

TECHNICAL MEMORANDUM



Date: April 22, 2019
To: Dan Mundall, PE
From: Kenny Booth, AICP; Ryan Kahlo, PWS
Permit Number: 2017-SAMJ-0003
TWC Project Number: 161129
Project Name: LFPWD Pump House Improvements



Subject: Response to April 5, 2019 comment letter

This memo is intended to respond to the April 5, 2019 comment letter from Nick Holland on the Lake Forest Park Water District Pump House Improvement Project (2017-SAMJ-0003). The letter described comments and concerns with the submitted Major Critical Areas Permit materials. A detailed response to each of the comments found in the letter is provided below.

1. Verify the amount of excavation that will occur for the entire project. Provide the amount in cubic yards.

Response: Approximately 2,030 cubic yards of total excavation will occur. This includes all trenching activities, site grading, and building.

2. The impacts to McKinnon Creek are unclear. Please describe exactly what portion of the stream/buffer will be impacted by the project.

Response: The submitted plans clearly show that no direct impacts will occur to McKinnon Creek. Specifically, Sheets W2 and W3 (Impact Assessment) illustrate those areas of the project site that are to be impacted (see various hatches in the Legend). The boundaries of the creek are shown (blue dashed line, as shown in the Legend), and as depicted, no impact hatching is shown within the stream boundaries. As for stream buffer impacts, Sheets W2 and W3 graphically depict all areas of temporary and permanent buffer disturbance. These areas are shown with various hatches, as detailed in the Legend.

3. Describe and evaluate why increased buffer widths are not needed for this utility project, as described in LPPMC 16.16.320 (E) (6).

Response: The project includes improvements to existing infrastructure, located partially within standard critical area buffers (see Section 4.2 of the submitted critical areas study). Improvements to these facilities are necessary to ensure reliable and safe utility service to the public. Thus, there is no alternative location feasible to fulfill the project

purpose. Because existing infrastructure is present within the standard wetland buffers, and because improvements must also occur within these buffers, any increase in buffer widths pursuant to LFPMC 16.16.320(E)(6) would not provide any additional ecological protection for the subject wetlands. Rather, more adjacent infrastructure, including existing houses and a roadway may fall within an expanded buffer. Therefore, we do not recommend that increased buffer widths are necessary to protect the wetlands. Further, while portions of the wetland areas are degraded, the standard buffer is a highly functioning, forested community that provides sufficient buffer protections at the standard width, which is based on Department of Ecology guidance.

4. Verify whether or not the proposed pump house structure is within a wetland buffer. There is a required 15 foot building setback per LFPMC 16.16.320 (F).

Response: The proposed pump house is to be placed within a wetland buffer. This is clearly depicted on Sheet W2. Proposed improvements within the buffer are to be authorized by LFPMC 16.16.330(B)(6). The edge of the buffer will not be modified/moved as a result of this action; rather, improvements will occur within the existing standard buffer. LFPMC 16.16.320(F) requires a building setback to be measured from the *edge* of a wetland buffer. Because the pump house is to be located inside of the buffer, the building setback provision is not applicable.

5. Please verify if the mitigated wetland buffers will be contiguous and equal the width of the entire utility corridor per LFPMC 16.16.330 (B) (3) (e).

Response: The project is not proposed to be authorized pursuant to LFPMC 16.16.330(B)(3). A maintained utility corridor is not proposed nor are new maintenance roads. Instead, the project is seeking authorization pursuant to LFPMC 16.16.330(B)(6).

6. The proposed mitigation, as described in section (6) of the critical area report, does not address all of the requirements in LFPMC 16.16.340. Please provide additional analysis on all of the applicable mitigation criteria in LFPMC 16.16.340.

Response: The submitted critical areas study demonstrates compliance with all applicable provisions of LFPMC 16.16.340 [(A) through (G)], as summarized below:

- (A) The submitted critical areas study demonstrates compliance with this provision as outlined in Sections 4.2, 5.2, and 6.2.
- (B) Section 4.3, including Table 2, of the submitted critical areas study demonstrates compliance with this provision.
- (C) The project proposes the use of wetland and buffer restoration and enhancement, as outlined in Sections 4.3 and 6 of the submitted critical areas study.
- (D) The project proposes no permanent wetland impacts. All wetland impacts are to be temporary, with full restoration occurring following project completion. In addition,

further areas of existing degraded wetland will be restored, bringing the total ratio of wetland restoration to 3.16:1. [To clarify this ratio, several places within the submitted critical areas study misstate this number. Specifically, Sections 6 and 7 indicate that wetland mitigation will occur at a 3:16 ratio. However, as shown on the project plans (8,000 square feet of restoration:2,530 square feet of impact), this ratio is actually 3.16:1.] In further compliance with this provision, all temporary buffer impacts will be restored in place, with permanent buffer impacts compensated for at a 6.96:1 ratio, greatly exceeding the required standard.

- (E) All proposed mitigation will occur on-site in compliance with this provision.
- (F) Monitoring protocols are outlined in Section 6.2 of the submitted critical areas study.
- (G) No alternative wetland mitigation plans are proposed.

7. The mitigation sequencing narrative is missing analysis on key components, specifically LFPMC 16.16.130 (C) and (D). Please address all of the components of LFPMC 16.16.130.

Response: Section 4.2 of the submitted critical areas study includes a demonstration of compliance with LFPMC 16.16.130. This includes a discussion of how areas of temporary impact will be restored [LFPMC 16.16.130(C)]. As for LFPMC 16.16.130(D), the district will carry-on maintenance operations by utilizing the existing and proposed utility facilities in much the same fashion as they have to-date. Specifically, existing access roads will be used and maintenance equipment will avoid retained trees and critical areas.

8. Show plans to limit the access road to 15 feet in width per LFPMC 16.16.330 (B) (3) (h), or provide an explanation why this criteria does not need to be met.

Response: The project is not proposed to be authorized pursuant to LFPMC 16.16.330(B)(3). Instead, the project is seeking authorization pursuant to LFPMC 16.16.330(B)(6). However, no new permanent access roads are proposed, and the project area will not be maintained in such a manner that would require vegetation management, pruning, or height control.

