**Sewall Wetland Consulting, Inc.**

PO Box 880  
Fall City, WA 98024

Phone: 253-859-0515

September 17, 2019

Peter Kahn  
Costco Wholesale  
999 Lake Drive  
Issaquah, Washington 98027

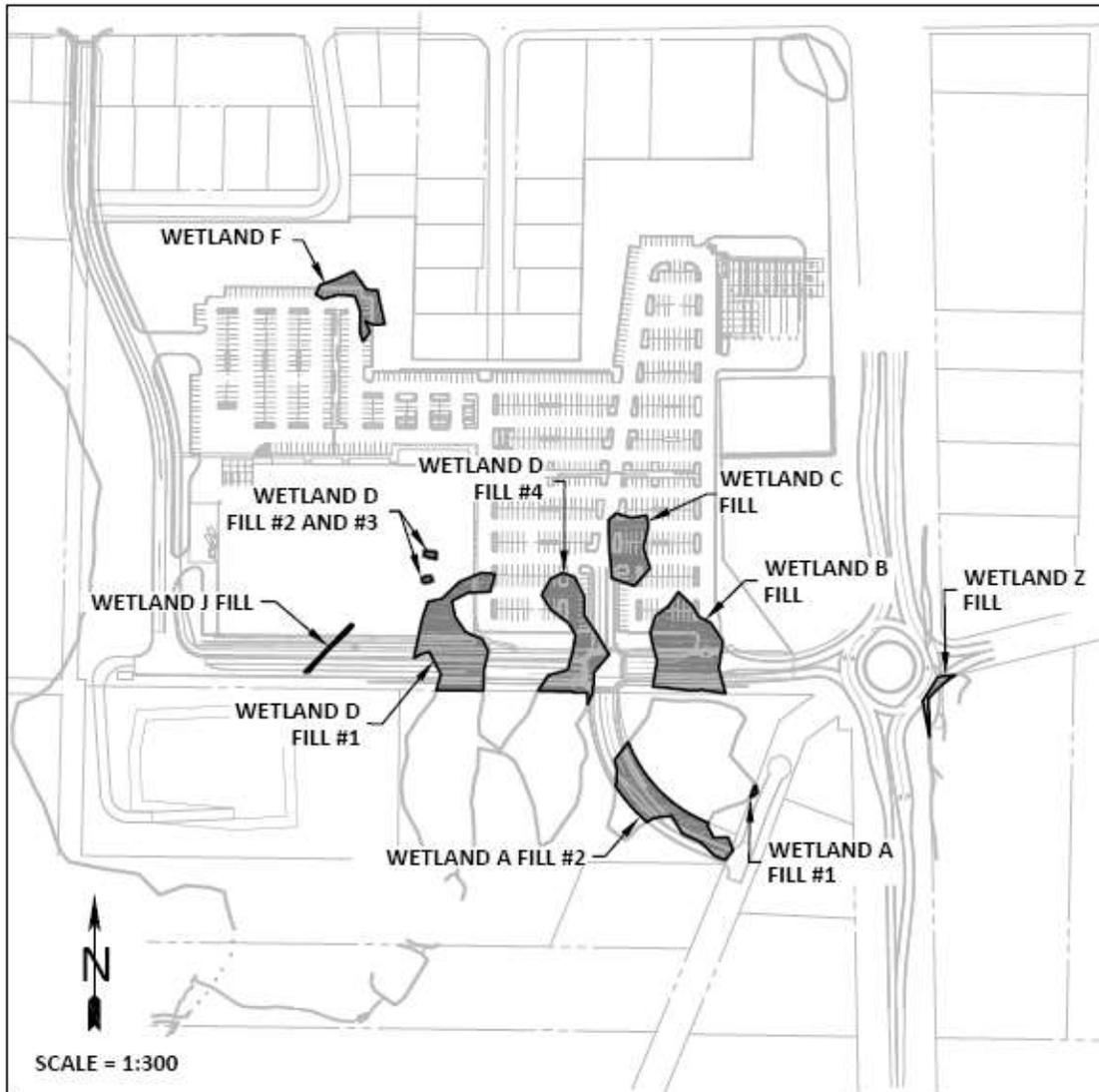
RE: Costco Wholesale Lake Stevens – Impacts and Mitigation Report  
CW #17-0230, SWC Job #18-105

Dear Peter,

This report describes the wetland, stream and buffer impacts for the proposed Costco Warehouse project in the City of Lake Stevens Washington. The requirements for wetland and stream impacts within the City are detailed in Lake Stevens Municipal Code Chapter 14.44 Part VIII (Wetlands) and Part VII (Streams, Creeks, Rivers, Lakes and Other Surface Water).

Proposed Project and impacts

The proposed project includes the extension of 24<sup>th</sup> Street SE across the site and to the north, as well as the construction of a Costco Warehouse with associated parking areas, gas station and infrastructure. There will also be improvements to the SR9/Lake Stevens Road interchange which will include road widening and a round-about installed. This will require replacement of a substandard culvert in a Type F stream with a fish passable culvert. In addition, as part of the project, a total of six (6) off-site culverts within a tributary of Mosher Creek will be removed (3) and replaced (3) with fish passable culverts to improve fish habitat. The project as proposed will impact 1.84 acres of wetland as depicted on page 2 of this report.



WETLAND ID	TOTAL WETLAND FILL	ROAD IMPACTS	STORE IMPACTS
WETLAND A #1	103 SF (0.002 ACRES)	103 SF (0.002 ACRES)	0 SF (0.00 ACRES)
WETLAND A #2	12,534 SF (0.29 ACRES)	12,534 SF (0.29 ACRES)	0 SF (0.00 ACRES)
WETLAND B	19,086 SF (0.44 ACRES)	9,284 SF (0.21 ACRES)	9,802 SF (0.22 ACRES)
WETLAND C	8,579 SF (0.20 ACRES)	0 SF (0.00 ACRES)	8,579 SF (0.20 ACRES)
WETLAND D #1	17,833 SF (0.40 ACRES)	7,798 SF (0.18 ACRES)	10,035 SF (0.23 ACRES)
WETLAND D #2	171 SF (0.004 ACRES)	0 SF (0.00 ACRES)	171 SF (0.004 ACRES)
WETLAND D #3	230 SF (0.005 ACRES)	0 SF (0.00 ACRES)	230 SF (0.005 ACRES)
WETLAND D #4	14,092 SF (0.32 ACRES)	6,221 SF (0.14 ACRES)	7,871 SF (0.18 ACRES)
WETLAND F	5,811 SF (0.13 ACRES)	0 SF (0.00 ACRES)	5,811 SF (0.13 ACRES)
WETLAND J	646 SF (0.02 ACRES)	333 SF (0.01 ACRES)	313 SF (0.01 ACRES)
WETLAND Z	1,112 SF (0.02 ACRES)	1,112 SF (0.02 ACRES)	0 SF (0.00 ACRES)
	<b>80,197 SF (1.84 ACRES)</b>	<b>37,385 SF (0.85 ACRES)</b>	<b>42,812 SF (0.98 ACRES)</b>

## **Mitigation Summary**

The proposed mitigation for the proposed 1.84 acres of wetland impacts will include three (3) separate mitigation measures as shown on the attached Sewall Wetland Consulting, Inc. “*Critical Areas Mitigation Plan Lake Stevens Costco*” dated 9-1-19, and the Sewall Wetland Consulting, Inc. *Costco Bank Use Plan* dated 9-10-9;

1. Creation of 0.82 acres of Category II wetland along Wetland D.
2. Removal of three (3) fish barrier culverts off-site to a Mosher Creek Tributary, and the replacement of three (3) other culverts with fish passable culverts. The existing substandard culvert along the east side of SR 9 will also be replaced with a box culvert which will be fish passable.
3. Purchase of 1.664 credits in the Snohomish Mitigation bank to mitigate the remaining wetland impacts.

As detailed in Lake Stevens Municipal Code Chapter 14.88.840 “Mitigation”; *The mitigation sequence set forth in this section should be applied after impact avoidance and minimization measures have been taken.*

## **Avoidance and Minimization**

Avoidance and minimization measures are explained in detail in the attached “Alternatives Analysis” for the project. There is no place or alternative layout within the City of Lake Stevens or the region with less impact on wetlands than that proposed for this project.

As detailed below, once impact avoidance and minimization have taken place (as detailed in the Alternatives Analysis), the following mitigation sequence is to take place;

### ***14.88.840 Mitigation.***

*The mitigation sequence set forth in this section should be applied after impact avoidance and minimization measures have been taken.*

#### ***(a) Location and Timing of Mitigation.***

*(1) Restoration, creation, or enhancement actions should be undertaken on or adjacent to the site, or, where restoration, creation, or enhancement of a former wetland is proposed, within the same watershed. In-kind replacement of the impacted wetland is preferred for creation, restoration, or enhancement actions. The City may accept or recommend restoration, creation, or*

*enhancement which is off site and/or out-of-kind, if the applicant can demonstrate that on-site or in-kind restoration, creation, or enhancement is unfeasible due to constraints such as parcel size or wetland type, or that a wetland of a different type or location is justified based on regional needs or functions;*

Response: The fill of 1.84 acres of wetland on the site will remove most of the wetland north of the proposed 24<sup>th</sup> Street SE extension. Portions of Wetlands A and D will remain intact south of 24<sup>th</sup> Street SE, as well as Wetland M along the western side of the site. The areas available for mitigation in-kind and on-site are restricted to portions of Wetlands A, D and M. Wetland M and its buffer are relatively pristine and have a moderate slope along its eastern boundary making wetland creation along Wetland M not feasible. The area south of the proposed 24<sup>th</sup> Street SE extension is the only on-site areas feasible for mitigation (wetland creation). It should be noted that the associated US Army Corps Individual Permit has a preferred mitigation method of using a bank if available. In this area the Snohomish Mitigation Bank is an approved, and generally referred mitigation method per the US Army Corps of Engineers. As a result, the use of the Snohomish Habitat Bank, as well as on-site wetland creation are proposed.

Wetland D is a headwater to a small tributary to Mosher Creek. Maintaining the overall size, hydrologic inputs and connection to the tributary from this wetland is highly desirable. A total of 0.74 acres of Wetland D will be filled for the 24<sup>th</sup> Street extension as well as the Costco Warehouse. The proposed creation along Wetland D will add 0.82 acres of wetland between the lobes of the remaining Wetland D and A to maintain the overall size of this headwater wetland. Wetland D is a Category II wetland and City Code requires a 3: ratio for Category II wetland impacts. At a 3:1 ratio this on-site mitigation would compensate for 14,136sf (0.32ac) of Category II wetland. The remainder of the wetland impact for Wetland D (as well as other wetlands impacted on-site) will be mitigated through credit purchase in the bank.

Application of standard buffers to the creation area would make wetland creation not feasible. The standard 95' buffers, and even a reduced buffer would not allow any useful creation to occur within the limits of the available land. Therefore, we are proposing a 25' buffer from the creation area to the edge of 24<sup>th</sup> Street SE and the extension as

allowed under LSMC 14.88.298 “Innovative Development Design” (*criteria to be addressed later in this report*).

In addition to the on-site mitigation and bank credit purchase, restoration of the off-site Mosher Creek tributary will occur which will include removal and /or replacement of 6 fish barrier culverts to improve fish habitat in this tributary.

*(2) Whether occurring on site or off site, the mitigation project shall occur near an adequate water supply with a hydrologic connection to the wetland to ensure a successful wetlands development or restoration;*

Response: The proposed creation will be between portions of Wetland D and A. Monitoring of shallow groundwater tables with piezometers in the areas of proposed creation will take place in the wet season of 2019-2020 and into the early growing season to confirm the depth to groundwater in these areas. Depending upon our findings, some modification to grades may be needed in the creation areas to ensure adequate soil saturation/inundation to create wetland with the desired water regimes.

*(3) Any approved proposal shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule has also been approved by the Planning and Community Development Department;*

Response: The proposed grading and creation area work will commence during the grading of the project.

*(4) Wetland acreage replacement ratios shall be as specified in Table 14.88-IV;*

Response: The wetland creation and mitigation ratios as specified in Table 14.88-IV have been used to determine the amount of Bank credits as well as on-site mitigation required.

*(5) Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands.*

*(i) This provision may be used when:*

a. *The bank is certified under Chapter [173-700](#) WAC;*

Response: The Snohomish Basin Mitigation Bank is a certified mitigation bank per code.

b. *The Planning and Community Development Director determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and*

Response: It is our understanding the City has determined that the Snohomish Basin Mitigation Bank is providing adequate compensation per the City, US Army Corps of Engineers and WADOE.

c. *The proposed use of credits is consistent with the terms and conditions of the bank's certification.*

Response: The proposed credit purchase and calculations are consistent with the bank's certification.

(ii) *Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the bank's certification.*

Response: Replacement ratios for the proposed wetland impacts are consistent with the replacement ratios in the bank's certification.

(iii) *Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.*

Response: The site is in the approved service area for the bank.

### **Innovative Design**

As previously mentioned, we are requesting review of the reduced buffers on the wetland creation area under LSMC 14.88.298 Innovative Development Design.

As detailed in this section of Code “A *project permit applicant may request approval of an innovative design, which addresses wetland, fish and wildlife habitat conservation area or buffer treatment in a manner that deviates from the standards set forth in Sections [14.88.400](#) through [14.88.440](#), Fish and Wildlife Conservation Areas, and Sections [14.88.800](#) through [14.88.840](#), Wetlands.*”

*(a) An innovative development design will be considered in conjunction with the primary land use project approval or building permit approval. The Planning and Community Development Director shall develop and adopt administrative procedures as authorized in Section [14.88.250](#) for review and approval of innovative development design that are consistent with subsection (b) of this section. An applicant may include the innovative development design proposal in the project pre-application review packet for review. The Planning and Community Development Director shall give preliminary findings on the preapplication and shall only issue a final decision for the design with the project or building permit approval, whichever occurs first.*

*(b) The applicant shall demonstrate in a site/resource-specific report required pursuant to Section [14.88.270](#) how the innovative development design complies with the following requirements:*

*(1) The innovative development design will achieve protection equivalent to or better than the treatment of the functions and values of the critical areas that would be obtained by applying the standard prescriptive measures contained in this chapter;*

**Response:** The proposed reduced buffer from 95’ to 25’ on the creation of wetland along an existing Category II wetland is being requested, as it will allow enhancement of fish habitat to benefit a downstream tributary. Tulalip tribal biologists were concerned impacts and reduction of the size of Wetland D could reduce flow to the off-site Mosher Creek tributary. As a result, we have proposed creating wetland in an area slightly greater than that impacted from the project to maintain the overall size of this

contributing habitat area. Additionally, project engineers have calculated the amount of water currently leaving Wetland D into this tributary, and through a variety of dispersion trenches and clean roof water, we will be maintaining the same hydrologic flows from Wetland D as are present prior to development of the project. This wetland creation is considered an important mitigating measure to maintain fish habitat to the south off-site in this tributary. This will not be possible if we are not permitted to reduce the buffer to 25' as proposed.

*(2) Applicants for innovative development design are encouraged to consider measures prescribed in guidance documents, such as watershed conservation plans or other similar conservation plans, and low impact stormwater management strategies which address wetlands, fish and wildlife habitat conservation areas or buffer protection consistent with this chapter;*

Response: Several site visits and meetings with Tulalip tribe biologists to discuss this mitigation approach have resulted in the proposed plan which would represent best available science and a more site-specific approach than any other existing documents or plans that are available.

*(3) The innovative development design will not be materially detrimental to the public health, safety or welfare or injurious to other properties or improvements located outside of the subject property; and*

Response: The proposed mitigation will maintain wetland areas and flows in the Mosher Creek tributary. This mitigation in conjunction with the proposed downstream culvert replacements and removals will not be materially detrimental to the public health, safety or welfare or injurious to other properties or improvements located outside of the subject property.

*(4) Applicants for innovative development design are encouraged to consider measures prescribed in the Puget Sound Action Team 2005 Technical Guidance Manual for Low Impact Development. (Ord. 773, Sec. 2, 2008)*

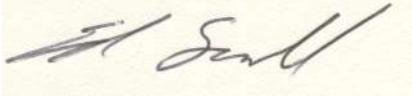
Response: These measures were considered during our mitigation design strategy.

**Maintenance and Monitoring**

The proposed wetland creation and culvert removal and replacement work will be monitored for 5 years as required by Code. The details of this work are depicted on Sewall Wetland Consulting, Inc. "Critical Areas Mitigation Plan Lake Stevens Costco" dated 9-1-19.

If you have any questions in regards to this report or need additional information, please feel free to contact me at (253) 859-0515 or at [esewall@sewallwc.com](mailto:esewall@sewallwc.com) .

Sincerely,  
*Sewall Wetland Consulting, Inc.*

A handwritten signature in black ink on a light yellow background. The signature is cursive and appears to read "Ed Sewall".

Ed Sewall  
Senior Wetlands Ecologist PWS #212

## REFERENCES

Cowardin, L., V. Carter, F. Golet, and E. LaRoe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Fish and Wildlife Service, FWS/OBS-79-31, Washington, D. C.

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1. U. S. Army Corps of Engineers Waterways Experiment Station, Vicksburg, Mississippi.

Muller-Dombois, D. and H. Ellenberg. 1974. Aims and Methods of Vegetation Ecology. John Wiley & Sons, Inc. New York, New York.

Munsell Color. 1988. Munsell Soil Color Charts. Kollmorgen Instruments Corp., Baltimore, Maryland.

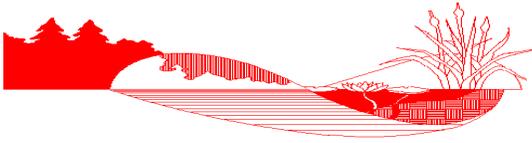
National Technical Committee for Hydric Soils. 1991. Hydric Soils of the United States. USDA Misc. Publ. No. 1491.

Reed, P., Jr. 1988. National List of Plant Species that Occur in Wetlands: Northwest (Region 9). 1988. U. S. Fish and Wildlife Service, Inland Freshwater Ecology Section, St. Petersburg, Florida.

Reed, P.B. Jr. 1993. 1993 Supplement to the list of plant species that occur in wetlands: Northwest (Region 9). USFWS supplement to Biol. Rpt. 88(26.9) May 1988.

USDA NRCS & National Technical Committee for Hydric Soils, September 1995. Field Indicators of Hydric Soils in the United States - Version 2.1

City of Lake Stevens Municipal Code



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**Sewall Wetland Consulting, Inc.**

PO Box 880  
Fall City, WA 98024

Phone: 253-859-0515

November 15, 2019

Peter Kahn  
Costco Wholesale  
999 Lake Drive  
Issaquah, Washington 98027

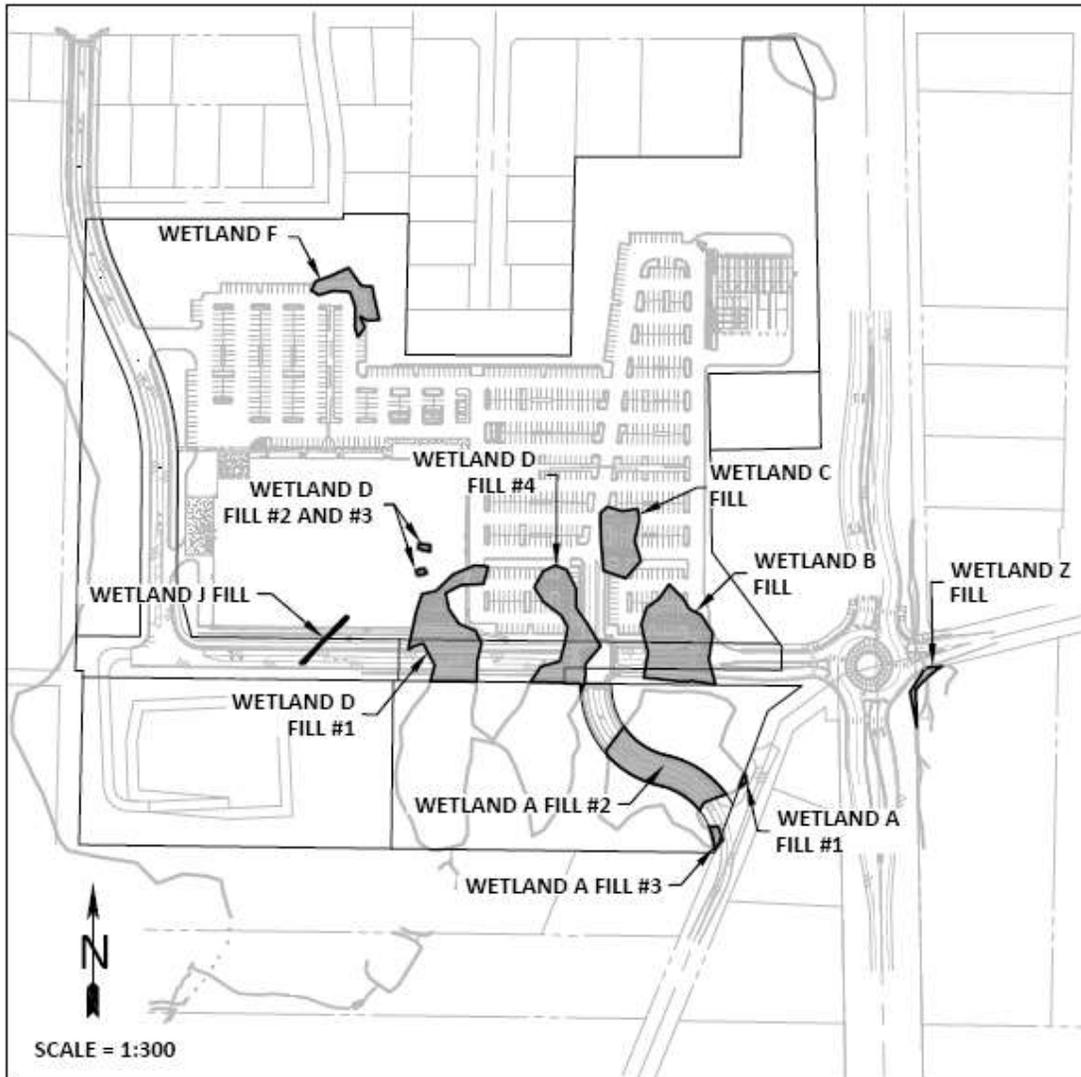
RE: Costco Wholesale Lake Stevens – Revised Impacts and Mitigation Report  
CW #17-0230, SWC Job #18-105

Dear Peter,

This report describes the wetland, stream and buffer impacts for the proposed Costco Warehouse project in the City of Lake Stevens Washington. The requirements for wetland and stream impacts within the City are detailed in Lake Stevens Municipal Code Chapter 14.44 Part VIII (Wetlands) and Part VII (Streams, Creeks, Rivers, Lakes and Other Surface Water).

Proposed Project and impacts

The proposed project includes the extension of 24<sup>th</sup> Street SE across the site and to the north, as well as the construction of a Costco Warehouse with associated parking areas, gas station and infrastructure. There will also be improvements to the SR9/Lake Stevens Road interchange which will include road widening and a round-about installed. This will require replacement of a substandard culvert in a Type F stream with a fish passable culvert. In addition, as part of the project, a total of six (6) off-site culverts within a tributary of Mosher Creek will be removed (3) and replaced (3) with fish passable culverts to improve fish habitat. The project as proposed will impact 1.89 acres of wetland as depicted on page 2 of this report.



WETLAND ID	TOTAL WETLAND FILL	ROAD IMPACTS	STORE IMPACTS
WETLAND A #1	154 SF (0.004 ACRES)	154 SF (0.004 ACRES)	0 SF (0.00 ACRES)
WETLAND A #2	13,540 SF (0.31 ACRES)	13,540 SF (0.31 ACRES)	0 SF (0.00 ACRES)
WETLAND A #3	606 SF (0.14 ACRES)	606 SF (0.14 ACRES)	0 SF (0.00 ACRES)
WETLAND B	19,086 SF (0.44 ACRES)	9,284 SF (0.21 ACRES)	9,802 SF (0.22 ACRES)
WETLAND C	8,579 SF (0.20 ACRES)	0 SF (0.00 ACRES)	8,579 SF (0.20 ACRES)
WETLAND D #1	17,831 SF (0.40 ACRES)	7,796 SF (0.18 ACRES)	10,035 SF (0.23 ACRES)
WETLAND D #2	171 SF (0.004 ACRES)	0 SF (0.00 ACRES)	171 SF (0.004 ACRES)
WETLAND D #3	230 SF (0.005 ACRES)	0 SF (0.00 ACRES)	230 SF (0.005 ACRES)
WETLAND D #4	14,060 SF (0.32 ACRES)	6,189 SF (0.14 ACRES)	7,871 SF (0.18 ACRES)
WETLAND F	5,811 SF (0.13 ACRES)	0 SF (0.00 ACRES)	5,811 SF (0.13 ACRES)
WETLAND J	646 SF (0.02 ACRES)	333 SF (0.01 ACRES)	313 SF (0.01 ACRES)
WETLAND Z	1,112 SF (0.02 ACRES)	1,112 SF (0.02 ACRES)	0 SF (0.00 ACRES)
	<b>81,826 SF (1.89 ACRES)</b>	<b>39,014 SF (0.90 ACRES)</b>	<b>42,812 SF (0.98 ACRES)</b>

## **Mitigation Summary**

The proposed mitigation for the proposed 1.89 acres of wetland impacts will include three (3) separate mitigation measures as shown on the attached Sewall Wetland Consulting, Inc. “*Critical Areas Mitigation Plan Lake Stevens Costco*” dated 11-8-19, and the Sewall Wetland Consulting, Inc. *Costco Bank Use Plan* dated 11-15-19;

1. Creation of 0.88 acres of Category II wetland along Wetland D.
2. Removal of three (3) fish barrier culverts off-site to a Mosher Creek Tributary, and the replacement of three (3) other culverts with fish passable culverts. The existing substandard culvert along the east side of SR 9 will also be replaced with a box culvert which will be fish passable.
3. Purchase of 1.746 credits in the Snohomish Mitigation bank to mitigate the remaining wetland impacts.

As detailed in Lake Stevens Municipal Code Chapter 14.88.840 “Mitigation”; *The mitigation sequence set forth in this section should be applied after impact avoidance and minimization measures have been taken.*

## **Avoidance and Minimization**

Avoidance and minimization measures are explained in detail in the attached “Alternatives Analysis” for the project. There is no place or alternative layout within the City of Lake Stevens or the region with less impact on wetlands than that proposed for this project.

As detailed below, once impact avoidance and minimization have taken place (as detailed in the Alternatives Analysis), the following mitigation sequence is to take place;

### ***14.88.840 Mitigation.***

*The mitigation sequence set forth in this section should be applied after impact avoidance and minimization measures have been taken.*

#### ***(a) Location and Timing of Mitigation.***

*(1) Restoration, creation, or enhancement actions should be undertaken on or adjacent to the site, or, where restoration, creation, or enhancement of a former wetland is proposed, within the same watershed. In-kind replacement of the impacted wetland is preferred for creation, restoration, or enhancement actions. The City may accept or recommend restoration, creation, or*

*enhancement which is off site and/or out-of-kind, if the applicant can demonstrate that on-site or in-kind restoration, creation, or enhancement is unfeasible due to constraints such as parcel size or wetland type, or that a wetland of a different type or location is justified based on regional needs or functions;*

Response: The fill of 1.89 acres of wetland on the site will remove most of the wetland north of the proposed 24<sup>th</sup> Street SE extension. Portions of Wetlands A and D will remain intact south of 24<sup>th</sup> Street SE, as well as Wetland M along the western side of the site. The areas available for mitigation in-kind and on-site are restricted to portions of Wetlands A, D and M. Wetland M and its buffer are relatively pristine and have a moderate slope along its eastern boundary making wetland creation along Wetland M not feasible. The area south of the proposed 24<sup>th</sup> Street SE extension is the only on-site areas feasible for mitigation (wetland creation). It should be noted that the associated US Army Corps Individual Permit has a preferred mitigation method of using a bank if available. In this area the Snohomish Mitigation Bank is an approved, and generally referred mitigation method per the US Army Corps of Engineers. As a result, the use of the Snohomish Habitat Bank, as well as on-site wetland creation are proposed.

Wetland D is a headwater to a small tributary to Mosher Creek. Maintaining the overall size, hydrologic inputs and connection to the tributary from this wetland is highly desirable. A total of 0.74 acres of Wetland D will be filled for the 24<sup>th</sup> Street extension as well as the Costco Warehouse. The proposed creation along Wetland D will add 0.88 acres of wetland between the lobes of the remaining Wetland D and A to maintain the overall size of this headwater wetland. Wetland D is a Category II wetland and City Code requires a 3: ratio for Category II wetland impacts. At a 3:1 ratio this on-site mitigation would compensate for 12,729sf (0.29ac) of Category II wetland. The remainder of the wetland impact for Wetland D (as well as other wetlands impacted on-site) will be mitigated through credit purchase in the bank.

Application of standard buffers to the creation area would make wetland creation not feasible. The standard 95' buffers, and even a reduced buffer would not allow any useful creation to occur within the limits of the available land. Therefore, we are proposing a 25' buffer from the creation area to the edge of 24<sup>th</sup> Street SE and the extension as

allowed under LSMC 14.88.298 “Innovative Development Design” (*criteria to be addressed later in this report*).

In addition to the on-site mitigation and bank credit purchase, restoration of the off-site Mosher Creek tributary will occur which will include removal and /or replacement of 6 fish barrier culverts to improve fish habitat in this tributary.

*(2) Whether occurring on site or off site, the mitigation project shall occur near an adequate water supply with a hydrologic connection to the wetland to ensure a successful wetlands development or restoration;*

Response: The proposed creation will be between portions of Wetland D and A. Monitoring of shallow groundwater tables with piezometers in the areas of proposed creation will take place in the wet season of 2019-2020 and into the early growing season to confirm the depth to groundwater in these areas. Depending upon our findings, some modification to grades may be needed in the creation areas to ensure adequate soil saturation/inundation to create wetland with the desired water regimes.

*(3) Any approved proposal shall be completed before initiation of other permitted activities, unless a phased or concurrent schedule has also been approved by the Planning and Community Development Department;*

Response: The proposed grading and creation area work will commence during the grading of the project.

*(4) Wetland acreage replacement ratios shall be as specified in Table 14.88-IV;*

Response: The wetland creation and mitigation ratios as specified in Table 14.88-IV have been used to determine the amount of Bank credits as well as on-site mitigation required.

*(5) Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands.*

*(i) This provision may be used when:*

a. *The bank is certified under Chapter [173-700](#) WAC;*

Response: The Snohomish Basin Mitigation Bank is a certified mitigation bank per code.

b. *The Planning and Community Development Director determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and*

Response: It is our understanding the City has determined that the Snohomish Basin Mitigation Bank is providing adequate compensation per the City, US Army Corps of Engineers and WADOE.

c. *The proposed use of credits is consistent with the terms and conditions of the bank's certification.*

Response: The proposed credit purchase and calculations are consistent with the bank's certification.

(ii) *Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the bank's certification.*

Response: Replacement ratios for the proposed wetland impacts are consistent with the replacement ratios in the bank's certification.

(iii) *Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the bank's certification. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.*

Response: The site is in the approved service area for the bank.

### **Innovative Design**

As previously mentioned, we are requesting review of the reduced buffers on the wetland creation area under LSMC 14.88.298 Innovative Development Design.

As detailed in this section of Code “A *project permit applicant may request approval of an innovative design, which addresses wetland, fish and wildlife habitat conservation area or buffer treatment in a manner that deviates from the standards set forth in Sections [14.88.400](#) through [14.88.440](#), Fish and Wildlife Conservation Areas, and Sections [14.88.800](#) through [14.88.840](#), Wetlands.*”

*(a) An innovative development design will be considered in conjunction with the primary land use project approval or building permit approval. The Planning and Community Development Director shall develop and adopt administrative procedures as authorized in Section [14.88.250](#) for review and approval of innovative development design that are consistent with subsection (b) of this section. An applicant may include the innovative development design proposal in the project pre-application review packet for review. The Planning and Community Development Director shall give preliminary findings on the preapplication and shall only issue a final decision for the design with the project or building permit approval, whichever occurs first.*

*(b) The applicant shall demonstrate in a site/resource-specific report required pursuant to Section [14.88.270](#) how the innovative development design complies with the following requirements:*

*(1) The innovative development design will achieve protection equivalent to or better than the treatment of the functions and values of the critical areas that would be obtained by applying the standard prescriptive measures contained in this chapter;*

Response: The proposed reduced buffer from 95’ to 25’ on the creation of wetland along an existing Category II wetland is being requested, as it will allow enhancement of fish habitat to benefit a downstream tributary. Tulalip tribal biologists were concerned impacts and reduction of the size of Wetland D could reduce flow to the off-site Mosher Creek tributary. As a result, we have proposed creating wetland in an area slightly greater than that impacted from the project to maintain the overall size of this

contributing habitat area. Additionally, project engineers have calculated the amount of water currently leaving Wetland D into this tributary, and through a variety of dispersion trenches and clean roof water, we will be maintaining the same hydrologic flows from Wetland D as are present prior to development of the project. This wetland creation is considered an important mitigating measure to maintain fish habitat to the south off-site in this tributary. This will not be possible if we are not permitted to reduce the buffer to 25' as proposed.

*(2) Applicants for innovative development design are encouraged to consider measures prescribed in guidance documents, such as watershed conservation plans or other similar conservation plans, and low impact stormwater management strategies which address wetlands, fish and wildlife habitat conservation areas or buffer protection consistent with this chapter;*

Response: Several site visits and meetings with Tulalip tribe biologists to discuss this mitigation approach have resulted in the proposed plan which would represent best available science and a more site-specific approach than any other existing documents or plans that are available.

*(3) The innovative development design will not be materially detrimental to the public health, safety or welfare or injurious to other properties or improvements located outside of the subject property; and*

Response: The proposed mitigation will maintain wetland areas and flows in the Mosher Creek tributary. This mitigation in conjunction with the proposed downstream culvert replacements and removals will not be materially detrimental to the public health, safety or welfare or injurious to other properties or improvements located outside of the subject property.

*(4) Applicants for innovative development design are encouraged to consider measures prescribed in the Puget Sound Action Team 2005 Technical Guidance Manual for Low Impact Development. (Ord. 773, Sec. 2, 2008)*

Response: These measures were considered during our mitigation design strategy.

**Maintenance and Monitoring**

The proposed wetland creation and culvert removal and replacement work will be monitored for 5 years as required by Code. The details of this work are depicted on Sewall Wetland Consulting, Inc. "Critical Areas Mitigation Plan Lake Stevens Costco" dated 9-1-19.

If you have any questions in regards to this report or need additional information, please feel free to contact me at (253) 859-0515 or at [esewall@sewallwc.com](mailto:esewall@sewallwc.com) .

Sincerely,  
*Sewall Wetland Consulting, Inc.*

A handwritten signature in black ink on a light yellow background, appearing to read "Ed Sewall".

Ed Sewall  
Senior Wetlands Ecologist PWS #212

## REFERENCES

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