



COMMUNITY DEVELOPMENT DEPARTMENT

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## Endangered Species Act (ESA)

### Checklist for Development within the ESA Potential Impact Area

#### I. Applicant and Project Information

Applicant Name Steven Miller

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Project Name Geddes Marina Phase 2 Remediation

Project Location 1404 1st St, Marysville, WA 98270

Parcel Number(s) 30053300202700, 30053300203100, 30053300202500, 30053300202900

Project Purpose The Geddes Marina Phase 2 Remediation project is the completion of a remediation action on the marina portion of subject site to mitigate the potential for future impact to human health and the environment by addressing site contaminants that exceed associated Model Toxics Control Act (MTCA) cleanup levels for unrestricted land use.

#### II. Purpose for Checklist

This checklist was developed by the City of Marysville (City) to help project proponents and government agencies identify when a project needs further analysis regarding potential adverse effects on Endangered Species as required by the U.S. Federal Endangered Species Act (ESA). For the City, "ESA listed species" are any species listed as endangered, threatened, or being considered for listing. This checklist applies to all development within the Federal Emergency Management Agency (FEMA) designated 100-year floodplain and the Riparian Buffer Zone (RBZ) as described by the Department of Natural Resources 2007 stream typing system and Washington Department of Fish and Wildlife 1997 stream buffer guidelines. The City maintains maps of these areas that are available for use by anyone.

#### III. Is Your Project Located Within Either a 100-Year FEMA Floodplain or a Riparian Buffer Zone (RBZ) and, Therefore, Within the Jurisdiction of the U.S. Federal Endangered Species Act?

You may request maps and information from the City to assist in determining whether your project site lies within the 100-year FEMA floodplain or the RBZ. The RBZ is defined as the greater of the following:

a. Streams and Shorelines

Type S (Shorelines of the State) – 200 feet (Quilceda Creek); 100 feet (Ebey Slough) except between 47th Ave & I-5 – 50 feet;

Type F (Fish-bearing streams) – 150 feet measured perpendicularly from ordinary high water mark (OHWM)

Type N nonsalmonid-bearing) streams, lakes and marine shorelines – 100 feet measured perpendicularly from ordinary high water (OHW)

Type NS streams – 50 feet

b. Channel Migration Zone (CMZ) plus 50 feet as identified by the Washington State Department of Ecology (2003)

c. The FEMA designated floodway

If your project site lies within the 100-year floodplain or the RBZ, it has the potential for affecting endangered or threatened species and/or their habitats, and you must comply with the ESA.

#### IV. Impact Assessment

[Note: The City of Marysville Community Development can provide technical assistance in answering the following questions in this checklist. If necessary, the Washington Department of Fish and Wildlife (WDFW) regional office can also provide information to help you answer these questions].

##### A. PROJECT DESCRIPTION

1. Please describe the purpose of the proposed project:

**The purpose of the project is to mitigate the potential for future impact to human health and the environment by addressing site contaminants that exceed associated Model Toxics Control Act (MTCA) cleanup levels for unrestricted land use.**

2. Please consult City maps and determine if the project is located...(Check applicable answers)

a. Within the 100-year floodplain?  Yes  No

b. Within the 50-year floodplain?  Yes  No

c. Within the 10-year floodplain?  Yes  No

3. Will any portion of the project occur within the Riparian Buffer Zone (RBZ) as defined above and shown on City of Marysville maps?

Yes

No

- a. If Yes, please describe extent (square feet) and type of work to occur in the RBZ:

**The entire 1.99 acre area of the form Geddes Marina boat basin and all surrounding areas below approximately 12 feet elevation NAVD88 (9 feet NGVD) lies within the RBZ/100-year floodplain. The buffer area consists of compact gravel and scattered grasses and weeds. No mature woody vegetation is present.**

**The primary focus of the project will be completing the remedial action on the Geddes Marina site that was initiated in 2016. The Phase 2 Remediation involves capping impacted sediment to an elevation above the high-water mark (OHWM) with imported clean fill material. Approximately 5 feet of clean fill and a 1-foot-thick stabilization layer made of a geotextile liner and rock will be used to cap impacted sediments. Additional fill material will be placed to extend the fill to the top of the existing bank of the former boat basin**

**The City's downtown stormwater conveyance system currently discharges into the former boat basin near First Street. The existing City stormwater system that drains into the northern portion of the former boat basin will be diverted west via a new stormwater conveyance pipe. The new stormwater conveyance pipe will discharge via an energy dissipation structure to a conveyance channel constructed along the western edge of the Geddes Marina site that will flow to Ebby Slough.**

4. What is the area (in square feet) of the footprint of *existing* building(s) and impervious surfaces (e.g., rooftops, walkways, patios, packed earthen materials, asphalt, etc.) located within the RBZ or 100-year floodplain?

**Zero sf. The project area does not include any existing buildings or impervious surfaces.**

5. What is the area (in square feet) of the footprint of proposed buildings and/or impervious surfaces within the RBZ or 100-year floodplain?

**Zero sf. The project will not construct any buildings or create any new impervious surface.**

6. Will the project entail 10% or greater expansion of the existing footprint of buildings and/or impervious surfaces within the RBZ or 100-year floodplain?

Yes

No

7. What is the current land use within the floodplain between the proposed project and the potentially affected water body? (Check appropriate responses)

*Developed including commercial and/or residential*

*Parking lots*

*Paved and/or graveled surfaces*

*Agriculture*

*Forestry*

*Other, please describe: Former marina boat basin and adjacent upland.*

8. What is/are the dominant vegetation cover types between the project and the potentially affected water body? (Check appropriate responses)

Forest

Scrub/shrub

Grasses and forbs

No vegetation cover types (e.g., Buildings, pavement, parking lots, etc.)

Other, please describe \_\_\_\_\_

9. Is your project site located within FEMA mapped floodplain in any of the following basins? (Check appropriate responses)

Ebey Slough

Steamboat Slough

Quilceda Creek

Allen Creek

*Note: If your site is located within the 100-year floodplain of these drainages, then ESA listed species (e.g., Puget Sound Chinook and Puget Sound Steelhead) or their critical habitat may be impacted by the project.*

**B. FISH MIGRATION AND WATER QUANTITY: The following questions will help determine if this project could interfere with the migration of adult and juvenile fish or impact flood storage.**

1. Is the project located upstream from a barrier to fish passage such as a natural permanent barrier (waterfall), a natural temporary barrier (beaver pond, or a human made barrier (culvert, dam, etc.)? (Consult City Maps)

Yes

No

Uncertain: Explain:

**The Geddes boat basin is separated from Ebey Slough with a derelict weir, but access is not completely restricted. Fish may be able to access the former marina boat basin at high tide levels.**

- a. If yes, please describe the barrier(s)

N/A

2. Does the project require the withdrawal of:

- a. Surface water?  Yes  No

i. Amount (volume and duration):

ii. Name of surface water body:

- b. Ground water?  Yes  No

i. Amount (volume and duration): \_\_\_\_\_

ii. From where: \_\_\_\_\_

iii. Depth of well (ft): \_\_\_\_\_

*(If answer to Question B.2 above is Yes, the applicant shall contact the Washington Department of Fish and Wildlife and the Washington Department of Ecology to obtain appropriate approvals)*

3. Will any water be rerouted?

Yes

No

a. If yes, will this require channel relocation?  Yes  No

b. Please describe how the stream will be relocated:

**The project will not require relocation of a stream channel. Stormwater is currently discharged into the existing former boat basin. The project will reroute these flows to a newly construction conveyance channel along the western property boundary.**

4. Will there be retention or detention ponds?

Yes

No

a. If yes,

1) Will the feature be an infiltration pond?  Yes  No

2) Will it have a surface discharge to either a municipal storm water system or a surface water body?  Yes  No

a) If you answer yes to a surface water discharge, please give the name of the water body that will be discharged into: \_\_\_\_\_

5. Will this project require the building of any temporary or permanent roads?

Yes

No

6. Are there any new or replacement culverts or bridges proposed as part of this project?

Yes

No

7. Will topography changes significantly affect:

a. The duration of surface and shallow subsurface water residence on the project site?

Yes

No

1) If yes, describe the changes (i.e., increased impervious surfaces, etc.):

**There will be no changes do increased in impervious surface. The project involves capping and filling the former boat basin to be above the ordinary high water line. This area will no longer be inundated following project completion.**

- b. The direction of flow or circulation of surface and shallow subsurface water runoff into, through, or off the project site?

Yes  
 No

- 1) If yes, describe the changes:

**Surface water is currently discharged from the former boat basin via an outlet channel located midway along the shoreline of the site. The outlet channel will be filled as part of the work to fill the boat basin. Water from the City's stormwater system will be rerouted to a newly construction conveyance channel along the western property boundary that will discharge to Ebey Slough approximately 50 feet downstream than presently occurs. This minor change is not anticipated to affect the flow or circulation of surface water in Ebey Slough.**

8. Will the project involve any placement of fill within the RBZ or 100-year floodplain?

Yes  
 No

- a. If you answered yes, describe the purpose, volume of fill, and the area over which it will be applied.

**The purpose of the fill to provide a clean cap to mitigate the potential for future impact to human health and the environment by addressing contaminants within the former boat basin that exceed associated Model Toxics Control Act (MTCA) cleanup levels for unrestricted land use. The volume of fill placed within the RBZ and/or 100-year floodplain is approximately 23,500 cubic yards.**

- b. What are expected impacts on flood storage (i.e., volume of fill to be imported)?

**The storage is part of a tidally influenced waterbody and therefore there is no potential floodplain storage impact to flood levels.**

- c. What is the expected impact on flood conveyance (i.e., might flood flows be rerouted as a result of the fill)?

**There is no anticipated impact on flood conveyance. The proposed fill will occur at the outer floodplain fringe. The floodway has been mapped as contained in the main channel by levee with a lower flood stage, therefore there is no potential conveyance impact. Also, the railroad embankment creates an area of ineffective flow at the site.**

- d. Describe how these impacts will be or could be either avoided or mitigated?

**No mitigation is required.**

**WATER QUALITY: (Information on impaired water bodies can be obtained from the City of Marysville and the Washington Department of Ecology)**

1. Do you know or does the City have record of any problems with water quality in any of the streams within or adjacent (i.e., bordering, neighboring, or contiguous) to the Project area?

Yes

No

Uncertain: Explain \_\_\_\_\_

- a. If you answered yes, describe any known water quality impairment(s):

**The former Geddes Marina boat basin is known to have contaminated sediments. The purpose of the project is to address this situation.**

2. Will your project either reduce or increase shade along, over, or adjacent to a water body?

Yes

No

- a. If you answered yes, please describe type and extent of cover that will be reduced or added:

3. Will the project introduce any nutrients, organic matter, or contaminants (e.g., fertilizers, other waste discharges, or storm water runoff) to the water body?

Yes

No

- a. If you answered yes, please estimate frequency, duration, and volume:

4. Will sediment that could increase turbidity be introduced to a water body by construction of the project or during operation of the project?

Yes

No

- a. If you answered yes, consult with the Washington State Department of Ecology to ensure compliance with water quality regulations.

5. Will your project require long term maintenance that could affect water quality in the future, (e.g., bridge cleaning, highway salting, chemical sprays for vegetation management, clearing of parking lots, etc.)?

Yes

No

- a. If you answered yes, please describe type of long-term maintenance that may be necessary

6. Will the project incorporate Low Impact Development (LID) methods to treat and infiltrate stormwater runoff?

Yes  
 No

- a. If you answered yes, please describe LID methods that will be incorporated into the project:

**C. VEGETATION: The following questions are designed to determine if the project will affect riparian vegetation, thereby, adversely impacting salmon.**

1. Will the project involve the removal of any vegetation or large wood from the RBZ or 100-year floodplain?

Yes  
 No

- a. If you answered yes, please describe the existing conditions, and the amount and type of vegetation or large wood to be removed:

2. If any vegetation is removed from the RBZ or 100-year floodplain, a mitigation plan to replace cleared vegetation will be required. Please provide a copy of the plan to the City.

**Not applicable; no significant vegetation will be removed.**

3. Could channel bank stability be impacted by removal of vegetation or other project activities?

Yes  
 No

- a. If yes, please describe extent (area or linear feet) of vegetation that will be removed and how bank stability may be impacted.



**D. PROPOSED MITIGATION: Mitigation measures must be undertaken to offset all direct and indirect impacts to listed species and their critical habitat from projects occurring within the floodplain.**

Please describe briefly all proposed mitigation measures:

**Overall, the Geddes Phase 2 Remediation project will result in positive impacts to fish and wildlife habitat, as compared to existing conditions. The project will place a clean cap over aquatic areas with documented contamination.**

**The project will temporarily impact areas along the shoreline of Ebey Slough. These areas will be restored following construction. Mitigation to offset permanent impacts to wetlands and intertidal areas will be compensated by applying credits from the City's Qwuloolt advance mitigation site.**

**The project will be implemented to comply with City of Marysville standards, including Temporary Erosion and Sediment Control and Stormwater Best Management Practices.**

## **RESOURCE AGENCIES:**

### **City of Marysville Community Development Department Website**

<https://www.marysvillewa.gov/>

### **Washington Department of Fish and Wildlife Website**

<https://wdfw.wa.gov/>

This site has useful information on fish habitat.

### **Washington State Department of Ecology Website**

<https://ecology.wa.gov/>

Click on the Water Quality button on the left side of this page.

### **National Marine Fisheries Services Website**

Evolutionarily Significant Unit (ESU) maps can be found at:

[www.nwr.noaa.gov](http://www.nwr.noaa.gov)

Click on the Endangered Species Act (ESA) links to view the ESU maps and other information.

**NOTE: Most applicants should have the information necessary to answer most of the questions in this checklist. Additional information will need to be obtained from local and state agencies if it appears that the project is likely to affect ESA listed species.**