

Chris Holland

From: Chris Holland
Sent: Tuesday, November 21, 2023 7:52 AM
To: BARS461@ECY.WA.GOV
Cc: Haylie Miller; Steven Miller; david.radabaugh@ecy.wa.gov
Subject: Geddes Marina - Phase 2 SLP (PA22001)

Stephanie-

You provided comments (E015) on the Substantial Shoreline Permit (SLP), known as Geddes Marina Phase 2, back on February 2, 2022.

I believe there has been some confusion on what the scope of the current SLP is, since there has been a lot of proposed activity on the Geddes Marina site.

Here is a link to all of the application materials:

[PA22001 - Geddes Remediation Phase 2](#)

The Phase 2 SLP is for fill of the old Geddes Marina and construction of a channeled outfall for the stormwater treatment facility that was previously permitted and is under construction. It might be helpful to read through the responses to the Corps NOA (Exhibit 031), which might better describe the construction activity as well as reviewing the revised construction plans (Exhibit E032).

I know there are a number of studies on Ecology's website (<https://apps.ecology.wa.gov/cleanupsearch/site/12515#site-documents>) related to this site, however, the documents that are relevant for this project are in the link above.

The no rise analysis was recently provided by Paramatrix (E033).

Additionally, you had commented:

"Pursuant to Chapter 5.B.4.c.4 of the City of Marysville Shoreline Management Program, fills are prohibited in floodplains except where it can be clearly demonstrated that the hydrologic characteristics and flood storage capacity will not be altered to increase flood hazard or other damage to life or property. Fills are prohibited in floodway, except when approved by conditional use permit and where required in conjunction with a proposed water-dependent or other use, specified in Regulation #2.

If fill placement in the floodway is as it appears, then this project requires a conditional use permit.

The Shoreline Master Program Consistency Memorandum from Benn Burke, Paramatrix to Steven Miller, dated December 10, 2021 states the project will result in fill in a designated floodplain; however, due to the floodplain's association with a tidal waterbody, the project will not increase the flood elevation or increase the flood hazard on the site or adjoining or upstream properties. More information is required to support this statement and clearly demonstrate compliance with the above referenced fill regulation."

E024 outlines the response to the comment related to whether or not a Conditional SLP should be required, which states:

"While the project will place "fill material", the activity does not meet the definition of "fill" defined the City's 2020 Shoreline Master Program (SMP). The SMP defines "fill" as "the addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the OHWM, in wetlands, or on shorelands in a manner that raises the elevation or creates dry land." The work proposed in the designated "Aquatic" includes the placement of clean substrate material along the

shoreline for the purpose of habitat restoration within areas where existing unsuitable substrate has been removed. The project will not place material within the aquatic zone to the extent that it raises the surface elevation or creates dry land. It is our understanding that the project will not require a conditional use permit as a result.”

Based on review of the response from Paramatrix, the Community Development Department (CD) has concluded that a Conditional SLP would not be required.

Can you please review the additional information (E016 - E033) provided to CD related to this proposal? After you have had an opportunity to review, please let me know if you have any additional questions, concerns or comments so the Public Works Department can address, prior to issuing the Substantial SLP.

Thank you,

Chris Holland | Planning Manager

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