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To: Gloria Hirashima Chief Administrative Officer, City of Marysville

From: Andrea Bachman, PWS, Perteet Inc.

Date: November 28, 2023

Re: Marysville Riverwalk—Shoreline Narrative

Introduction

Perteet, Inc. has prepared this shoreline narrative for the City of Marysville to accompany the Shoreline Substantial Use Permit application for the Marysville Riverwalk Project. This shoreline narrative describes the project and addresses consistency with the Marysville Shoreline Master Program.

The project is located at 80 Columbia Avenue and 60 State Avenue, in Marysville, WA, within the NW 1/4 of Section 33 of Township 30N, Range 05E, W.M (the Site). It also includes portions of 13 residential parcels the City acquired as part of the 1st Street bypass project in 2019.

Purpose

The City of Marysville is embarking on re-purposing city lands currently used for light industrial purposes into a water-dependent mixed-use development on the Ebey Slough waterfront. The project is intended to meet the City's vision for its downtown as presented in the 2019 Downtown Master Plan.

Site Description

The site covers 31.6 acres adjacent to State Avenue and First Street in downtown Marysville. The site is mostly cleared of native vegetation and contains light industrial activities and the city of Marysville public works buildings and operations and maintenance center. Gravel and asphalt cover more than 50% of the site. The site is relatively level, with soils comprising Puget silty clay loam and Ragnar fine sandy loam (USDA NRCS, 2023).

Notable surface water features include Ebey Slough, associated fringe wetlands and other wetlands bordering the site to the east, and a piped/ditched stream. Ebey Slough is part of an extensive estuary system in the Snohomish River delta. Ebey Slough is a Type S Shoreline of Statewide Significance and borders the south side of the subject site. The setback for mixed-use developments within the High-Intensity Shoreline Jurisdiction on Ebey Slough is 70 feet (Marysville Shoreline Management Program, March 2020). The paved, publicly accessed Ebey waterfront trail, parallels the Ebey Slough shoreline. Vegetation on either side of the trail is mixed grasses and scattered native and non-native shrubs. A critical area review will confirm and document critical areas and invasive species on and near the site.

Project Description

The project is a mixed-use development including multi-family luxury apartments, a hotel, restaurants, a sports facility, a public plaza, and open space connections to the Ebey Waterfront trail and connecting commercial uses.

To prepare the site, it needs to be cleared and filled with enough material to bring the elevations of the lowest floor of new buildings to above base flood elevations (currently 13 feet). The City's fill plans show an estimated quantity of 155,100 cubic yards to be added to the site.

The project will incorporate environmental restoration and enhancement measures to improve and protect shoreline ecological functions and values on-site. Such measures include:

1) Enhancing a 50' minimum strip of shoreline within the 70-foot shoreline setback of Ebey Slough (retaining a 20' public access easement); and
2) Re-establishing historically filled stream channel formerly connected to the Qwuloolt wetland complex to the east and Ebey Slough and enhancing the riparian corridor (see Critical Area Report).

The conceptual plan calls for 29,400 SF of area within the 70-foot shoreline setback to be enhanced with a diversity of native species. Vegetation enhancement includes the removal of invasive vegetation (i.e., Himalayan blackberry) and various low-maintenance native species. The Conceptual Shoreline Planting Plan at the end of this narrative lists the proposed quantities, spacing, and sizes of each species.

Enhancement measures will improve erosion control and maintain the bank integrity between the slough and the waterfront trail. It will also improve habitat functions for wildlife, including birds, fish, amphibians, and insects. Enhancement plantings can also function to trap excess nutrients and pollutants and thereby improve water quality filtration. The shoreline enhancement measures comply with the policies and regulations (#7 Shoreline Restoration and Ecological Enhancement) under Chapter 5 of the Marysville SMP.

Historical aerial images dating back to 1933 display a stream channel meandering through the southeastern portion of the site. Over the years, it was redirected and piped through the property to accommodate the site's industrial uses and make way for the adjacent sewage lagoon (now partially filled). The overall project plans are to re-establish 1,000 linear feet of an open stream channel with a vegetated riparian buffer zone. Restoring the stream to a natural channel will improve water quality through natural filtration processes, improve habitat connectivity, and promote the biodiversity of plants, birds, fish, and insects. A re-established open channel will help to alleviate hydrologic concerns with flooding the capacity to take in excess water and disperse it to wetlands.

Compliance with the City of Marysville Shoreline Master Program

The proposed project plans are consistent with the High-Intensity Shoreline Jurisdiction. The city of Marysville Shoreline Master Program (SMP) describes the allowed uses and activities in multiple sections with policies and regulations for each.

The following listed policies and regulations respond to the policy guidance provided by Chris Holland in a June 19, 2023 email to Terrie Battuello. The responses to each policy and/or regulation are italicized.

- Chapter 3.3 High-Intensity Environment
- Chapter 4.5. Flood Hazard Reduction and River Corridor Management
- Chapter 5.4 Fill

Chapter 3.3 High-Intensity Environment Policies

The upland area 200' from the OHWM along Ebey Slough is designated as a High-Intensity Environment. The purpose of the High-Intensity Environment is to provide for high-intensity water-oriented commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological function in those areas that have been previously degraded.

Management Policies

1) In regulating uses in the High-Intensity Environment, priority should be given to water-dependent uses. The second priority should be given to water-related and water-enjoyment uses. Non-water-oriented uses should be discouraged except as part of mixed-use developments or existing developed areas supporting water-dependent uses and/or shoreline restoration. Non-water-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline if shoreline restoration is included as part of development.

Response: On this site, the waterfront trail is not water-dependent in the strictest sense. However, it complies with the second priority of water-related and enjoyment use.

2) New development should protect and, where feasible, restore shoreline ecological functions, with particular emphasis on habitat for priority species. Where applicable, new development shall include environmental cleanup and restoration of the shoreline in accordance with state and federal requirements.

Response: Commercial and multi-family uses require a 70' setback. Within that setback, a 50' minimum strip will be restored and enhanced with native vegetation plantings, while the remaining 20' will be designated as a public access easement parallel to the shoreline.

3) Visual and physical public access should be required as provided for in SMP Section 4.B.7, except as noted in that section.

Response: The 20' public access easement parallel with the shoreline qualifies as public access.

4) Aesthetic objectives should be actively implemented by means such as sign control regulations, appropriate development siting, screening and architectural standards, and maintenance of natural vegetative buffers. These objectives may be implemented either through this master program or other City ordinances.

Response: These elements will be incorporated into the final design. Maintenance of the enhanced buffer will be implemented upon approval of the installed planting plan.

5) Development in the High-Intensity Environment should be managed so that it enhances and maintains the shorelines for a variety of urban uses, with priority given to water-dependent, water-related, water-enjoyment uses and public access.

Response: The Marysville Riverwalk development is consistent with the city's urban master plan vision, which promotes water-related and water-enjoyment uses of the 20' public access easement.

6) To make maximum use of the available shoreline resource and to accommodate future water-oriented uses, the redevelopment and renewal of substandard, degraded, obsolete urban shoreline areas should be encouraged.

Response: The nature of this project meets this policy by converting degraded industrial lands to revitalized urban mixed-use with enhanced shoreline vegetation and water-oriented public access.

Chapter 4.5. Flood Hazard Reduction and River Corridor Management

The provisions in this section are intended to address two concerns especially relevant to shoreline jurisdiction lying along Ebey Slough, its floodplain corridor, and associated wetlands:

1) Protecting human safety and minimizing flood hazard to human activities and development.
2) Protecting and contributing to the restoration of ecosystem-wide processes and ecological functions found in the applicable watershed or sub-basin.

Regulations

1) The applicant shall provide the following information as part of a shoreline permit application on Ebey Slough.

    a. Location of ordinary high water mark (OHWM), 100-year floodplain boundary, floodway boundary as defined by FEMA, and bankfull width boundary.
    b. Existing shoreline stabilization and flood-protection works on the site.
    c. Physical, geological, and soil characteristics of the area.
    d. Predicted impacts upon area shore and ecological processes, adjacent properties, and shoreline and water uses.
    e. Analysis of alternative construction methods, development options, or flood protection measures both structural and nonstructural.
    f. Description of existing shoreline vegetation and measures to protect existing vegetation and to re-establish vegetation.

Response: This narrative addresses the abovementioned regulations (Chapter 5.c.1(a-f)). The attached site plan displays the elements listed in sub-section 'a' above. The site description on page 1 of this narrative provides the area's physical, geological, and soil characteristics. The project description describes the predicted lift in shoreline ecological functions and values because of the proposed enhancement measures. Shoreline vegetation and reestablishment and enhancement measures are described earlier in this narrative.

2) New development must be consistent with items 'a' through 'd' below in addition to the provisions of this master program. In cases of inconsistency, the provisions most protective of shoreline ecological functions and processes shall apply:

    a. The City's comprehensive flood hazard reduction plan, Chapter 16.32 MMC, "Floodplain Management."
    b. The applicable provisions of the City floodplain regulations adopted under Chapter 86.16 RCW.
    c. The flood insurance study for Snohomish County, Washington, prepared by FEMA in accordance with Chapter 86.16 RCW and the National Flood Insurance Program.
    d. The 2019 Washington Department of Ecology Stormwater Manual, as adopted by the City of Marysville.

Conditions of Hydraulic Project Approval, issued by Washington State Department of Fish and Wildlife, may be incorporated into permits issued for flood protection.

Response: The proposed project will comply with MMC Chapter 22E.020, the applicable provisions of RCW 86.16, and the FEMA flood insurance study. The project includes the placement of fill to support approval of a conditional letter of map revision (CLOMR-F) from FEMA. The fill will elevate the grade of the site to be above the base flood elevation, allowing future development to be reasonably protected from flooding. Before approval of the final CLOMR, all activities proposed on the site will be reviewed for compliance with the approved CLOMR-F and/or MMC Chapter 22E.020. Before placing fill on the site, the project proponent will demonstrate that the hydrologic characteristics and flood storage capacity will not be altered to increase flood hazard or other damage to life or property.

The project stormwater plans will comply with the 2019 Washington Department of Ecology Stormwater Manual.

We understand that Hydraulic Project Approval (HPA) will be required for the stream relocation project and that conditions of the HPA may be incorporated into permits issued for flood protection.

Chapter 5.4 Fill

Any fill activity conducted within shoreline jurisdiction must comply with the following provisions.

Policies

1) Fills waterward of OHWM should be allowed only when necessary to facilitate water-dependent and/or public access uses, cleanup and disposal of contaminated sediments, and other water-dependent uses that are consistent with this master program.

Response: No fill is proposed waterward of the OHWM.

2) Shoreline fill should be designed and located so there will be no significant environmental impacts and no alteration of local currents, surface water drainage, or flood waters, which would result in a hazard to adjacent life, property, and natural resource systems.

Response: The proposed filling will start landward of the 70' setback. It is not expected to alter local currents, surface water drains, or floodwaters.

Regulations

1) Applications for fill permits shall include the following:

   a. Proposed use of the fill area;
   b. Physical, chemical, and biological characteristics of the fill material;
   c. Source of fill material;
   d. Method of placement and compaction;
   e. Location of fill relative to natural and/or existing drainage patterns and wetlands;
   f. Location of the fill perimeter relative to the OHWM;
   g. Perimeter erosion control or stabilization means; and
   h. Type of surfacing and runoff control devices.

Response: Preliminary fill plans have calculated approximately 155,100 cubic yards of fill starting landward from the 70-foot shoreline setback line. The fill material's source, physical, chemical, and biological characteristics have yet to be determined. The fill will be imported to the site via dump trucks and distributed to meet the final

grade using heavy construction equipment. The location of the fill will be contained entirely on-site outside of wetlands or any natural drainage ways. Construction Best Management Practices (BMP) will be implemented.

2) Fill waterward of OHWM may be permitted only when:

   a. In conjunction with a water-dependent or public use permitted by the SMP;
   b. In conjunction with a bridge or navigational structure for which there is a demonstrated public need and where no feasible upland sites, design solutions, or routes exist; or
   c. As part of an approved shoreline restoration project.

Response: No fill is proposed waterward of the OHWM.

3) Waterward of OHWM, pile or pier supports shall be utilized whenever feasible in preference to fills. Fills for approved road development in floodways or wetlands shall be permitted only if pile or pier supports are proven unfeasible.

Response: N/A

4) Fills are prohibited in flood plains 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 above.

Response: Before approval of the final grading plans, all activities proposed on the site will be reviewed, and the project proponent will demonstrate that fills in the floodplain will not alter the hydrologic characteristics and flood storage capacity, resulting in increased flood hazard or other damage to life or property. No fill is proposed within the floodway.

5) Fill shall be permitted only where it is demonstrated that the proposed action will not:

   a. Result in significant ecological damage to water quality, fish, shellfish, and/or wildlife habitat; or

   b. Adversely alter natural drainage and circulation patterns, currents, and river and tidal flows or significantly reduce flood water capacities.

Response: No fill will be placed waterward of the OHWM, and no significant vegetation or habitats are will be removed since the site is currently comprised of degraded industrial lands. Enhancement opportunities will be implemented along the shoreline buffer, and 1,000 linear feet of stream habitat will be rerouted and restored to an open channel with vegetated riparian buffers. We do not anticipate significant ecological damage to water quality, fish, shellfish, or wildlife due to the project.

Since no fill will be placed within the OHWM or the floodway, we do not anticipate any adverse impacts to natural drainage or circulation patterns, currents, river, and tidal flows or significantly reduce flood water capacities.

6. Environmental cleanup action involving excavation/fill, as authorized by the City, may be permitted.

Response: Acknowledged.

7. Sanitary fills shall not be located in shoreline jurisdiction.

Response: Acknowledged.

Conceptual Shoreline Planting Plan

The project will enhance the shoreline area within the 70-foot shoreline setback of Ebey Slough. The shoreline enhancement plan will not interfere with the normal public use of the navigable waters, as it excludes the 20-foot public access easement. The total estimated area to be enhanced amounts to 29,400 SF (+/-). Enhancement plantings will follow Ecology and other restoration guidance recognized as the best available science. The species selected are considered relatively low-maintenance and can tolerate the conditions between Ebey Slough and the built environment. Conifer tree plantings (3-foot tall minimum) will be installed at 15-foot triangular spacing. Large growing shrubs will be installed in random groupings of five plants at 4-5-foot triangular spacing. Small shrub/groundcover species will be installed in clusters at 2-foot triangular spacing.

Shoreline Enhancement Planting Plan – 29,400 SF +/-

Stratum	Common Name	Latin Name	Size	Spacing	Quantity
Tree	Shore pine	*Pinus contorta*	3' tall	15'	24
Tree	Douglas fir	*Pseudotsuga menzeisii*	3' tall	15'	10
Tree	Hookers willow	*Salix hookeriana*	1 gallon	15'	60
Tree	Serviceberry	*Amelanchier alnifolia*	1 gallon	15'	40
Shrub	Nootka rose	*Rosa nutkana*	1 gallon	4-5'	275
Shrub	Snowberry	*Symphoricarpos albus*	1 gallon	4-5'	275
Shrub	Tall Oregon grape	*Mahonia aquifolium*	1 gallon	4-5'	200
Shrub	Red flowering currant	*Ribes sanguineum*	1 gallon	4-5'	350
Shrub	Red-osier dogwood	*Cornus sericea*	1 gallon	4-5'	300
Shrub	Salmonberry	*Rubus spectabilis*	1 gallon	4-5'	400
Groundcover	Beach strawberry	*Fragaria chiloensis*	1 gallon	2'	700
Groundcover	Silverweed	*Potentilla anserina*	1 gallon	2'	700

Conclusion

This shoreline narrative demonstrates that the project's intent is consistent with policies and regulations outlined in Marysville's SMP to obtain a shoreline substantial development permit to fill the subject site. The additional submittals for permitting the fill shall provide further supporting documentation to demonstrate consistency with the SMP.

END OF NARRATIVE