1-2008-300-0009-011)

A PARCEL OF LAND LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER AND A PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 20, (FROM WHICH THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 20 BEARS SOUTH 86°44'38" WEST, 2650.30 FEET); THENCE NORTH 00°30'06" EAST 174.99 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROUTE 240, SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTERLINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE NORTH 52°35'15" WEST ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 240 FOR A DISTANCE OF 2473.61 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN CITY OF RICHLAND PARCEL AS DESCRIBED UNDER AUDITOR'S FILE NO. 2005-026833, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE LEAVING THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 240 ALONG THE BOUNDARY OF SAID CITY OF RICHLAND PARCEL THE FOLLOWING COURSES: THENCE SOUTH 37°24'45" WEST, 244.41 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE CONTINUING SOUTH 37°24'45" WEST, 126.65 FEET TO THE SOUTHEAST CORNER OF SAID CITY OF RICHLAND PARCEL, SAID POINT ALSO BEING AN INTERIOR CORNER OF THE PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP PARCEL; THENCE ALONG THE COMMON BOUNDARY OF SAID CITY OF RICHLAND PARCEL AND SAID PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP PARCEL THE FOLLOWING COURSES: THENCE NORTHWESTERLY, ALONG THE ARC OF A 542.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 16°11'15" EAST) THROUGH A CENTRAL ANGLE OF 07°27'25" FOR AN ARC LENGTH OF 70.54 FEET, (THE LONG CHORD OF WHICH BEARS NORTH 68°05'02" WEST, 70.49 FEET); THENCE NORTH 64°21'20" WEST, 366.33 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF A 458.00-FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS SOUTH 25°38'40" WEST) THROUGH A CENTRAL ANGLE OF 05°11'33" FOR AN ARC LENGTH OF 81.03 FEET, (THE LONG CHORD OF WHICH BEARS NORTH 69°25'25" WEST, 80.92 FEET); THENCE NORTH 74°29'30" WEST, 268.02 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF A 542.00-FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 15°30'30" EAST) THROUGH A CENTRAL ANGLE OF 05°11'33" FOR AN ARC LENGTH OF 49.12 FEET, (THE LONG CHORD OF WHICH BEARS NORTH 71°53'44" WEST, 49.10 FEET); THENCE NORTH 69°17'57" WEST, 1019.21 FEET; THENCE NORTH 37°24'45" EAST, 122.71 FEET; THENCE LEAVING THE COMMON BOUNDARY OF SAID CITY OF RICHLAND PARCEL AND SAID PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP PARCEL, SOUTH 69°17'57" EAST, 983.92 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 424.47-FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 20°42'03" EAST) THROUGH A CENTRAL ANGLE OF 05°11'33" FOR AN ARC LENGTH OF 38.47 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 71°53'44" EAST, 38.46 FEET); THENCE SOUTH 74°29'30" EAST, 268.02 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 575.53-FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 15°15'30" WEST) THROUGH A CENTRAL ANGLE OF 10°08'11" FOR AN ARC LENGTH OF 101.82 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 69°25'25" EAST, 101.69 FEET); THENCE SOUTH 64°21'20" EAST, 366.33 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 424.47-FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 25°38'40" EAST) THROUGH A CENTRAL ANGLE OF 13°05'42" FOR AN ARC LENGTH OF 97.01 FEET, (THE LONG CHORD OF WHICH BEARS SOUTH 70°54'11" EAST, 96.80 FEET) TO THE TRUE POINT OF BEGINNING AND THE END OF THIS LEGAL DESCRIPTION.

LEGAL DESCRIPTION

THE FOLLOWING DESCRIPTION IS PER THE REFERENCED TITLE REPORT FOR PARCEL E THEREOF.

PARCEL E (TAX PARCEL NUMBER 1-2008-300-0009-009)

THAT PORTION OF THE SOUTH HALF OF SECTION 20 AND A PORTION OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 20, TOWNSHIP 10 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 20 AS SHOWN IN BOOK 1 OF SURVEYS, PAGE 4139, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 86°44'38" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 20 FOR A DISTANCE OF 2650.30 FEET TO A BRASS CAP MARKING THE SOUTHEAST CORNER OF SAID SECTION 20; THENCE LEAVING THE SOUTH LINE OF SAID SECTION 20, NORTH 00°30'06" EAST 174.99 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROUTE 240, SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, NORTH 52°35'15" WEST, 1873.74 FEET; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 68°15'00" WEST 273.38 FEET; THENCE SOUTH 83°26'21" WEST, 10.46 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 83°26'21" WEST 552.34 FEET; THENCE NORTH 69°57'21" WEST, 250.97 FEET; THENCE NORTH 68°42'46" WEST, 1771.49 FEET; THENCE NORTH 20°42'03" EAST, 250.58 FEET; THENCE NORTH 69°17'57" WEST, 768.43 FEET; THENCE NORTH 37°24'45" EAST, 150.49 FEET; THENCE SOUTH 62°20'10" EAST, 833.19 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 152.00 FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 27°39'50" WEST) THROUGH A CENTRAL ANGLE OF 33°01'30" FOR AN ARC DISTANCE OF 87.61 FEET; THENCE SOUTH 29°18'41" EAST, 4.50 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 25.00 FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 60°41'19" EAST) THROUGH A CENTRAL ANGLE OF 19°45'57" FOR AN ARC DISTANCE OF 8.63 FEET; THENCE SOUTH 37°24'45" WEST, 1.57 FEET; THENCE SOUTH 69°17'57" EAST, 1019.21 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 542.00 FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 20°42'03" EAST) THROUGH A CENTRAL ANGLE OF 05°11'33" FOR AN ARC DISTANCE OF 49.12 FEET; THENCE SOUTH 74°29'30" EAST, 268.02 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 458.00 FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 15°30'30" WEST) THROUGH A CENTRAL ANGLE OF 10°08'10" FOR AN ARC DISTANCE OF 81.03 FEET; THENCE SOUTH 64°21'20" EAST, 366.33 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF A 542.00 FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 25°38'40" EAST) THROUGH A CENTRAL ANGLE OF 07°27'25" FOR AN ARC DISTANCE OF 70.54 FEET; THENCE NORTH 37°24'45" EAST, 371.06 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SAID POINT BEING 75.00 FEET SOUTHERLY OF THE CENTER LINE THEREOF, WHEN MEASURED AT RIGHT ANGLES; THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 52°35'15" EAST, 440.45 FEET; THENCE LEAVING THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 240, SOUTH 37°24'45" WEST, 242.00 FEET; THENCE SOUTH 52°35'15" EAST, 11.76 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THAT PORTION CONVEYED TO CITY OF RICHLAND FOR VILLAGE PARKWAY.

DEDICATION

WE, THE UNDERSIGNED, PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP, AN OREGON LIMITED PARTNERSHIP, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON; HAVE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES CAUSED THE SAID TO BE SURVEYED AND PLATTED AS SHOWN HEREON; DO HEREBY DEDICATE THOSE STREETS AND / OR ROAD RIGHTS-OF-WAY SHOWN HEREON TO THE USE OF THE PUBLIC; AND DO HEREBY DEDICATE THE EASEMENTS AS SHOWN HEREON FOR THE USES INDICATED. THIS SUBDIVISION SHALL HEREAFTER BE KNOWN AND DESIGNATED BY THE NAME "QUAIL RIDGE PHASE 1 & 2".

FOR PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP	TITLE	DATE
---	-------	------

ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____, HAS SIGNED THIS PLAT ON BEHALF OF PAHLISCH HOMES AT HORN RAPIDS LIMITED PARTNERSHIP, ON OATH STATED THAT _____ IS AUTHORIZED TO EXECUTE THIS PLAT AND ACKNOWLEDGED IT AS THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED ON THIS PLAT.

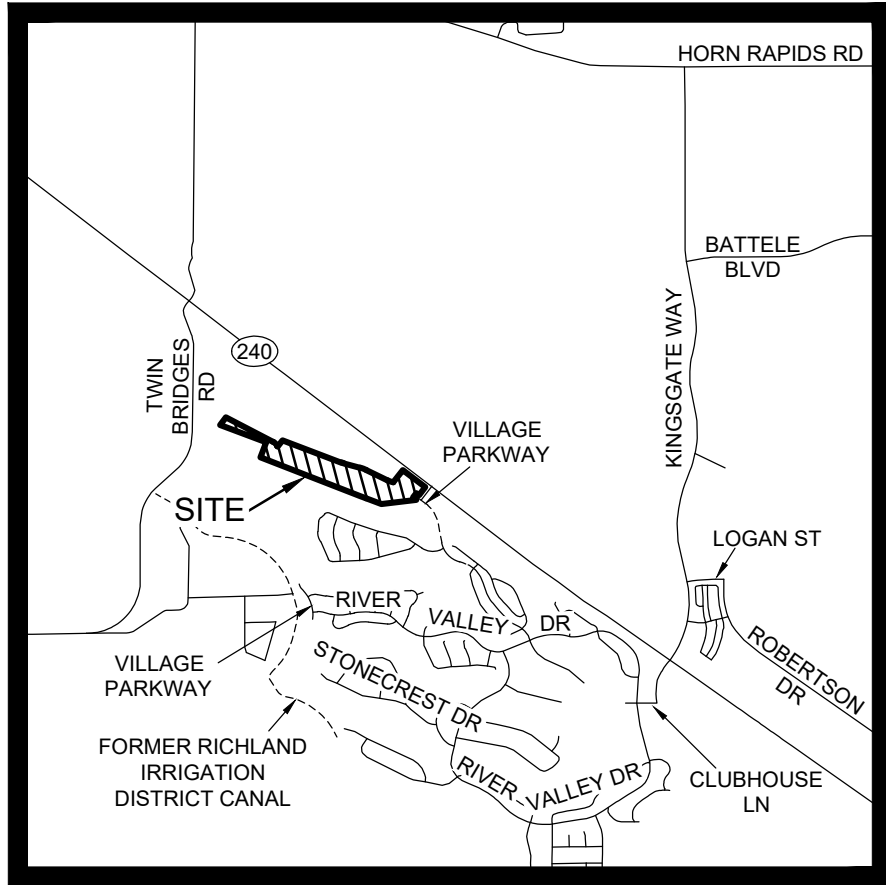
NOTARY PUBLIC	DATE
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MY APPOINTMENT EXPIRES: _____

RESIDING: _____

CITY OF RICHLAND REQUIRED NOTES

- 1.) ADDRESS NUMBERS [NOTED IN BRACKETS] ARE SUBJECT TO CHANGE BY THE CITY OF RICHLAND AT TIME OF BUILDING PERMIT ISSUANCE.
- 2.) LOTS WITHIN THIS PLAT ARE RESERVED FOR DETACHED SINGLE FAMILY RESIDENCES ONLY. NO DUPLEXES OR ATTACHED SINGLE FAMILY RESIDENCES SHALL BE PERMITTED.
- 3.) ALL LIVING UNITS ON THIS PROPERTY SHALL BE DESIGNED AND INTENDED FOR USE AND OCCUPANCY AS A RESIDENCE BY A SINGLE-FAMILY.
- 4.) RESIDENTIAL DEVELOPMENT SHALL CONFORM TO THE STANDARDS CONTAINED IN THE R2-S SINGLE-FAMILY RESIDENTIAL SMALL LOT ZONING DISTRICT AS THEY EXIST AT THE TIME OF PRELIMINARY PLAT APPROVAL; EXCEPT THAT ONLY DETACHED SINGLE-FAMILY DWELLINGS MAY BE PERMITTED WITHIN QUAIL RIDGE, DUPLEXES, TRI-PLEXES, FOUR-PLEXES, TOWNHOMES NOR ANY OTHER STYLE OF MULTI-FAMILY LIVING UNITS ARE NOT PERMITTED WITHIN QUAIL RIDGE. ZERO LOT-LINE CONSTRUCTION IS PROHIBITED.
- 5.) SETBACKS, BUILDING HEIGHTS AND LOT COVERAGE LIMITS FOR SINGLE-FAMILY DETACHED DWELLINGS SHALL BE AS SET FORTH IN THE SITE REQUIREMENTS FOR RESIDENTIAL USE DISTRICTS TABLE (RMC 23.18.040) INCLUDING FOOTNOTE # 10;
- (FOOTNOTE # 10) SETBACKS, BUILDING HEIGHTS, AND LOT COVERAGE REQUIREMENTS FOR ONE-FAMILY ATTACHED, ONE-FAMILY DETACHED AND TWO-FAMILY DETACHED DWELLINGS IN THE R-3 ZONING DISTRICT SHALL BE THE SAME AS THOSE SET FORTH FOR DEVELOPMENT IN THE R-2S ZONING DISTRICT.
- 6.) THE CITY OF RICHLAND'S STANDARD FOR STORM POND MAINTENANCE CONSISTS OF SEMI-ANNUAL VEGETATION ABATEMENT AND SPECIFICALLY DOES NOT INCLUDE IRRIGATION, LANDSCAPING OR OTHER AESTHETIC IMPROVEMENTS
- 7.) ALL LANDSCAPED AREAS WITHIN THE PLAT THAT ARE IN THE PUBLIC RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS TO MAINTAIN
- 8.) IN ACCORDANCE WITH THE GEOTECHNICAL ENGINEERING REPORT FOR THE QUAIL RIDGE SUBDIVISION BY SHANNON & WILSON, INC. (REPORT NO. 22-1-03168-001, DATED 2/2/2017), 15-INCH-WIDE CONTINUOUS FOOTINGS OR 24-INCH-WIDE SPREAD FOOTINGS ARE REQUIRED.



VICINITY MAP
NOT TO SCALE

PLAT BOUNDARY CLOSURE BEARING DISTANCE

N 68°42'42" W	1771.50'
N 20°42'07" E	250.58'
N 69°17'53" W	768.43'
N 37°24'49" E	150.49'
S 62°20'06" E	833.19'
S 45°49'21" E	86.40'
S 29°18'37" E	4.50'
S 39°12'05" E	8.59'
N 37°24'49" E	121.14'
S 69°17'53" E	983.93'
S 71°53'40" E	38.46'
S 74°29'26" E	268.02'
S 69°25'21" E	101.69'
S 64°21'16" E	366.33'
S 70°54'07" E	96.80'
N 37°24'49" E	244.41'
S 52°35'11" E	440.45'
S 37°24'49" W	158.03'
N 52°35'11" W	55.00'
S 37°24'49" W	84.00'
S 52°35'11" E	66.73'
S 83°26'25" W	552.31'
N 69°57'17" W	250.96'

CLOSURE ERROR DISTANCE> 0.0098' ERROR BEARING> N 48°11'11" E
CLOSURE PRECISION> 1 IN 782,138.4 TOTAL DISTANCE> 7,703.55'
1,032,704 S.F.
23.71 AC.

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 20____A.D. TAX PARCEL NUMBERS 1-2008-300-0009-009 & PORTION OF 1-2008-300-0009-011

BENTON COUNTY TREASURER	DATE
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BENTON COUNTY ASSESSOR	DATE
------------------------	------

APPROVALS

THE ANNEXED PLAT IS HEREBY APPROVED BY AND FOR THE CITY OF RICHLAND, COUNTY OF BENTON, STATE OF WASHINGTON.

CITY MANAGER	DATE
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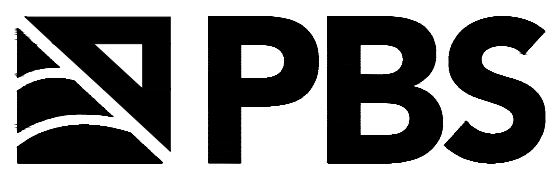
CITY CLERK	DATE
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CITY ENGINEER	DATE
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AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 2020 AT _____ M. IN VOLUME _____ OF PLATS AT PAGE _____ AT THE REQUEST OF PBS ENGINEERING & ENVIRONMENTAL INC.

COUNTY AUDITOR _____

 PBS Engineering and Environmental Inc. 400 Bradley Blvd, Ste 106 Richland, WA 99352 509.942.1600 pbsusa.com			CLIENT: PAHLISCH HOMES		PROJECT NO.: 66118.002
			SURVEYOR: ALEXANDER D. MATARAZZO		DATE: 06/30/2020
CALC BY: ROP		DRAWN BY: ROP	SCALE: N/A		
SECTION: 20		TOWNSHIP: 10 NORTH	RANGE: 28 EAST		
CITY: RICHLAND		COUNTY: BENTON	SHEET <u>4</u> OF <u>4</u>		



PRELIMINARY

**CITY OF RICHLAND
PUBLIC WORKS DEPARTMENT
DEVELOPMENT COMMENTS**

DATE: January 17, 2017

TO: RICK SIMON, DEVELOPMENT SERVICES MANAGER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
PETE ROGALSKY, PUBLIC WORKS DIRECTOR
JEFF PETERS, TRANSPORTATION ENGINEER

PROJECT NAME: QUAIL RIDGE AT HORN RAPIDS (S2016-103)

PROJECT LOCATION: HORN RAPIDS – WEST OF THE PLAT OF WILD CANYON AND THE SECOND
ENTRANCE OFF OF SR240

The Public Works Department has reviewed the preliminary plat received in this office on December 29, 2016 for the above referenced property and has the following conditions.

General Conditions:

1. The existing off-site easements and the pre-plat of Wild Canyon needs to be labeled on this pre-plat drawing.
2. Label the ROW widths of Village Parkway south of phase 6.
3. All final plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in the specified 24 x 36 (and electronic) format. When construction of the infrastructure has been substantially completed, the applicant shall provide paper, mylar and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. Electronic copies of the construction plans are required prior to the pre-con meeting, along with the multiple sets of paper drawings. The mylar record drawings (including street lights) shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
4. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
5. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance.
6. Pursuant to Richland Municipal Code Section 12.08 any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to construction. A plan review and inspection fee in the amount equal to 5% of the construction costs of the work within the right-of-way or easement will be collected at the time the permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a

copy of the material submittals shall be submitted along with the final plan submittal. The right of way construction permit requires indemnification of the City and provision of insurance meeting the requirements of the municipal code.

7. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations from the approved permit design drawings. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
8. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for plat acceptance.
9. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Administration and Engineering Division at 942-7500 to schedule a pre-construction conference.
10. Site plan drawings which involve the construction of public infrastructure shall be drawn on a standard 24" x 36" drawing format to a scale which shall not be less than 1"= 40'.
11. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
12. All construction plan sheets shall include the note "CALL TWO WORKING DAYS BEFORE YOU DIG 1-800-424-5555 (or "811")." Or: <http://www.call811.com/>
13. This property will be serviced by the City of Richland's non-potable water system for all outdoor landscape irrigation needs. The designing Engineer shall submit plans for the proposed irrigation system to the City as part of his right-of-way permit application submittal. Easements shall be provided on the final plat for this system where needed.
14. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

15. Public improvement design shall follow the following general format:
 - A. Sanitary sewer shall be aligned on the north and west side of street centerlines.
 - B. Storm sewer shall be aligned on the south and east side of street centerlines.
 - C. Any sewer or storm manholes that are installed outside of public Right of Way shall have an acceptable 12-foot wide gravel access road (minimum) provided from a public street for maintenance vehicles.
 - D. 10-foot horizontal spacing shall be maintained between domestic water and sanitary sewer mainlines and service lines.
 - E. Water lines shall be aligned on the south and east side of street centerlines.
 - F. Watermains larger than 8-inches in diameter shall be ductile iron.
 - G. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.

- H. All watermains outside areas zoned R1 shall be ductile iron.
 - I. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - J. Sewer mains over 15-feet deep shall be constructed out of SDR26 PVC, C900 PVC or ductile iron. The entire main from manhole to manhole shall be the same material. Private sewer service lines over 15-feet deep shall also be constructed of the same material, then transition to regular sewer piping above 15-feet.
 - K. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
 - L. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - M. The minimum centerline finish grade shall be no less than 0.30 % and the maximum centerline finish grade shall be no more than 10.0 % for local streets.
 - N. The minimum centerline radius for local streets shall be 100-feet.
 - O. Any filling of low areas that may be required within the public Right of Way shall be compacted to City standards.
 - P. A overall, composite utility plan shall be included in the submitted plan set if the project is phased. This comprehensive utility plan benefits all departments and maintenance groups involved in the review and inspection of the project.
 - Q. A detailed grading plan shall be included in the submitted plan set.
 - R. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
 - S. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - T. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - U. All cul-de-sacs shall have a minimum radius of 45-feet to the face of curb to allow for adequate turning radius of fire trucks and solid waste collection vehicles.
 - V. Curb returns at minor intersections shall have a minimum radius of 25-feet. Curb returns at major intersections should have minimum radius of 30-feet but should be evaluated on a case by case basis.
 - W. All public streets shall meet design requirements for sight distance (horizontal, vertical and intersectional).
 - X. The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mail boxes. All electrical appurtenances such as transformers, vaults, conduit routes, and street lights (including their circuit) need to be shown in the plan view.
 - Y. Construction plans shall provide or reference all standard drawings or special details that will be necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public (Commercial Driveway, Curb, Gutter, Sidewalk, Water, Sewer, Storm, Street and Street lighting etc.).
 - Z. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
16. If the project will be built in phases the applicant shall submit a master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.
17. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVA only).
 - B. 2% cross-slope, maximum.

- C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
- D. Be 20-feet in width.
- E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

18. **SURVEY MONUMENT DESTRUCTION:**

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction, the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).
- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

- 19. Village Parkway currently does not exist from the second entrance off of SR240 to this property boundary. If Village Parkway is constructed by another project prior to phase 1 of Quail Ridge, its frontage shall be completed to City standards at the time that the phase which constructs the lots adjacent to it is developed. If Village Parkway has not yet been constructed then phase 1 shall construct it from the second entrance location off of highway SR240. This work shall include construction of the second entrance itself within the SR240 Right-of-Way.
- 20. The phase breaks on Village Parkway shall match the phase lines of the adjacent phases (the limits of Village Parkway shall match the limits of the adjoining phase frontage). Village Parkway shall be graded to subgrade concurrently with the lot grading.
- 21. A ten-foot public utility easement along the Village Parkway frontage shall be provided on the face of the final plat.

22. A note will be shown on the face of the final plat stating that Village Parkway is classified as an "Arterial Collector street". Subsequently, no driveways accessing single family lots will be allowed onto it.
23. Street lights shall conform to the City's Material Specifications document (MSTSTRTLT5) and fixtures shall have the appropriate wattage and spacing for the roadway classification based on a "low" pedestrian conflict area. Copies of these documents are available upon request. Street light fixture wattages shall be shown on the plans.
24. Sidewalks shall be installed along all public Right of Way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, etc.).
25. All private roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
26. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turn-arounds built at the end of them. The radius of these turn-arounds shall be 45-feet minimum, and shall be constructed of 2-inches of compacted top course gravel for slopes less than 5%, or of 2-inches of asphalt atop 2-inches of gravel for slopes greater than 5%. If the temporary turn around is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

27. The Horn Rapids domestic water master plan shows a water connection between this preliminary plat and the plat of Wild Canyon to the east. This connection shall be made during phase 3 (or with the phase that constructs the 51st lot) to eliminate a long dead end water line and also provide redundancy and eliminate stagnant water (or as needed to provide necessary fire flows). Easements shall be provided for the off-site water main and it shall be installed at standard depths below future road grades.
28. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.
29. The fire hydrant layout shall be approved by the City Fire Marshal.

Sanitary Sewer:

30. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
31. Sanitary sewer shall be extended to the plat boundary in line with the appropriate existing easements across the golf course.
32. The sewer main shall be installed at a depth appropriate to allow for the balance of the Horn Rapids residential property to drain without a lift station.

Storm Water:

33. This project may require coverage under the Washington State General NPDES Permit for Construction projects. The Developer shall be responsible for compliance with the permit

conditions. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.

34. All storm drainage systems shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. The applicant's design shall provide runoff protection to downstream property owners.
35. The flow-rate of the public storm drainage system shall be designed using the 2-Year, 3-Hour short duration Eastern Washington storm for pipe and inlet sizing using SCS or Santa Barbara method; no modifying or adding time of concentration; no surcharge allowed. Calculations shall be stamped by a registered professional engineer and shall include a profile of the system showing the hydraulic grade line. The calculations should include a 50-foot wide strip behind each right of way line to represent drainage from private property into the City system. Of that area, 50% shall be considered pervious and 50% impervious. Calculations shall include a profile for the design showing the hydraulic grade line for the system. Passing the storm downhill to an existing system will require a downstream storm system capable of accepting the water without being overwhelmed.
36. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.
37. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 24 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not perk within 24 hours.
38. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity.
39. If the storm drain pond slopes are greater than 25% or deeper than 4-feet, then a 6-foot fence will be required around the perimeter of the pond with a minimum 12-foot wide gate for maintenance vehicles. A maintenance road from the public Right of Way to the bottom of the pond is also needed (2-inches of compacted gravel, minimum). The City's maintenance of the pond in the future will consist of trimming weeds to maintain compliance with fire and nuisance codes, and maintaining the pond for functionality.
40. The developer shall be responsible for landscaping the storm pond and for its maintenance through the one-year infrastructure warranty period. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above. If the developer wishes for the pond to be landscaped and visually appealing, then the homeowners association should be considered for maintenance responsibilities. This will require an irrigation

meter and sprinkler system (including a power source), and responsibility for maintaining the landscaping.

41. The developer of record shall maintain the public storm drainage system for one year from the date of final acceptance by The City of Richland (as determined by the issuance of the "Letter of Final Acceptance"). Said developer shall also thoroughly clean the entire system, including structures, pipelines and basins prior to the City warranty inspection, conducted 11 months after the Letter of Final Acceptance.

Irrigation:

42. The non-potable irrigation system supplying the Horn Rapids development and golf course is currently serviced by a single delivery point across SR240 near the Kingsgate Way intersection. Past analysis of the system indicated that a second connection to the irrigation water source north of SR240 was needed to support further development. This project shall design and construct this second connection. The available connection point lies north of SR240 on City-owned property that is currently leased for agricultural purposes. Construction of the required pipeline will be subject to the terms of the City's lease. The pipeline construction will also be subject to WSDOT permit requirements for crossing SR240.

Final Platting / Project Acceptance Requirements:

43. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the paper copy, a mylar copy of the record drawings shall be submitted along with a CAD copy of them. The electronic as-built record drawings shall be submitted in a AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
44. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
45. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
46. Ten-foot wide public utility easements will be required on the final plat along both sides of all Right-of-Ways within the proposed plat.
47. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association.
48. A note shall be placed on the face of the plat that states: "*The City of Richland's standard for storm pond maintenance consists of semi-annual vegetation abatement and specifically does not include irrigation, landscaping or other aesthetic improvements.*"

49. A note shall be placed on the face of the plat that states: *"All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the homeowners to maintain."*
50. A one-foot wide "No access / screening easement" will be required along the Village Parkway Right of Way.
51. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
52. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
53. Any restricted parking areas shall be indicated on the final plats.



**BEFORE THE HEARING EXAMINER
FOR THE
CITY OF RICHLAND**

**FINDINGS, CONCLUSIONS AND
RECOMMENDATION OF APPROVAL
“QUAIL RIDGE” PRELIMINARY PLAT**

FILE NUMBER: S2016-103

APPLICANT/OWNER: NORTH STONE RICHLAND LLC

APPLICATION: TO SUBDIVIDE 39.06 ACRES INTO 99 SINGLE FAMILY RESIDENTIAL LOTS AND 6 TRACTS

LOCATION: PART OF THE “HORN RAPIDS” COMMUNITY, ABUTTING A SEGMENT OF SR-240 IN THE NORTHEAST PORTION OF THE PROPOSED PLAT, FORMING A “C” SHAPE SURROUNDING PORTIONS OF THE HORN RAPIDS GOLF COURSE WHICH LIES TO THE SOUTH AND EAST OF MUCH OF THE PROPOSED PLAT. (THE PROPOSED PLAT IS LOCATED NORTH OF THE 5TH FAIRWAY AND WEST OF THE 4TH FAIRWAY).

PARCEL NUMBERS: THE PROPOSED PLAT APPEARS TO LIE ON PORTIONS OF MORE THAN ONE PARCEL, INCLUDING BENTON COUNTY ASSESSOR PARCEL No. 120083000009009, OWNED BY THE APPLICANT, NORTH STONE RICHLAND LLC.

REVIEW PROCESS: TYPE III, PRELIMINARY PLAT,
HEARING EXAMINER RECOMMENDATION TO CITY COUNCIL

SUMMARY OF RECOMMENDATION: *APPROVE*, SUBJECT TO CONDITIONS

DATE OF RECOMMENDATION: FEBRUARY 14, 2017

PROJECT DESCRIPTION AND SUMMARY of PROCEEDINGS

North Stone Richland LLC, as the project applicant and owner of the property at issue in this matter, submitted the underlying application to subdivide the property on or about November 9, 2016. (*Exhibit 2, Preliminary Plat Application*).

The proposed subdivision would divide just over 39 acres into a development site with 99 single family residential lots known as the Quail Ridge Preliminary Plat, which will be served by City utilities, include internal streets, and six (6) tracts. (*Staff Report, pages 2, 3, 7; Exhibit 1, Preliminary Plat Site Plan; Ex. 2, application*).

The site is part of the greater Horn Ridge community, which began as a “master-planned” development, including a golf course, open spaces, internal streets and the like. The subject property is currently undeveloped, with gentle rolling slopes, but mostly flat, with elevation differences of not more than 20 feet throughout the site. (*Staff Report, page 6; Ex. 4, site photos; Site Visit*).

SEPA Compliance.

Exhibit 6 is the Environmental Checklist submitted by the applicant, and *Exhibit 7* is the City’s Determination of Non-Significance (DNS) issued on December 28, 2016 for the proposed plat. The SEPA comment period expired on January 18, 2017. The Washington State Department of Transportation provided a timely written response to the City’s SEPA notice for the project, numbered as EA2016-39, included in the Record as *Exhibit 9*. WSDOT’s comment letter merely noted that the project’s location near and proposed access link onto State Route 240 will entail the agency’s review and approval of construction plans where the new Village Parkway connect with such highway; that private access is prohibited onto SR 240¹; and that traffic noise is expected to grow into the future from the existing SR 240, and that “it is the developer’s responsibility to dampen or deflect any traffic noise for” the proposed development. No one appealed the City’s SEPA determination for the proposed plat. With such documentation and process, the pending application satisfied applicable SEPA review requirements.

Public Hearing.

The open-record public hearing for the application occurred on January 26, 2017, wherein the undersigned Examiner presided, and all persons wishing to provide comments were heard, providing testimony under oath. No one appeared at the hearing or submitted written comments to oppose the proposed plat. The Examiner visited the site of the proposed project, and public roads leading to and from the vicinity of the proposed plat, on the day of the hearing.

¹ NOTE: No driveways fronting SR 240 or other private access connections onto the highway were proposed by the applicant, so the WSDOT comment appears to be more of a boilerplate item included in the letter.

Based on all the evidence, testimony, codes, policies, regulations, and other information contained in the Record, the Examiner issues the following findings, conclusions and Recommendation to approve the preliminary plat as set forth below.

CONTENTS OF RECORD

Exhibits: Staff Report. City of Richland Development Services Division Staff Report and recommendation of approval to the Hearing Examiner regarding the “Quail Ridge” Preliminary Plat, File No. S2016-103, dated January 26, 2017;

1. Preliminary Plat site plan;
2. Application;
3. Development standards for the R2-S zone;
4. Site photos;
5. Public Notices and affidavits confirming same;
6. Environmental Checklist;
7. SEPA Determination of Non-Significance;
8. WSDOT comment letter; and
9. Technical Advisory Committee Report.

Testimony/Comments: The following persons were sworn and provided testimony under oath at the open-record hearing:

1. Shane O’Neill, Senior Planner, for the City of Richland; and
2. Stewart Stone, for the applicant, North Stone Richland LLC.

APPLICABLE LAW

Under applicable provisions of the Richland Municipal Code (RMC), a preliminary plat² application is first subject to review and approval by city staff with respect to the engineering elements of said plat, then the Hearing Examiner is responsible for conducting an open record public hearing followed by a recommendation to the City Council. A preliminary plat application is a Type III procedure. RMC 19.20.010(C)(1).

As explained in RMC 24.12.050(A), the hearing examiner shall consider any preliminary plat application and shall conduct an open record public hearing in accordance with Chapter 19.60

² In this Recommendation and exhibits included in the Record, preliminary plat and preliminary subdivision mean the same thing, and use of one term should be read to apply to the other to the extent anyone views the terms to have distinct meanings, which for the purposes of this Recommendation, they do not.

RMC. After the public hearing and review of materials in the record, the hearing examiner shall determine whether the preliminary plat is in accordance with the comprehensive plan and other applicable code requirements and shall either make a recommendation for approval or disapproval to the city council.

The same provision of the city's code (RMC 24.12.050) provides that any recommendation for approval of the preliminary plat shall not be given by the hearing examiner without the prior review and approval of the city manager or her designee with respect to the engineering elements of said plat including the following:

1. Adequacy of proposed street, alley, right-of-way, easement, lighting, fire protection, drainage, and utility provisions;
2. Adequacy and accuracy of land survey data;
3. The submittal by the applicant of a plan for the construction of a system of street lights within the area proposed for platting, including a timetable for installation; provided, that in no event shall such a plan be approved that provides for the dedication of such a system of lighting to the city later than the occupancy of any of the dwellings within the subdivision.

The City's decision criteria for preliminary plat approval are substantially similar to state subdivision mandates found in RCW 58.17.110(2)³ and reads as follows:

Richland Municipal Code 24.12.053 Preliminary plat – Required findings.

The hearing examiner shall not recommend approval of any preliminary plat application, unless the approval is accompanied by written findings that:

A. The preliminary plat conforms to the requirements of this title;

B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;

C. The public use and interest will be served by the platting of such subdivision and dedication; and

D. The application is consistent with the requirements of RMC 19.60.095 (addresses transportation concurrency considerations).

And RMC 19.60.095 mandates the following additional findings:

³ "A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. []" RCW 58.17.110(2).

19.60.095 Required findings.

No development application for a Type II or Type III permit shall be approved by the city of Richland unless the decision to approve the permit application is supported by the following findings and conclusions:

A. The development application is consistent with the adopted comprehensive plan and meets the requirements and intent of the Richland Municipal Code.

B. Impacts of the development have been appropriately identified and mitigated under Chapter [22.09](#) RMC.

C. The development application is beneficial to the public health, safety and welfare and is in the public interest.

D. The development does not lower the level of service of transportation facilities below the level of service D, as identified in the comprehensive plan; provided, that if a development application is projected to decrease the level of service lower than level of service D, the development may still be approved if improvements or strategies to raise the level of service above the minimum level of service are made concurrent with development. For the purposes of this section, “concurrent with development” means that required improvements or strategies are in place at the time of occupancy of the project, or a financial commitment is in place to complete the required improvements within six years of approval of the development.

E. Any conditions attached to a project approval are as a direct result of the impacts of the development proposal and are reasonably needed to mitigate the impacts of the development proposal.

The burden of proof rests with the applicant, and any decision to approve or deny a preliminary plat must be supported by evidence that is substantial when viewed in light of the whole record. RCW 36.70C.130(1)(c); and RMC 19.60.060. The application must be supported by proof that it conforms to the applicable elements of the city’s development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed. RMC 19.60.060.

ISSUE PRESENTED

Whether substantial evidence demonstrates that the applicant has satisfied their burden of proof to satisfy the criteria for preliminary plat approval?

Short Answer: Yes.

FINDINGS of FACT

1. Any statements in previous or following sections of this document that are deemed findings are hereby adopted as such, including without limitation the project description and summary of proceedings.
2. The Staff Report and recommendation of approval includes a number of specific findings and conditions that establish how the underlying plat application, as conditioned, satisfies provisions of applicable law, is consistent with the city's Comprehensive Plan, and is designed or conditioned to comply with applicable development standards and guidelines.

Public Hearing Testimony

3. At the hearing, Mr. O'Neill summarized his Staff Report and recommendation of approval for the proposed plat.
4. Mr. O'Neill noted that the proposed plat covers an area with several residential zoning designations, and that given the size of the site (39+ acres), the applicant could have pursued a design with about 11 dwelling units per acre [meaning over 400 units]. Instead, the applicant only intends to allow construction of single-family homes within the proposed plat, and seeks approval of a plat with just 99 lots, with six large tracts, one for stormwater and the others for open space.
5. Mr. O'Neill explained that all City services are readily accessible and available to serve the proposed new plat.
6. The applicant's owner/representative, Stew Stone, appeared at the public hearing and stated that he concurs with the Staff Report and that he has no concerns with the recommended conditions of approval. Mr. Stone testified that he notified about 900 homeowners in the Horn Rapids development of the proposed plat and attended a homeowners association meeting on the topic on or about January 19th. According to Mr. Stone, about 25 people attended that meeting, where he answered questions from attendees. No one from the Horn Rapids community submitted any written comments to the City, or appeared at the public hearing, to offer opposition or concerns regarding the proposed plat.
7. The Examiner conducted a site visit on the day of the hearing, visiting the street network surrounding the project site.

Compliance with city development regulations achieves consistency with the Comprehensive Plan

8. RMC 24.04.020 explains that the purpose of the City's platting and subdivision codes is "*in furtherance of the comprehensive plan of the city*" and that such regulations contained in the city's platting and subdivision codes "*are necessary for the protection and preservation of the public health, safety, morals and the general welfare, and are designed,*

among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote the coordinated development of unbuilt areas; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.” The effect of this provision boils down to this: compliance with the City’s Comprehensive Plan can be established, or at least partially established, through compliance with the city’s platting and subdivision regulations found in Title 24 of the Richland Municipal Code. In this matter, substantial evidence in the record establishes compliance by the proposed plat (as conditioned herein) with the city’s land platting regulations that are applicable to this project, thus implementing and complying with the City’s Comprehensive Plan. (*See Staff Report, all Findings*).

Proposed plat will provide public benefits

9. The applicant’s submittals and the Staff Report establish that some aspects of the new subdivision will provide a public benefit, including without limitation, new housing inventory and options fulfilling the city’s goals and policies set forth in the Comprehensive Plan, open space, construction of new roads, sidewalks, an attractive street system to serve the new plat, and other features that will serve to promote health benefits of a walkable, appropriately connected, pedestrian-friendly community.
10. Except as modified in this Recommendation, all Findings, and statements of fact contained in the Staff Report, are incorporated herein by reference as Findings of the undersigned-hearing examiner.⁴

Substantial evidence demonstrates the proposed project, as conditioned, satisfies approval criteria.

11. The record contains substantial evidence to demonstrate that, as conditioned, the proposed plat makes appropriate provisions for:
 - A. The public health, safety, and general welfare: *See Staff Report, including without limitation the Analysis provided on pages 8 and 9, and proposed findings on page 12.*
 - B. Open Spaces: *The project provides five small open space tracts, and another larger tract for stormwater detention and open space purposes, all to be maintained by the Horn Rapids Homeowners Association. The large Hanford Legacy Park is located just northeast of the proposed plat. See Staff Report, and discussion in item H.*

⁴ For purposes of brevity, only certain Findings from the Department’s Recommendation are highlighted for discussion in this Recommendation, and others are summarized, but any mention or omission of particular findings should not be viewed to diminish their full meaning and effect, except as modified herein.

- C. Drainage Ways: the project will be consistent with all applicable standards for stormwater system design, including without limitation the Department of Ecology Stormwater Management Manual for Eastern Washington. Consistent with City development standards, the plat will provide on-site stormwater detention. The design includes a tract of about 2 acres in size for such purpose. *Staff Report, page 9; Ex. 8, pages 7-8, recommended Storm Water conditions.*
- D. Streets or roads, alleys, other public ways: the proposed plat has been reviewed by the City for compliance with applicable street system design requirements, and has been deemed consistent with all applicable city standards for city roads, streets, driveways, access, circulation, transportation concurrency and the like. *Staff Report; Exhibit 1, site plan; Exhibit 8, Technical Advisory Committee report and proposed conditions.*
- E. Transit stops: To the extent transit stops are or may be located nearby to serve residents of the proposed plat, or Richland residents generally, the subdivision design, access and internal circulation patterns, as conditioned, are appropriate to allow for pedestrians and vehicles to access arterials and other routes that could direct users to existing or future transit stops and facilities. The proposed plat is within the Ben Franklin Transit service area, though no bus service is currently provided for the neighborhood. The transit agency was given lawful notice of the proposed plat and did not provide any comments or feedback for consideration as part of the record in this matter. *Staff Report, page 9.*
- F. Potable water supplies: The new subdivision will receive its domestic water supply from the City of Richland. Staff confirms that adequate capacity is available within the city's water supply system to provide both domestic water and fire flow service to the new plat. Irrigation water will also be provided by the City's irrigation water system, which already serves the Horn Rapids community. *Staff Report, page 9; Ex. 8, recommended Domestic Water conditions on pages 6-7, and recommended Irrigation conditions on page 8.*
- G. Sanitary systems: The City's sewer system has capacity to serve the proposed plat, and will do so. *Staff Report, at page 9; Ex. 8, recommended Sanitary Sewer conditions on page 7.*
- H. Parks and recreation, playgrounds, schools: The proposed plat provides five open space tracts, and another for stormwater detention that will also serve as open space. The Hanford Legacy Park is located northeast of the site. The Horn Rapids community already features a golf course, trails, and open space, to serve local residents. The plat is located about 3 miles from an existing elementary school in the Richland School District, and the City has reserved a large property immediately east of the proposed plat for a future school site. In fact, the site is already zoned for a school (PPF). The School District did not provide any comments after receiving city notice regarding the project. *Staff Report, page 9.*

- I. Planning features to assure safe walking conditions for students: See street network, road design proposed for plat. *Staff Report; Ex. 1.*

12. Based on all evidence, exhibits and testimony in the record, the undersigned Examiner specifically finds that the proposed plat, as conditioned below, makes appropriate provisions for the considerations detailed in applicable law, including without limitation RMC 24.12.050, .053, and 19.60.095, and that the public use and interest will be served by the proposed plat and associated dedications and improvements.

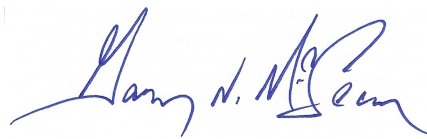
CONCLUSIONS of LAW

1. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed plat, as conditioned below, conforms to all applicable zoning and land use requirements and appropriately mitigates adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the preliminary plat meets the standards necessary to obtain approval by the City.
2. The proposed conditions of approval as set forth in the Technical Advisory Committee Report included in the Record as *Exhibit 8*, are reasonable, supported by the evidence, and capable of accomplishment.
3. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions are hereby adopted as such.

RECOMMENDATION

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and the Examiner's site visit, **the undersigned Examiner recommends that the City Council APPROVE the "Quail Ridge" Preliminary Plat** application, subject to the proposed Conditions of Approval included in the City's Technical Advisory Committee Report, included in the Record as *Exhibit 8*, and adopted herein by reference.

Recommendation issued: February 15, 2017.



Gary N. McLean
Hearing Examiner for the City of Richland

SECURITY AND IMPROVEMENT AGREEMENT

THIS SECURITY AND IMPROVEMENT AGREEMENT ("Agreement") is made and entered into on this 19th day of May, 2020 by and between the **City of Richland**, a Washington municipal corporation ("City"), and **Pahlisch Homes, a Limited Liability Corporation** seeking final plat approval of Quail Ridge Phase 1 ("Developer"). City and Developer are referred to collectively as the "Parties."

I. RECITALS

WHEREAS, pursuant to Chapter 24.12 of the Richland Municipal Code (RMC), Developer has filed with the City an application for final plat approval of Quail Ridge Phase 1 (the "Project"); and

WHEREAS, the Quail Ridge Phase 1 was given preliminary plat approval by the Richland City Council on January , subject to the conditions of approval listed in Technical Advisory Committee (TAC) Report TAC #2016-103 and the applicable state and local development regulations in existence at the time; and

WHEREAS, RCW 58.17.170 provides that final plat approval shall be given by the City when the City finds that the subdivision proposed for final plat approval conforms to all terms of the preliminary plat approval, and that said subdivision meets the requirements of RCW 58.17, other applicable state laws, and any local ordinances in effect at the time of preliminary plat approval; and

WHEREAS, under circumstances where the improvements and land division work required by the RMC and the conditions of approval are not complete prior to a developer's application for final plat approval, RCW 58.17.130 and RMC 24.24.020 allow a developer to comply with the conditions of approval by entering into a secured agreement with the City to complete the improvements and land division work within a period of time specified by the City; and

WHEREAS, pursuant to RMC 24.12.090, upon receipt of a final plat application, the City Engineer is required to review the plat to determine whether minimum improvements have been provided as described by the RMC. If minimum improvements are lacking, the plat shall be rejected; and

WHEREAS, in consideration of final plat approval for the proposed Project by the City prior to completion of improvements, Developer desires to enter into this Agreement whereby Developer promises to install and complete, at its sole expense, all public improvement work required by the City for the proposed Project. Developer has secured this Agreement by improvements security required by RMC 24.24.020; and

WHEREAS, improvement plans and related specifications for the construction, installation and completion of the improvements identified herein have been prepared by the Developer, approved by the City, and are on file in the City's Public Works Department. Said improvement

plans and related specifications are incorporated herein by this reference.

NOW, THEREFORE, in consideration of the approval by the City of the Final Plat of Quail Ridge Phase 1, Developer and City agree as follows:

II. AGREEMENT

1. DEVELOPER'S OBLIGATION TO CONSTRUCT IMPROVEMENTS

- a. At its sole expense, Developer shall, in compliance with state law, the improvement plans approved pursuant to Right-of-Way Construction Permit No. PW-18-02961, and all applicable City standards, furnish, construct, install and guarantee the improvements described in the Quail Ridge 1& 2 preliminary plat, the Richland Municipal Code, and the conditions of approval (the "Improvements").
- b. Developer shall acquire and dedicate, or pay the cost of acquisition of, all rights-of-way, easements and other real property for the construction or installation of the improvements, free and clear of all liens and encumbrances.
- c. Subject to any time extensions granted in accordance with Section 4, Developer shall complete all Improvements within twelve (12) months of the effective date of the agreement; provided, however, that if the City Engineer reasonably determines that accelerated construction of the Improvements is essential in order to protect the public health, welfare and safety, including, without limitation, providing for the orderly subdivision of the surrounding area, the City Engineer shall give Developer not less than fifteen (15) calendar days' prior written notice to commence or accelerate installation and construction of improvements, or any portion thereof. The notice shall describe the work to be done by the Developer, the time within which the work will commence, and the period within which the work will be completed. All or any portions of said Improvements may be required to be constructed or completed at a specified time.
- d. If improvements to be constructed by Developer include monumentation, such monumentation shall be installed no later than thirty (30) days after the City's acceptance of all other Improvements pursuant to Section 2. As used herein, "monumentation" shall mean the setting of survey monuments and tie points in accordance with the Revised Code of Washington and Richland Municipal Code, and the delivery to the City Engineer of tie notes for said points.
- e. Developer shall, at its sole expense, replace or repair all existing and newly constructed public improvements, public utility facilities, and surveying or subdivision monuments which are destroyed or damaged as a result of any work under this Agreement. Any such replacement or repair shall be subject to the approval of the City Engineer.
- f. Until any category of Improvements is accepted by the City, Developer shall be responsible for the care and maintenance of such improvements and shall bear all risks of loss or damage to said improvements. Neither City, nor its officers, agents and employees, shall

have any liability for any accident, loss or damage to the Improvements prior to their completion and acceptance by the City.

- g. Developer shall, at its sole expense, obtain all necessary permits and licenses for the construction and installation of the Improvements, give all necessary notices, and pay all fees required by the federal, state, county, town or improvement district and all taxes required by law.
- h. Not less than fifteen (15) days prior to commencement of work on the Improvements, Developer shall give written notice to the City Engineer of the date fixed for such commencement of work in order that the City Engineer shall have adequate time to schedule all necessary inspections.

2. INSPECTION OF WORK AND FINAL ACCEPTANCE

- a. Developer shall at all times maintain proper facilities and safe access for inspection for the Improvements by the City Engineer.
- b. Upon completion of the work on all or any category of the Improvements specified in Schedule A, the Developer may request a final inspection by the City Engineer. If the City Engineer determines that all or any specified category of the Improvements have been completed in accordance with this Agreement and in compliance with the Improvement Plans and all applicable City standards, then the City Engineer shall certify the completion of such Improvements.
- c. Developer understands and agrees that no building permits for homes to be constructed on the lots located within Quail Ridge Phase 1 will be issued by the City of Richland Building Department until the minimum improvements identified in Schedule A are inspected and accepted by the City Engineer. Developer shall include this notice of restriction in all contracts for sale of lots within Quail Ridge Phase 1 to homebuilders until the restrictions of this subsection c. are no longer applicable.

3. GUARANTEE AND WARRANTY OF THE IMPROVEMENTS

- a. If, within a period of one (1) year following the acceptance by the City of the last of the Improvements specified in Schedule A, any Improvements or part of any Improvements furnished, installed or constructed by the Developer, or any of the work performed under this Agreement, fails to comply with any requirements of this Agreement, or the Revised Code of Washington, Richland Municipal Code, or the Improvement Plans and related specifications, the Developer shall, without delay and without cost to the City, repair, replace, or reconstruct any defective or otherwise unsatisfactory part or parts of the Improvements.
- b. Should the Developer fail or refuse to act promptly or in accordance with subparagraph A above, or should the exigencies of the situation require repair, replacement or reconstruction to be undertaken before the Developer can be notified, then the City may, at its discretion, make the necessary repairs or replacements or perform the necessary

reconstruction. If the Developer's improvement security does not cover the total cost of such repair, replacement or reconstruction, the Developer shall reimburse the City for any excess costs incurred.

- c. The security furnished for the Developer's obligation to construct and install the Improvements described herein shall not be reduced below ten percent (10%) unless and until a warranty bond is posted for the warranty period.

4. TIME EXTENSIONS

- a. Upon a showing of the Developer of good cause, the date of commencement of work on the Improvements, or the duration of the Completion Period, may be extended by the City Engineer, with the written concurrence of the City Manager. As used herein, "Good Cause" may include, without limitation, delay resulting for an act of the City, acts of God or force majeure; and strikes, boycotts or similar job actions by employees or labor organizations which prevent the conduct of the work.
- b. A time extension may be granted without notice to any surety or sureties of the Developer and shall not affect the validity of this Agreement nor release the surety or sureties on any bond given as an improvement security pursuant to this Agreement.
- c. As a condition of any time extension provided for herein, the City Engineer, with the written concurrence of the City Manager, may require the Developer to furnish new or modified improvement security guaranteeing performance of this Agreement, as extended, in an increased amount necessary to compensate for any projected increase in the Estimated Total Cost of Improvements, as determined by the City Engineer.

5. IMPROVEMENT SECURITY

- a. Prior to the City's execution of this Agreement, Developer shall provide as security to the City an amount equal to one hundred fifty percent (150%) of the Estimated Total cost of the Improvements, Grading and Monumentation as set forth in Schedule A and in accordance with established City policy. With this security, the form of which shall be subject to City's prior approval, the Developer assures faithful performance under this agreement and guarantees the Improvements for one (1) year after the completion and acceptance of the last of such Improvements against any defective workmanship or material or any unsatisfactory performance pursuant to Section 3 hereof.
- b. Modifications of the Improvement Plans and related specifications, and modification of the Improvements, not exceeding ten percent (10%) of the original Estimated Total Cost of Improvements, shall not relieve or release any improvement security furnished by Developer pursuant to this Agreement. If any such modifications exceed ten percent (10%) of the Estimated Total Cost of the Improvements, Developer shall furnish additional improvement security for performance and guarantee, and for payment, as required by subparagraph A above, for one hundred fifty percent (150%) of the revised Estimated Total Cost of the Improvements.

6. REDUCTION OR RELEASE OF IMPROVEMENT SECURITY

- a. Partial release or reductions in the Developer's improvement security may be authorized prior to the City's acceptance of all Improvements required hereunder, as provided in this section.
- b. Upon acceptance of all or any specified category of the Improvements, and upon request of the Developer, the improvement security may be reduced or released as follows:
 - i. Security for Performance and Guarantee: Security may be released incrementally following the completion and documentation of the completion of work and approval by the City Engineer. Securities will be released incrementally in conformance with Schedule A and only upon completion of all improvements in a related category of Schedule A. Unless the Developer submits a warranty bond (where applicable) or additional security in an amount equal to ten percent (10%) of the Estimated Total Cost of the Improvements, security shall not be reduced or released in an amount greater than ninety percent (90%) of the total security amount thereof prior to the expiration of the one (1) year guarantee and warranty period specified in Section 3.A. nor until any claims filed during the one (1) year warranty period have been settled.
- c. If Developer's obligations relating to any Improvements, such as the water system or sewer system, are subject to the approval of another governmental agency, the City shall not release the improvement security therefor until the obligations are performed to the satisfaction of such other governmental agency. Such agency shall have two (2) months after Developer's performance of the obligation to register its satisfaction or dissatisfaction. If at the end of that period it has not registered its satisfaction or dissatisfaction, it shall be conclusively deemed that the Developer's performance of the obligation was satisfactorily completed.

7. INDEMNIFICATION OF CITY BY DEVELOPER

- a. Neither the City, nor its officers, agents and employees, shall be liable or responsible for any accident, injury, loss, or damage to either property or person attributable to or arising out of the construction or installation of the Improvements. Developer shall indemnify, hold harmless and defend the City, its officers, agents and employees, from and against any and all losses, claims, costs, expenses, liabilities, damages, actions, causes of action and judgments, including reasonable attorneys' fees, arising out of or attributable to Developer's performance under this Agreement.
- b. Developer's obligations under this section are not conditioned or dependent upon the City, or its officers, agents and employees who prepared, supplied or reviewed any Improvement Plans or related specifications in connection with the Project Improvements, or has insurance or other indemnification covering any of these matters.
- c. Developer's obligation to indemnify, hold harmless and defend the City shall extend to injuries to persons and damages to or alleged taking of property resulting from the design

or construction of the Project, and the Improvements required herein, and shall likewise extend to adjacent property owners asserting claims based upon the diversion of waters caused by the Developer's design or construction of public drainage systems, streets, and other public facilities or improvements. The City's acceptance of the Improvements shall not constitute an assumption by the City of any responsibility or liability for any damage or alleged taking of property referenced herein. City shall not be responsible or liable for the design or construction of the Project or the Improvements constructed or installed pursuant to the approved Improvement Plans or the Final Plat, unless the particular Improvement design was required by the City over the written objection of the Developer, which objection stated that the Improvement design was potentially dangerous or defective and set forth an alternative design.

8. OWNERSHIP OF IMPROVEMENTS

Ownership of all or any category of the Improvements constructed and installed by the Developer pursuant to this Agreement shall vest in the City (or other specified governmental agency) upon acceptance of Improvements by the City (or other specified governmental agency).

9. DEFAULT AND BREACH BY THE DEVELOPER AND REMEDIES OF THE CITY

- a. Upon the occurrence of any of the following events, the Developer shall be deemed to be in default under this Agreement:
 - i. Subject to any time extensions granted in accordance with Section 4, failure to commence construction and installation of the Improvements by the commencement date set forth herein;
 - ii. Failure to correct or cure any defect in the Improvements during the one (1) year guarantee and warranty period as required in Section 3.A.;
 - iii. Subject to any time extensions granted in accordance with Section 4, failure to perform substantial construction work, after commencement of work on the Improvements, for a period of thirty (30) days after written notice from the City;
 - iv. Insolvency, appointment of a receiver, or the filing of any petition in bankruptcy, whether voluntary or involuntary, and such is not cured or discharged within a period of thirty (30) days;
 - v. Commencement of a foreclosure action against the Project or any portion thereof, or any conveyance by the developer in lieu or in avoidance of foreclosure; or
 - vi. Failure to perform any other obligations in accordance with the terms and provisions of this Agreement within thirty (30) days after written notice from the City.
- b. City reserves to itself all remedies available to it at law or in equity for any breach of

Developer's obligations under this Agreement. City shall have the right, without limitation of other rights or remedies, to draw upon or utilize any improvement security furnished hereunder to mitigate City's damages in the event of Developer's default.

- c. Developer acknowledges that the Estimated Total Costs and improvement security amounts set forth herein may not reflect the actual cost of construction or installation of the Improvements, and consequently, City's damages for Developer's default shall be measured by the cost of completing the required Improvements. If the damages incurred by the City in taking over the completing of the Improvements exceeds the principal amount of the improvement security, then the Developer shall reimburse the City in the amount of such excess damages.
- d. City may, without liability for doing so, take possession of, and utilize in completing the Improvements, such materials, appliances, plant and other property belonging to Developer as may be on the site of the work and necessary for the performance of the work. Developer hereby consents to entry by the City and its forces, including contractors, upon any real property in the Project owned by the Developer or by any assignee of this Agreement, in the event the City elects to maintain or complete the work on the Improvements following Developer's default.
- e. Developer acknowledges and agrees that, upon approval of the Final Plat, City will confer substantial rights upon the Developer, including the right to sell, lease or finance lots within the Subdivision, and that such approval constitutes the final act necessary to permit the division of land within the Subdivision. As a result, City will be damaged to the extent of the cost of construction or installation of the Improvements upon Developer's failure to perform its obligations under this Agreement. Developer further acknowledges that any determination as to whether a reversion to acreage or rescission of approval of the Final Plat constitutes an adequate or necessary remedy for Developer's default shall be within the sole discretion of the City.
- f. The City's failure to take an enforcement action with respect to a default, or to declare a default or breach, shall not be construed as a waiver of that default or breach or any subsequent default or breach of the Developer.
- g. If City sues to compel Developer's performance of this Agreement, or to recover damages or costs incurred in completing or maintaining the work on the Improvements, Developer agrees to pay all attorneys' fees and other costs and expenses of litigation incurred by the City in connection therewith, even if the Developer subsequently resumes and completes the work.

10. RELATIONSHIP OF THE PARTIES

Neither Developer, nor any of the Developer's contractors, employees or agents, are or shall be deemed to be agents of the City in connection with the performance of Developer's obligations under this Agreement.

11. ASSIGNMENT

- a. Developer shall not assign this Agreement without the prior written consent of the City. Any attempted or purported assignment in violation of this subparagraph a. shall be null and void and shall have no force or effect.
- b. The sale or other disposition of the Subdivision shall not relieve Developer of its obligations hereunder. If Developer intends to sell the Project, or any portion thereof, to any other person or entity, the Developer may request a novation of this Agreement and substitution of improvement security. Upon the City's approval of the novation and substitution of improvement security, the Developer may request a release or reduction of the improvement security furnished pursuant to this Agreement.

12. NOTICES

- a. All notices required or provided for in this agreement shall be in writing and delivered in person or by mail, postage prepaid, and addressed as follows:

If to the City:	Richland City Engineer 625 Swift Blvd. MS-26 Richland, WA 99352
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If to the Developer:	Pahlisch Homes 210 SW Wilson Ave Bend, OR 97702
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- b. Notice shall be effective on the date that it is delivered in person, or, if mailed, on the date of deposit in the United States mail.

13. ENTIRE AGREEMENT

This agreement constitutes the entire Agreement of the parties with respect to its subject matter. All modifications, amendments, or waiver of any terms of this Agreement shall be in writing and signed by the duly authorized representatives of the parties. In the case of the City, the duly authorized representative, unless otherwise specified herein, shall be the City Engineer.

14. SEVERABILITY

The provisions of this Agreement are severable. If any portion of this Agreement is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect.

15. GOVERNING LAW

This Agreement shall be governed by the laws of the State of Washington.

16. EFFECTIVE DATE OF THE AGREEMENT

This Agreement shall be and become effective as of the date of recordation of the Final Plat for Quail Ridge Phase 1, and shall remain in effect until expiration of the one (1) year warranty found in Section 3; provided, however, that Section 7 shall survive expiration of this Agreement.

[Signature pages to follow]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers, thereto duly authorized, as of the dates set forth below their respective signatures.

DEVELOPER – Pahlisch Homes


By: Chad Bettsworth
Its: Director
Date: 5/6/22

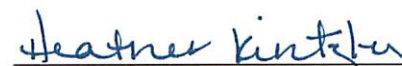
CITY OF RICHLAND


Cynthia D Reents, City Manager

Attest:


Jennifer Rogers, Deputy City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

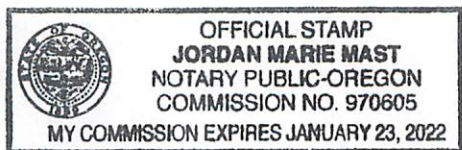
STATE OF WASHINGTON

COUNTY OF BENTON

Oregon dm
dm ss.
Deschutes)

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that Chad Bettesworth, Director of Land Development of **Pahlisch Homes, LLC**, known to me to be the same person whose name is subscribed to the foregoing **Security and Improvement Agreement**, appeared before me this day in person and acknowledged that, pursuant to her authority, she signed the said Agreement as his/her free and voluntary act on behalf of Pahlisch Homes, LLC for the uses and purposes therein stated.

Given under my hand and seal this 6 day of May, 2020.



Notary Public

Residing at:

My commission expires

Bend, OR
01/23/2022

STATE OF WASHINGTON

COUNTY OF BENTON

)
) ss.
)

I, the undersigned, a notary public in and for the State and County aforesaid, do hereby certify that **Cynthia D. Reents, Richland City Manager**, known to me to be the same person whose name is subscribed to the foregoing **Security and Improvement Agreement**, appeared before me this day in person and acknowledged that, pursuant to her authority, she signed the said Agreement as her free and voluntary act on behalf of the City of Richland for the uses and purposes therein stated.

Given under my hand and seal this 21st day of May, 2020.



Notary Public

Residing at:

My commission expires

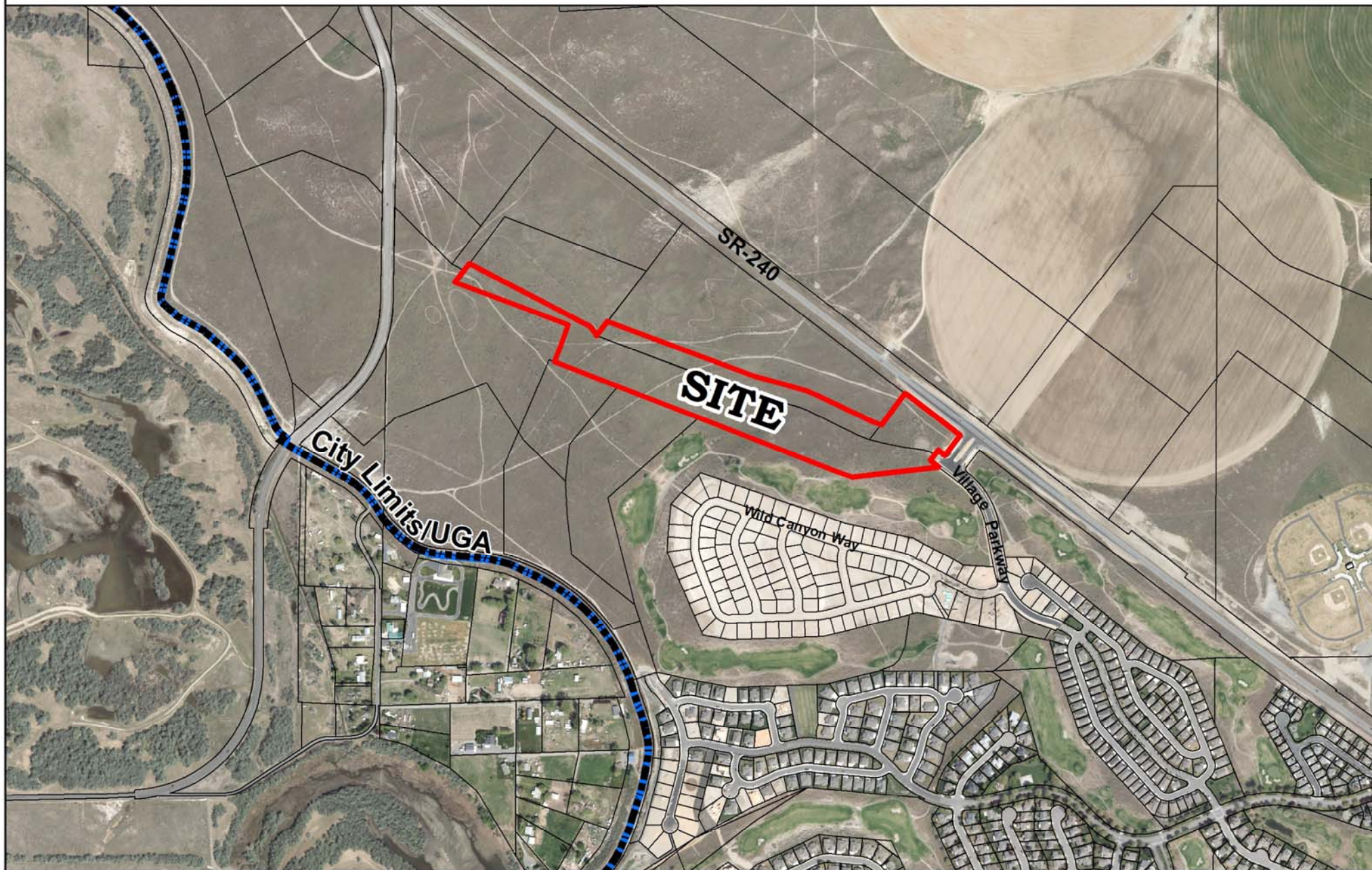
Kennewick
09/29/2021

Schedule A

WORK TO BE COMPLETED PRIOR TO CITY APPROVAL OF FINAL PLAT			
Sanitary sewer system installed and functional			
Domestic water system installed and functional			
Storm drainage system installed and functional			
Street subgrade and base rock placed & compacted to grade			
Property pins placed around boundary of plat, including back yard corners			
Signed third party easements			
Building lots graded per approved grading plan			
WORK TO BE COMPLETED PRIOR TO BUILDING PERMIT ISSUANCE			
TYPE OF WORK	COST PER UNIT	UNIT	VALUE
Top rock placed & compacted	\$25.00	1315 Tons	\$32,883.00
Concrete curb and gutter installed	\$11.75	7,021 LF	\$80,898.00
Paving of city streets	\$105.00	1,392 Tons	\$146,243.00
ADA Ramps	\$1,200	20 EA	\$24,000.00
Asphalt Pathway (Village Parkway)	\$2.61	24,744 SF	\$64,713.00
Property pins placed at all interior lot corners	1	LS	\$2,000.00
Centerline monuments installed by surveyor	500	15 EA	\$7,500.00
Roadway Striping	1	LS	\$2,800.00
Street lighting & circuit installed	\$5,000	22 EA	\$110,000.00
WORK TO BE COMPLETED PRIOR TO RELEASE OF SECURITY FUNDS			
TYPE OF WORK	COST PER UNIT	UNIT	VALUE
Punchlist Value	1	LS	\$5,000.00
Record Drawings	1	LS	\$2,500.00
Surveyor Information	1	LS	\$1,000
Total Value (All sections)			\$479,537.00
Total value X 150%			\$719,305.50

Vicinity Map

Item: Final Plat - Quail Ridge Phase 1 & 2
Applicant: Pahlisch Homes
File #: FP2020-105





COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 94-20, Authorizing a Grant Application to the Washington State Department of Transportation Pedestrian and Bicycle Program

Department:
Public Works

Ordinance/Resolution Number:
94-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 94-20, authorizing preparation and submittal of a grant application to the Washington State Department of Transportation Pedestrian and Bicycle program for the Vantage Highway Pathway - Phase 2 project.

Summary:

The Washington State Department of Transportation (WSDOT) has issued a Call for Projects for its 2020 Pedestrian and Bicycle Program (the "Program"). The purpose of the Program is to eliminate pedestrian and bicycle fatal and serious injury traffic crashes, as well as increase the availability of connected, low traffic stress, pedestrian and bicycle facilities for all ages and abilities.

The Program is funded through state funding in the amount of \$18,380,000. All public agencies in Washington are eligible to apply. Though no matching funds are required, preference will be given to projects with a cash or in-kind match.

The Vantage Highway Pathway - Phase 2 project has been identified as an eligible project based on the program criteria and improvement opportunities. In December 2019, the Benton-Franklin Council of Governments awarded funding to the City, thereby partially funding the Vantage Highway Pathway - Phase 2 project. Those funds will provide matching funds to the Pedestrian and Bicycle Program funds, thus improving the City's application.

If funded, the Vantage Highway Pathway - Phase 2 project will improve pedestrian and bicyclist safety in the City of Richland.

Staff recommends adoption of Resolution No. 94-20.

Fiscal Impact:

Staff resources will be used to prepare the grant application.

Attachments:

- I. Resolution No. 94-20

RESOLUTION NO. 94-20

A RESOLUTION of the City of Richland authorizing staff to submit a grant application to the Washington State Department of Transportation 2020 Pedestrian and Bicycle Program.

WHEREAS, the Washington State Department of Transportation (WSDOT) has issued a Call for Projects for its 2020 Pedestrian and Bicycle Program (the "Program"); and

WHEREAS, the purpose of the program is to eliminate pedestrian and bicycle fatal and serious injury traffic crashes, as well as increase the availability of connected, low traffic stress, pedestrian and bicycle facilities for all ages and abilities; and

WHEREAS, the Program is funded through state funding in the amount of \$18,380,000; and

WHEREAS, all public agencies in Washington are eligible to apply; and

WHEREAS, while there is no funding match required, preference will be given to projects with a cash or in-kind match; and

WHEREAS, the Vantage Highway Pathway – Phase 2 project has been identified as an eligible project type based on the program criteria and improvement opportunities; and

WHEREAS, in December 2019, the Benton-Franklin Council of Governments (BFCG) awarded funding to the City, thereby partially funding the Vantage Highway Pathway – Phase 2 project; and

WHEREAS, the BFCG funds will provide matching funds to the Pedestrian and Bicycle Program funds, thus improving the City's application; and

WHEREAS, if funded, the Vantage Highway Pathway – Phase 2 project will improve pedestrian and bicyclist safety in the City of Richland.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that staff is authorized to complete and submit a grant application to the Washington State Department of Transportation Pedestrian and Bicycle Program for the Vantage Highway Pathway – Phase 2 project.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 95-20, Authorizing a Consultant Agreement with Parametrix Inc. for Assessment Monitoring Services for the Horn Rapid Landfill

Department:
Public Works

Ordinance/Resolution Number:
95-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 95-20, authorizing the City Manager to sign and execute an agreement with Parametrix Inc. for assessment monitoring services for the Horn Rapid Landfill Work Plan.

Summary:

The City's Horn Rapids Landfill has generated a release of organic chemical contaminants. The contaminant release resulted in the landfill be regulated by chapter 70.105D RCW, the Washington State Model Toxics Control Act (MTCA). The City and the Washington State Department of Ecology entered into Agreed Order No. DE13717 (the "Agreed Order") in the summer of 2017 to define an expanded scope of environmental monitoring for the landfill so the City could fulfill its obligations under MTCA.

The City selected Parametrix, Inc. as its landfill environmental monitoring consultant years ago through a competitive solicitation process. Parametrix, therefore, has overseen environmental monitoring of the Horn Rapids Landfill for years before the Agreed Order was executed. Parametrix also supported development of the scope of work included in the Agreed Order. For these reasons, Parametrix, Inc. is uniquely qualified to complete the work required by the Agreed Order.

In September 2017, the City contracted with Parametrix, Inc. to complete the work required by the Agreed Order. When that contract expired in December 2019, the work was incomplete due to an agreed-upon extension of the work schedule. A renewed consultant agreement is needed to enable completion of the required work. Staff negotiated a proposed replacement contract on very similar terms to the 2017 agreement.

Staff recommends adoption of Resolution No. 95-20.

Fiscal Impact:

The total cost of this work is estimated to be \$180,575.80. The 2019 Budget included capacity to fund \$114,000 of this total. That capacity is included in the 2020 carryover budget adjustment for Council action. The remaining \$66,575.80 will be funded from a reallocation of capital project savings in the Solid Waste Fund. It should also be noted that the City acquired more than \$1,000,000 in insurance proceeds in 2019 for the MTCA work. To date, the City has expended less than 50% of those funds, so there remains capacity from the insurance proceeds to cover these expenses with no impact on Solid Waste rates.

Attachments:

1. Resolution No. 95-20
2. 2020 Landfill Assessment Monitoring - Parametrix

RESOLUTION NO. 95-20

A RESOLUTION of the City of Richland authorizing a consultant agreement with Parametrix, Inc. for assessment monitoring services related to the Horn Rapids Landfill Work Plan.

WHEREAS, Washington State regulations require environmental monitoring of the City's Horn Rapids Landfill; and

WHEREAS, the City of Richland and Washington State Department of Ecology entered into Agreed Order No. DE13717 (the "Agreed Order") in the summer of 2017 to define an expanded scope of environmental monitoring for the landfill so the City could fulfill its obligations under Chapter 70.105D RCW, the Washington State Model Toxics Control Act (MTCA); and

WHEREAS, the City selected Parametrix, Inc. as its landfill environmental monitoring consultant years ago through a competitive solicitation process complying with the City's purchasing policies; and

WHEREAS, Parametrix, Inc. has overseen environmental monitoring of the Horn Rapids Landfill for years before the Agreed Order was executed, and supported development of the scope of work included in the Agreed Order. For these reasons, Parametrix, Inc. is uniquely qualified to complete the work required by the Agreed Order; and

WHEREAS, the City contracted with Parametrix, Inc. in September 2017 to complete the work required by the Agreed Order (see Contract No. 235-17); and

WHEREAS, when Contract No. 235-17 expired in December 2019, the work was incomplete due to an agreed-upon extension of the work schedule; and

WHEREAS, a renewed consultant agreement is needed to enable completion of the required work; and

WHEREAS, the City's best interests are served by executing a new contract with Parametrix, Inc. to complete the work required by the Agreed Order; and

WHEREAS, acceptable terms of a replacement contract with Parametrix, Inc. have been successfully negotiated; and

WHEREAS, the Solid Waste Utility Fund has budget capacity sufficient to fund the work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a consultant agreement with

Parametrix, Inc. to provide environmental engineering services to achieve compliance with Agreed Order No. DE13717.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



AGREEMENT BETWEEN CITY AND CONSULTANT

2020 Landfill Assessment Monitoring

This Agreement is entered into this _____ day of June, 2020 ("Effective Date") by and between the **City of Richland** ("**City**"), a Washington municipal corporation located at 625 Swift Blvd. Richland, WA 99352, and **Parametrix Inc** ("**Consultant**"), a Washington for-profit corporation with service at 719 2nd Avenue, Suite 200, Seattle, Washington. **City** and **Consultant** are referred to individually herein as a "Party" and collectively herein as the "Parties."

WITNESSETH:

1. SCOPE OF WORK

- a. Consultant shall furnish all services, labor and related equipment necessary to conduct and complete the work outlined in Exhibit A. In performing these services, Consultant shall at all times comply with all federal, state and local statutes, rules and ordinances applicable to the performance of such services. In addition, these services and all duties incidental or necessary therefore, shall be performed diligently and completely and in accordance with professional standards of conduct and performance. All services performed under this Agreement will be conducted solely for the benefit of the City and will not be used for any other purpose without written consent of the City.
- b. This Agreement consists of this Agreement and other documents listed below. These form the entire Agreement between the Parties, and are fully integrated into this Agreement as if stated or repeated herein. In the event of a conflict between documents, the order of precedence will be the order listed below. An enumeration of the Agreement documents is set forth below (mark all that apply):
 1. ☒ City of Richland Agreement No. 126-20
 2. ☒ Exhibit A: Scope of Work
 3. ☐ City Richland Solicitation No.
 4. ☐ Exhibit B: Solicitation No. _ proposal response submitted by Consultant dated .
 5. ☒ Additional Documents – RFP Waiver.

2. TIME FOR COMPLETION

Consultant shall not begin any work under the terms of this Agreement until authorized in writing by the City. Consultant agrees to use best efforts to complete all work described under this Agreement by June 30, 2021.

3. TERM

The term of this Agreement shall commence on the Effective Date identified above and end at midnight on June 30, 2021.

4. PAYMENT

- a. Services rendered by Consultant under this Agreement will be paid at the rate set forth in Exhibit A Scope of Work, but in no event shall the total compensation for services rendered under this Agreement exceed **One Hundred Eighty Thousand Five Hundred Seventy-Five Dollars and Eighty Cents (\$180,575.80)**, including all fees and those reimbursable expenses listed in Exhibit A.
- b. City shall pay Consultant for services rendered after receipt of a detailed invoice. Invoices not in dispute by the City will be paid net thirty (30) days and shall reference the contract number and/or purchase order applicable to the work. The invoice shall provide sufficient detail on the work being billed and include detailed receipts for any invoices.
- c. Partial payments to cover the percentage of work completed may be requested by Consultant. These payments shall not be more than one (1) per month.
- d. Pre-approved travel, meals and lodging will be reimbursed at cost and only when consultant travels at least 150 miles per one way trip. Reimbursable expenses are limited to the following: coach airfare, ground transportation (taxi, shuttle, car rental), hotel accommodations as provided below, personal or company vehicle use at the then-current federal mileage rate, and meals at the current federal per-diem meal allowance or up to the current federal per-diem with detailed receipts, no alcohol, and a 20% maximum gratuity.
 - i. Hotel accommodations: eligible lodging expenses include the room cost only; itemized receipts must be provided for hotel reimbursements.
 - ii. Hotel reimbursement is limited to the single room rate. If two or more consultants are sharing a room, reimbursement is allowable for only one consultant at the double room rate.
 - iii. The maximum reimbursement should be limited to the best discount rate available and allowable that meets traveler's business needs and basic needs for health, safety and cleanliness. Non-smoking rooms are authorized even if they are more expensive.
- e. Reimbursement for extra services/reimbursable expenses are not authorized under this Agreement unless detailed in the Scope of Work or agreed upon in writing as a modification to this Agreement.
- f. Consultant will allow access to the City, State of Washington, Federal Grantor Agency, Comptroller General of the United States, or any of their duly authorized representatives, to any books, documents, papers, and records which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcriptions. Unless otherwise provided, said records must be retained for three (3) years from the date of receipt of final payment. If any litigation, claim, or audit arising out of, in connection with, or relating to this Agreement is initiated before the expiration of the three-year period, the records shall be retained until such litigation, claim, or audit involving the records is completed.

5. INDEPENDENT CONTRACTOR

Consultant, and any and all employees of Consultant or other persons engaged in the performance of any work or services required of Consultant under this Agreement, are independent contractors and shall not be considered employees of the City. Any and all claims

that arise at any time under any Workers' Compensation Act on behalf of said employees or other persons while so engaged, and any and all claims made by a third party as a consequence of any act or omission on the part of Consultant's employees or other persons engaged in any of the work or services required to be provided herein, shall be the sole obligation and responsibility of Consultant.

6. OWNERSHIP OF DOCUMENTS

Any and all data, analyses, documents, photographs, plans, designs, drawings, specifications, surveys, films, documents, reports and other work products created, prepared, produced, constructed, assembled, made, performed, or otherwise produced by Consultant or Consultant's subcontractors for delivery to the City pursuant to this Agreement shall become the sole and absolute property of the City upon completion of the services and payment in full of all payment due to Consultant of the fees set forth in this Agreement. Such property shall constitute "work made for hire" as defined by the U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which Consultant uses to perform this Agreement but is not created, prepared, constructed, assembled, made, performed or otherwise produced for or paid for by the City is owned by Consultant and is not "work made for hire" within the terms of this Agreement. Consultant will ensure that all independent contractors have written agreements in place that transfers ownership of all Intellectual Property created by them or provided by them to the City.

The City may make or permit to be made any modifications to the plans and specifications without the prior written authorization of Consultant. The City agrees to waive any claim against Consultant arising from any unauthorized reuse of the plans and specifications, and to indemnify and hold Consultant harmless from any claim, liability or cost arising or allegedly arising out of any reuse of the plans and specifications by the City or its agent not authorized by Consultant.

7. TERMINATION

- a. This Agreement may be terminated by either Party upon thirty (30) days' written notice. In the event this Agreement is terminated by Consultant, the City shall be entitled to reimbursement of costs occasioned by such termination. In the event the City terminates this Agreement, the City shall pay Consultant for the work performed, which shall be an amount equal to the percentage of completion of the work as mutually agreed between the City and Consultant.
- b. If any work covered by this Agreement shall be suspended or abandoned by the City before Consultant has completed the assigned work, Consultant shall be paid an amount equal to the costs incurred up to the date of termination or suspension as mutually agreed upon between the City and Consultant.

8. AVAILABILITY OF RECORDS FOR PUBLIC INSPECTION

- a. As a public contract, all records prepared, generated or used by Consultant or its agents, employees and subcontractors relating to this Agreement and associated work (hereinafter "public records") may be subject to disclosure under the Washington State Public Record Act, Chapter 42.56 RCW.
- b. Contractor shall maintain and retain all such public records in a manner that is readily accessible for a minimum term of no less than three (3) years following completion of the contract work. City shall have the right to timely review all such public records upon

request. Contractor shall provide copies of any public records requested by City within thirty (30) calendar days of City's request. If City requests that copies of public records be provided to City in an electronic format, said records shall be provided at no cost to City. If paper copies are requested by City, City shall pay \$.10 per page. Payment for paper copies shall be rendered to Consultant within twenty (20) calendar days of receipt.

- c. All records subject to a public disclosure request will be provided to a requester unless exempted from disclosure by law. The City's decision to exempt or redact any public record shall be based only upon valid exemptions that apply to the City. City will not refrain from disclosing any record under an exemption that may be personal to Consultant. In the event Consultant objects to release of any public record under this Agreement, Consultant may seek judicial approval to prevent such disclosure at Consultant's sole expense. City shall neither aid nor interfere with Consultant's request for an injunction to prevent disclosure of any public record under this Agreement.
- d. Consultant shall insert this provision in all contracts with subcontractors or agents providing services relating to this Agreement.

9. DISPUTE RESOLUTION

- a. The City and Consultant agree to negotiate in good faith for a period of thirty (30) days from the date of notice of all disputes between them prior to exercising their rights under this Agreement, or under law.
- b. All disputes between the City and Consultant not resolved by negotiation between the Parties may be arbitrated only by mutual agreement of the City and Consultant. If not mutually agreed to resolve the claim by arbitration, the claim will resolve by legal action.

10. DEBARMENT CERTIFICATION

Consultant certifies that neither Consultant nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this contract by any federal or state department or agency. Further, Consultant agrees not to enter into any arrangements or contracts related to completion of the work contemplated under this Agreement with any party that is on the "General Service Administration List of Parties Excluded from Federal Procurement or Non-Procurement Programs" which can be found at:

www.sam.gov and

<http://www.lni.wa.gov/TradesLicensing/PrevWage/AwardingAgencies/default.asp>

11. VENUE, APPLICABLE LAW AND PERSONAL JURISDICTION

In the event that either Party deems it necessary to initiate a legal action to enforce any right or obligation under this Agreement, the Parties agree that any such action shall be initiated in the Superior Court of the State of Washington situated in Benton County. The Parties agree that all questions shall be resolved by application of Washington law, and that the Parties to such action shall have the right of appeal from such decision of the Superior Court in accordance with the laws of the State of Washington. Consultant hereby consents to the personal jurisdiction of the Superior Court of the State of Washington situated in Benton County.

12. ATTORNEY'S FEES

The Parties agree that should legal action be necessary to enforce any of the provisions of this Agreement, that the substantially prevailing Party will be awarded its reasonable

attorney's fees and costs in action, including costs and attorney's fees on appeal if appeal is taken.

13. INSURANCE

Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work hereunder by Consultant, its agents, representatives, or employees.

- a. No Limitation. Consultant's maintenance of insurance as required by this Agreement shall not be construed to limit the liability of Consultant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.
- b. Minimum Scope of Insurance. Consultant shall obtain insurance of the types described below:
 1. Automobile Liability insurance covering all owned, non-owned, hired and leased vehicles. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.
 2. Commercial General Liability insurance shall be as least as broad as ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, stop-gap independent contractors and personal injury and advertising injury. The City shall be named as an insured under the Consultant's Commercial General Liability insurance policy with respect to the work performed for the City using an additional insured endorsement at least as broad as ISO CG 20 26.
 3. Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.
 4. Professional Liability, Errors or Omissions insurance appropriate to the Consultant's profession. Coverage shall be provided if Consultant is providing services under this Agreement as a licensed professional, including, but not limited to, engineers, architects, accountants, surveyors, and attorneys.
- c. Minimum Amounts of Insurance. Consultant shall maintain the following insurance limits:
 1. Automobile Liability insurance with a minimum combined single limit for bodily injury and property damage of \$1,000,000 per accident.
 2. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.
 3. Professional Liability insurance shall be written with limits no less than \$1,000,000 per claim and \$1,000,000 policy aggregate limit.
- d. Other Insurance Provisions. Consultant's Automobile Liability and Commercial General Liability insurance policies are to contain, or be endorsed to contain that they shall be primary insurance with respect to the City. Any insurance, self-insurance, or self-insured

pool coverage maintained by the City shall be excess of Consultant's insurance and shall not contribute with it.

- e. Acceptability of Insurers. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.
- f. Verification of Coverage. Consultant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to, the additional insured endorsement, evidencing the insurance requirements of Consultant before commencement of the work.
- g. Notice of Cancellation. Consultant shall provide the City with written notice of any policy cancellation within two (2) business days of Consultant's receipt of such notice.
- h. Failure to Maintain Insurance. Failure on the part of Consultant to maintain the insurance as required shall constitute a material breach of contract, upon which the City may, after giving five (5) business days' notice to Consultant to correct the breach, immediately terminate the contract or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand, or at the sole discretion of the City, offset against funds due Consultant from the City.
- i. Public Entity Full Availability of Consultant Limits. If Consultant maintains higher insurance limits than the minimum shown above, the City shall be insured for the full available limits of the Commercial General and Excess or Umbrella liability maintained by Consultant, irrespective of whether such limits maintained by Consultant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by Consultant.

14. INDEMNIFICATION / HOLD HARMLESS

- a) Consultant shall defend, indemnify, and hold the City, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or resulting from the willful or negligent acts, or alleged willful or alleged negligent acts, errors or omissions of the Consultant or the Consultant's employees or agents in performance of this Agreement, except for injuries and damages caused by the sole negligence of the City.
- b) Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of the Consultant and the City, its officers, officials, employees, and volunteers, the Consultant's liability, including the duty and cost to defend, shall be only to the extent of the Consultant's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes the Consultant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the Parties. The provisions of this section shall survive the expiration or termination of this Agreement.

15. STANDARD OF CARE

The professional services will be furnished in accordance with the care and skill ordinarily used by members of the same profession practicing under similar conditions at the same time and in the same locality.

16. SUCCESSORS OR ASSIGNS

All of the terms, conditions and provisions hereof shall inure to the benefit of and be binding upon the Parties hereto, and their respective successors and assigns; provided, however, that no assignment of the Agreement shall be made without written consent of the non-assigning Party, which may be given in the non-assigning Party's sole discretion.

17. NOTICES

Any notices required under this Agreement will be in writing, addressed to the appropriate Party at the address which appears below (as modified in writing from time to time by such party), and given by electronic submission, by facsimile personally, by registered or certified mail, return receipt requested, or by nationally recognized overnight courier service. All notices shall be effective upon the date sent.

Purchasing Manager
City of Richland
625 Swift Blvd., MS-11
Richland, WA 99352
Email: purchasing@ci.richland.wa.us
Phone: (509) 942-7710
Fax: (509) 942-7397

Contact Name: Steve Emgee
Name of Firm: Parametrix Inc.
Address: 719 2nd Avenue, Suite 200
Address: Seattle, WA 98104
Email: SEmgee@parametrix.com
Phone Number: 206-394-3700
Fax Number: 855-542-6353

18. EQUAL OPPORTUNITY AGREEMENT

Consultant agrees that Consultant will not discriminate against any employee or job applicants for work under this Agreement for reasons of race, sex, nationality, religious creed, or sexual orientation.

19. SEVERABILITY

If any provision of this Agreement conflicts with applicable law, or its application is found to be invalid by a court of competent jurisdiction, the remainder of this Agreement shall not be affected, and to this end, the terms of this Agreement are declared to be severable.

20. AMENDMENTS

All amendments must be in writing and be approved and signed by both Parties.

21. CHANGE IN LAW

The Parties hereto agree that in the event legislation is enacted or regulations are promulgated, or a decision of court is rendered, or any interpretive policy or opinion of any governmental agency charged with the enforcement of any such law or regulation is published that affects or may affect the legality of this Agreement or any part thereof or that materially and adversely affects the ability of either Party to perform its obligations or receive the benefits intended hereunder ("Adverse Change in Law"), then within fourteen (14) calendar days following written notice by either Party to the other Party of such adverse change in law, the Parties shall meet to negotiate in good faith an amendment which will carry out the original intention of the Parties to the extent possible. If, despite good faith attempts, the Parties cannot reach agreement upon an amendment within sixty (60) calendar days after commencing negotiation, then this Agreement may be terminated by either Party as of the

earlier of: (i) the effective date of the adverse change in law, or (ii) the expiration of a period of sixty (60) days following written notice of termination provided by one Party to the other.

22. CONFIDENTIALITY

In the course of performing under this Agreement, Consultant, including its employees, agents or representatives, may receive, be exposed to, or acquire confidential information. Confidential information may include, but is not limited to, patient information, contract terms, sensitive employee information, or proprietary data in any form, whether written, oral, or contained in any computer database or computer readable form. Consultant shall: i) not disclose or sell confidential information except as permitted by this Agreement; (ii) only permit use of such confidential information by employees, agents and representatives having a need to know in connection with performance under this Agreement; and (iii) advise each of its employees, agents, and representatives of their obligations to keep such information confidential.

23. CHANGES OF WORK

- a. When required to do so, and without any additional compensation, Consultant shall make such changes and revisions in the completed work of this Agreement as necessary to correct or revise any errors, omissions, or other deficiencies in the design, drawings, specifications, reports, and other similar documents which Consultant is responsible for preparing or furnishing under this Agreement.
- b. Should the City find it desirable for its own purposes to have previously satisfactorily completed work or parts thereof changed or revised, Consultant shall make such revisions as directed by the City. This work shall be considered as Extra Work and will be paid for as herein provided under Section 24, Extra Work.

24. EXTRA WORK

The City may desire to have Consultant perform work or render additional services within the general scope of this Agreement. Such work shall be considered as extra work and will be specified in a written supplement to this Agreement which will set forth the nature of the scope, schedule for additional work, additional fees and the method of payment. Work under a supplemental Agreement shall not proceed until authorized in writing by the City.

25. ENTIRE AGREEMENT

This Agreement contains the entire agreement of the Parties hereto and supersedes all previous understandings and agreements, written and oral, with respect to this transaction. Neither Party shall be liable to the other for any representations made by any person regarding the terms of this Agreement, except to the extent that the same are expressed in this Agreement.

(Signature page to follow)

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

CITY OF RICHLAND, WASHINGTON

CONSULTANT

Cynthia D. Reents, City Manager

Signature

ATTEST:

Printed Name

Jennifer Rogers, City Clerk

Title

APPROVED AS TO FORM:

Heather Kintzley, City Attorney

Draft

EXHIBIT A: Detailed Scope of Work

See attached

Draft

EXHIBIT A – SCOPE OF WORK

CITY OF RICHLAND PUBLIC WORKS DEPARTMENT SERVICE AGREEMENT FOR ENGINEERING SERVICES

PHASE 03 – 2020 ASSESSMENT MONITORING SERVICES

Leader: Lisa Gilbert, LHG

Background:

Parametrix has developed this scope of work to conduct 2020 assessment monitoring activities, as requested by The City of Richland Public Works Department (City).

Task 01 – Project Management

Objective:

Coordinate between the City, Department of Ecology and Benton-Franklin Health Department, including preparing for and attending up to three team meetings.

Approach:

Parametrix representatives will include Steve Emge, Project Manager, Dwight Miller, Principal in Charge, and Lisa Gilbert, Project Hydrogeologist.

Deliverables:

- Summary notes and follow-up correspondence for each meeting.

Assumptions:

- Each project meeting will be held at the Ecology office in Union Gap, Washington. Due to current work-from-home orders, the first meeting may need to be by video conference call, which Parametrix can host via Microsoft Teams.
- Each meeting will be three hours in duration.

Task 02 – Remedial Investigation (RI) Report

Objective:

Prepare a remedial investigation report in accordance with Model Toxics Control Act (MTCA) requirements.

Approach:

The RI report will be prepared in accordance with MTCA guidance. An outline for the report is provided below. The report will summarize data collected during all Site investigations including the previous two RI phases conducted in the 2003 and 2004 timeframe, the two phases of field work conducted in 2017 and 2018 as described in the 2016 MTCA Work Plan, and the results of

SCOPE OF WORK (CONTINUED)

ongoing WAC 173-351 quarterly groundwater monitoring. The RI will establish the process for determining Indicator Hazardous Substances (IHSs) and Cleanup Levels (CULs).

Deliverables:

The Remedial Investigation report will include the following sections:

- Cover Letter
- Introduction (General Site Information, Site History, Site Use)
- Field Investigations (Previous Environmental Investigation, Site Characterization, Sampling/Analytical Results)
- Conceptual Site Model
- Proposed Cleanup Standards (General, Terrestrial Ecological Evaluation)
- Summary, Conclusions, and Recommendations

Figures will include: Vicinity Map, Site Maps, Conceptual Site Model

Tables will include: Groundwater Summary Tables; Landfill Gas Summary Table; ARARs and Cleanup Levels

Appendices will include: Information from Previous Investigations, Site Exploration and Well logs; Geologic Cross Sections; Groundwater Quality Data Tables; Leachate Quality Data; Landfill Gas Data Tables; Time-Series Plots; Isoconcentration Maps; Potentiometric Surface Maps

Assumptions:

A draft RI report will be prepared for submittal to Ecology within 90 days of the City's approval of our scope and budget. Assuming approval by May 31, the report will be submitted by August 30, 2020. This schedule assumes we will have the opportunity to present preliminary recommendations to Ecology and the Health Department and will obtain their input on the overall RI/FS process. The final RI report will be prepared within 30 days of receiving comments from Ecology.

Based on our knowledge of the site, we are assuming cleanup will address the groundwater ingestion pathway and the process of determining IHSs and CULs will follow a similar process as the RI/FS at the Grant County Ephrata Landfill.

Task 05 – Draft Feasibility Study (FS) Report

Objective:

Prepare a draft FS report in accordance with MTCA requirements.

SCOPE OF WORK (CONTINUED)

Approach:

We anticipate that the RI will identify the presumptive remedy to be the planned final closure activities for the remaining portion of the landfill (Phase II) that are expected to occur in 2021. The closure will include installation of a cover and landfill gas system and long-term monitoring. Prior to finalizing the RI, we will discuss the closure plans with Ecology and recommend preparing a focused FS report that addresses the presumptive remedy.

Deliverables:

- Draft FS report.

The Draft FS report will focus on the planned closure as the remedy and will include the following sections:

- Cover Letter
- Introduction
- Alternatives (Identify Remedial Action Objectives, Identify a Reasonable Number and type of Alternatives).
- Detailed Evaluation of Alternatives (Threshold and Other Requirements).
- Remedy Selection

Figures will include: Vicinity Map; Site Maps; Conceptual Site Model

Tables will include: ARARs; Evaluation of Remedial Alternatives; Cost/Quantity Summary; Cost Details for Alternatives

Appendices will include: Contractor Plans and Bids

Assumptions:

A draft focused FS report will be prepared for submittal to Ecology within 90 days of Ecology's approval of the final RI report. The report will focus on landfill closure as the presumptive remedy and will not include a disproportionate cost analysis (DCA). Assuming submittal of the final RI report by September 30, 2020, the draft focused FS report will be submitted by December 31, 2020.

Client: City of Richland
Project: Horn Rapids Landfill RI/FS
Project No: 5533820007

Project No: 5533820007

					Burdened Rates:											
					Principal Consultant	Project Controls Specialist	Sr Engineer	Sr Planner	Sr Hydrogeologist	Sr Scientist/Biologist	Publications Supervisor	Sr Contract Administrator	Technical Lead	Sr Graphic Designer	Project Accountant	Hydrogeologist IV
					Dwight E. Miller	Shanon L. Harris	Stephen M. Emge	Laura B. Lee	Lisa A. Gilbert	Margaret E. Spence	Debra M. Fetherston	Jean N. Johnson	Butch R. Purganan	Patricia E. Yi	Jessica M. Pickner	Michael P. Brady
					\$313.50	\$120.80	\$229.98	\$167.07	\$211.71	\$197.57	\$135.14	\$144.96	\$147.49	\$119.74	\$103.01	\$138.46
Task	SubTask	Description	Labor Dollars	Labor Hours												
03		2020 Landfill Assessment	\$179,775.80	950	80	12	164	64	180	80	48	2	80	32	8	200
03	01	Project Management	\$24,075.52	110	24	12	24		40			2			8	
03	02	RI Report	\$77,750.00	424	24		60	40	80	40	24		40	16		100
03	03	Draft FS Report	\$77,950.28	416	32		80	24	60	40	24		40	16		100

Labor Totals:	\$179,775.80	950	80	12	164	64	180	80	48	2	80	32	8	200
Escalation Amt:	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals:	\$179,775.80		\$25,080.00	\$1,449.60	\$37,716.72	\$10,692.48	\$38,107.80	\$15,805.60	\$6,486.72	\$289.92	\$11,799.20	\$3,831.68	\$824.08	\$27,692.00

Other Direct Expenses	
Mileage - \$0.575/mile	\$690.00
Misc Equipment	\$110.00
Other Direct Expenses Total:	\$800.00

Project Total	\$180,575.80
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COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 96-20, Authorizing Amendment to the 2020-2025 Transportation Improvement Program

Department:
Public Works

Ordinance/Resolution Number:
96-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 96-20, authorizing amendments to the 2020-2025 Transportation Improvement Program.

Summary:

RCW 35.77.010 requires local jurisdictions to prepare and adopt a six-year Transportation Improvement Program (TIP). On June 4, 2019, Richland City Council adopted the 2020-2025 TIP, which was amended in January 2020 to include Surface Transportation Block Grant (STBG) funding for the SR-240/Aaron Drive Flyover project. The awarded funds were designated for project engineering work.

Development of the SR-240/Aaron Drive Flyover project can best be advanced at least risk to the City by completing additional planning and concept development before detailed project engineering begins. Reassigning STBG funds to a planning study project is required to enable this approach.

A TIP amendment is required to formally add the SR-240/Aaron Drive Planning Study as a separate project, and to reassign funds from the construction project to the planning effort. The proposed amendments are consistent with city, regional and state transportation plans.

Revised Local Agency Agreements and Local Agency Prospectus documents are required by Washington State Department of Transportation to implement the projects. With Council approval, the required documents necessary to implement the planning study will be executed.

The City held a duly advertised public hearing on July 7, 2020 to receive public input on the proposed 2020-2025 TIP amendments.

Staff recommends adoption of Resolution No. 96-20.

Fiscal Impact:

The Transportation Improvement Program (TIP) amendment adds the SR-240/Aaron Drive Planning Study to the 2020-2025 TIP. The existing funds are being moved from the project engineering effort to the planning study effort.

Attachments:

I. Resolution No. 96-20

RESOLUTION NO. 96-20

A RESOLUTION of the City of Richland authorizing an amendment to the 2020-2025 Transportation Improvement Program.

WHEREAS, RCW 35.77.010 requires local jurisdictions to prepare and adopt a six-year Transportation Improvement Program (the "TIP"); and

WHEREAS, on June 4, 2019, by Resolution No. 73-19, Richland City Council adopted the 2020-2025 TIP; and

WHEREAS, on January 7, 2020, by Resolution No. 02-20, Richland City Council amended the 2020-2025 TIP to include Surface Transportation Block Grant (STBG) funding for the SR-240/Aaron Drive Flyover project; and

WHEREAS, development of the SR240/Aaron Drive Flyover project can best be advanced at least risk to the City by completing additional planning and concept development before detailed project engineering begins; and

WHEREAS, reassigning STBG funds towards the planning study project will allow timely completion of the planning effort; and

WHEREAS, a TIP amendment is required to formally add the SR-240/Aaron Drive Planning Study as a separate project, and to reassign funds from the construction project to the planning effort; and

WHEREAS, the proposed amendments are consistent with city, regional and state transportation plans; and

WHEREAS, Local Agency Agreements and Local Agency Prospectus documents are required by Washington State Department of Transportation (WSDOT) to implement the projects; and

WHEREAS, the City held a duly advertised public hearing on July 7, 2020 to receive public input on the proposed 2020-2025 TIP amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the 2020-2025 Transportation Improvement Program is hereby amended to add the SR-240/Aaron Drive Flyover Planning Study, and to reassign funds from the SR-240/Aaron Drive Flyover construction project to the SR-240/Aaron Drive Flyover Planning Study as shown on **Exhibit A**.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute the standard WSDOT Local Agency Agreements and Local Agency Prospectus documents necessary to implement the funding modifications and new planning project.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



Six Year Transportation Improvement Program

From 2020 to 2025

Agency: Richland

County: Benton

MPO/RTPO: BFCG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
02		SR240/Aaron Interchange Improvements SR240 SR240 EB Ramp to I-182 EB Ramp Construct grade separated eastbound ramp from EB SR240 to EB I-182. Reconstruct existing SR240/Aaron Dr intersection.	WA-12909	06/04/19	06/04/19			03		0.570	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2022		0		0	1,600,000	1,600,000
P	CN	2023		0		0	28,200,000	28,200,000
Totals				0		0	29,800,000	29,800,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	0	0	1,600,000	0	0
CN	0	0	0	29,800,000	0
Totals	0	0	1,600,000	29,800,000	0

Six Year Transportation Improvement Program

From 2020 to 2025

Agency: Richland

County: Benton

MPO/RTPO: BFCG

Y Inside

N Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
02	7	SR240/Aaron Interchange Improvements Study SR240 SR240 EB Ramp to I-182 EB Ramp Study interchange area to identify improvements for congestion and safety.	WA-11163	06/04/19	06/04/19	01/07/20		03	O	0.570	CE	No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	PL	2020	STP(UL)	173,000		0	27,000	200,000
Totals				173,000		0	27,000	200,000

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PL	200,000	0	0	0	0
Totals	200,000	0	0	0	0



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 97-20, Authorizing a Purchase and Sale Agreement with Michel and Solbrack related to the Center Parkway South Project

Department:
Public Works

Ordinance/Resolution Number:
97-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 97-20, authorizing the City Manager to sign and execute a purchase and sale agreement with John & Renee Michel and Tom & Vicki Solbrack related to the Center Parkway South project.

Summary:

Richland's 2020-2025 Capital Improvement Plan includes a partially-funded project titled Center Parkway-South - Leslie Road to Clearwater Creek. This project will extend Center Parkway and improve connectivity to development south of Gage Boulevard with a two-lane rural collector road, bike lanes and a separated pathway.

The property acquisition proposed by Resolution No. 97-20 will enable construction of the street on the alignment selected by City Council in response to the Rachel Road Alignment Study.

John & Renee Michel and Tom & Vicki Solbrack are owners of property required for the project, and have agreed to terms allowing the City to acquire the necessary property rights. The negotiated agreement represents fair compensation in relation to the legitimate objectives of the City and the property owners. Funds necessary to acquire the property shall be paid by the Center Parkway-South - Leslie Road to Clearwater Creek projects funds.

Staff recommends adoption of Resolution No. 97-20.

Fiscal Impact:

Council has approved design and ROW funding for the Center Parkway South - Leslie Road to Clearwater Creek project in past and current Capital Improvement Plans. \$223,160 is currently available in the project budget to complete this ROW purchase. Total costs, including the \$60,000 purchase price, are estimated at \$65,000.

Attachments:

1. Resolution No. 97-20
2. Draft Purchase and Sale Agreement (Michel-Stolbrack)

RESOLUTION NO. 97-20

A RESOLUTION of the City of Richland authorizing a Purchase and Sale Agreement with John & Renee Michel and Tom & Vicki Solbrack for acquisition of real property interests in support of the Center Parkway – South – Leslie Road to Clearwater Creek project.

WHEREAS, the 2020-2025 Capital Improvement Project includes a partially-funded project titled Center Parkway – South – Leslie Road to Clearwater Creek (the “Project”); and

WHEREAS, this Project will extend Center Parkway and improve connectivity to development south of Gage Boulevard with a two-lane rural collector road, bike lanes and a separated pathway; and

WHEREAS, this property acquisition will enable construction of the street on the alignment selected by Richland City Council in response to the Rachel Road Alignment Study; and

WHEREAS, John & Renee Michel and Tom & Vicki Solbrack are owners of property required for the Project, and have agreed to terms allowing the City to acquire the necessary property rights; and

WHEREAS, the negotiated agreement represents fair compensation in relation to the legitimate objectives of the City and the property owners; and

WHEREAS, the funds necessary to acquire the property shall be paid by the Center Parkway – South – Leslie Road to Clearwater Creek project funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a purchase and sale agreement and all other documents necessary to purchase of the property interests from John & Renee Michel and Tom & Vicki Solbrack as identified herein.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY

Re: 1-0188-300-0002-000

This Agreement for Purchase and Sale of Real Property (the “Agreement”) is made and entered into between the **City of Richland**, a Washington municipal corporation (“Purchaser”), and **John B & Renee Michel**, husband and wife, and **Tom & Vicki Solbrack**, husband and wife (“Seller”). The Effective Date of this Agreement shall be determined pursuant to the terms of Section 3.1 herein.

1. Purchase and Sale of Property. Seller agrees to sell and Purchaser agrees to purchase, on the terms hereafter stated, the unimproved real property, located in the City of Richland, Benton County, Washington which is legally described in **Exhibit A** attached hereto (hereinafter referred to as the “Property”).

1.1. Laws and Rights. The sale and conveyance of the Property to be made pursuant to this Agreement shall be subject to any and all applicable federal, state and local laws, orders, rules and regulations, and any and all outstanding rights of record or which are open and obvious on the ground.

1.2. Timing of Conveyance. The Property shall be conveyed to Purchaser at Closing by a Statutory Warranty Deed (“Deed”) subject to the Exceptions accepted or deemed accepted by Purchaser pursuant to Section 4.1 below.

2. Purchase Price. The total purchase price for the Property shall be **SIXTY THOUSAND DOLLARS AND NO CENTS (\$60,000)** (the “Purchase Price”). The Purchase Price shall be paid by Purchaser to Seller in the form of all cash to be deposited in an escrow account with First American Title of Benton and Franklin County (the “Title Company”) at Closing (as defined in Section 6 below).

2.1. Reserved.

3. Conditions Precedent to Sale. This Agreement is made and executed by the parties hereto subject to the following conditions precedent:

3.1. City Approval. The execution and delivery of this Agreement by Purchaser is contingent upon approval of this Agreement by the City Council of the City of Richland in its sole discretion. In the event the Richland City Council does not approve this Agreement, this Agreement shall immediately terminate and be without any further force and effect, and without further obligation of either party to the other.

3.2. Executed Contract. The “Effective Date” of this Agreement is the date upon which both parties have signed this Agreement. If this Agreement is signed on different days, the “Effective Date” of this Agreement is the date of the last signing party. Notwithstanding the foregoing, Purchaser and Seller must sign this Agreement within fifteen (15) business days of approval from the City Council of the City of Richland. If signatures are not obtained from both parties within fifteen (15) business days, this Agreement shall automatically terminate and be without any further force and effect, and without further obligation of either party to the other.

4. Title Matters.

4.1. Preliminary Title Report; Title Review. Within five (5) business days after the Effective Date, Purchaser, at its sole cost and expense, shall order from the Title Company a preliminary title commitment for the Property, and copies of all documents referred to therein (the "Preliminary Commitment"), and upon receipt, furnish same to Seller.

(a) Purchaser shall have fifteen (15) days after receipt of the Preliminary Commitment and Survey to advise Seller in writing of any encumbrances, restrictions, easements or other matters contained in the Preliminary Commitment or on the Survey (the "Exceptions") to which Purchaser objects. All Exceptions to which Purchaser does not object in writing within the fifteen (15) day period shall be deemed accepted by Purchaser.

(b) If Purchaser objects to any Exceptions within the fifteen (15) day period, Seller shall advise Purchaser in writing within five (5) days of receipt of Purchaser's written objections: (i) which Exceptions Seller will remove at Closing, (ii) which Exceptions the Title Company has agreed to insure around in the title policy to be issued at Closing (together with the proposed form of endorsement), and (iii) which Exceptions will not be removed or insured around.

(c) Within ten (10) days of receipt of Seller's response to Purchaser's written objections, and assuming Seller has not agreed to remove all exceptions to which Purchaser objects, Purchaser shall notify Seller in writing of Purchaser's election to either: (i) terminate this Agreement; or (ii) waive its objections to the Exceptions the Title Company has agreed to insure around and the Exceptions Seller will not remove or insure around, in which event such Exceptions shall be deemed accepted by Purchaser.

4.2. Reserved.

5. Due Diligence. Purchaser is granted a due diligence period until and including thirty (30) days after receipt of the Preliminary Commitment described in Section 4.1 above (the "Due Diligence Period"). Said Due Diligence Period may be extended an additional thirty (30) days upon written mutual agreement by both Purchaser and Seller. Purchaser may conduct, at its own expense, a full review of legal, title, environmental, archaeological and any other related issues subject to the terms of this Section 5. If the results of said review are unsatisfactory in Purchaser's sole discretion, Purchaser may, at its option, elect to terminate this Agreement by giving Seller written notice of termination prior to the end of the Due Diligence Period (the "Due Diligence Termination Notice"). In the event of termination by Purchaser under this section, this Agreement shall immediately terminate and be without any further force and effect; and neither party shall have any rights or responsibilities to the other except as otherwise expressly provided herein. If Purchaser fails to provide a Due Diligence Termination Notice to Seller on or before the expiration of the Due Diligence Period, the due diligence contingency set forth under this Section 5 shall be deemed waived by Purchaser, and this Agreement shall continue in full force and effect.

5.1. Reserved.

6. Closing. Closing shall occur in the office of the Title Company on or before the date that is thirty (30) days after the expiration or waiver of the Due Diligence Period. Purchaser

shall deposit in escrow with Title Company all instruments and documents reasonably necessary to complete the transaction in accordance with this Agreement, including, but not limited to, the Deed. As used herein, "Closing" or "date of Closing" means the date on which all appropriate documents are recorded and the proceeds of sale are available for disbursement to Seller.

6.1. Closing Costs; Prorations. At Closing, Purchaser shall pay the premium for the standard coverage policy of title insurance and the endorsements required to insure around the Exceptions the Title Company agreed to insure around in accordance with Section 4 above, deed or real property transfer taxes, all Title Company's escrow fees and charges, and Seller's reasonable attorney's fees, if applicable. Real property taxes, assessments, surface water management charges, utilities and other expenses of the Property shall be prorated as of the date of Closing, with Purchaser bearing the costs after the date of Closing.

7. Covenants, Representations and Warranties.

7.1. Seller's Covenants. Seller hereby covenants and agrees as follows:

(a) From the Effective Date through the Closing Date, Seller shall not make any material alterations to the Property or to any of the licenses, permits, legal classifications or other governmental regulations relating to the Property, nor enter into any leases or agreements pertaining to the Property which are not terminable, without penalty, on 30 days' notice, without Purchaser's prior written consent.

(b) From the Effective Date through the Closing Date, Seller shall not voluntarily cause to be recorded any encumbrance, lien, deed of trust, or easement against the title to the Property without Purchaser's prior consent.

(c) From the Effective Date through the Closing Date, Seller will operate and maintain the Property in a manner consistent with Seller's past practices relative to the Property and so as not to cause waste to the Property.

7.2. Seller's Representations and Warranties. Seller hereby makes the following representations and warranties to Purchaser, each of which shall be true on the Effective Date and on the date of Closing. Seller shall immediately provide Purchaser with written notice of any event which would make any representation or warranty set forth below materially incorrect or untrue, and upon receipt of such notice, Purchaser may elect to terminate this Agreement. Upon Purchaser's election to terminate, this Agreement shall be without any further force and effect, and without further obligation of either part to the other.

(a) Seller has full power and authority to enter into and carry out the terms and provisions of this Agreement and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Seller necessary to confer such authority upon the persons executing this Agreement and such other documents will have been, or will be, taken.

(b) Seller has not received any written notice from any governmental authorities or regulatory agencies that eminent domain proceedings for the condemnation of the Property are pending or threatened.

(c) Seller has not received any written notice of pending or threatened investigation, litigation or other proceeding before a local governmental body or regulatory agency which would materially and adversely affect the Property.

(d) Seller has not received any written notice from any governmental authority or regulatory agency that Seller's use of the Property is presently in violation of any applicable zoning, land use or other law, order, ordinance or regulation affecting the Property.

(e) To Seller's knowledge, no special or general assessments have been levied against the Property except those disclosed in the Preliminary Title Report, and Seller has not received written notice that any such assessments are threatened.

(f) Seller is not a "foreign person" for purposes of Section 1445 of the Internal Revenue Code.

(g) As of the Effective Date and as of the date of Closing, Seller is not person or entity with whom U.S. persons or entities are restricted from doing business under regulations of OFAC (including those named on OFAC's Specially Designated and Blocked Persons List) or under any statute, executive order (including the September 24, 2001, Executive Order Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit or Support Terrorism) or other governmental action ("OFAC").

7.3. Purchaser's Representations. Purchaser hereby makes the following representations to Seller, each of which shall be true on the Effective Date hereof and on the date of Closing.

(a) Purchaser is a Washington municipal corporation, duly formed and organized, validly existing and in good standing under the laws of the State of Washington.

(b) Purchaser has full power and authority to enter into and carry out the terms and provisions of this Agreement, and to execute and deliver all documents which are contemplated by this Agreement, and all actions of Purchaser necessary to confer such authority upon the persons executing this Purchase Agreement and such other documents have been, or will be, taken.

(c) Purchaser represents that it has sufficient funds to close this transaction.

8. Casualty and Condemnation.

8.1. Material Casualty or Condemnation. If prior to the Closing Date: (i) the Property shall sustain damage caused by casualty which would cost ten thousand dollars (\$10,000) or more to repair or replace; or (ii) if a taking or condemnation of any portion of the Property has occurred, or is threatened, which would materially affect the value of the Property, either Purchaser or Seller may, at its option, terminate this Agreement by written notice to the other party given within two (2) business days after notice of such event. If prior to the Closing Date neither party provides said termination notice within such two (2) business day period, the Closing shall take place as provided herein with a credit against the Purchase Price in an amount equal to any insurance proceeds or

condemnation awards actually collected by Seller and an assignment to Purchaser at Closing of all Seller's interest in and to any insurance proceeds or condemnation awards which may be due but unpaid to Seller on account of such occurrence.

8.2. Immaterial Casualty or Condemnation. If prior to Closing Date, the Property shall sustain damage caused by casualty which is not described in Section 8.1, or a taking or condemnation has occurred, or is threatened, which is not described in Section 8.1, neither Purchaser nor Seller shall have the right to terminate this Agreement. Closing shall take place as provided herein with a credit against the Purchase Price equal to: (i) the cost to repair that portion of the Property so damaged by insured casualty; or (ii) an amount equal to the anticipated condemnation award, as applicable. At Closing, Purchaser shall assign to Seller all rights or interest in and to any insurance proceeds or condemnation awards which may be due on account of any such occurrence.

9. Purchasers' Remedies. In the event of material breach of this Agreement by Seller, Purchaser shall have, as its sole remedies: (a) the right to pursue specific performance of this Agreement; (b) the right to terminate this Agreement; and (c) all remedies presently or hereafter available at law or in equity. Purchaser hereby waives all other remedies on account of a breach hereof by Seller.

10. Miscellaneous.

10.1. Finder's Fee. Purchaser and Seller each agree that a real estate finder's fee ("Real Estate Compensation") is not due to each other or to any third party. Each party hereby agrees to indemnify and defend the other against and hold the other harmless from and against any and all loss, damage, liability or expense, including costs and reasonable attorney's fees, resulting from any claims for Real Estate Compensation by any person or entity other than provided herein. The provisions of this section shall survive the closing.

10.2. Time of the Essence. Time is of the essence of every provision of this Agreement.

10.3. Notices. Whenever any party hereto shall desire to give or serve upon the other any notice, demand, request or other communication, each such notice, demand, request or other communication shall be in writing and shall be given or served upon the other party by personal delivery (including delivery by written electronic transmission) or by certified, registered or Express United States Mail, or Federal Express or other commercial courier, postage prepaid, addressed as follows:

If to Purchaser: City of Richland
Attn: Public Works Department
625 Swift Blvd., MS-26
Richland, Washington 99352
Phone: (509) 942-7500
Email: jwest@ci.richland.wa.us

If to Seller: John B & Renee Michel
17002 S Grandview Lane
Kennewick, WA 99338

Tom & Vicki Solbrack
2555 W Highway 24
Othello, WA 99344

Any such notice, demand, request or other communication shall be deemed to have been received upon the earlier of personal delivery thereof or two (2) business days after having been mailed as provided above, as the case may be.

10.4. Assignments and Successors. Purchaser may not assign this Agreement without Seller's written consent. Any assignment made without Seller's consent is null and void, and does not relieve the Purchaser of any liability or obligation hereunder.

10.5. Captions. Paragraph titles or captions contained herein are inserted as a matter of convenience and for reference, and in no way define, limit, extend or describe the scope of this Agreement.

10.6. Exhibits. All exhibits attached hereto shall be incorporated herein by reference as if set out herein in full.

10.7. Binding Effect. Regardless of which party prepared or communicated this Agreement, this Agreement shall be of binding effect between Purchaser and Seller only upon its execution by an authorized representative of each such party.

10.8. Construction. The parties acknowledge that each party has reviewed and revised this Agreement, and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Purchase and Sale Agreement or any amendment or exhibits hereto.

10.9. Counterparts. Execution of this Agreement and any amendment or other document related to this Agreement may be by electronic signature and in any number of counterpart originals, including by portable document format (.pdf), each of which shall be deemed to constitute an original agreement, and all of which shall constitute one whole agreement.

10.10. Time. Any extension of time granted for the performance of any duty under this Agreement shall not be considered as an extension of time for the performance of any other duty under this Agreement. As used in this Agreement, "business day" refers to any day which is not a Saturday, Sunday or a holiday in the State of Washington. In the event the time for performance of any obligation hereunder shall fall on a Saturday, Sunday or a holiday, such time for performance shall be extended to the next business day.

10.11. Merger. The delivery of the Deed and any other documents and instruments by Seller and the acceptance and recordation thereof by Purchaser shall effect a merger, and be deemed the full performance and discharge of every obligation on the part of Purchaser and Seller

to be performed hereunder, except those clauses, covenants, warranties and indemnifications specifically provided herein to survive the Closing.

10.12. Governing Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of Washington. The parties agree that Benton County is the appropriate venue for filing of any civil action arising out of this Agreement, and both parties expressly agree to submit to personal jurisdiction in Benton County Superior Court.

10.13. Scrivener. The party drafting this Agreement is the City of Richland. The City of Richland makes no representations regarding the rights or responsibilities of Seller under this Agreement. Seller is encouraged to review the contract and all documents related thereto with counsel before signing this Agreement.

[Signature Page to Follow]

IN WITNESS WHEREOF, Purchaser has executed this Agreement on the date shown below its signature, and Seller has accepted on the date shown below its signature.

SELLERS

PURCHASER – City of Richland

John B Michel, Owner

Cynthia D. Reents, City Manager

Date

Date

Renee Michel, Owner

Attest:

Jennifer Rogers, City Clerk

Date

Approved as to Form:

By: Tom Solbrack, Owner

Heather Kintzley, City Attorney

Date

By: Vicki Solbrack, Owner

Date

Exhibit A

Legal Description of Subject Property

Land in Fee

A Parcel of land located within the Southwest Quarter of Section 1, Township 8 North, Range 28 East, Willamette Meridian, City of Richland, Benton County, Washington as shown on Record of Survey No. 4035 recorded in Volume 1 of Surveys at Page 4035, records of said County and State. Said Parcel is shown lying Southerly of Parcel "B", Northeasterly of Parcel "C", Southwesterly of Parcel "A" as shown on said Record of Survey and North of Burlington's Northern 400 foot rail road right of way, being more particularly described as follows;

Beginning at the most Southwesterly corner of said Parcel "B"; Thence the following four courses along the Southeasterly line of said Parcel "B" beginning with a curve to the left with a radial bearing of N00°56'41"E, having a radius of 171.04 feet; Thence along said curve an arc length of 171.76 feet through a central angle of 57°32'09" to a point of tangent line; Thence along said line N33°24'32"E a distance of 201.26 feet to a point of curve to the right; Thence along said curve having a radius of 454.41 feet, an arc distance of 166.55 feet, through a central angle of 21°00'00"; Thence N54°24'32"E a distance of 798.33 feet to the most Southeasterly corner of said Parcel "B", said point being on the Westerly line of Parcel "A" per said Record of Survey; Thence along said Westerly line S35°35'28"E a distance of 114.33 feet to the Southwesterly corner of said Parcel "A", said point being on a curve of the Northwestern line of the Burlington Northern Railroad right of way; Thence Southwesterly along said right of way curve having a radial bearing of S31°49'56"E and a radius of 4019.72 feet, an arc distance of 1281.27 feet through a central angle of 18°15'46" to the Northeast corner of said Parcel "C"; Thence along the North line of said Parcel "C" N81°35'28"W a distance of 164.72 feet to the Northwest corner of said Parcel "C"; Thence N27°13'36"E a distance of 86.05 feet back to the point of beginning.

Containing: 159,734 square feet.

EXHIBIT A

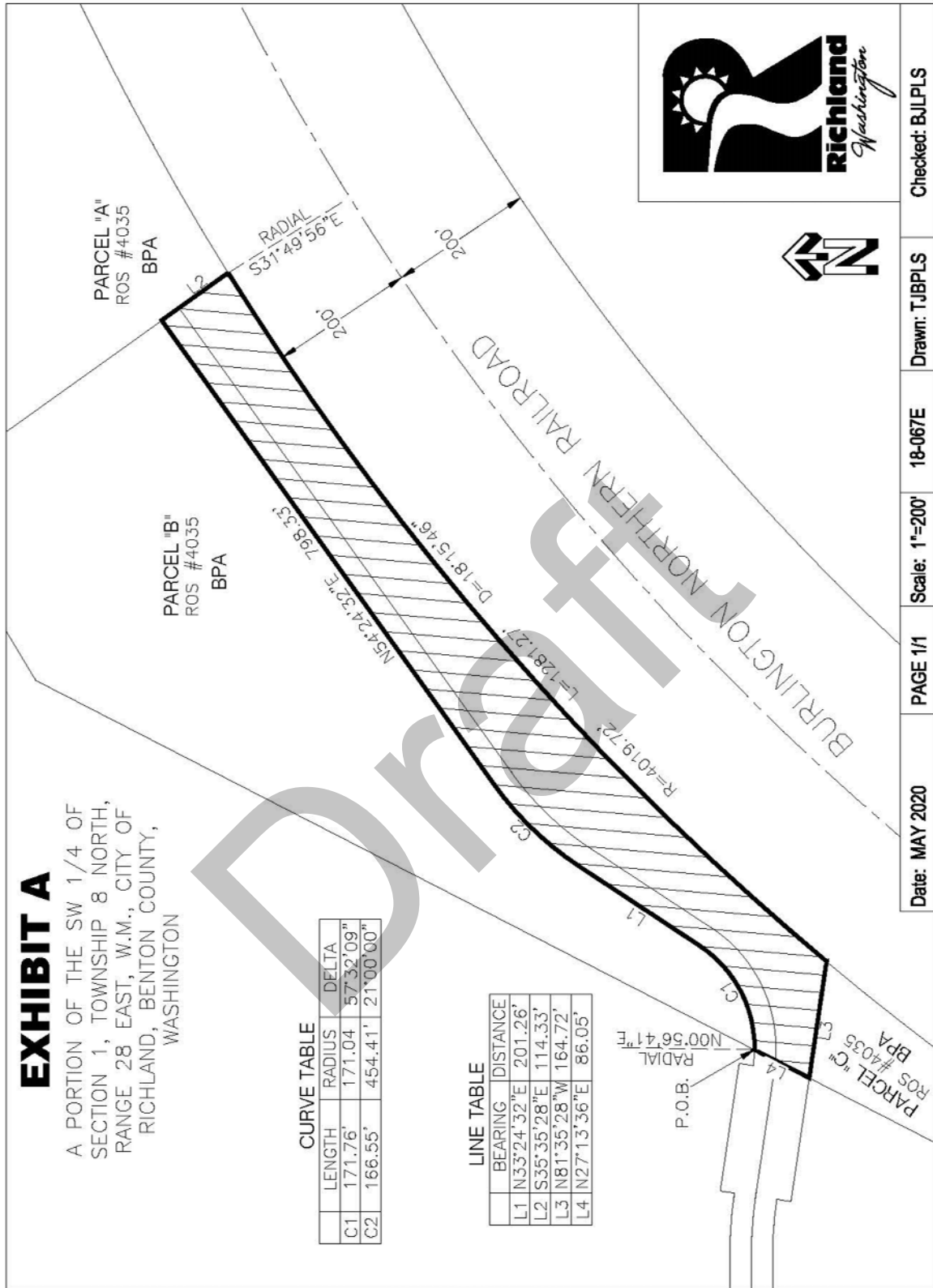
A PORTION OF THE SW 1/4 OF
SECTION 1, TOWNSHIP 8 NORTH,
RANGE 28 EAST, W.M., CITY OF
RICHLAND, BENTON COUNTY,
WASHINGTON

CURVE TABLE

	LENGTH	RADIUS	DELTA
C1	171.76'	171.04'	57°32'09"
C2	166.55'	454.41'	21°00'00"

LINE TABLE

	BEARING	DISTANCE
L1	N33°24'32"E	201.26'
L2	S35°35'28"E	114.33'
L3	N81°35'28"W	164.72'
L4	N27°13'36"E	86.05'



Date: MAY 2020 PAGE 1/1 Scale: 1"=200' 18-067E Drawn: TJBPLS Checked: BILPLS



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Resolution No. 100-20, Designating Virtual Meeting Locations Consistent with *Safe Start – Washington's Phased Reopening Plan*

Department:
City Attorney

Ordinance/Resolution Number:
100-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 100-20, temporarily designating virtual meeting locations for municipal meetings held by the city of Richland until the City enters a phase of Washington State's *Safe Start* reopening plan that allows for public gatherings and the opening of public facilities.

Summary:

On February 29, 2020, Governor Jay Inslee declared that a state of emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the State. Shortly thereafter, Richland Mayor Ryan Lukson signed a proclamation declaring that a state of emergency exists within the City due to the impacts of COVID-19.

One of the actions taken by Governor Inslee to slow the spread of the virus was to suspend certain provisions of the Open Public Meetings Act (OPMA) related to in-person meetings. Governor Inslee's OPMA proclamation has been extended a number of times, and is set to expire on July 31, 2020.

Now that counties are moving through the different phases of reopening at different rates, some cities and counties are able to hold in-person municipal meetings while others are not. Benton County is still in Phase I of Governor Inslee's *Safe Start* reopening plan. Public buildings are not allowed to open until Phase 3 of the reopening plan, and gatherings of more than 5 are not currently authorized. Therefore, in order to continue to hold virtual meetings in compliance with Governor Inslee's directives, the City is designating that all locations for municipal meetings occur in a virtual environment.

This temporary designation will automatically terminate once Benton County moves into a phase of the *Safe Start* plan that allows for public gatherings and the opening of public buildings.

Staff recommends approval of Resolution No. 100-20.

Fiscal Impact:

None.

Attachments:

I. Resolution No. 100-20

RESOLUTION NO. 100-20

A RESOLUTION of the City of Richland establishing virtual meeting locations for municipal meetings consistent with *Safe Start – Washington’s Phased Reopening Plan*.

WHEREAS, the City of Richland is a first class charter city organized under Article XI, Section 10 of the Washington State Constitution; and

WHEREAS, the Revised Code of Washington (RCW) Section 38.52.070 authorizes all political subdivisions of this State to exercise emergency powers within their own jurisdictions under defined circumstances; and

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that may result in serious illness or death for certain vulnerable members of Richland’s population, and is transmissible from person-to-person; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee declared that a state of emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the State; and

WHEREAS, on March 13, 2020, Governor Inslee directed closure of all Washington K-12 schools beginning March 17, 2020 to and through April 24, 2020 in an effort to limit the spread of COVID-19. This closure was later extended through the rest of the 2019-2020 school year; and

WHEREAS, on March 17, 2020, Richland Mayor Ryan Lukson signed a Proclamation of the City of Richland declaring that a state of emergency exists within the City due to the impacts of COVID-19; and

WHEREAS, on March 24, 2020, Governor Inslee issued Proclamation No. 20-25, referred to as the *Stay Home – Stay Healthy* order, which directed all people in the State of Washington to cease leaving their homes except for essential activities; and

WHEREAS, also on March 24, 2020, Governor Inslee signed Proclamation No. 20-28, temporarily suspending in-person meetings under the Open Public Meetings Act (OPMA) as a means by which to slow the spread of COVID-19; and

WHEREAS, on June 1, 2020, Governor Inslee’s Proclamation No. 20-25.4, which provides a county-by-county phased reopening plan referred to as *Safe Start – Washington’s Phased Reopening Plan*, superseded the governor’s previously issued *Stay Home – Stay Healthy* directive; and

WHEREAS, Benton County is currently in Phase 1 of the *Safe Start* reopening plan, and Governor Inslee's phased reopening approach does not allow public buildings to open until later phases of the plan, currently anticipated to occur in Phase 3; and

WHEREAS, with Proclamation No. 20-28 expected to sunset on July 1, 2020, and given the limitations of the various phases of Governor Inslee's *Safe Start* reopening plan, the City has need to temporarily adjust its meeting locations to accommodate virtual meeting environments until public buildings are allowed to open and gatherings of citizens are authorized; and

WHEREAS, the health, safety and welfare of Richland residents, businesses, visitors and staff is of utmost importance to the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that established meeting locations for municipal meetings held by the City of Richland are hereby replaced by reference to virtual locations until Benton County moves into a phase of the *Safe Start* reopening plan that authorizes public gatherings and the opening of public facilities.

BE IT FURTHER RESOLVED that nothing herein is intended to limit or otherwise modify, at any time, the ability of one or more members of a Richland board, commission, committee or council from participating remotely in a municipal meeting, so long as such attendance is consistent with the City's policy for remote meeting attendance.

BE IT FURTHER RESOLVED that this temporary designation of virtual locations for municipal meetings shall expire once Benton County moves into a phase of the *Safe Start* reopening plan that authorizes public gatherings and the opening of public facilities.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 101-20, Authorizing Award of Bid to Granite Construction Company for the Duportail Corridor Improvements Project

Department:
Public Works

Ordinance/Resolution Number:
101-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 101-20, authorizing the City Manager to sign and execute a construction contract with Granite Construction Company for the Duportail Corridor Improvements project.

Summary:

Richland's 2020-2025 Capital Improvement Plan includes two projects to improve intersections along Duportail Street in the Queensgate area. These projects to improve the Duportail/Queensgate Intersection and the Duportail/Keene Intersection have been combined and named the Duportail Corridor Improvements project (the "Project"). This Project was scoped and scheduled to accommodate the traffic pattern changes anticipated to occur with opening of the Duportail Bridge.

All project development and design work required to advance the project to construction has been completed, and bids have been solicited in accordance with the City's purchasing policies.

Granite Construction Company submitted the lowest responsible bid of the three (3) bids received. The project budget is adequate to complete the project using the lowest responsible bid. If awarded, the project construction is expected to be complete before the Duportail Bridge opens this fall.

Staff recommends adoption of Resolution No. 101-20.

Fiscal Impact:

Council approved funding through the 2020 CIP process by approving the Duportail/Keene Intersection Improvement and the Duportail/Queensgate Intersection Improvement. Staff is combining the two projects for a total funding budget of \$1,288,700. Total project costs are estimated to be \$1,288,700. These costs include design, right-of-way acquisition, construction management, work by Energy Services, construction, and contingency.

Attachments:

1. Resolution No. 101-20
2. Duportail Corridor Improvements - Bid Tab
3. Duportail Corridor Improvements - Vicinity Map

RESOLUTION NO. 101-20

A RESOLUTION of the City of Richland authorizing the award of bid to Granite Construction Company for the Duportail Corridor Improvements project.

WHEREAS, the 2020-2025 Capital Improvements Plan (CIP) includes two projects titled Duportail/Queensgate Intersection Improvement and Duportail/Keene Intersection Improvement; and

WHEREAS, the two projects have been combined for efficiency purposes. The combined project is referred to as the Duportail Corridor Improvements project (the "Project"); and

WHEREAS, the Project was scoped and scheduled to address changes in traffic patterns anticipated with completion of the Duportail Bridge; and

WHEREAS, all project development and design work required to advance the project to construction has been completed; and

WHEREAS, bids were solicited in accordance with the City's purchasing policies, with three (3) bids received and opened on June 29, 2020; and

WHEREAS, Granite Construction Company submitted the lowest responsible bid of the three (3) received; and

WHEREAS, the Project budget is adequate to complete the project using the lowest responsible bid; and

WHEREAS, the City's best interests are served by completing the project in accordance with the CIP, project design and lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized to sign and execute a construction contract with Granite Construction Company in the amount of \$1,092,091.86, and to execute change orders in an aggregate amount not to exceed \$60,000 to fulfill the design intent of the Duportail Corridor Improvements project.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

This space intentionally left blank.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney

City of Richland

DATE BIDS OPENED: June 29, 2020	ITB # 20-0052
DUPORTAIL CORRIDOR IMPROVEMENTS	

Item	Description	Qty	Unit	ENGINEER'S ESTIMATE		GRANITE CNST CO YAKIMA, WA		APOLLO, INC KENNEWICK, WA	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
	SCHEDULE A - BASE BID								
1	Mobilization.	1	LS	\$65,000.00	65,000.00	42,207.00	42,207.00	100,000.00	100,000.00
2	Removal of structures & obstructions.	1	LS	25,000.00	25,000.00	50,000.00	50,000.00	94,000.00	94,000.00
3	Removing plastic line.	11,412	LF	0.75	8,559.00	0.55	6,276.60	0.55	6,276.60
4	Removing plastic traffic marking.	20	EA	125.00	2,500.00	67.00	1,340.00	67.00	1,340.00
5	Removing plastic crosswalk line.	1,008	SF	1.50	1,512.00	3.00	3,024.00	2.80	2,822.40
6	Roadway excavation including haul.	2,487	CY	15.00	37,305.00	22.00	54,714.00	28.00	69,636.00
7	Embankment compaction.	950	CY	5.00	4,750.00	7.00	6,650.00	12.00	11,400.00
8	Quarry spalls outfall pad.	5	EA	200.00	1,000.00	390.00	1,950.00	515.00	2,575.00
9	Catch basin, Type - City.	5	EA	2,000.00	10,000.00	1,732.00	8,660.00	1,100.00	5,500.00
10	Shallow storm drain catch basin manhole (48").	1	EA	2,500.00	2,500.00	3,200.00	3,200.00	2,000.00	2,000.00
11	Solid wall PVC storm sewer pipe, 10" diameter.	28	LF	35.00	980.00	65.00	1,820.00	45.00	1,260.00
12	Solid wall PVC storm sewer pipe, 12" diameter.	199	LF	45.00	8,955.00	84.00	16,716.00	47.00	9,353.00
13	Solid wall PVC storm sewer pipe, 18" diameter.	10	LF	55.00	550.00	200.00	2,000.00	220.00	2,200.00
14	CCTV inspection of storm pipe.	237	LF	2.00	474.00	1.00	237.00	8.00	1,896.00
15	Imported pipe zone bedding.	278	LF	7.00	1,946.00	0.01	2.78	1.60	444.80
16	Imported pipe zone backfill.	278	LF	7.00	1,946.00	0.01	2.78	1.60	444.80
17	Trench safety.	278	LF	1.00	278.00	2.00	556.00	1.00	278.00
18	Relocate fire hydrant assembly.	1	EA	2,500.00	2,500.00	1,500.00	1,500.00	2,600.00	2,600.00
19	DI pipe for water main 3" diameter.	19	LF	50.00	950.00	56.00	1,064.00	190.00	3,610.00
20	DI pipe for water main 6" diameter.	6	LF	75.00	450.00	84.00	504.00	400.00	2,400.00
21	Thrust block.	2	EA	300.00	600.00	34.00	68.00	200.00	400.00
22	Relocate combination air release/air vacuum valve assembly 3".	1	EA	3,000.00	3,000.00	4,700.00	4,700.00	2,100.00	2,100.00
23	Underground utility crossing, marked & unmarked.	10	EA	250.00	2,500.00	112.00	1,120.00	300.00	3,000.00
24	Crushed surfacing base course.	660	CY	45.00	29,700.00	93.00	61,380.00	47.00	31,020.00
25	Crushed surfacing top course.	300	CY	50.00	15,000.00	121.00	36,300.00	48.00	14,400.00
26	HMA Cl. 1/2" PG 64-28.	620	TON	100.00	62,000.00	133.00	82,460.00	110.00	68,200.00
27	Job mix compliance price adjustment.	1	CALC	-	-	1.00	1.00	1.00	1.00
28	Compaction price adjustmant.	1	CALC	-	-	1.50	1.50	1.00	1.00
29	Commercial HMA.	58	TON	200.00	11,600.00	210.00	12,180.00	110.00	6,380.00
30	Soil residual herbicide.	2,485	SY	0.75	1,863.75	0.60	1,491.00	1.00	2,485.00
31	Check dam.	5	EA	150.00	750.00	500.00	2,500.00	470.00	2,350.00
32	Erosion control & water pollution prevention.	1	LS	2,000.00	2,000.00	700.00	700.00	5,000.00	5,000.00
33	Slope protection rock.	2,545	SY	30.00	76,350.00	7.00	17,815.00	8.00	20,360.00
34	Site restoration.	1	LS	7,500.00	7,500.00	1,800.00	1,800.00	10,000.00	10,000.00

				ENGINEER'S ESTIMATE		GRANITE CNST CO YAKIMA, WA		APOLLO, INC KENNEWICK, WA	
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
35	Cement concrete traffic curb & gutter.	2,279	LF	25.00	56,975.00	30.00	68,370.00	33.20	75,662.80
36	Cement concrete pedestrian curb.	8	LF	30.00	240.00	23.00	184.00	33.00	264.00
37	Plastic line Type D.	4,952	LF	1.25	6,190.00	1.00	4,952.00	1.00	4,952.00
38	Plastic wide lane line Type D.	4,271	LF	2.25	9,609.75	1.50	6,406.50	1.10	4,698.10
39	Plastic crosswalk line.	1,264	SF	6.00	7,584.00	6.55	8,279.20	7.25	9,164.00
40	Plastic STOP line.	244	LF	8.00	1,952.00	7.50	1,830.00	7.25	1,769.00
41	Plastic traffic arrow.	23	EA	150.00	3,450.00	140.00	3,220.00	134.00	3,082.00
42	Plastic bicycle lane symbol.	15	EA	150.00	2,250.00	210.00	3,150.00	207.00	3,105.00
43	Plastic traffic letter.	16	EA		-	160.00	2,560.00	156.00	2,496.00
44	Permanent signing.	1	LS	4,500.00	4,500.00	7,200.00	7,200.00	7,200.00	7,200.00
45	Temporary pavement marking-short duration.	9,339	LF	0.25	2,334.75	0.50	4,669.50	0.39	3,642.21
46	Illumination system (relocate 4 street lights).	1	LS	12,000.00	12,000.00	18,000.00	18,000.00	19,000.00	19,000.00
47	Traffic signal modifications.	1	LS	250,000.00	250,000.00	300,000.00	300,000.00	310,000.00	310,000.00
48	Project temporary traffic control.	1	LS	35,000.00	35,000.00	108,000.00	108,000.00	78,300.00	78,300.00
49	Roadway surveying.	1	LS	25,000.00	25,000.00	7,300.00	7,300.00	18,000.00	18,000.00
50	Cement concrete sidewalk.	1,022	SY	45.00	45,990.00	65.00	66,430.00	50.00	51,100.00
51	Cement concrete drop back sidewalk.	28	SY	130.00	3,640.00	94.00	2,632.00	88.00	2,464.00
52	Cement concrete driveway entrance Type 1 (City).	24	SY	80.00	1,920.00	82.00	1,968.00	74.00	1,776.00
53	Cement concrete curb ramp Type 1B.	9	EA	2,000.00	18,000.00	1,700.00	15,300.00	1,500.00	13,500.00
54	Chain link fence Type 3.	25	LF	50.00	1,250.00	50.00	1,250.00	40.00	1,000.00
55	Connection to drainage structure.	3	EA	1,500.00	4,500.00	850.00	2,550.00	1,200.00	3,600.00
56	Adjust manhole.	2	EA	2,000.00	4,000.00	1,200.00	2,400.00	640.00	1,280.00
57	Adjust junction box.	3	EA	300.00	900.00	400.00	1,200.00	430.00	1,290.00
58	Adjust vavle box.	1	EA	250.00	250.00	1,400.00	1,400.00	430.00	430.00
59	SPCC plan.	1	LS	1,000.00	1,000.00	100.00	100.00	1,000.00	1,000.00
60	Irrigation system restoration.	1	LS	5,000.00	5,000.00	8,700.00	8,700.00	8,000.00	8,000.00
61	Psipe - Scarlett Oak (3" cal).	3	EA	750.00	2,250.00	550.00	1,650.00	300.00	900.00
62	Deep root watering system.	3	EA	350.00	1,050.00	420.00	1,260.00	300.00	900.00
63	Conduit, 4" PVC deep sockets.	8	LF	7.00	56.00	23.00	184.00	5.00	40.00
64	Conduit, 2" PVC deep sockets.	8	LF	7.00	56.00	23.00	184.00	5.00	40.00
65	Conduit, 1 1/2" PVC deep sockets.	773	LF	5.00	3,865.00	14.00	10,822.00	25.00	19,325.00
66	Power vault V3 & cover w/2 steel lids.	1	EA	2,500.00	2,500.00	5,000.00	5,000.00	2,900.00	2,900.00
SCHEDULE A - BASE BID SUBTOTAL					\$903,331.25		\$1,092,091.86		\$1,136,613.71
0% SALES TAX					-		-		-
SCHEDULE A - BASE BID TOTAL					\$903,331.25		\$1,092,091.86		\$1,136,613.71
GRAND TOTAL					\$903,331.25		\$1,092,091.86		\$1,136,613.71

City of Richland

DATE BIDS OPENED:	June 29, 2020	ITB #	20-0052
DUPORTAIL CORRIDOR IMPROVEMENTS			

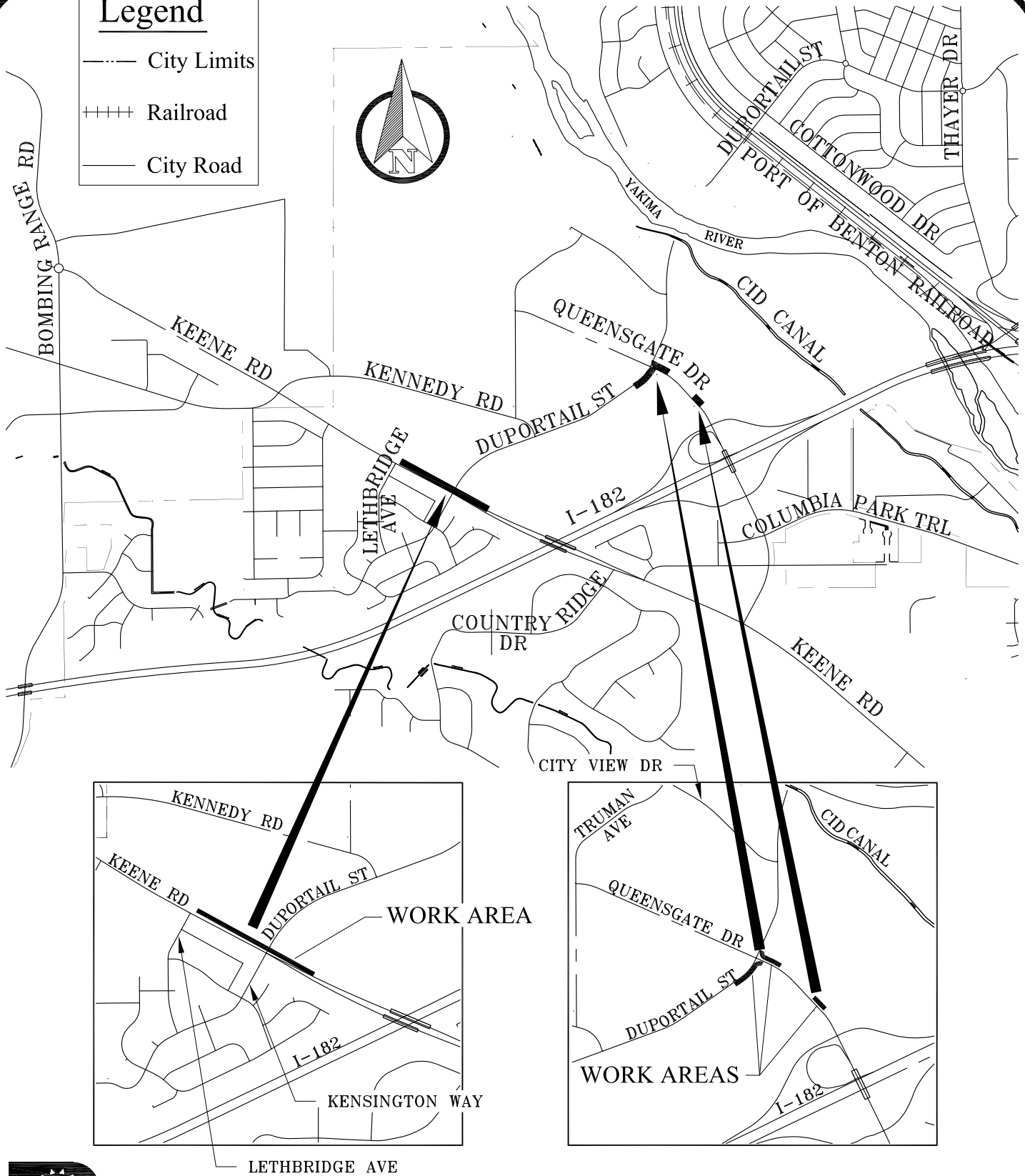
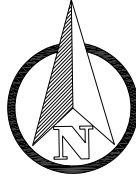
GOODMAN & MEHLENBACHER, ENT. INC. KENNEWICK, WA	PASCO, WA	
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Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
SCHEDULE A - BASE BID									
1	Mobilization.	1	LS	110,000.00	110,000.00		-		-
2	Removal of structures & obstructions.	1	LS	65,000.00	65,000.00		-		-
3	Removing plastic line.	11,412	LF	0.50	5,706.00		-		-
4	Removing plastic traffic marking.	20	EA	65.00	1,300.00		-		-
5	Removing plastic crosswalk line.	1,008	SF	2.75	2,772.00		-		-
6	Roadway excavation including haul.	2,487	CY	15.00	37,305.00		-		-
7	Embankment compaction.	950	CY	8.00	7,600.00		-		-
8	Quarry spalls outfall pad.	5	EA	450.00	2,250.00		-		-
9	Catch basin, Type - City.	5	EA	1,250.00	6,250.00		-		-
10	Shallow storm drain catch basin manhole (48").	1	EA	1,400.00	1,400.00		-		-
11	Solid wall PVC storm sewer pipe, 10" diameter.	28	LF	40.00	1,120.00		-		-
12	Solid wall PVC storm sewer pipe, 12" diameter.	199	LF	40.00	7,960.00		-		-
13	Solid wall PVC storm sewer pipe, 18" diameter.	10	LF	220.00	2,200.00		-		-
14	CCTV inspection of storm pipe.	237	LF	5.00	1,185.00		-		-
15	Imported pipe zone bedding.	278	LF	1.00	278.00		-		-
16	Imported pipe zone backfill.	278	LF	5.00	1,390.00		-		-
17	Trench safety.	278	LF	1.00	278.00		-		-
18	Relocate fire hydrant assembly.	1	EA	1,750.00	1,750.00		-		-
19	DI pipe for water main 3" diameter.	19	LF	125.00	2,375.00		-		-
20	DI pipe for water main 6" diameter.	6	LF	225.00	1,350.00		-		-
21	Thrust block.	2	EA	300.00	600.00		-		-
22	Relocate combination air release/air vacuum valve assembly 3".	1	EA	800.00	800.00		-		-
23	Underground utility crossing, marked & unmarked.	10	EA	350.00	3,500.00		-		-
24	Crushed surfacing base course.	660	CY	50.00	33,000.00		-		-
25	Crushed surfacing top course.	300	CY	70.00	21,000.00		-		-
26	HMA Cl. 1/2" PG 64-28.	620	TON	125.00	77,500.00		-		-
27	Job mix compliance price adjustment.	1	CALC	1.00	1.00		-		-
28	Compaction price adjustmant.	1	CALC	1.00	1.00		-		-
29	Commercial HMA.	58	TON	120.00	6,960.00		-		-
30	Soil residual herbicide.	2,485	SY	0.40	994.00		-		-
31	Check dam.	5	EA	350.00	1,750.00		-		-
32	Erosion control & water pollution prevention.	1	LS	4,250.00	4,250.00		-		-
33	Slope protection rock.	2,545	SY	8.00	20,360.00		-		-
34	Site restoration.	1	LS	22,250.00	22,250.00		-		-

				GOODMAN & MEHLENBACHER, ENT. INC. KENNEWICK, WA		PASCO, WA			
Item	Description	Qty	Unit	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
35	Cement concrete traffic curb & gutter.	2,279	LF	15.00	34,185.00		-		-
36	Cement concrete pedestrian curb.	8	LF	15.00	120.00		-		-
37	Plastic line Type D.	4,952	LF	1.00	4,952.00		-		-
38	Plastic wide lane line Type D.	4,271	LF	1.00	4,271.00		-		-
39	Plastic crosswalk line.	1,264	SF	7.00	8,848.00		-		-
40	Plastic STOP line.	244	LF	7.00	1,708.00		-		-
41	Plastic traffic arrow.	23	EA	130.00	2,990.00		-		-
42	Plastic bicycle lane symbol.	15	EA	200.00	3,000.00		-		-
43	Plastic traffic letter.	16	EA	155.00	2,480.00		-		-
44	Permanent signing.	1	LS	7,360.00	7,360.00		-		-
45	Temporary pavement marking-short duration.	9,339	LF	0.40	3,735.60		-		-
46	Illumination system (relocate 4 street lights).	1	LS	24,000.00	24,000.00		-		-
47	Traffic signal modifications.	1	LS	310,000.00	310,000.00		-		-
48	Project temporary traffic control.	1	LS	135,000.00	135,000.00		-		-
49	Roadway surveying.	1	LS	22,000.00	22,000.00		-		-
50	Cement concrete sidewalk.	1,022	SY	60.00	61,320.00		-		-
51	Cement concrete drop back sidewalk.	28	SY	200.00	5,600.00		-		-
52	Cement concrete driveway entrance Type 1 (City).	24	SY	100.00	2,400.00		-		-
53	Cement concrete curb ramp Type 1B.	9	EA	2,500.00	22,500.00		-		-
54	Chain link fence Type 3.	25	LF	55.00	1,375.00		-		-
55	Connection to drainage structure.	3	EA	1,450.00	4,350.00		-		-
56	Adjust manhole.	2	EA	650.00	1,300.00		-		-
57	Adjust junction box.	3	EA	550.00	1,650.00		-		-
58	Adjust vavle box.	1	EA	400.00	400.00		-		-
59	SPCC plan.	1	LS	750.00	750.00		-		-
60	Irrigation system restoration.	1	LS	12,000.00	12,000.00		-		-
61	Psipe - Scarlett Oak (3" cal).	3	EA	650.00	1,950.00		-		-
62	Deep root watering system.	3	EA	500.00	1,500.00		-		-
63	Conduit, 4" PVC deep sockets.	8	LF	72.00	576.00		-		-
64	Conduit, 2" PVC deep sockets.	8	LF	70.00	560.00		-		-
65	Conduit, 1 1/2" PVC deep sockets.	773	LF	10.00	7,730.00		-		-
66	Power vault V3 & cover w/2 steel lids.	1	EA	3,250.00	3,250.00		-		-
SCHEDULE A - BASE BID SUBTOTAL					\$1,146,295.60		\$0.00		\$0.00
0% SALES TAX					-		-		-
SCHEDULE A - BASE BID TOTAL					\$1,146,295.60		\$0.00		\$0.00
GRAND TOTAL					\$1,146,295.60		\$0.00		\$0.00

Legend

- City Limits
- +++++ Railroad
- City Road



City of Richland

VICINITY MAP

DUPORTAIL CORRIDOR IMPROVEMENTS

DATE: 02-20-2020
 DRAWN BY: JC
 SCALE: NTS
 CAD DWG: 0:/Civil_Projects-Civil 3D/Duportail Corridor Imp/01_Engineering/Drawings/Vicinity Map



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Resolutions - Adoption

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Resolution No. 102-20, Authorizing the City Manager to issue temporary waivers to certain city regulations in order to promote local businesses operating under *Safe Start – Washington's Phased Reopening Plan*

Department:
City Attorney

Ordinance/Resolution Number:
102-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 102-20, authorizing the City Manager to issue temporary waivers to certain city regulations in order to promote local businesses operating under Washington's *Safe Start* reopening plan.

Summary:

On June 2, 2020, Governor Inslee authorized Benton County to move immediately into a modified Phase 1.5 of Washington's *Safe Start* reopening plan, which allows restaurants to reopen patron dining using outdoor seating at 50% of existing outdoor capacity.

Provisions found in the Richland Municipal Code (RMC) related to parking, sidewalk use, and temporary structures place limitations on the use of commercial and city-owned property for outdoor seating. While these provisions are appropriate for long term service, the benefit found in reengaging local businesses outweighs possible negative impacts from a temporary waiver of these provisions. Therefore, in order to maximize outdoor seating space, temporary waivers that maximize business opportunity while mitigating city risk are appropriate.

In addition, businesses authorized to reopen under modified Phase 1.5 must adhere to the Washington State Department of Health's guidance, and commit to the following: sign a business pledge that it will follow all COVID-19 guidance; complete a COVID-19 Safety Plan and submit it to Benton County; post the COVID-19 Safety Plan at the front of the business; require face coverings for employees and customers; and post signs stating that face coverings are required.

Staff recommends approval of Resolution No. 102-20.

Fiscal Impact:

None.

Attachments:

I. Resolution No. 102-20

RESOLUTION NO. 102-20

A RESOLUTION of the City of Richland authorizing the City Manager to issue temporary waivers to certain city regulations in order to promote local businesses operating under *Safe Start – Washington's Phased Reopening Plan*.

WHEREAS, the City of Richland is a first class charter city organized under Article XI, Section 10 of the Washington State Constitution; and

WHEREAS, the Revised Code of Washington (RCW) Section 38.52.070 authorizes all political subdivisions of this State to exercise emergency powers within their own jurisdictions under defined circumstances; and

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that may result in serious illness or death for certain vulnerable members of Richland's population, and is transmissible from person-to-person; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public emergency for the novel coronavirus beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee declared that a state of emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the State; and

WHEREAS, on March 17, 2020, Richland Mayor Ryan Lukson signed a Proclamation of the City of Richland declaring that a state of emergency exists within the City due to the impacts of COVID-19; and

WHEREAS, on March 24, 2020, Governor Inslee issued Proclamation No. 20-25, referred to as the *Stay Home – Stay Healthy* order, which directed all people in the State of Washington to cease leaving their homes except for essential activities; and

WHEREAS, on June 1, 2020, Governor Inslee's Proclamation No. 20-25.4, which provides a county-by-county phased reopening plan referred to as *Safe Start – Washington's Phased Reopening Plan*, superseded the governor's previously issued *Stay Home – Stay Healthy* directive; and

WHEREAS, on July 2, 2020, Governor Inslee authorized Benton County to move immediately into a modified Phase 1.5 of Washington's *Safe Start* reopening plan, which allows restaurants to reopen patron dining using outdoor seating only at 50% of existing outdoor capacity; and

WHEREAS, businesses authorized to reopen under modified Phase 1.5 must adhere to the Washington State Department of Health's guidance, and commit to the

following: sign a business pledge that it will follow all COVID-19 guidance; complete a COVID-19 Safety Plan and submit it to Benton County; post the COVID-19 Safety Plan at the front of the business; require face coverings for employees and customers; and post signs stating that face coverings are required; and

WHEREAS, in order for the City of Richland to do its part in the reopening of Washington's economy, the City Council finds it appropriate to authorize the City Manager to issue temporary waivers to certain local regulations in order for Richland businesses to maximize the effectiveness of the Governor's relaxation of the previously imposed COVID-19 restrictions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland as follows:

Section 1. The City Manager is hereby delegated the power and authority to issue temporary waivers of restrictions in the Richland Municipal Code that would impose limits on the use of outdoor portions of commercial or city-owned property or right-of-way for dining or service, including provisions that prohibit the use of parking spaces for such activity, and local provisions that restrict the ability of local businesses to erect temporary shade structures to support such activity.

Section 2. Waivers granted under this Resolution will be in writing, will identify specific safety and health criteria to followed, and will require reasonable insurance and indemnification assurances from participating businesses.

Section 3. Nothing in this Resolution shall waive any State requirements, including any requirements relating to the sale or service of alcoholic beverages.

Section 4. This Resolution and the authority granted herein shall be effective for a period of sixty (60) days from the date of its approval unless terminated earlier by action of the City Council.

Section 5. If the State of Emergency declared by Governor Inslee's Proclamation 20-25 as amended expires or is terminated, this Resolution and the authority granted herein shall terminate immediately.

Section 6. This Resolution and the authority granted herein may be extended, expanded, or renewed by subsequent action of the City Council.

Section 7. Should any provision of this Resolution conflict with any state or federal or constitutional provision, the conflicting provision will be deemed invalid and severed from this Resolution, with the remainder of this Resolution remaining in full force and effect.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July 7, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Items - Approval

Core Focus Area I - Promote Financial Stability & Operational Effectiveness

Subject:

Appointment to the Richland Public Facilities District Board: Bill King

Department:
City Attorney

Ordinance/Resolution Number:

Document Type:
General Business Item

Recommended Motion:

Approve the reappointment of Bill King to the Richland Public Facilities District Board.

Summary:

Position No. 4 of the Richland Public Facilities District Board expires on July 15, 2020.

Current board member, Bill King, submitted an application packet for reappointment to this position. Mr. King has served on this board for one term and is eligible for reappointment.

Based on Council direction, Bill King is placed on the agenda for reappointment.

The term for Position No. 4 is four (4) years, effective July 16, 2020 through July 15, 2024.

Candidate application packets are on file in the City Clerk's Office.

Fiscal Impact:

None.

Attachments:



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Items of Business

Core Focus Area 2 - Manage & Maintain Infrastructure & Facilities

Subject:

Resolution No. 98-20, Adopting Results and Recommendations of the Downtown Connectivity Study

Department:
Public Works

Ordinance/Resolution Number:
98-20

Document Type:
Resolution

Recommended Motion:

Adopt Resolution No. 98-20, adopting the results and recommendations of the Downtown Connectivity Study.

Summary:

Council's Strategic Leadership Plan was updated in 2018 to include six Core Focus Areas, including one identified as Increase Economic Vitality. This Focus Area includes an objective to improve streets to enhance walkability in the core downtown area of Richland. This objective contributes to a larger program of activities and projects intended to establish central Richland as a vibrant, economically prosperous area leveraging its proximity to the Columbia River.

The 2019 Budget included funds to complete a planning study to advance Council's vision for a pedestrian-friendly waterfront and downtown, while maintaining or enhancing the vehicular travel flow. The Downtown Connectivity Study was designed to combine rigorous technical evaluation of street improvement alternatives with a robust public engagement process.

The Study was carried out between the fall of 2019 and this month, with a several-month delay due to the COVID-19 pandemic. Staff believes that the present time is strategic to present the study results to Council so as to be prepared to seek grant funds later this year to begin implementation of Council's selected improvement strategy. Staff's position is that the public engagement accomplished before the COVID-19 pandemic was robust, and provides ample and diverse input for Council to complete its deliberations. The Study consultant will deliver a presentation to Council and answer Council's questions at the meeting.

The Study web site provides a thorough presentation of the study process should Council seek a detailed account of it. The site may be accessed at <https://www.cleargov.com/washington/benton/city/richland/projects/785/downtown-connectivity-study>. Staff has also prepared a narrative summary attachment to this report.

Staff recommends adoption of Resolution No. 98-20.

Fiscal Impact:

There is no immediate fiscal impact associated with the recommended action. The Study considered the cost and feasibility of alternative improvements as part of its analysis. Staff believes that state and federal grant funding programs are well-aligned with the Study recommendations, and considers it feasible to implement the recommended improvements largely with grant funds.

Attachments:

1. Resolution No. 98-20
2. Downtown Connectivity Narrative

RESOLUTION NO. 98-20

A RESOLUTION of the City of Richland adopting the recommendations of the Downtown Connectivity Study.

WHEREAS, in 2018, Richland City Council adopted an update to its Strategic Leadership Plan; and

WHEREAS, the Strategic Leadership Plan includes six Core Focus Areas, including a core focus identified as Increase Economic Vitality; and

WHEREAS, an objective within the Increase Economic Vitality focus area is to improve streets to enhance walkability in the core downtown area; and

WHEREAS, the 2019 Budget included funds to complete a planning study to advance this objective; and

WHEREAS, the Downtown Connectivity Study (the "Study") was developed to advance Council's vision for a pedestrian-friendly waterfront and downtown, while maintaining or enhancing the vehicular travel flow; and

WHEREAS, the Study combined rigorous technical evaluation of four (4) street improvement alternatives with a robust public engagement process; and

WHEREAS, the public engagement process included four working meetings of a diverse Community Advisory Committee consisting of Richland residents, business owners, property owners, large institutions, and regional transportation planners; and

WHEREAS, the public engagement process also included opportunities for general public input through an open house meeting and an on-line survey; and

WHEREAS, the Study resulted in a recommendation to convert George Washington Way and Jadwin Avenue to one-way streets between Symons Avenue on the north and the intersection of George Washington Way and Jadwin Avenue on the south as the highest rated alternative to accomplishing the Study's objectives; and

WHEREAS, the recommended street modifications would result in northbound traffic on George Washington Way and southbound traffic on Jadwin Avenue; and

WHEREAS, implementing the recommended changes in vehicular travel will enable opportunities for on-street parking, widened sidewalks, bicycle lanes, and landscaping improvements; and

WHEREAS, the street improvement recommendations can be supplemented with improved control of pedestrian crossings to enhance pedestrian safety and comfort; and

WHEREAS, other alternatives evaluated by the Study were either less effective or more challenging to implement than the highest rated alternative.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the Downtown Connectivity Study recommendation to convert George Washington Way and Jadwin Avenue between Symons Street on the north and the intersection of George Washington Way and Jadwin Avenue on the south to one-way streets, as generally depicted in **Exhibit A** attached hereto, and to implement additional improvements to enhance the comfort and safety of pedestrians and bicyclists, and to provide additional on-street parking as space allows, is adopted as a planned capital improvement for the purposes of increasing economic vitality, improving pedestrian and bicycle travel comfort and safety, and sustaining adequate vehicular capacity.

BE IT FURTHER RESOLVED that the City will develop plans and strategies to achieve this improvement.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



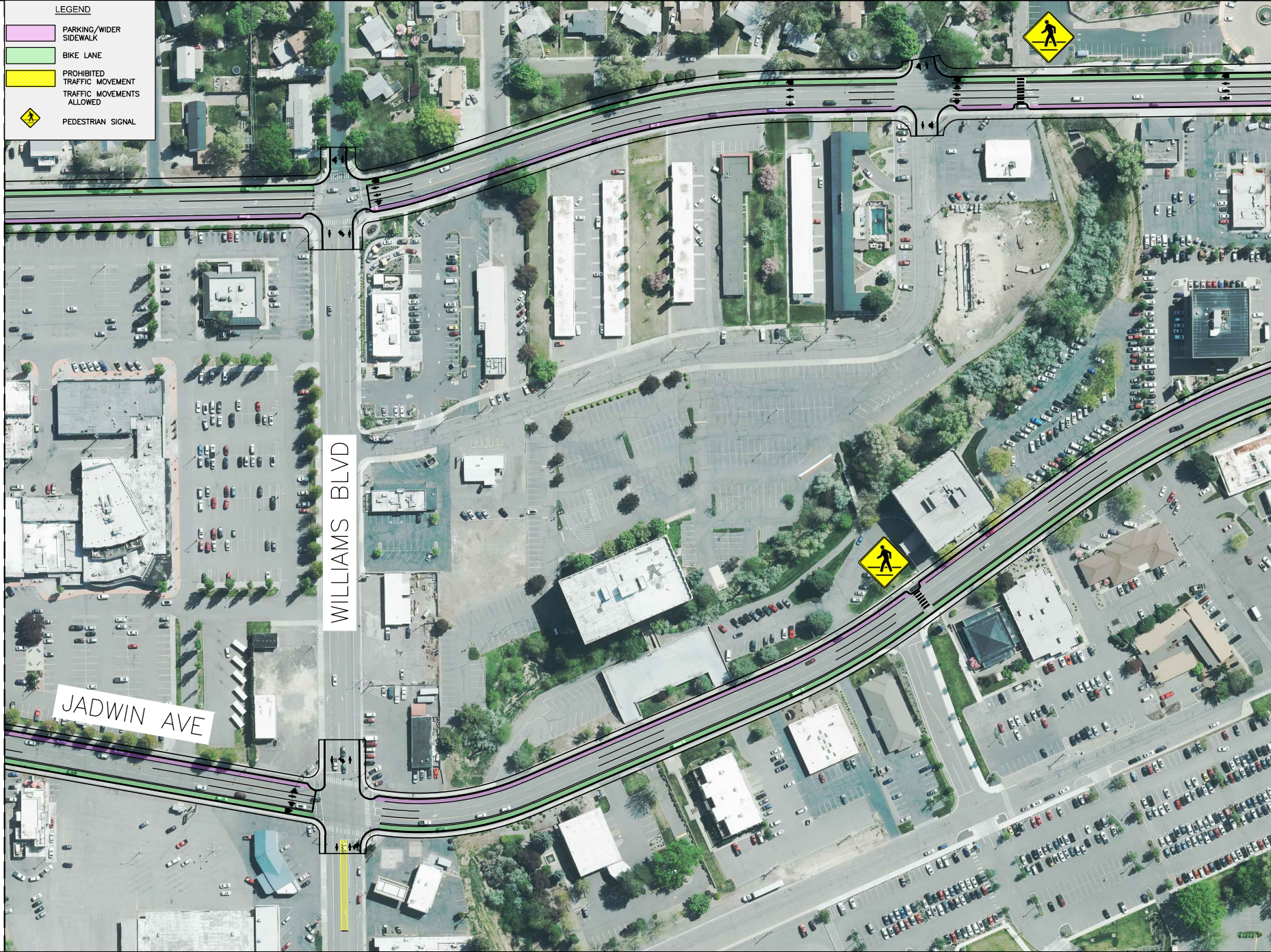
Plot Date: 7/1/2020 2:07 PM Plotted By: William Gillen
Date Created: 7/1/2020 \\WKF\FILES\PROJECTS\PROJECT\JUB00-19-045 - CENTRAL RICHLAND TRANSPORTATION STUDY\CAD\EXHIBIT\COUPLET\OPTION SYMONS8.5X11.T.DWG



MATCH LINE SEE FIGURE NO A-2

MATCH LINE SEE FIGURE NO A-1

MATCH LINE SEE FIGURE NO A-3



Plot Date: 7/1/2020 11:48 AM Plotted By: William Gillen
Date Created: 7/1/2020 \\WKF\FILES\PROJECTS\JUB00-19-045 - CENTRAL RICHLAND TRANSPORTATION STUDY\CAD\EXHIBIT\COUPLET\OPTION SYMONS8.5X11.T.DWG

MATCH LINE SEE FIGURE NO A-2

MATCH LINE SEE FIGURE NO A-4



Plot Date: 7/1/2020 11:49 AM Plotted By: William Gillen
Date Created: 7/1/2020 \\WKF\FILES\PROJECTS\JUB00-19-045 - CENTRAL RICHLAND TRANSPORTATION STUDY\CAD\EXHIBIT\COUPLET\OPTION SYMONS8.5X11T.DWG

MATCH LINE SEE FIGURE NO A-3

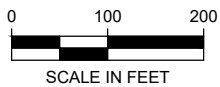
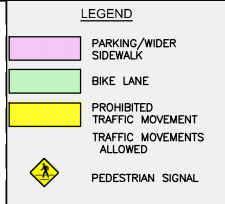


EXHIBIT A

CITY OF RICHLAND
DOWNTOWN CONNECTIVITY STUDY
EXTENDED ONE-WAY COUPLET ALTERNATIVE DETAIL

PAGE

4 of 4

Downtown Connectivity Study Narrative

July 7, 2020 City Council

Council's Strategic Leadership Plan was updated in 2018 to include six Core Focus Areas, including one identified as Increase Economic Vitality. This Focus Area includes an objective to improve streets to enhance walkability in the core downtown. The objective contributes to the larger vision for a vibrant central city that leverages its proximity and the amenities of the Columbia River. For many years the character of George Washington Way through this part of the City has presented challenges to activating this vision.

The 2019 budget included funds to complete a planning study to advance Council's vision for a pedestrian-friendly waterfront and central city, while maintaining or enhancing the vehicular travel flow considered essential to supporting both the central city economy and the entire region's economy. The Downtown Connectivity Study was designed to develop and explore alternative approaches to enhancing the street system with those two primary objectives. The Study design combined rigorous technical evaluation of street improvement alternatives with a robust public engagement process.

In May, 2019 the City contracted with JUB Engineers, Inc. to carry out the Study. JUB's Study design included the formation of a Community Advisory Committee to work alongside JUB and City staff. The Community Advisory Committee was designed to be inclusive and representative of a wide variety of interests, including many businesses. Committee membership was created by invitation to business owners, public agencies, general public interest groups, and City staff. Business representation was secured for businesses located in different areas of the central City, different business sizes, and different service sectors. In addition, major employers and agencies who rely on George Washington Way as a critical link for their employees and products were invited to participate. Public agencies such as Richland Police Department, Richland School District, WSU-Tri-Cities, and Ben Franklin Transit were invited to participate. Also invited were several resident interest groups with particular interest in the topic of pedestrian and bicycle safety and mobility.

The public engagement process consisted of engaging this diverse Community Advisory Committee in four working meetings to develop

improvement alternatives, establish rating criteria to be applied to the alternatives, conducting analysis to rate each alternative against the identified criteria, and considering the implications of the analysis results. Early in the Committee working period, between October and December, 2019, staff and the consultant provided direct-mail invitations to all identified businesses in the central city area to workshop meetings to receive information and provide feedback on the study process. Following the third Committee meeting a preliminary recommendation was advanced for review by the general public.

The general public engagement consisted of an open house meeting and an on-line survey. Both had robust and diverse participation. The general public input provided some clear themes that City staff, the consultant, and the Committee considered. This consideration led to revisions in the Study recommendation.

Ultimately, the study resulted in a recommendation to convert George Washington Way and Jadwin Avenue to one-way streets between Symons Avenue on the north and the intersection of George Washington Way and Jadwin Avenue on the south. The recommended street modifications would result in northbound traffic on George Washington Way and southbound traffic on Jadwin Avenue. Traffic engineering analysis indicates that this system will enable vehicular traffic movement through the central city somewhat more efficiently that occurs today. It should be noted that this Study was not intended to address the major chokepoint that generates the bulk of the regular congestion seen on that route. Consideration of that chokepoint, which is the intersection of George Washington Way and Columbia Point Drive / Aaron Drive, was included in the North-South Travel Capacity Study. The Council, by Resolution No. 156-19, prioritized improvements to this intersection to address the congestion issue. This analysis of the Downtown Study means that the central area of the City, with these recommended improvements in place, can support a portion of the anticipated traffic growth to come in the future. It should be noted that the City's complimentary strategy, documented in Resolution No. 156-19, for transportation planning includes substantial improvements to SR240 to support the bulk of expected north – south travel growth. The proposed system of one-way streets will efficiently enable the vehicular traffic movement while providing excess public rights of way to service the additional objectives for central Richland. This additional right of way may be used for widened sidewalks, buffered bicycle lanes and on-street parking as well as landscape features. The proposed improvements will include a

higher level of pedestrian crossing control that will both enhance pedestrian comfort and safety and be coordinated with vehicular travel movements so as to not impose significant inefficiency.

While much of the Study energy was focused on the treatments to George Washington Way and Jadwin Avenue an underlying assumption by staff is that the Complete Streets treatments that staff is methodically applying to the east-west oriented streets that approach these primary north-south streets will result in a well-connected central city for all modes of travel. The most recent example of these treatments were the Swift Boulevard Improvements completed in 2019. Other improvements are anticipated to be completed at far less cost than the Swift Boulevard Improvements since much of the work can be accomplished with striping as streets are resurfaced.

All other alternatives evaluated by the Study were either less effective or more challenging to implement than the highest rated alternative. A detailed presentation of the study process and results is located on the City's web site at <https://www.cleargov.com/washington/benton/city/richland/projects/785/downtown-connectivity-study>.

At its June 24 meeting the Planning Commission passed a motion recommending that the Council adopt the results and recommendations of the Study.

If the Council adopts the Study recommendations staff is prepared to seek authorization to apply for state-funded grants this fall to begin activating this vision. The project scope will require implementation in phases, the general plan for which will be presented in the upcoming grant applications and the 2021 Capital Improvement Plan.



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Items of Business

Core Focus Area 3 - Increase Economic Vitality

Subject:

Resolution No. 99-20, Approving Commercial Facade Improvement Program Grant Funding

Department:

Development Services

Ordinance/Resolution Number:

99-20

Document Type:

Resolution

Recommended Motion:

Adopt Resolution No. 99-20, authorizing the City Manager to sign and execute a Commercial Facade Improvement Program funding agreement with Frost Me Sweet, LLC for \$20,000.

Summary:

Frost Me Sweet Bakery and Bistro, located in Richland's The Parkway, is seeking \$20,000 for a \$59,300 facade improvement project. The project includes upgrading the window trim, updating the awning for the current signage, and refinishing the seating area in front of the bakery and bistro on The Parkway frontage.

Staff has been in close contact with the applicant, and is confident that the project will be complete within the allotted 12-month time period despite challenges imposed due to COVID-19.

The project meets the requirements of the Commercial Facade Improvement Program.

At its meeting on June 15, 2020, the Economic Development Committee (EDC) recommended that the project receive only partial funding of \$10,000. Staff recommends that Frost Me Sweet, LLC receive the full allocation of project funding, which is \$20,000.

Staff recommends adoption of Resolution No. 99-20.

Fiscal Impact:

The remaining funds in the Commercial Facade Improvement Program for 2020 are \$37,500. Award of \$20,000 to Frost Me Sweet, LLC will leave a \$17,500 fund balance.

Attachments:

1. Resolution No. 99-20
2. 2020.06.15 Draft Economic Development Committee Meeting Minutes
3. Frost Me Sweet - Proposed New Parkway Facades

RESOLUTION NO. 99-20

A RESOLUTION of the City of Richland awarding a distribution of funds from the Commercial Façade Improvement Program to Frost Me Sweet, LLC.

WHEREAS, improvement of the exterior of buildings in the City of Richland enhances the overall appearance and economic character of the City; and

WHEREAS, On July 15, 2008, Richland City Council passed Ordinance No. 15-08, authorizing the establishment of a Commercial Façade Improvement Program for the purpose of encouraging economic development and reducing blight in the City; and

WHEREAS, the Economic Development Committee (EDC) reviews and recommends to the Richland City Council projects for funding from the Commercial Façade Improvement Program; and

WHEREAS, the Commercial Façade Improvement Program applicant list, representing the third round of 2020 funding requests, was presented to the EDC at its June 15, 2020 special meeting for review and recommendation; and

WHEREAS, the initial list consisted of two (2) local small businesses seeking grant funding in the amount of \$20,000 each; and

WHEREAS, staff recommended to the EDC that the full award of \$20,000 be granted to each applicant; and

WHEREAS, after vigorous discussion, the Economic Development Committee recommended partial allocation in the amount of \$10,000; and

WHEREAS, one applicant subsequently withdrew its application for funding from the Commercial Façade Improvement Program, leaving only one (1) applicant; and

WHEREAS, Richland City Council generally gives deference to recommendations made by Richland's various boards, commissions and committees; and

WHEREAS, now, more than ever, local small businesses need the support of the City of Richland.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richland that the City Manager is authorized the sign and execute a Commercial Façade Improvement Program funding agreement with Frost Me Sweet, LLC in the amount of \$20,000.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Richland, Washington, at a regular meeting on the 7th day of July, 2020.

Ryan Lukson, Mayor

Attest:

Approved as to form:

Jennifer Rogers, City Clerk

Heather Kintzley, City Attorney



MINUTES

ECONOMIC DEVELOPMENT COMMITTEE

Via Zoom
Monday, June 15, 2020 – 4:00 p.m.

CALL TO ORDER

Chairman Bricker called the meeting to order at 4:05 pm

ATTENDANCE

Chairman Bricker, Committee members, Sako, Newman, Chacon, Hughes, Higgins, and Holmberg.

Also present were Economic Development Manager Jacobs, Economic Development Planner Arrasmith, Marketing Specialist Wallner and Administrative Assistant Follett.

APPROVAL OF AGENDA

Chairman Bricker presented the agenda and asked if there were any additions or changes.

COMMITTEE MEMBER SAKO MOVED AND COMMITTEE MEMBER HOLMBERG SECONDED THE MOTION TO APPROVE THE AGENDA AS WRITTEN. MOTION PASSED 6-0.

APPROVAL OF MINUTES

Chairman Bricker asked for a motion to approve the minutes for February 24th.

COMMITTEE MEMBER NEWMAN MOVED AND COMMITTEE MEMBER HOLMBERG SECONDED THE MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 24TH MEETING AS WRITTEN. MOTION PASSED 6-0. COMMITTEE MEMBER HUGHES ABSTAINED.

Chairman Bricker asked for a motion to approve the minutes for March 2nd.

COMMITTEE MEMBER SAKO MOVED AND COMMITTEE MEMBER HOLMBERG SECONDED THE MOTION TO APPROVE THE MINUTES OF THE MARCH 2ND MEETING AS WRITTEN. MOTION PASSED 6-0. COMMITTEE MEMBER HUGHES ABSTAINED.

BUSINESS

1. Land Exchange at Wellsian Way and Stevens Drive

Mr. Arrasmith provided the staff report and noted the map included in the packet was incorrect. He provided the Committee with the proper map and explained the circumstances relevant to each property ... Mr. Arrasmith answered questions

COMMITTEE MEMBER SAKO MOVED AND COMMITTEE MEMBER HIGGINS SECONDED THE MOTION TO RECOMMEND COUNCIL APPROVE THE LAND EXCHANGE AT WELLSIAN WAY AND STEVENS DRIVE. MOTION PASSED 6-0. COMMITTEE MEMBER NEWMAN ABSTAINED DUE TO CONCERNS OVER FUTURE DEVELOPMENT.

2. Repurchase of 5 Acres at City View

Chairman Bricker asked Mr. Arrasmith to give the staff report. Mr. Arrasmith outlined the reasons for the request to repurchase. He noted Energy Northwest originally purchased the property for an emergency operations center but has since decided not to move forward with development. Mr. Arrasmith answered questions related to current appraisal of commercial property in the area. Committee members held a brief discussion about merits of the repurchase request.

COMMITTEE MEMBER NEWMAN MOVED AND COMMITTEE MEMBER HIGGINS SECONDED THE MOTION TO RECOMMEND COUNCIL APPROVE THE REPURCHASE OF 5.1 ACRES AT CITY VIEW FROM ENERGY NORTHWEST. MOTION PASSED 7-0.

3. Purchase and Sale Agreement for Property Located at Wellsian Way and Stevens Drive

Mr. Arrasmith presented the staff report. He included an overview of the proposed project for the site and noted there would be a 3% finder's fee paid as part of the sale. Chairman Bricker asked for input from Committee members on thoughts about the use being compatible and desired in this area. Committee members discussed potential conflicts with access and crosswalks. Mr. Arrasmith noted that access would be required from Stevens Drive due to city codes and requirements. Other members voiced support for the proposal.

COMMITTEE MEMBER NEWMAN MOVED AND COMMITTEE MEMBER HOLMBERG SECONDED THE MOTION TO RECOMMEND TO COUNCIL APPROVAL OF THE PURCHASE AND SALE AGREEMENT WITH THE REQUEST FOR STAFF TO PROVIDE AN UPDATE ON REQUIRED SAFETY MEASURES AT A FUTURE MEETING. MOTION PASSED 7-0.

4. Commercial Façade Improvement Program Application Review – Dovetail Joint

Chairman Bricker asked Ms. Wallner to give the staff report. Ms. Wallner outlined the project for Dovetail Joint. She also noted the plan may need to change due to new COVID-19 social distancing guidelines. Ms. Wallner also answered questions from the Committee members relative to the overall project and funds remaining for the year. After a short Q&A, Committee members held a brief discussion of the merits of the project.

COMMITTEE MEMBER NEWMAN MOVED AND COMMITTEE MEMBER HOLMBERG SECONDED THE MOTION TO CONTINUE THIS ITEM TO THE NEXT MEETING. DISCUSSION ON THE MOTION ENSUED. MOTION FAILED, WITH 3 IN FAVOR AND 4 OPPOSED. AFTER ADDITIONAL DISCUSSION COMMITTEE MEMBER SAKO MOVED TO RECOMMEND APPROVAL OF UP TO \$8,000 TO ESTABLISH THE OUTDOOR EATING AREA. HAVING NO SECOND, THE MOTION DIED. CHAIRMAN BRICKER ASKED INDIVIDUAL MEMBERS TO VOICE CONCERNS AND THOUGHTS ABOUT

HOW TO MOVE FORWARD ON THIS ITEM. FOLLOWING ADDITIONAL DISCUSSION COMMITTEE MEMBER HUGHES MOVED AND COMMITTEE MEMBER SAKO SECONDED THE MOTION TO RECOMMEND COUNCIL APPROVE HALF OF COST OF PROPOSED OUTDOOR SEATING AREA. MOTION PASSED 5-2. COMMITTEE MEMBERS ALSO AGREED TO COME BACK TO THIS APPLICATION AND POSSIBLY RECOMMEND AWARDDING REMAINING AMOUNT AT A LATER DATE.

5. Commercial Façade Improvement Program Application Review – Frost Me Sweet
Chairman Bricker asked Ms. Wallner to give the staff report. Ms. Wallner outlined the project for Frost Me Sweet and showed graphic representations of the proposed façade updates. She showed additional renderings and information received from the applicant. Ms. Wallner also answered questions from the Committee relative to the overall project and costs. Committee members held a brief discussion of the merits of the project.

COMMITTEE MEMBER HOLMBERG MOVED AND COMMITTEE MEMBER SAKO SECONDED THE MOTION TO RECOMMEND APPROVAL OF HALF (\$10,000) THE COMMERCIAL FAÇADE IMPROVEMENT PROGRAM APPLICATION FOR FROST ME SWEET WITH THE CAVEAT THAT THE COMMITTEE WILL RECONSIDER THE OTHER HALF AT A LATER TIME. MOTION PASSED 7-0.

ANNOUNCEMENTS

Chairman Bricker thanked everyone for their point of view and participation.

ADJOURNMENT

Chairman Bricker adjourned the meeting at 5:59 p.m.

Prepared by: Lynne Follett, Administrative Assistant II
Reviewed by: Joe Jacobs, Economic Development Manager



FROST ME SWEET - BUILDING IMPROVEMENTS

710 & 710 1/2 THE PARKWAY | RICHLAND, WA

ARCHIBALD & C^o
ARCHITECTS, P.S.



2017 Dec 28 69-17



COUNCIL AGENDA ITEM COVERSHEET

Council Date: 7/7/2020

Agenda Category: Items of Business

Core Focus Area 3 - Increase Economic Vitality

Core Focus Area 6 - Enhance Neighborhood & Community Safety

Subject:

Proclamation of Richland's Commitment to Inclusiveness and Community Safety

Department:

City Council

Ordinance/Resolution Number:

Document Type:

Presentation

Recommended Motion:

Authorize Mayor Lukson to sign and execute the proposed Proclamation of Inclusiveness and Community Safety on behalf of the Richland City Council.

Summary:

Council will discuss adaption of a proposed Proclamation of Inclusiveness and Community Safety.

Fiscal Impact:

None.

Attachments:

- I. Proposed Proclamation



A PROCLAMATION OF THE CITY OF RICHLAND

RICHLAND'S COMMITMENT TO INCLUSIVENESS AND COMMUNITY SAFETY

WHEREAS, on November 21, 2017, Richland City Council approved a proclamation of the City of Richland proclaiming Richland a welcoming city for all people (the "2017 Welcome Proclamation"); and

WHEREAS, Richland continues to believe in the dignity, equality and constitutional and civil rights of all people, who deserve to live free from unlawful discrimination, harassment or any behavior that creates fear, isolation or intimidation, and by this Proclamation reaffirms the 2017 Welcome Proclamation; and

WHEREAS, Richland recognizes that the constitutional protections afforded to free speech, peaceful assembly and equal protection must not be unlawfully infringed; and

WHEREAS, the exercise of personal constitutional liberties comes with the responsibility to avoid creating imminent fear or harm to others; and

WHEREAS, Richland's first responders are essential to Richland's ability to provide an environment of safety and protection for all people, citizens and visitors alike, whether engaging in constitutionally protected activities, patronizing a business, enjoying local recreational amenities, or being otherwise present in the community; and

WHEREAS, Richland's approach to community safety includes routine opportunities for people of diverse backgrounds to dialogue with each other and with Richland's first responders, and through that voice, to contribute to decision-making and work together to grow a stronger community; and

WHEREAS, the Richland Police Department's mission is, through partnership with the community, to deliver professional, proactive law enforcement services, and to provide a safe environment for all. The Richland Fire Department is similarly committed to protecting and enhancing the quality of life in Richland; and

WHEREAS, pursuant to the City's adopted Vision Statement, the vision of the City and its citizens is to continue to be "a progressive, safe and family-friendly community that welcomes diversity." Richland's vibrancy and sense of community is stronger for its diversity and shared values of acceptance and respect.

NOW, THEREFORE, I, Ryan Lukson, by virtue of the authority vested in me as Mayor of the City of Richland, Washington, do hereby proclaim that the City of Richland is a city where unlawful discrimination is not and shall not be tolerated, where laws apply equally to all citizens, and where Richland's first responders will continue to work with community partners to provide a safe environment for all individuals, families, and businesses.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereto the official seal of the City of Richland, Washington, on this 7th day of July, 2020.

Ryan Lukson, Mayor