

CONCEPTUAL MITIGATION PLAN

CREEKSIDE

REVISED NOVEMBER 2023

MARCH 2023



**Soundview
Consultants**

Environmental Assessment
Planning + Land Use Solutions

CONCEPTUAL MITIGATION PLAN

CREEKSIDE

REVISED NOVEMBER 9, 2023

MARCH 3, 2023

PROJECT LOCATION

7808, 7811, 7715, AND 7627 40TH STREET NE AND 4106 76TH DRIVE NE
MARYSVILLE, WA 98270

PREPARED FOR

HORIZON VIEW HOLDINGS

6443 NE 181ST STREET
KENMORE, WA 98028

PREPARED BY

SOUNDVIEW CONSULTANTS LLC

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**Soundview
Consultants**

Environmental Assessment
Planning + Land Use Solutions

Executive Summary

Soundview Consultants LLC (SVC) has been assisting Horizon View Holdings (Applicant) with a conceptual mitigation plan for a proposed single-family residential development of an 18.7-acre site located at 7808, 7811, and 7715 40th Street Northeast and 4106 76th Drive Northeast in the City of Marysville, Washington. The subject property consists of three tax parcels that are situated in the Northeast ¼ of Section 2, Township 29 North, Range 05 East, W.M. (Snohomish County Tax Parcel Numbers 29050200100200, 29050200100300, and 29050200100400).

SVC investigated the subject property for potentially-regulated wetlands, waterbodies, fish and wildlife habitat, and/or priority species in May and June of 2022. Using current methodology, the site investigation identified seven potentially regulated wetlands (Wetlands A – E, G, and Pond B) and one stream (Stream Z) onsite, as well as one potentially regulated wetland (Pond A) offsite. Wetlands A, C – E, G, Pond A, and Pond B are rated as Category III wetlands per Marysville Municipal Code (MMC) 22E.010.100.4 and are subject to a standard 75-foot buffer per MMC 22E.010.100.4. Wetland B is rated a Category II wetland and is subject to a standard 100-foot buffer per MMC 22E.010.100.4. Stream Z is a Type F stream and is subject to a standard 150-foot buffer per MMC 22E.010.220. Additionally, a 15-foot building setback is required from the outer edge of all critical areas or their buffers per MMC 22E.010.380. No other potentially regulated wetlands fish and wildlife habitat were identified within 300 feet of the subject property.

The Applicant proposes to redevelop the subject property with 49 single-family residences and associated infrastructure on the subject property including internal access roads, a stream crossing, utilities, and stormwater facilities for water quality treatment. The project was carefully designed to avoid impacts to critical areas to the greatest extent feasible by fully utilizing developable upland areas on the western and central portions of the site. However, in order to provide required site access from the northwest and southeast corners of the subject property, space for stormwater facilities, a 10-foot-wide public utility easement on both sides of the proposed roads onsite and required residential units to meet density requirements and make the development financially feasible, direct and indirect wetland impacts are necessary and unavoidable. As such, the project requires the unavoidable partial fill of Wetlands A, B, and E, and the total fill of Wetland Pond B. The project proposes indirect impacts to Wetland A and Wetland E. Additionally, permanent buffer impacts for Wetlands A, B, C, D, E, and G are required and will be mitigated through the purchase of wetland buffer credits.

The project proposes permanent buffer impacts associated with the Stream Z and Wetland G buffers for the installation of a storm water outfall within the buffer area, and permanent buffer impacts to Stream Z and Wetland G are proposed due to the construction of the required access road on the southeast portion of the site, which will also require the installation of a bottomless box culvert for Stream Z. Permanent impacts are also proposed to the Wetland B buffer due to frontage improvements along 44th Street Northeast. Buffer averaging will also be utilized on Stream Z to reduce further permanent buffer impacts.

Direct impacts to Wetlands C, D, and G, as well as offsite Pond A have been completely avoided. A bottomless stream crossing is proposed in order to avoid direct impacts to Stream Z. The proposed site design minimizes impacts to Wetland B, which is the largest and highest functioning wetland onsite. Alternate site plans to avoid impacts and provide road access from Snohomish County Tax

Parcel 29050200100700 to the northwest of the subject property were assessed and proved not feasible. No other feasible option in design would result in less impacts to the identified critical areas while allowing reasonable development of the subject property given the need for safe site access and the required two access roads from the northwest and southeast.

Direct wetland impacts will be compensated onsite through a combined approach of wetland creation and wetland enhancement, standalone wetland creation, and purchase of mitigation bank credits. Per MMC 22E.010.120(3), mitigation will be provided through wetland enhancement and creation will be provided at a 4:1 and 1:1 ratio, respectively, for Category II wetland impacts, and a 2:1 and 1:1 ratio, respectively, for Category III impacts. Due to the intact nature of most of the onsite wetlands, enhancement opportunities are limited, and the combined wetland creation and enhancement approach cannot compensate for all proposed impacts. Standalone wetland creation will be provided at a 2:1 ratio to the extent possible onsite to offset the remaining proposed impacts, and the mitigation deficit that will be compensated through the purchase of mitigation bank credits from the Skykomish Habitat Wetland Mitigation Bank (SHWMB). Additionally, due to site constraints and limited wetland mitigation opportunities onsite, credits will be purchased from SHWMB to mitigate for indirect wetland impacts.

The required access road from 79th Avenue Northeast and frontage improvements for 44th Street Northeast will require permanent buffer impacts that cannot be mitigated for onsite. In addition, permanent buffer impacts for Wetlands A, B, C, D, E, and G are required. Compensation for these impacts will be provided through the purchase of mitigation credits from SHWMB. The project proposes the restoration of buffer areas currently impacted by non-conforming uses. Additionally, wetland and stream buffer enhancement is proposed throughout the majority of the site to provide improved water quality functions, structural diversity, and habitat accessibility to the existing wetlands and stream onsite. The proposed wetland and stream buffer enhancement and restoration will encompass all the remaining wetland and stream buffer areas on the subject property. Native vegetation will be retained wherever possible; native canopies may be underplanted with shrubs and groundcover or interspersed with additional tree species to increase overall diversity.

The proposed use of onsite wetland creation, onsite wetland enhancement, onsite buffer enhancement and restoration in combination with a mitigation bank was determined to be the best strategy that will result in a net gain in ecological functions within the project area and Snohomish River Watershed (Water Resource Inventory Area 7). A Mitigation Plan is included in Chapter 2 of this report. The table below identifies the onsite critical areas and summarizes the potential regulatory status by local, state, and federal agencies.

Wetland Name	Size Onsite (square feet)	Category ¹	Regulated Under MMC Chapter 22E.010	Regulated Under RCW 90.48	Regulated Under Section 404 of the Clean Water Act
Wetland A	33,375	III	Yes	Yes	Likely
Wetland B	78,969	II	Yes	Yes	Likely
Wetland C	398	III	Yes	Yes	Likely
Wetland D	3,084	III	Yes	Yes	Likely
Wetland E	2,658	III	Yes	Yes	Unlikely
Wetland G	2,698	III	Yes	Yes	Likely
Pond A	Offsite	III	Yes	Yes	Likely

Pond B	1,139	III	Yes	Yes	Likely
Stream Z	627 linear feet	F	Yes	Yes	Likely

Note:

1. Current Washington State Department of Ecology (WSDOE) wetland rating system (Hruby, 2014) per MMC 22E.010.060.

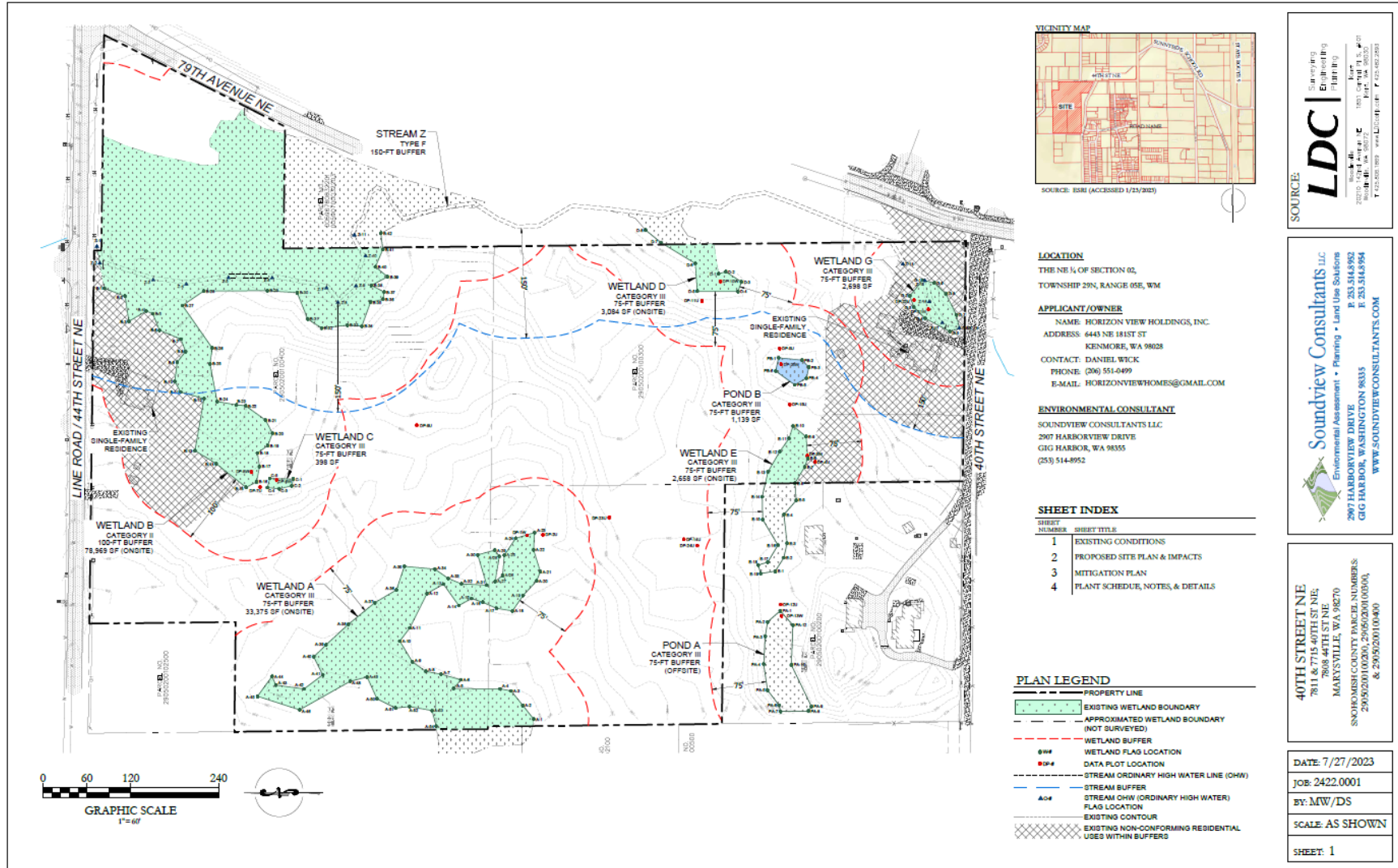
The table below summarizes the proposed buffer and direct and indirect critical area impacts.

Type of Impact	Impact Area
Direct Permanent Wetland Impacts (Fill)	17,353 SF
Indirect Wetland Impacts	11,909 SF
Stream Buffer Averaging	10,824 SF decrease- 14,368 SF increase Net gain 3,544 SF
Permanent Buffer Impacts	30,916 SF
Temporary Buffer Impacts	17,030 SF

The table below summarizes the proposed compensatory and non-compensatory mitigation to offset the proposed critical area impacts.

Mitigation Type	Mitigation Area
<i>Wetland Mitigation</i>	
Compensatory Wetland Creation	14,469 SF
Compensatory Wetland Enhancement	7,005 SF
Skykomish Habitat Wetland Basin Mitigation Bank	0.35 acres
<i>Buffer Mitigation</i>	
Buffer Enhancement	114,000 SF
Buffer Restoration	69,796 SF
Skykomish Habitat Wetland Basin Mitigation Bank	0.14 acres

Site Map



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Soaring
Engineering
PLLC
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40TH STREET NE
7811 & 7718 40TH ST NE
7808 40TH ST NE
MARYSVILLE, WA 98270
SNOHOMISH COUNTY PUNCH NUMBERS:
2905020100000, 2905020100001,
& 2905020100040

DATE: 7/27/2023
JOB: 2422.0001
BY: MW/DS
SCALE: AS SHOWN
SHEET: 1

Table of Contents

Chapter 1. Regulatory Considerations	1
1.1 Local Critical Area Requirements.....	1
1.2 State and Federal Considerations	8
Chapter 2. Conceptual Mitigation Plan	10
2.1 Purpose and Need.....	10
2.2 Description of Impacts	10
2.3 Mitigation Strategy	13
2.4 Approach and Best Management Practices.....	17
2.5 Goals, Objectives, and Performance Standards	18
2.6 Plant Materials and Installation.....	21
2.7 Maintenance and Monitoring Plan	22
2.8 Reporting.....	23
2.9 Contingency Plan	23
2.10 Conservation Easement.....	24
2.11 Financial Assurances	24
Chapter 3. Closure	25
Chapter 4. References	26

Tables

Table 1. Summary of SHWMB Replacement Ratios	7
Table 2. Summary of Wetland Impacts.....	11
Table 3. Buffer Impact Summary	13
Table 4. Summary of Onsite Proposed Mitigation.....	15
Table 5. Replacement Ratios and Calculation of Bank Credits Required.....	17

Appendices

Appendix A — Existing Conditions and Site Plan Exhibits
Appendix B — Mitigation Bank Service Area Exhibit
Appendix C — Qualifications

CHAPTER 1. REGULATORY CONSIDERATIONS

Soundview Consultants LLC (SVC) has been assisting Horizon View Holdings (Applicant) with a conceptual mitigation plan for a proposed single-family residential development of an 18.7-acre site located at 7808, 7811, and 7715 40th Street Northeast and 4106 76th Drive Northeast in the City of Marysville, Washington. The subject property consists of three tax parcels that are situated in the Northeast ¼ of Section 2, Township 29 North, Range 05 East, W.M. (Snohomish County Tax Parcel Numbers 29050200100200, 29050200100300, and 29050200100400).

SVC investigated the subject property for potentially-regulated wetlands, waterbodies, fish and wildlife habitat, and/or priority species in May and June of 2022. Using current methodology, the site investigation identified seven potentially regulated wetlands (Wetlands A – E, G, and Pond B) and one stream (Stream Z) onsite, as well as one potentially regulated wetland (Pond A) offsite. No other potentially regulated wetlands, waterbodies, fish and wildlife habitat, or priority species were identified within 300 feet of the subject property during the site investigations.

1.1 Local Critical Area Requirements

1.1.1 Standard Buffer Requirements

Marysville Municipal Code (MMC) 22E.010.060.1 has adopted the current wetland rating system for western Washington (Hruby, 2014). Category IV wetlands have the lowest level of functions and are often heavily disturbed. Category III wetlands are wetlands with a moderate level of functions, as characterized by a score ranging from 16 to 19 points. Generally, these wetlands have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands. Category II wetlands are wetlands that perform functions well, as characterized by a score of 20 to 22 points. Category II wetlands are difficult, though not impossible, to replace and provide high levels of some functions.

Wetlands A, C, D, E, G, Pond A, and Pond B are classified as Category III wetland, which are subject to standard 75-foot buffers per MMC 22E.010.100(4). Wetland B is classified as a Category II wetland and is subject to a standard 100-foot buffer per MMC 22E.010.100(4).

Stream Z is recognized as a Type F stream with a standard 150-foot buffer per MMC 22E.010.220.1.a. Per MMC 22E.010.380, an additional 15-foot building setback is required from the edge of all critical area buffers.

1.1.2 Mitigation Sequencing

The proposed residential redevelopment will result in direct impacts due to the partial fill of Wetlands A, B, and E and the total fill of Pond B in order to provide safe site access, frontage improvements, and stormwater infrastructure. The partial fill of Wetlands A and E will also result in indirect impacts to these wetlands. Permanent stream and wetland buffer impacts are proposed in order to provide access from 79th Avenue Northeast in the southeast corner of the subject property and to install a stormwater outfall. Permanent buffer impacts to Wetland B are proposed due to frontage improvements along 44th Street Northeast including a roadway expansion and retaining wall. Additionally, the Applicant originally proposed buffer averaging for the onsite wetland buffers; however, the City does not allow buffer averaging for wetlands with 5 or more habitat points. Thus, the decreased buffer areas will now be considered permanent buffer impacts. Temporary wetland and

stream buffer impacts are proposed due to the grading and access impacts for the wetland creation area adjacent to Wetland B, and due to the installation of retaining walls, utilities, and the removal of non-conforming uses within the buffers onsite. Buffer averaging will also be utilized on Stream Z to reduce further permanent buffer impacts. Impacts to wetlands and their associated buffers are permitted provided that the proposed activity will be designed to ensure no net loss of critical area functions and values. As impacts to Wetlands A, B, E, and Pond B are unavoidable, mitigation sequencing as described per MMC 22E.010.110(1) and MMC 22E.010.230(1) is outlined below.

a. *Avoiding impacts altogether by not taking a certain action or parts of an action.*

The Applicant proposes residential redevelopment of the subject property to include 49 single-family residential lots, internal access roads, recreational areas open space, and associated utilities and infrastructure. The project was carefully designed to avoid impacts to critical areas to the greatest extent feasible by fully utilizing developable upland areas on the western and central portion of the site. Impacts to Wetlands C, D, and G, as well as offsite Pond A have been completely avoided. A bottomless stream crossing is proposed in order to avoid direct impacts to Stream Z. Buffer averaging per MMC 22E.010.220.4 is also proposed for the onsite buffers of Stream Z in order to reduce permanent buffer impacts. However, in order to provide required site access from 40th Street Northeast and from 79th Avenue Northeast, along with stormwater treatment facilities onsite, and required residential units to meet density requirements and make the development financially feasible, direct wetland and buffer impacts are necessary and unavoidable. The proposed project requires the unavoidable partial fill of the onsite portions of Wetlands A and E in order to provide site access from 44th Street Northeast and 79th Avenue Northeast, and the total fill of onsite Pond B to accommodate stormwater facilities. In addition, the partial fill of Wetlands A and E will result in indirect impacts to these wetlands. The access road layout was initially designed to avoid impacts to Wetland B, which is the highest functioning wetland onsite. However, due to the necessary City-required frontage improvement, impacts cannot be fully avoided. Additionally, permanent buffer impacts for Wetlands A, B, C, D, E, and G are required.

The proposed site design minimizes impacts to Wetland B, which is the largest and highest functioning wetland onsite. Alternate site plans to avoid impacts and provide road access from Snohomish County Tax Parcel 29050200100700 to the northwest of the subject property were assessed and proved not feasible. No other feasible option in design would result in less impacts to the identified critical areas while allowing reasonable development of the subject property given the need for safe site access and the required two access roads from the northwest and southeast.

b. *Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.*

As described above, the proposed direct and indirect impacts and the permanent and temporary impacts are the minimum necessary to allow safe site access to the subject property from 44th Street Northeast and from 79th Avenue Northeast. To minimize impacts, the lower intensity development (i.e. stormwater tracts, yards, and open space) are located adjacent to the critical areas as feasible to provide greater separation between the wetlands and streams and the high intensity development. The number and size of the lots have been reduced in order to minimize impacts to the wetlands and stream onsite. The wetlands proposed to be filled onsite are lower functioning and more isolated. The minor impacts to Wetland B are limited to the edge and are the minimum

necessary to accommodate the frontage improvements required by the City. A retaining wall is proposed in order to limit the intrusion into both Wetland B and its buffer.

Buffer averaging of the Stream Z buffer is being utilized to reduce some of the permanent buffer impacts onsite. However, permanent buffer impacts associated with access roads and frontage improvements cannot be avoided entirely. Additionally, permanent buffer impacts for Wetlands A, B, C, D, E, and G are required.

The proposed non-compensatory buffer enhancement and restoration will provide improved water quality functions, structural diversity, and habitat accessibility to the existing wetlands and stream onsite. In addition, all appropriate best management practices (BMPs) and temporary erosion and sediment control (TESC) measures consisting of silt fencing, seeding of disturbed soils, and items outlined in the project's erosion and stormwater control plans, to be prepared by a Project Engineer prior to clearing and grading activities, will be implemented throughout the duration of the proposed project.

c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.

Mitigation for the direct impacts to Wetlands A, B, E, and Pond B will be compensated through onsite combined wetland creation and wetland enhancement, standalone wetland creation, and the remaining deficit will be compensated through the purchase of mitigation bank credits from the SHWMB. Given limited mitigation opportunities and site constraints, indirect impacts to Wetlands A and E will also be compensated through the purchase of mitigation bank credits from SHWMB. Additionally, the permanent wetland buffer impacts will be compensated through the purchase of mitigation bank credits from the SHWMB.

Wetland and stream buffer enhancement is proposed to provide improved water quality functions, structural diversity, and habitat accessibility to the existing wetlands and stream onsite. Finally, the project proposes buffer restoration to restore the areas temporarily impacted during the wetland creation construction, removal of the non-conforming residential uses onsite, the installation of retaining walls, and the installation of the access roads construction from 79th Avenue Northeast and 40th Street Northeast. Temporary buffer impacts are also anticipated as a result of access to the wetland creation area, clearing, grading, and removal of current non-conforming uses within the buffers, and will be restored upon completion of construction activities.

The proposed use of a mitigation bank in combination with onsite wetland creation, onsite wetland enhancement, and onsite buffer enhancement and restoration was determined to be the best strategy that will result in a net gain in ecological functions within the project area and Snohomish River Watershed (Water Resource Inventory Area 7).

d. Reducing or eliminating the impact over time by preservation and maintenance operations.

Impacts to critical areas and their buffers have been avoided and minimized to the extent practicable. Appropriate compensatory and non-compensatory actions are proposed to offset these impacts. The proposed project does aim to eliminate existing impacts to buffers through the removal of non-conforming land uses. The remaining wetlands, streams, and associated buffers onsite will be protected via critical areas tracts, conservation easement, or other protective

mechanism acceptable by the City of Marysville to limit development in perpetuity. In addition, critical area fencing and signage will be placed around the wetlands and buffer areas post-development to limit intrusion into the areas as required per MMC 22E.010.370.

e. Compensating for the impact by replacing or providing substitute resources or environments.

Please refer to section c above. Compensatory mitigation for the direct impacts will be provided through onsite combined wetland creation and enhancement, standalone wetland creation, and the remaining deficit will be compensated through the purchase of mitigation bank credits from the SHWMB. Additionally, all indirect wetland impacts and buffer impacts will be mitigated through the purchase of bank credits from SHWMB. All remaining wetland and stream buffer areas onsite will be fully enhanced.

f. Monitoring the impact and taking appropriate corrective measures.

The proposed wetland creation, wetland enhancement, buffer enhancement and restoration will be maintained and monitored for a period of 5 years as requested by the City of Marysville and wetland creation areas will be monitored for a period of 10 years as requested by the USACE. Appropriate contingency measures will be implemented if monitoring indicates that goals and performance standards of the enhancement/restoration actions are not being met. Additional mitigation to compensate for the deficit for the direct impacts to Wetlands A, B, E, and Pond B and indirect wetland impacts to Wetlands A and E and buffer impacts will be provided through the purchase of mitigation bank credits from the SHWMB and therefore, will not require permittee-responsible mitigation monitoring. The mitigation areas provided will be maintained and monitored through the mitigation banking program for an appropriate timeline to ensure success of the mitigation actions.

1.1.3 Mitigation Performance Standards

According to MMC 22E.010.120, adverse impacts to wetland functions and values shall be mitigated. Mitigation actions shall be implemented in the preferred sequence identified in MMC 22E.010.110(1) (see Section 1.1.2 above). Proposals which include less preferred or compensatory mitigation shall demonstrate that:

1. All feasible and reasonable measures will be taken to reduce impacts and losses to the original wetland;

See responses to criteria *a* and *b* under Section 1.1.2 above for details regarding avoidance and minimization measures for the project.

2. No overall net loss will occur in wetland functions, values and acreage; and

Direct wetland impacts are due to the necessary and unavoidable partial fill of Wetlands A, B, and E, and the total fill of Pond B resulting from the required road access from 44th Street Northeast and 79th Avenue Northeast, frontage improvements, along with the onsite stormwater treatment facilities. Direct impacts will be compensated onsite through a combined approach of wetland creation and wetland enhancement, standalone wetland creation, and purchase of mitigation bank credits. Per MMC 22E.010.120(3), mitigation in the form of combined wetland enhancement and creation will be provided at a 2:1 and 1:1 ratio, respectively. Due to the intact nature of most of the onsite wetlands, enhancement opportunities are limited, and the combined wetland creation and enhancement approach cannot compensate for all proposed impacts. Standalone wetland

creation will be provided at a 2:1 ratio to the extent possible onsite to offset the remaining proposed impacts, and the mitigation deficit that will be compensated through the purchase of mitigation bank credits from the SHWMB. Additionally, due to site constraints and limited wetland mitigation opportunities onsite, credits will be purchased from SHWMB to mitigate for indirect wetland impacts and buffer impacts.

Wetland and stream buffer enhancement is proposed to provide improved water quality functions, structural diversity, and habitat accessibility to the existing wetlands and stream onsite. Finally, the project proposes buffer restoration to restore the areas impacted during the removal of the non-conforming residential uses onsite, the installation of retaining walls, and the installation of the access road construction from 44th Street Northeast and 79th Avenue Northeast.

The proposed use of onsite wetland creation, onsite wetland enhancement, onsite buffer enhancement and restoration in combination with a mitigation bank was determined to be the best strategy that will result in a net gain in ecological functions within the project area and Snohomish River Watershed (Water Resource Inventory Area 7).

3. The restored, created or enhanced wetland will be as persistent and sustainable as the wetland it replaces.

The mitigation provided through the onsite wetland creation and wetland enhancement, along with the purchase of credits from the SHWMB will be higher functioning than the existing degraded wetlands proposed to be impacted. As minimal impacts are proposed to the edge of Wetland B, and Wetlands A and E and Pond B are isolated Category III wetlands, the proposed wetland creation and enhancement within and adjacent to Wetland B (Category II), which is the largest and highest functioning wetland onsite, will provide overall higher wetland functions than those wetlands impacted most. Therefore, the proposed onsite mitigation will provide a higher level of function than the impacted features. The 260-acre Skykomish Habitat Wetland Mitigation Bank in Snohomish County consists of wetland restoration, wetland rehabilitation, wetland enhancement adjacent to the Skykomish River and side channels, which will establish ideal habitat conditions for a wide range of fish and wildlife species.

1.1.4 Stream Buffer Averaging Plan

The proposed residential development will require buffer averaging for the buffer areas associated with Stream Z to allow the necessary space for residential lots to be economically feasible. According to MMC 22E.010.220(4), buffer width averaging shall be allowed only where the applicant demonstrates to the community development department that the averaging will not impair or reduce habitat, water quality purification and enhancement, storm water detention, ground water recharge, shoreline protection and erosion protection and other functions of the stream and buffer, that lower intensity land uses would be located adjacent to areas where buffer width is reduced, and that the total area contained within the buffer after averaging is no less than that contained within the standard buffer prior to averaging.

The proposed stream buffer averaging plan will result in the equivalent amount of contiguous stream buffer area, which will ensure no net loss in ecological functions. The proposed buffer reduction and buffer increase areas will result in a net zero loss of onsite stream buffer area. The proposed site plan has gone through multiple alterations and has been designed for the lower intensity land uses such as stormwater and yard areas to be situated next to the stream buffers to provide additional separation between the stream and higher intensity land uses such as roadways. As portions of the onsite Stream

Z buffer is degraded by the presence of non-native invasive species and non-conforming land uses, the buffer area will be fully restored/enhanced to increase ecological functions and will provide increased habitat functionality and protection. Native vegetation will be retained wherever possible; native canopies may be underplanted with shrubs and groundcover or interspersed with additional tree species to increase overall diversity. Therefore, the modified buffer will continue to provide adequate screening as well as water quality, hydrologic, and habitat functions post-development.

1.1.5 Wetland Mitigation Banks

The project proposes the purchase of mitigation bank credits from the SHWMB in order to compensate for the impact deficit that is not possible to mitigate for onsite resulting from the necessary, unavoidable direct impacts to Wetlands A, B, E, and Pond B, indirect impacts to Wetlands A and E, and buffer impacts. Per MMC 22E.010.130, when mitigation bank use is proposed it shall be conducted in accordance with the following requirements:

1. *Credits from a wetland bank may be approved for use as compensation for unavoidable impacts to wetlands when:*
 - (a) *The bank is certified under Chapter 173-700 WAC;*

The Skykomish Habitat Wetland Mitigation Bank was certified for use on August 12, 2005.

- (b) *The community development director determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts;*

Utilization of a mitigation bank is the most ecologically practicable mitigation option for the mitigation deficit that is not feasible to compensate for onsite. Onsite wetland creation area is limited by perimeter buffers, development site constraints, limited areas onsite that would provide successful wetland hydrology, and the preference for retention of existing upland forest. Thus, the use of a mitigation bank will likely provide a higher level of ecological lift than small onsite or offsite, in-kind permittee responsible mitigation especially with the established resources for maintenance and monitoring over a longer term to ensure success of the mitigation actions. Creating and maintaining small areas of wetland are also more difficult due to a higher probability of the area becoming overtaken by non-native invasive plants. Further, many of the areas potentially available for onsite mitigation between the existing wetlands are currently forested and would provide greater function as upland connections between the existing aquatic areas. As such, the use of a mitigation bank for the remaining mitigation deficit that is not feasible to mitigate for onsite, was determined to be the most preferable option that will provide watershed-level benefits while simultaneously providing the maximum level of functional mitigation onsite.

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

The purchase of credits will be consistent with the terms and conditions of the bank's certification.

2. *Replacement ratios for projects using bank credits shall be consistent with the terms and conditions of the bank's certification.*

Direct impacts to Wetland B will be mitigated for entirely onsite through combined wetland creation (1:1 ratio) and enhancement (4:1). Wetlands A, B, and Pond B will be mitigated through standalone wetland creation (2:1), and the remaining deficit will be compensated through the purchase of mitigation credits from SHWMB. Per the SHWMB mitigation banking instrument

(Skykomish Habitat, LLC, 2006), impacts for Category III wetlands require a 1:1 ratio of credits from the bank.

All proposed indirect wetland impacts to the Category III wetlands onsite will also be compensated through the purchase of mitigation credits from SHWMB at half the allotted ratio per current mitigation guidance (WSDOE et al, 2021), resulting in a 0.5:1 ratio of credits for indirect wetland impacts.

Permanent buffer impacts due to the necessary access road from 79th Avenue Northeast and for the permanent buffer impacts for Wetlands A, B, C D, E, and G will be provided through the purchase of credits from SHWMB. Per the mitigation banking instrument Appendix 1 (Skykomish Habitat, LLC, 2006), riparian buffers are compensated for at a 0.2:1 ratio.

Table 1 below shows the ratio at which each impact type will be purchased through credits from SHWMB.

Table 1. Summary of SHWMB Replacement Ratios

Impact Area	Impact Area Classification	Type	Mitigation Ratio
Wetland A, E, Pond B	Category III	Direct	1:1
Wetland A and E	Category III	Indirect	0.5:1 ^A
Buffer	Riparian	Direct	0.2:1

Notes:

A: Provided ration is one half the required 1:1 ratio for Category III wetlands per indirect wetland impact mitigation guidance (WSDOE et al, 2021).

3. *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, bank service areas may include portions of more than one adjacent drainage basin for specific wetland functions.*

The purchase of credits from the SHWMB will be utilized to compensate for the direct wetland impacts to Wetlands A, E, and Pond B, indirect impacts to Wetlands A and E, and permanent buffer impacts to Wetlands A, B, C D, E, and G, and Stream Z, located within the service area in WRIA 7 – Snohomish River Watershed. The purchase of credits will result in much higher functioning wetlands when compared to the existing critical areas proposed to be impacted.

1.1.6 Buffer Enhancement Requirements

Per MMC 22E.010.100(3), buffer enhancement/restoration will be provided for all remaining onsite buffers that are currently degraded due to disturbances or non-native invasive vegetation, or where enhancement could significantly improve buffer function. The southeastern and northern portions of the subject property are currently developed with single family residences, associated infrastructure, and access roads, which will all be removed and fully restored, except for the area required for the installation of the proposed access road from 79th Avenue Northeast. Removal of these non-conforming uses and full buffer restoration in these areas will establish higher functioning buffer areas associated with Wetland B, Wetland G, and Stream Z. The proposed non-compensatory buffer restoration/enhancement will result in increased functions and protection of the wetlands and stream buffers from the proposed development. The proposed buffer enhancement and restoration actions will remove non-native invasive species and replant the degraded or sparsely vegetated buffer with a

variety of native plants to selectively increase plant species diversity which will provide improved habitat conditions and function through establishing diverse vertical and horizontal vegetation strata beneficial to wildlife. The addition of diverse native trees and shrubs is anticipated to improve water quality functions by increasing retention of sediments and pollution assimilation. The proposed buffer enhancement/restoration actions will result in a net increase in ecological functions, including hydrological, biological, physical, and chemical functions, both onsite and in the greater watershed.

1.2 State and Federal Considerations

On January 18, 2023, USACE and EPA published a revised definition of “Waters of the United States.” The revised rule becomes effective on March 20, 2023. Under the 2023 revised rule, Waters of the United States is described as follows (USACE and EPA, 2023):

(a) Waters of the United States means:

(1) Waters which are: (i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (ii) The territorial seas; or (iii) Interstate waters, including interstate wetlands;

(2) Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5) of this section;

(3) Tributaries of waters identified in paragraph (a)(1) or (2) of this section: (i) That are relatively permanent, standing or continuously flowing bodies of water; or (ii) That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section;

(4) Wetlands adjacent to the following waters: (i) Waters identified in paragraph (a)(1) of this section; or (ii) Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3)(i) of this section and with a continuous surface connection to those waters; or (iii) Waters identified in paragraph (a)(2) or (3) of this section when the wetlands either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section;

(5) Intrastate lakes and ponds, streams, or wetlands not identified in paragraphs (a)(1) through (4) of this section: (i) That are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3)(i) of this section; or (ii) That either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of waters identified in paragraph (a)(1) of this section.

Stream Z flows directly into Ebey Slough, a traditionally navigable water, and would be regulated as WOTUS under Category 3 above. Wetlands B, D, and G have a direct surface water connection to the onsite stream and would also be regulated as WOTUS under Category 4 above. Wetlands A, E, Pond A, and Pond B are identified depressional wetlands that do not have surface water connectivity to traditionally navigable waters or associated tributaries. However, given their proximity to other potentially regulated WOTUS, such as Stream Z and an offsite stream to the west downgradient of these features, they may be considered to have a “significant nexus” and therefore subject to federal regulation. Onsite Wetlands A – E and Offsite Wetland 1 are regulated as surface waters of the state by the WSDOE under the Revised Code of Washington (RCW) 90.48. If a future project required

direct wetland impacts, authorization from USACE or WSDOE would be required. An Approved Jurisdictional Determination (AJD) from USACE is necessary to determine if these wetlands would be subject to Section 404 regulations. In order to expedite the permitting process, federal jurisdiction of all identified features is presumed. All the identified wetlands are also considered natural waters that are likely regulated by the WSDOE through the Revised Code of Washington (RCW) 90.48.

On May 25, 2023, the U.S. Supreme Court issued a decision affecting the definition of Waters of the United States in *Sackett Et Ux. V Environmental Protection Agency Et Al.* While USACE is in receipt of the Supreme Court decision, no formal, revised definition of Waters of the United States has been issued at the time of this report drafting. The proposed project therefore continues to assume that the onsite wetlands are considered Waters of the United States.

CHAPTER 2. CONCEPTUAL MITIGATION PLAN

The proposed compensatory mitigation actions for the project attempt to strike a balance between achieving project goals as well as a positive result in terms of ecological lift. In general, joint USACE and EPA rules have been established that require more careful mitigation planning efforts utilizing a watershed approach in site selection, establishment of enforceable performance standards, and preference for use of mitigation banks or in-lieu fees (ILF's) whenever ecologically appropriate (USACE & EPA, 2008). The proposed wetland impacts and compensatory mitigation actions attempt to closely adhere to these rules while also utilizing the best available science (Granger et al., 2005; Hruby et al., 2009; Sheldon et al., 2005; WSDOE et al., 2006; and WSDOE et al., 2021) and adhering to the requirements of MMC Chapter 22E.010. This chapter presents the mitigation details for the proposed residential development project.

2.1 Purpose and Need

The purpose of the proposed project is to provide additional housing units within the City of Marysville and help alleviate the shortage of residences in the greater Seattle area.

2.2 Description of Impacts

The Applicant proposes to redevelop the subject property with 49 single-family residences and associated infrastructure on the subject property including internal access roads, a stream crossing, utilities, and stormwater facilities for water quality treatment. The project was carefully designed to avoid impacts to critical areas to the greatest extent feasible by fully utilizing developable upland areas on the western and central portions of the site. However, in order to provide required site access from the northwest and southeast corners of the subject property, space for stormwater facilities, a 10-foot wide public utility easement on both sides of the proposed roads onsite and required residential units to meet density requirements and make the development financially feasible, direct and indirect wetland impacts are necessary and unavoidable. As such, the project requires the unavoidable partial fill of Wetlands A, B, and E, and the total fill of Wetland Pond B. The project proposes indirect impacts to Wetland A and Wetland E. Additionally, the project requires permanent buffer impacts for Wetlands A, B, C D, E, and G.

The project proposes permanent buffer impacts associated with the Stream Z and G buffers for the installation of a storm water outfall within the buffer area, and permanent buffer impacts to Stream Z and Wetland G are proposed due to the construction of the required access road on the southeast portion of the site, which will also require the installation of a bottomless box culvert for Stream Z. Permanent impacts are also proposed to the Wetland B buffer due to frontage improvements along 44th Street Northeast. Buffer averaging will also be utilized on Stream Z to reduce further permanent buffer impacts per MMC 22E.010.220.4.

Alternate site plans and road access from parcel 29050200100700 to the northwest of the subject property were assessed and proved not feasible. Site access from the southeast has also been redesigned to address traffic and safety concerns. Additionally, the size and number of lots has been reduced to further minimize potential critical area impacts. The current-proposed site design minimizes impacts to Wetland B, which is the largest and highest functioning wetland onsite. No

other feasible option in design would result in less impacts to the identified critical areas while allowing for the reasonable residential development of the subject property given the need for safe site access.

2.2.1 Wetland Impacts

Please refer to the Existing Conditions and Proposed Exhibits provided in Appendix A. Table 1 below summarizes the proposed impacts.

Table 2. Summary of Wetland Impacts

Impacted Wetland	WSDOE Rating ¹	Cowardin Class ²	HGM Class ³	Impact Type	Impact Area
Wetland A	III	PFO/SSBC	Depressional	Direct (Partial fill)	12,024 SF 0.28 acre
Wetland B	II	PSS/EMABCH	Depressional	Direct (Partial fill)	1,532 0.04
Wetland E	III	PSS/EMBC	Depressional	Direct (Partial fill)	2,658 SF 0.06 acre
Pond B	III	PEM/AB/BH	Depressional	Direct (Total fill)	1,139 SF 0.03 acre
Total Direct Wetland Impacts					17,353 SF 0.40 acre
Wetland A	III	PFO/SSBC	Depressional	Indirect	9,349 SF 0.21 acre
Wetland E	III	PSS/EMBC	Depressional	Indirect	2,560 SF 0.06 acre
Total Indirect Wetland Impacts					11,919 SF 0.27 acre

Notes:

1. Rating based on current WSDOE wetland rating system for Western Washington (Hruby, 2014).
2. Cowardin et al. (1979); Federal Geographic Data Committee (2013); class based on vegetation: PFO = Palustrine Forested; PSS = Palustrine Scrub-Shrub, PEM = Palustrine Emergent; Modifiers for Water Regime: A = Temporarily Flooded; B = Seasonally Saturated; C = Seasonally Flooded; H = Permanently Flooded.
3. HGM classification based on current WSDOE wetland rating system for Western Washington (Hruby, 2014).

The proposed project will result in the partial fill of Category III wetlands (Wetlands A and E) and a Category II wetland (Wetland B) and the total fill of Pond B onsite. Indirect impacts are also required to Wetlands A and E due to the partial fill of the onsite portions of these wetlands. A wetland function impact analysis is provided below for Wetlands A, B, E and Pond B.

- **Water Quality:** Wetlands A and E are depressional wetlands that exhibit seasonal flooding and saturation. Pond B is a depressional wetland that exhibits permanent flooding and seasonal flooding. In general, the wetlands provide moderate to high water quality improvement potential as Wetlands A, E, and Pond B lack outlets, which slows filtration and retains water for a period conducive to filtering pollutants. Wetland B provides high water quality improvement potential due to the presence of organic soils, predominance of persistent ungrazed plants, and extensive ponding. Wetland B also receives stormwater discharges from the adjacent roadways. Additionally, all the wetlands are located in proximity to land uses that generate pollutants, septic systems, and water quality functions provided by the wetlands have increased value to society due to the presence of a 303(d) water in the sub-basin and a TMDL in the watershed. However, water quality improvement functions for Wetlands A, E and Pond B are limited due to their isolated locations within the landscape and lack of stormwater input. The onsite wetland creation, wetland

enhancement, and purchase of mitigation bank credits from the SHWMB will result in a net increase in water quality functions within the Snohomish River Watershed when compared to the small and isolated wetlands proposed to be filled.

Wetland B provides high water quality improvement potential due to the presence of organic soils, predominance of persistent ungrazed plants, and extensive ponding. Wetland B also receives stormwater discharges from the adjacent roadways, is located in proximity to land uses that generate pollutants and septic systems, and water quality functions provided by the wetland have increased value to society due to the presence of a 303(d) water in the sub-basin and a TMDL in the watershed. The proposed onsite mitigation will replace these water quality functions lost by the minor wetland fill along the edge of Wetland B through wetland creation and enhancement within Wetland B. These actions will result in no net loss of water quality function within the Snohomish River Watershed.

- **Hydrologic:** The primary sources of hydrology for Wetlands A, E, and Pond B are direct precipitation, surface sheet flow from adjacent uplands, and a seasonally high groundwater table. In general Wetlands A, E, and Pond B provide moderate levels of hydrologic functions due to the wetlands having storage depths of 0.5 to 2-feet. Additionally, Wetlands A, E, and Pond B are depressional wetlands that lack outlets, allowing them to aid in floodflow retention and attenuation. However, these functions are limited due to the wetland units isolated nature within the landscape, lack of stormwater input, and limited intensive human land uses within the contributing basin. The onsite wetland creation, wetland enhancement, and purchase of mitigation bank credits from the SHWMB will result in a net increase in hydrologic functions within the Snohomish River Watershed when compared to the small, isolated wetlands proposed to be filled.

The primary sources of hydrology for Wetland B are direct precipitation, surface sheet flow from adjacent uplands, and a seasonally high groundwater table. Wetland B also contributes hydrology to Stream Z. In general Wetland B provides a moderate level of hydrologic functions due to its permanently flowing outlet, moderate storage depth, and moderate size of the wetland within the contributing basin. Wetland B also receives stormwater input and is located in close proximity to land uses that generate excess runoff. The proposed onsite mitigation will replace these hydrology functions lost by the minor wetland fill along the edge of Wetland B through wetland creation and enhancement within Wetland B. These actions will result in no net loss of hydrology function within the Snohomish River Watershed.

- **Habitat:** Wetlands A, E, and Pond B provide moderate habitat functions due to Wetlands E and Pond B having three priority habitats and Wetland A having one priority habitat nearby. However, the wetlands are located within an area surrounded by high intensity land use where accessibility to habitat and habitat interspersions is limited. Due to the moderate functioning habitat conditions, the wetland fill and indirect impact actions will result in limited habitat removal, and additional wetland habitat functions will be replaced and increased through onsite wetland creation, onsite wetland enhancement, and through the purchase of mitigation bank credits from the SHWMB.

Wetland B provides moderate habitat functions due to the presence of two Cowardin classes, multiple hydroperiods, high species richness, moderate interspersions, and presence of multiple

special habitat features. However, the wetland is located within an area surrounded by high intensity land use where accessibility to habitat and habitat interspersions is limited. The wetland provides a high value to society due to the presence of priority habitat and species (PHS) in the surrounding uplands. Due to the moderate functioning habitat conditions, the minor wetland fill actions will result in limited habitat removal, which is already degraded due to its location adjacent to the roadway. The proposed onsite mitigation will replace these habitat functions lost by the minor wetland fill along the edge of Wetland B through wetland creation and enhancement within Wetland B. These actions will result in no net loss of habitat function within the Snohomish River Watershed.

2.2.2 Buffer Impacts

Please refer to the Existing Conditions and Proposed Exhibits provided in Appendix A. Table 3 below summarizes the proposed buffer impacts.

Table 3. Buffer Impact Summary

Impact Area	Feature	Impact Type	Impact Area
Buffer	Wetlands A, B, C, D, E, G, Stream Z	Permanent	30,916 SF

In addition to the proposed direct and indirect wetland impacts, permanent buffer impacts are required to accommodate the site design. While an existing access road (40th Street Northeast) currently exists immediately south of the site, the City is requiring the secondary access for the development from 79th Avenue Northeast to be realigned to improve sightlines and overall traffic safety. As a result, the new access road requires a crossing over Stream Z, which will utilize a bottomless culvert to avoid direct impacts but will also result in unavoidable permanent impacts to the Stream Z and Wetland G buffers. Impacts to the Wetland B buffer cannot be avoided due to City-require frontage improvements along 44th Street Northeast and minor stormwater infrastructure. Additionally, permanent buffer impacts for Wetlands A, B, C D, E, and G are required. Per MMC 22E.010.110(3)(c) and 22E.010.230(3)(b), appropriate mitigation through purchase of credits from SHWMB is proposed to compensate for these impacts and result in no net loss of buffer functions.

2.3 Mitigation Strategy

The proposed mitigation actions are intended to compensate for lost critical area functions and values by providing an overall improvement in the quality of water, hydrologic, and habitat functions according to the needs of the site, local sub-basin, and overall watershed.

2.3.1 Onsite Mitigation

The proposed onsite, in-kind mitigation has been designed utilizing interagency guidance and local requirements per MMC 22E.010.120 to ensure no net loss of ecological functions onsite and within the greater Snohomish River Watershed (WRIA 7).

Direct wetland impacts will be compensated onsite through a combined approach of wetland creation and wetland enhancement, standalone wetland creation, and purchase of mitigation bank credits. Per MMC 22E.010.120(3), mitigation will be provided through wetland enhancement and creation will be provided at a 4:1 and 1:1 ratio, respectively, for Category II wetland impacts, and a 2:1 and 1:1 ratio, respectively, for Category III impacts. Due to the intact nature of most of the onsite wetlands, enhancement opportunities are limited, and the combined wetland creation and enhancement approach cannot compensate for all proposed impacts. Standalone wetland creation will be provided at a 2:1 ratio for Category III impacts to the extent possible onsite to offset the remaining proposed impacts, and the mitigation deficit that will be compensated through the purchase of mitigation bank credits from the SHWMB (see Section 2.3.2 for additional information regarding use of the mitigation bank).

The wetland creation area will be excavated to provide necessary depressions to hold sufficient hydrology to generate wetland conditions. Any existing fill material will be removed from the proposed creation area. The creation area will be excavated to the existing groundwater table if possible. Organic topsoil, likely from an offsite supplier but potentially sourced onsite, will then be placed to provide a suitable substrate for the proposed native plantings. The newly created wetland area will be installed in the same environment that provides adequate conditions for the existing wetland. By following the site preparation specifications outlined herein (e.g., excavation, topsoil installation, and plantings) the wetland creation area will maintain wetland hydrology during the growing season in most years to match the existing, functional, permanently/seasonally/occasionally flooded and saturated wetland. The proposed native species have been carefully selected to ensure the plants take root and thrive in the newly created wetland environment. With implementation of the required monitoring and maintenance actions, the creation area is projected to be a highly functional, persistent, and successful wetland. The wetland creation area will be equal or higher functioning than the existing wetland area proposed to be impacted. The existing wetland buffer area is degraded due to the extent of non-conforming residential uses surrounding the wetland, associated trash and debris, and dominance of non-native invasive species. Wetland creation will remove these degradations and create a functional wetland area through the establishment of native plant species that will improve water quality, hydrologic, and habitat conditions. As such, the proposed wetland creation will provide a net lift in ecological functions when compared to the existing degraded condition of the wetland proposed to be indirectly impacted.

In addition to the required compensatory wetland enhancement and wetland creation mitigation described above, the Applicant proposes wetland and stream buffer enhancement as well as buffer restoration to restore non-conforming residential uses. Many of the existing buffer areas onsite are degraded by the presence of non-conforming residential land uses and non-native invasive species. Thus, the onsite buffer area will be restored and enhanced by removing existing impervious surfaces, trash and debris, and non-native invasive species, adding suitable topsoil, and replanting with a suite of native trees, shrubs, and groundcover. Removing wetland buffer degradations such as impervious surfaces and non-native invasive vegetation and replacing with native plantings within the buffer will restore the habitat functions and critical area protection provided by the site and improve the hydrology and quality of water leaving the project site. A diverse herbaceous layer will be established to provide browse, cover, and nesting for small mammals, which in turn provide prey for raptors and other small mammals. In addition, the proposed buffer restoration/enhancement actions will provide additional screening from the proposed development and result in a net gain in buffer function. Native vegetation within the buffer will be retained to the extent feasible. Areas with native tree canopies may

be underplanted with native shrubs and groundcover or interspersed with additional tree species to increase diversity.

A mitigation summary is provided in Table 5. Refer to Appendix A for a detailed mitigation and planting plan.

Table 4. Summary of Onsite Proposed Mitigation

Mitigation Type	Mitigation Ratio ¹	Mitigation Area Provided	Beginning Deficit	Remaining Deficit
Combined Wetland Creation and Enhancement (Category II impacts)	1:1 (Creation) 4:1 (Enhancement)	(C) 1,532 SF (E) 6,128 SF	17,353 SF	15,821 SF
Combined Wetland Creation and Enhancement (Category III impacts)	1:1 (Creation) 2:1 (Enhancement)	(C) 438 SF (E) 877 SF	15,821 SF	15,383 SF
Wetland Creation (Standalone Category III)	2:1	12,499 SF	15,383 SF	8,954 SF
Non-Compensatory Buffer Enhancement	No credit ²	114,000 SF	8,954 SF	8,954 SF
Non-Compensatory Buffer Restoration	No credit ²	69,796 SF	8,954 SF	8,954 SF

1. Wetland mitigation will first utilize the combination ratios to the extent practicable; the remainder of onsite mitigation will utilize the standard mitigation ratios.
2. Non-credit generating mitigation actions

The wetland creation, wetland enhancement and buffer restoration and enhancement actions will include, but may not be limited to, the following recommendations:

- Pre-treat invasive plants with a Washington Department of Agriculture approved herbicide. After pre-treatment, grub to remove the invasive plants and replant all cleared areas with native trees, shrubs, and ground covers listed in Appendix A; Pre-treatment of the invasive plants should occur a minimum of two weeks prior to removal;
- Excavate an area contiguous with Wetland B for wetland creation that will hold sufficient wetland hydrology;
- Replant all mitigation areas with native trees, shrubs, and groundcovers listed in Appendix A, or substitutes approved by the responsible Project Scientist to help retain soils, filter stormwater, and increase biodiversity;
- Install special habitat features, such as large woody debris (LWD) and snags, to provide increased habitat structures for wildlife;
- An approved native seed mix will be used to seed the disturbed areas after planting;
- Maintain and control invasive plants annually, at a minimum, or more frequently if necessary. Maintenance to reduce the growth and spread of invasive plants is not restricted to chemical applications but may include hand removal, if warranted;
- Provide dry-season irrigation as necessary to ensure native plant survival;

- Direct exterior lights away from the critical areas wherever possible; and
- Place all activities that generate excessive noise (e.g., generators and air conditioning equipment) away from the remaining critical areas where feasible.

Perimeter Buffers

All compensatory mitigation areas will be protected by an established perimeter buffer as applicable. Per Table 6C-3 of the joint mitigation guidance (WSDOE et al., 2021). Proposed compensatory mitigation for the fill of Category III wetlands will be provided through the expansion of a Category II wetland (Wetland B) onsite. Category II wetlands with moderate habitat functions typically receive a 150-foot buffer for adjacent high land use intensity, 110-foot buffers for adjacent moderate land use intensity, and a 75-foot buffer for adjacent low land use intensity. However, the project will implement additional measures to reduce the required perimeter buffers adjacent to the onsite development from the buffer width required for high intensity to the buffer required for moderate intensity land use. Such measures will include planting a dense screen of native plantings along the development side to provide increased screening, filtration of sediments and pollutants, and slow surface runoff, as well as installing large woody debris for additional habitat suitability and complexity for a wide range of urban fauna. Additionally, the parcel directly east of Wetland B is entirely encumbered by Stream Z and Wetland B. Due to the encumbrance of critical areas, it is unlikely this parcel will be developed to moderate or high intensity land uses. Therefore, the mitigation areas associated with the creation of additional wetland surrounding Wetland B will receive a 110-foot perimeter buffer adjacent to the development and a 75-foot buffer to the east; this is consistent with the WSDOE perimeter buffer requirements for Category II wetlands based on moderate and low intensity land uses.

2.3.3 Mitigation Bank Use Plan

Joint USACE and EPA rules (USACE & EPA, 2008) and interagency guidance (WSDOE et al., 2006; WSDOE et al., 2021); and Hruby et al., 2009) require more careful mitigation planning efforts utilizing a watershed approach in site selection, establishment of enforceable performance standards, and preference for use of mitigation banks or ILFs wherever most ecologically practicable. The subject property is located in the SHWMB service area (see Appendix B), thus allowing the project to utilize the approved mitigation banking program for compensatory mitigation within the same watershed as project impacts. Offsite and onsite permittee-responsible wetland mitigation has been carefully considered to compensate for the remaining mitigation deficit that cannot be compensated for through onsite wetland enhancement and creation; however, permittee-responsible mitigation is not an ecologically beneficial or a practical option. The use of a mitigation bank will likely provide a higher level of ecological lift than small onsite or offsite, in-kind permittee responsible mitigation especially with the established resources for maintenance and monitoring over a longer term to ensure success of the mitigation actions. Creating and maintaining small areas of wetland are also more difficult due to a higher probability of the area becoming overtaken by non-native invasive plants. Further, many of the areas potentially available for onsite mitigation between the existing wetlands are currently forested and would provide greater function as upland connections between the existing aquatic areas. As such, the use of a mitigation bank is the most preferable option that will provide watershed-level benefits, more than what could be provided onsite.

The overarching mitigation goal of the SHWMB is to protect and enhance salmonid populations using a watershed approach, which will in turn benefit other aquatic species. The purchase of mitigation banking credits will allow the project to achieve no net loss of aquatic resource functions. Wetland

functions targeted for use in the SHWMB include improving water quality, flood storage, flow reductions, and habitat for plant and animals on a 260-acre site focusing on wetland restoration, wetland rehabilitation, wetland enhancement adjacent to the Skykomish River and associated side channels.

The SHWMB, administered by Mitigation Banking Services, creates a “comprehensive, equitable, and consistent” program to ensure successful mitigation actions. Oversight of this mitigation banking program is provided by an Interagency Review Team (IRT) that includes representatives from the USACE, WSDOE, tribes, and other federal, state, and local regulatory agencies.

The wetland impacts will result in the purchase of credits outlined in Table 5 below. The credits outlined below will be available for purchase from the SHWMB based on communication with the administrator.

Table 5. Replacement Ratios and Calculation of Bank Credits Required

Feature	Category/ Type ¹	SHWMB Mitigation Ratio ²	Impact Area	Bank Credits Needed (acre- credits)
Wetlands A, E, and Pond B (Direct impacts)	III	1:1	8,954 SF (0.21 acre) ³	0.21 acres
Wetlands A, E (Indirect impacts)	III	0.5:1	11,909 SF (0.27 acre)	0.14 acres
Wetlands A, B, C, D, E, G and Stream Z/	Riparian Buffer	0.2:1	30,916 SF (0.71 acre)	0.14 acre
Total			51,779 (1.19 acre)	0.49

Notes:

1. Current Washington State Department of Ecology (WSDOE) wetland rating system (Hruby, 2014) per MMC 22E.010.060(1).
2. Credit calculation methods are derived from the SHWMB MBI document (Habitat Bank LLC, 2016). Per WSDOE et al. (2021), indirect impacts typically get compensated at one half of the direct impact ratio.
3. Impact area based on remaining deficit from onsite mitigation.

Negotiations of terms of the mitigation bank credit purchase will be made with IRT staff with preliminary approvals of the project by the City and the USACE, after formal approval of the Mitigation Plan by all appropriate regulatory agencies. Proof of credit purchase and transfer will be provided via a Statement of Sale from the Applicant. Prior to any impacts to wetlands, the Statement of Sale will be provided to the City and the USACE.

2.4 Approach and Best Management Practices

The mitigation plan includes the use of onsite wetland creation, wetland enhancement, and wetland and stream buffer restoration and enhancement to provide increased wetland and stream protection by maintenance or improvement of critical area functions both onsite and in the greater Snohomish River watershed. Mitigation actions should occur immediately after grading is complete. TESC measures will be implemented that consist of high-visibility fencing (HVF) installed around native vegetation along the reduced perimeter of the buffer, silt fencing between the graded areas and undisturbed buffer, plastic sheeting on stockpiled materials, and seeding of disturbed soils. These

TESC measures should be installed prior to the start of development or restoration actions and actively managed for the duration of the project.

All equipment staging and materials stockpiles should be kept outside of critical areas and associated buffers, and the area will need to be kept free of spills and/or hazardous materials. All fill material for site preparation and road surfacing should be sourced from upland areas onsite or from approved suppliers and will need to be free of pollutants and hazardous materials. Construction materials along with all construction waste and debris should be effectively managed and stockpiled on paved surfaces and kept free of the remaining wetland buffer area. Following completion of the development, the entire site should be cleaned, and detail graded using hand tools wherever necessary, and TESC measures will need to be removed.

2.5 Goals, Objectives, and Performance Standards

The goals and objectives for the proposed mitigation actions are based on replacing wetland functions lost by the proposed direct impacts to Wetlands A, B, E, and Pond B through providing additional habitat and protection for the onsite wetlands and stream and providing supplementary water quality and hydrological functions. The mitigation actions are capable of improving habitat function for the wetlands and stream over time by establishment of a dense native vegetation barrier between the project and the critical areas. The goals and objectives of the mitigation actions are as follows:

Goal 1 – Partially compensate for 1,532 square feet (0.04 acres) of direct Category II wetland impact and 15,821 square feet (0.36 acres) of direct Category III wetland impacts by providing a minimum of 14,469 square feet (0.33 acres) of compensatory creation area that provides a moderate level of water quality and habitat functions.

Objective 1.1 – Establish a minimum of 14,469 square feet (0.33 acres) of compensatory wetland creation area adjacent to Wetland B.

Performance Standard 1.1.1 – The wetland creation areas will measure at least 14,469 square feet (0.33 acres) in size as demonstrated by wetland delineations in the final year of the 10-year monitoring period required by the USACE.

Objective 1.2 – Establish wetland hydrology in the creation area by the removal of approximately 12 to 18-inches of material comprised of existing soil/fill to establish depressions/benches that intersect shallow groundwater elevations similar to nearby wetlands.

Performance Standard 1.2.1 – The compensatory wetland creation areas will have seasonally saturated soils (or greater hydroperiod) within 12-inches of the surface over all the wetland creation areas that persists for a minimum of 14 consecutive days during the growing season in years with normal precipitation levels over the monitoring period.

Objective 1.3 – Establish forested and scrub-shrub wetland habitat with diverse horizontal and vertical vegetation structure and species richness to provide habitat for wetland-associated wildlife.

Performance Standard 1.3.1 – In Year 1, survival of installed woody vegetation will be at least 80 percent in the wetland creation areas.

Performance Standard 1.3.2 – Native woody vegetation in the wetland creation areas will provide at least 25 percent total cover by Year 3, at least 30 percent total cover by Year 5, at least 50 percent total cover by Year 7, and 75 percent total cover by Year 10.

Performance Standard 1.3.3 – At least 5 native shrub and/or tree species will be present in the creation areas in all monitoring years.

Objective 1.4 – Effectively control and/or eliminate non-native invasive species from the wetland creation areas.

Performance Standard 1.4.1 – Non-native invasive plants will not make up more than 20 percent total cover in any growing season during all monitoring years. Any state-listed noxious weeds and other non-native invasive species including Himalayan blackberry and reed canarygrass observed at any time during construction, monitoring and maintenance activities within the wetland creation areas will be marked for immediate treatment and/or removal.

Goal 2 – Partially compensate for 1,532 square feet (0.04 acres) of direct Category II wetland impact and 15,821 square feet (0.36 acres) of Category III wetland impacts by providing a minimum of 7,005 square feet (0.16 acres) of non-compensatory wetland enhancement to existing degraded portions of a Category II wetland to increase ecological functions and provide greater screening.

Objective 2.1 – Enhance a total of 7,005 square feet of existing emergent wetland area in Wetland B with a suite of native trees and shrubs to create diverse horizontal and vertical vegetation structure and additional wildlife habitat.

Performance Standard 2.1.1 – By the end of Year 5, the wetland enhancement areas will have at least 3 native tree species and 5 native shrubs species; native volunteer species will be included in the count. To be considered, the native species must make up at least 5 percent of the vegetation class.

Performance Standard 2.1.2 - Minimum plant survivorship within the wetland rehabilitation areas will be at 100 percent of installed trees and shrubs at the end of Year 1 (utilization of native recruits and replacement of lost plants allowed), 85 percent at the end of Year 2, and 80 percent at the end of year 3.

Performance Standard 2.1.3 – Minimum native woody species total areal cover within the wetland rehabilitation areas will be at 20 percent total cover at the end of Year 2, 25 percent at the end of Year 3, 30 percent at the end of Year 4, 40 percent at the end of Year 5, 60 percent at the end of Year 7, and 65 percent at the end of Year 10.

Objective 2.2 – Effectively control and/or eliminate non-native invasive species from the buffer restoration/enhancement areas.

Performance Standard 2.2.1 – Non-native invasive plants will not make up more than 20 percent total cover in any growing season during all monitoring years. Any state-listed noxious weeds and other non-native invasive species including Himalayan blackberry and reed canarygrass observed at any time during construction, monitoring and maintenance activities within the wetland creation areas will be marked for immediate treatment and/or removal.

Goal 3 – Provide 183,796 square feet (4.22 acres) of wetland and stream buffer restoration/enhancement to existing degraded buffer areas to increase ecological functions and provide greater screening.

Objective 3.1 – Establish native plant cover and biodiversity within the buffer restoration/enhancement areas to create diverse horizontal and vertical vegetation structure and additional wildlife habitat.

Performance Standard 3.1.1 – Minimum plant survivorship within the buffer restoration/enhancement areas will be 80 percent of installed trees and shrubs at the end of Year 1.

Performance Standard 3.1.2 – Native plant species (including existing vegetation, planted trees/shrubs, and volunteer species) will cover at least 20 percent of the buffer restoration/enhancement areas at the end of Year 2, 30 percent at the end of Year 3, 50 percent by the end of Year 4, 60 percent at the end of Year 5.

Performance Standard 3.1.3 – At least 5 native shrub and/or tree species will be present in the buffer restoration/enhancement areas in all monitoring years, including volunteer species.

Objective 3.2 – Effectively control and/or eliminate non-native invasive species from the buffer restoration/enhancement areas.

Performance Standard 2.2.1 – Non-native invasive plants will not make up more than 20 percent total cover in any growing season during the monitoring period following Year 1. Any state-listed noxious weeds and other non-native invasive species including Himalayan blackberry and reed canarygrass observed at any time during construction, monitoring and maintenance activities within the buffer enhancement areas will be marked for immediate treatment and/or removal.

Goal 3 – Protect stream processes in Stream Z by maintaining habitat connectivity for fish passage through a new bottomless crossing installation.

Objective 3.1 – Ensure an unconfined stream channel exists for fish passage.

Performance Standard 3.1.1 – The new fish-friendly culvert will be present and functioning along the channel of Stream Z.

Performance Standard 3.1.2 – Stream processes, including gravel transport and open unconstructed conveyance, will be readily observed and functional in all monitoring years.

2.6 Plant Materials and Installation

2.6.1 Plant Materials

All plant materials to be used for restoration/enhancement actions will be nursery grown stock from a reputable, local source. Only native species are to be used; no hybrids or cultivars will be allowed. Plant material provided will be typical of their species or variety; if not cuttings they will exhibit normal, densely developed branches and vigorous, fibrous root systems. Plants will be sound, healthy, vigorous plants free from defects, and all forms of disease and infestation.

Container stock shall have been grown in its delivery container for not less than six months but not more than two years. Plants shall not exhibit rootbound conditions. Under no circumstances shall container stock be handled by their trunks, stems, or tops. Seed mixture used for hand or hydroseeding shall contain fresh, clean, and new crop seed mixed by an approved method. The mixture is specified in the plan set.

All plant material shall be inspected by the Project Scientist upon delivery. Plant material not conforming to the specifications below will be rejected and replaced by the planting contractor. Rejected plant materials shall be immediately removed from the site.

Fertilizer will be in the form of Agriform plant tabs or an approved like form. Mulch will consist of sterile wheat straw for seeded areas (if necessary) and clean recycled wood chips approximately ½-inch to 1-inch in size and ½-inch thick for woody plants. The mulch material may be sourced from non-invasive woody materials sourced from the land clearing activities.

2.6.2 Plant Scheduling, Species, Size, and Spacing

Plant installation should occur as close to conclusion of the residential plat construction activities as possible to limit erosion and limit the temporal loss of function provided by the wetlands and buffers. All planting should occur between September 1 and May 1 to ensure plants do not dry out after installation, or temporary irrigation measures may be necessary.

2.6.3 Quality Control for Planting Plan

All plant material shall be inspected by the qualified Project Scientist upon delivery. Plant material not conforming to the specifications above will be rejected and replaced by the planting contractor. Rejected plant materials shall be immediately removed from the site. Under no circumstances shall container stock be handled by their trunks, stems, or tops.

The landscape contractor shall provide the responsible Project Scientist with documentation of plant material that includes the supplying nursery contact information, plant species, plant quantities, and plant sizes.

2.6.4 Product Handling, Delivery, and Storage

All seed and fertilizer should be delivered in original, unopened, and undamaged containers showing weight, analysis, and name of manufacturer. This material should be stored in a manner to prevent wetting and deterioration. All precautions customary in good trade practice shall be taken in preparing plants for moving. Workmanship that fails to meet industry standards will be rejected. Plants will be packed, transported, and handled with care to ensure protection against injury and from drying out. If plants cannot be planted immediately upon delivery they should be protected with soil, wet peat moss, or in a manner acceptable to the responsible Project Scientist. Plants, fertilizer, and mulch not

installed immediately upon delivery shall be secured on the site to prevent theft or tampering. No plant shall be bound with rope or wire in a manner that could damage or break the branches. Plants transported on open vehicles should be secured with a protective covering to prevent windburn.

2.6.5 Preparation and Installation of Plant Materials

The planting contractor shall verify the location of all elements of the restoration plan with the responsible Project Scientist prior to installation. The responsible Project Scientist reserves the right to adjust the locations of landscape elements during the installation period as appropriate. If obstructions are encountered that are not shown on the drawings, planting operations will cease until alternate plant locations have been selected by and/or approved by the Project Scientist.

Circular plant pits with vertical sides will be excavated for all container stock. The pits should be at least 1.5 times the width of the rootball, and the depth of the pit should accommodate the entire root system.

Broken roots should be pruned with a sharp instrument and rootballs should be thoroughly soaked prior to installation. Set plant material upright in the planting pit to proper grade and alignment. Water plants thoroughly midway through backfilling and add Agriform tablets. Water pits again upon completion of backfilling. No filling should occur around trunks or stems. Do not use frozen or muddy mixtures for backfilling. Form a ring of soil around the edge of each planting pit to retain water and install a 4- to 6-inch layer of mulch around the base of each container plant.

2.6.6 Temporary Irrigation Specifications

While the native species selected for enhancement actions are hardy and typically thrive in northwest conditions and the proposed actions are planned in areas with sufficient hydroperiods for the species selected, some individual plants might perish due to dry conditions. Therefore, irrigation or regular watering may be provided as necessary for the duration of the first two growing seasons, two times per week while the native plantings become established. If used, irrigation will be discontinued after two growing seasons. Frequency and amount of irrigation will be dependent upon climatic conditions and may require more or less frequent watering than two times per week.

2.6.7 Invasive Plant Control and Removal

Invasive species onsite to be removed include Himalayan blackberry and any listed noxious weeds or other invasive species that are existing or may colonize the enhancement areas. These species are found nearby; therefore, to ensure these species do not expand following the restoration/enhancement actions, invasive species within the restoration/enhancement areas will be pretreated with a root-killing herbicide approved for use in aquatic sites (e.g., Rodeo) a minimum of two weeks prior to being removed from the wetland buffers. The pre-treatment with herbicide should occur prior to all planned restoration/enhancement actions, and spot treatment of any surviving other invasive vegetation should be performed again each fall prior to leaf senescence for a minimum of five years.

2.7 Maintenance and Monitoring Plan

The conceptual maintenance and monitoring plan is described below in accordance with MMC 22E.010.160. The Applicant is committed to compliance with the wetland buffer restoration plan and overall success of the project. As such, the Applicant will continue to maintain the project, keeping the site free from of non-native invasive vegetation, trash, and yard waste. Depending on the success

of the mitigation sites, maintenance frequency may be decreased or increased at the discretion of the responsible Project Scientist.

The wetland creation, wetland enhancement, and buffer enhancement and restoration plan will require continued monitoring and maintenance to ensure the actions are successful. Therefore, the project site will be monitored for a period of 10 years with formal inspections by a qualified Project Scientist. Monitoring events will be scheduled at the time of construction, 30 days after planting, early in the growing season and the end of the growing season for Year 1, twice during Year 2, and annually in Year 3, Year 4, Year 5, Year 7, and Year 10. A closeout assessment will also be conducted in Year 10 to ensure the adequate wetland creation and enhancement areas were established.

Monitoring will consist of percent cover and survival measurements at permanent monitoring stations, walk-through surveys to identify invasive species presence and dead or dying restoration plantings, photographs taken at fixed photo points, wildlife observations, and general qualitative habitat and stream function observations.

To determine percent cover, observed vegetation will be identified and recorded by species and an estimate of areal cover of dominant species within each sampling plots. Circular sample plots, approximately 30-feet in diameter (706-square feet), are centered at each monitoring station. The sample plots encompass the specified wetland buffer areas and terminate at the observed wetland boundary. Trees and shrubs within each 30-foot diameter monitoring plot are then recorded to species and areal cover. Herbaceous vegetation is sampled from a 10-foot diameter (78.5 square feet) within each monitoring plot, established at the same location as the center of each tree and shrub sample plot. Herbaceous vegetation within each monitoring plot is then recorded to species and includes an estimate of percent areal cover. A list of observed tree, shrub, and herbaceous species including percent areal cover of each species and wetland status is included within the monitoring report.

To determine percent survival of installed plants, individual native tree and shrub locations within the relevant circular sampling plots will be marked following plant installation. These installed native trees and shrubs will then be recorded as dead or alive during the years of monitoring.

2.8 Reporting

Following each monitoring event in Years 1-5, and Years 7 and 10, a brief monitoring report detailing the current ecological status of the buffer restoration actions, measurement of performance standards, and management recommendations will be prepared and submitted to the City of Marysville within 90-days of each monitoring event to ensure full compliance with the buffer restoration plan.

2.9 Contingency Plan

If monitoring results indicate that performance standards are not being met, it may be necessary to implement all or part of the contingency plan. Careful attention to maintenance is essential in ensuring that problems do not arise. Should any portions of the buffer restoration area fail to meet the success criteria, a contingency plan will be developed and implemented with City of Marysville approval. Such plans are adaptive and should be prepared on a case-by-case basis to reflect the failed enhancement characteristics. Contingency plans can include additional plant installation, erosion control, and plant substitutions including type, size, and location. The Contingency measures outlined below can also be utilized in perpetuity to maintain the wetland associated with the proposed project site.

Contingency/maintenance activities may include, but are not limited to:

1. Using plugs instead of seed for emergent vegetation coverage where seeded material does not become well established;
2. Replacing plants lost to vandalism, drought, or disease, as necessary;
3. Replacing any plant species with a 15 percent or greater mortality rate after two growing seasons with the same species or native species of similar form and function;
4. Irrigating the buffer restoration areas only as necessary during dry weather if plants appear to be too dry, with a minimal quantity of water;
5. Reseeding and/or repair of wetland areas as necessary if erosion or sedimentation occurs;
6. Spot treat non-native invasive plant species with approved aquatic herbicide; and
7. Removing all trash or undesirable debris from the buffer areas as necessary.

2.10 Conservation Easement

Long-term protection of the restoration site shall be provided by placement in a separate tract in which development is prohibited or by execution of an easement dedicated to the City of Marysville, a conservation organization, land trust, or similarly preserved through a permanent protective mechanism acceptable to the city. The location and limitations associated with the restoration area shall be shown on the face of the deed or plat applicable to the property and shall be recorded with the Snohomish County recording department.

2.11 Financial Assurances

Under MMC 22E.010.140(2)(e), performance security is required to assure that all actions approved under this mitigation plan are satisfactorily completed in accordance with the mitigation plan, performance standards, and regulatory conditions of approval. The Applicant will provide a performance bond (prior to the issuance of any building permits) and monitoring and maintenance bond in an amount equal to 150-percent of the total estimated fair market cost of labor, materials, and irrigation, as applicable per MMC 22E.010.160(2). The bond quantity worksheet will be provided under the Final Mitigation Plan.

CHAPTER 3. CLOSURE

The findings and conclusions documented in this assessment report have been prepared for specific application to this project. These findings and conclusions have been developed in a manner consistent with that level of care and skill normally exercised by members of the environmental science profession currently practicing under similar conditions in the area. The conclusions and recommendations presented in this assessment report are professional opinions based on an interpretation of information currently available to us and are made within the operation scope, budget, and schedule of this project. No warranty, expressed or implied, is made. In addition, changes in government codes, regulations, or laws may occur. Due to such changes, our observations and conclusions applicable to this assessment may need to be revised wholly or in part in the future.

CHAPTER 4. REFERENCES

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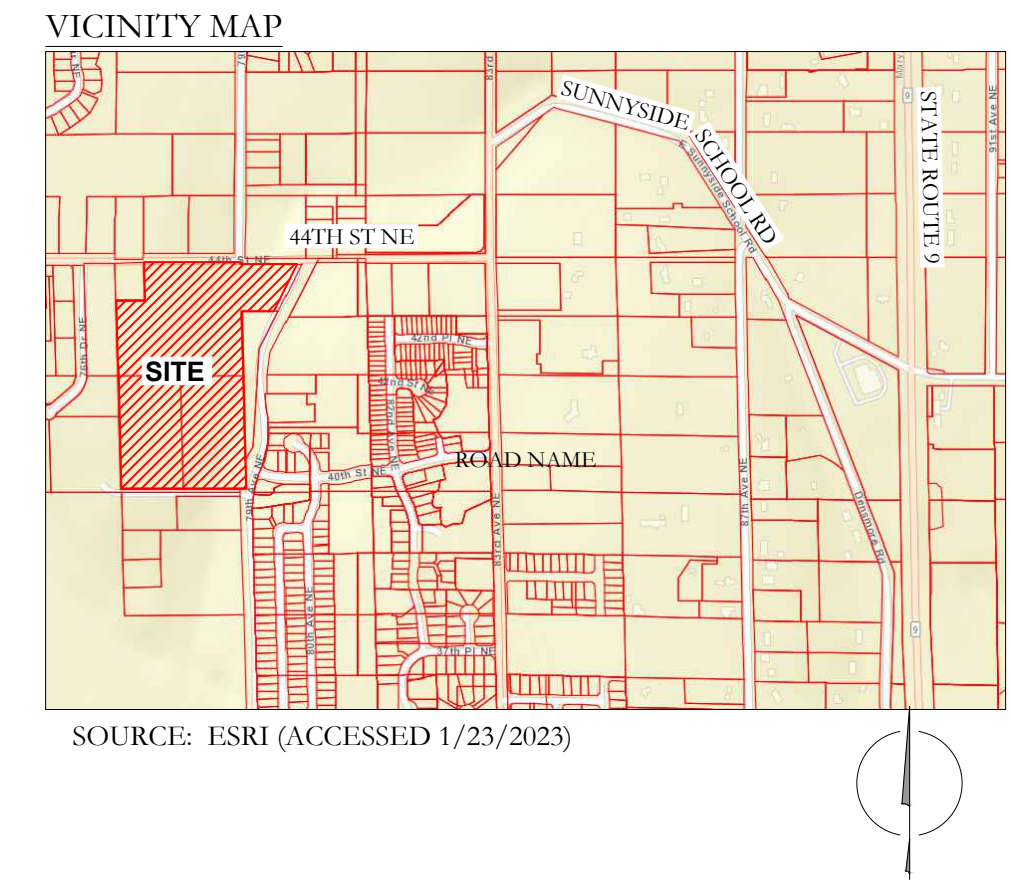
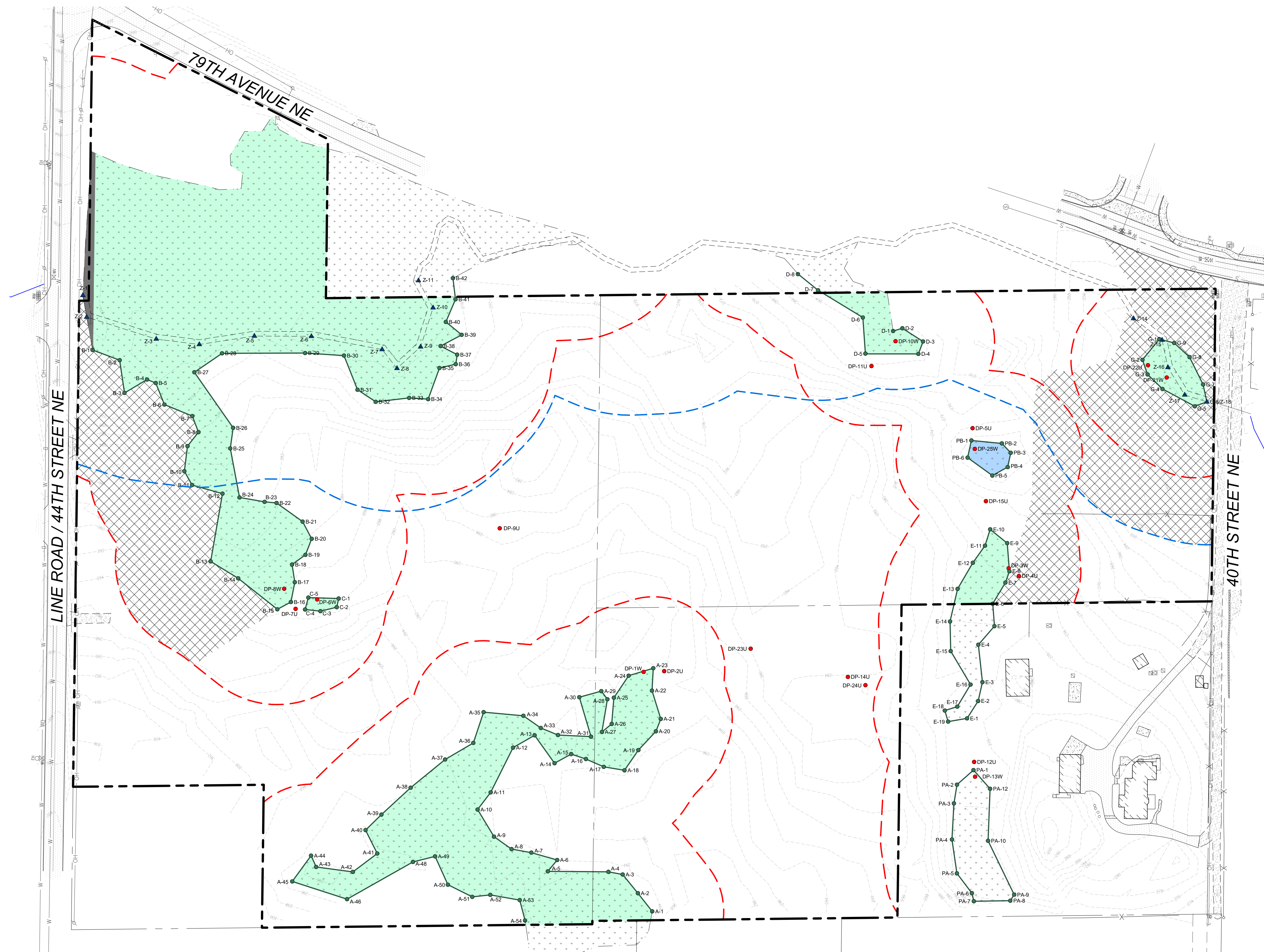
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Appendix A — Existing Conditions and Site Plan Exhibits



LOCATION
THE NE ¼ OF SECTION 02,
TOWNSHIP 29N, RANGE 05E, WM

APPLICANT/OWNER
NAME: HORIZON VIEW HOLDINGS, INC.
ADDRESS: 6443 NE 181ST ST
KENMORE, WA 98028
CONTACT: DANIEL WICK
PHONE: (206) 551-0499
E-MAIL: HORIZONVIEWHOMES@GMAIL.COM

ENVIRONMENTAL CONSULTANT
SOUNDVIEW CONSULTANTS LLC
2907 HARBORVIEW DRIVE
GIG HARBOR, WA 98355
(253) 514-8952

SHEET INDEX

SHEET NUMBER	SHEET TITLE
1	EXISTING CONDITIONS
2	PROPOSED SITE PLAN & IMPACTS
3	MITIGATION PLAN
4	PLANT SCHEDULE, NOTES, & DETAILS

PLAN LEGEND

	PROPERTY LINE
	EXISTING WETLAND BOUNDARY
	APPROXIMATED WETLAND BOUNDARY (NOT SURVEYED)
	WETLAND BUFFER
	WETLAND FLAG LOCATION
	DATA PLOT LOCATION
	STREAM ORDINARY HIGH WATER LINE (OHW)
	STREAM BUFFER
	STREAM OHW (ORDINARY HIGH WATER) FLAG LOCATION
	EXISTING CONTOUR
	EXISTING NON-CONFORMING RESIDENTIAL USES WITHIN BUFFERS

SOURCE:
LDCI | Surveying
Engineering
Planning
Woodinville
20210 142nd Avenue NE
Woodinville, WA 98072
T 425.806.1869 www.LDCcorp.com F 425.482.2893

Kent
1851 Centerville S. #101
Kent, WA 98030
www.LDCcorp.com F 425.482.2893

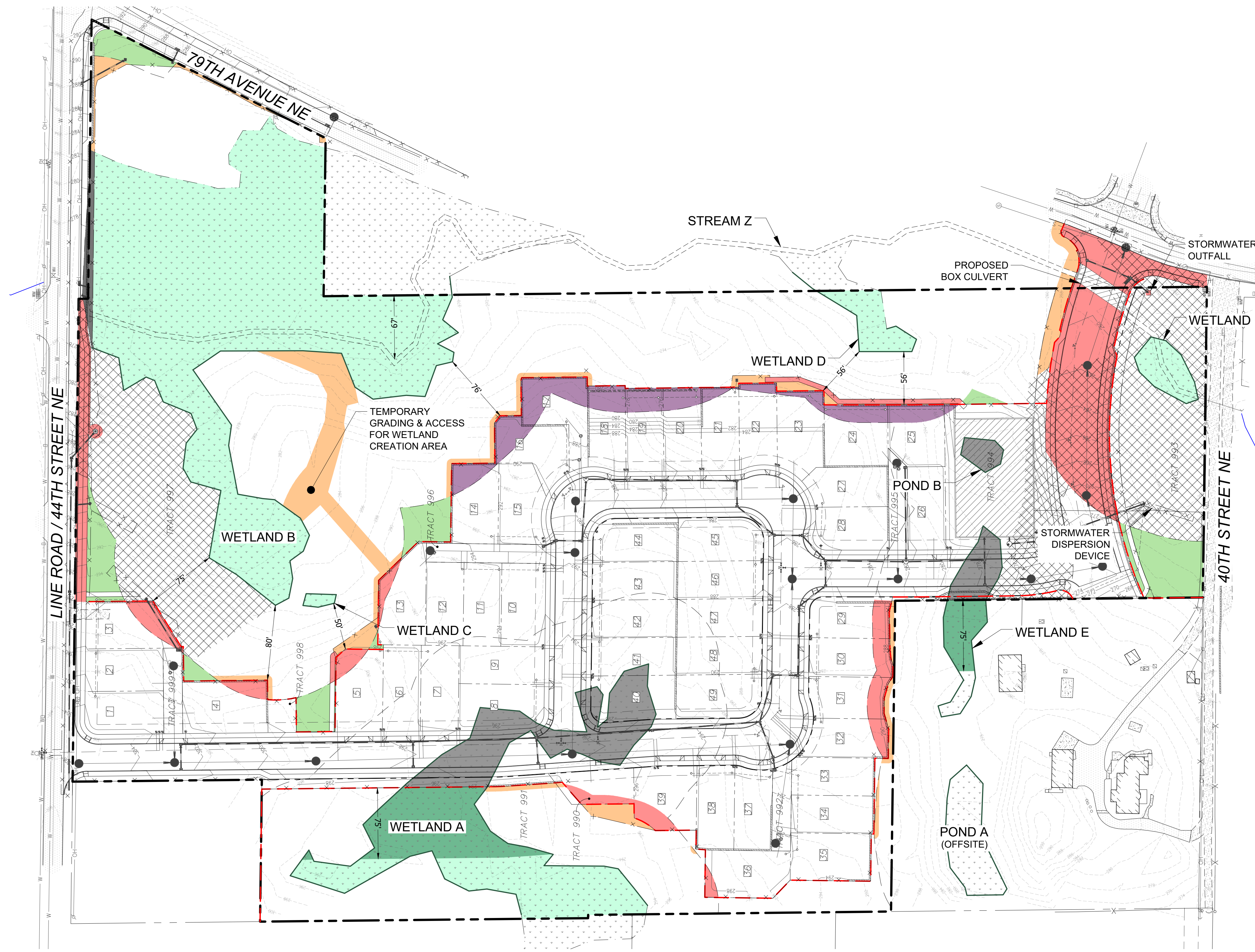
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Environmental Assessment • Planning • Land Use Solutions
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F: 253.514.8954
WWW.SOUNDVIEWCONSULTANTS.COM

2907 HARBORVIEW DRIVE
GIG HARBOR, WASHINGTON 98335
(253) 514-8952

40TH STREET NE
7811 & 7715 40TH ST NE;
7808 44TH ST NE
MARYSVILLE, WA 98270
SNOHOMISH COUNTY PARCEL NUMBERS:
29050200100200, 29050200100300,
& 29050200100400

DATE: 11/2/2023
JOB: 2422.0001
BY: MW/DS
SCALE: AS SHOWN
SHEET: 1

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IMPACTS & BUFFER AVERAGING LEGEND

WETLAND IMPACTS	
TOTAL WETLAND FILL:	17,353 SF
WETLAND A FILL	12,024 SF
WETLAND B FILL	1,532 SF
WETLAND E FILL	2,658 SF
POND B FILL	1,139 SF
TOTAL INDIRECT WETLAND IMPACTS:	11,909 SF
WETLAND A INDIRECT IMPACTS	9,349 SF
WETLAND E INDIRECT IMPACTS	2,560 SF
WETLAND BUFFER IMPACTS & MITIGATION	
TEMPORARY BUFFER IMPACTS (FOR WALLS, UTILITIES, AND GRADING)	17,030 SF
TOTAL WETLAND BUFFER IMPACTS:	30,916 SF
EAST WETLAND BUFFER IMPACTS	3,051 SF
WEST WETLAND BUFFER IMPACTS	4,650 SF
BUFFER IMPACTS FOR ROAD CROSSING, STORMWATER OUTFALL & UTILITY ACCESS	23,215 SF
STREAM BUFFER AVERAGING & IMPACTS	
STREAM BUFFER DECREASE	10,824 SF
STREAM BUFFER INCREASE	14,368 SF
NET BUFFER GAIN:	3,544 SF

PLAN LEGEND

	PROPERTY LINE
	EXISTING WETLAND BOUNDARY
	APPROXIMATED WETLAND BOUNDARY (NOT SURVEYED)
	STREAM ORDINARY HIGH WATER LINE (OHW)
	PREEXISTING BUFFER BOUNDARY
	EXISTING CONTOUR
	PROPOSED CONTOUR
	EXISTING NON-CONFORMING RESIDENTIAL USES WITHIN BUFFERS

SOURCE:

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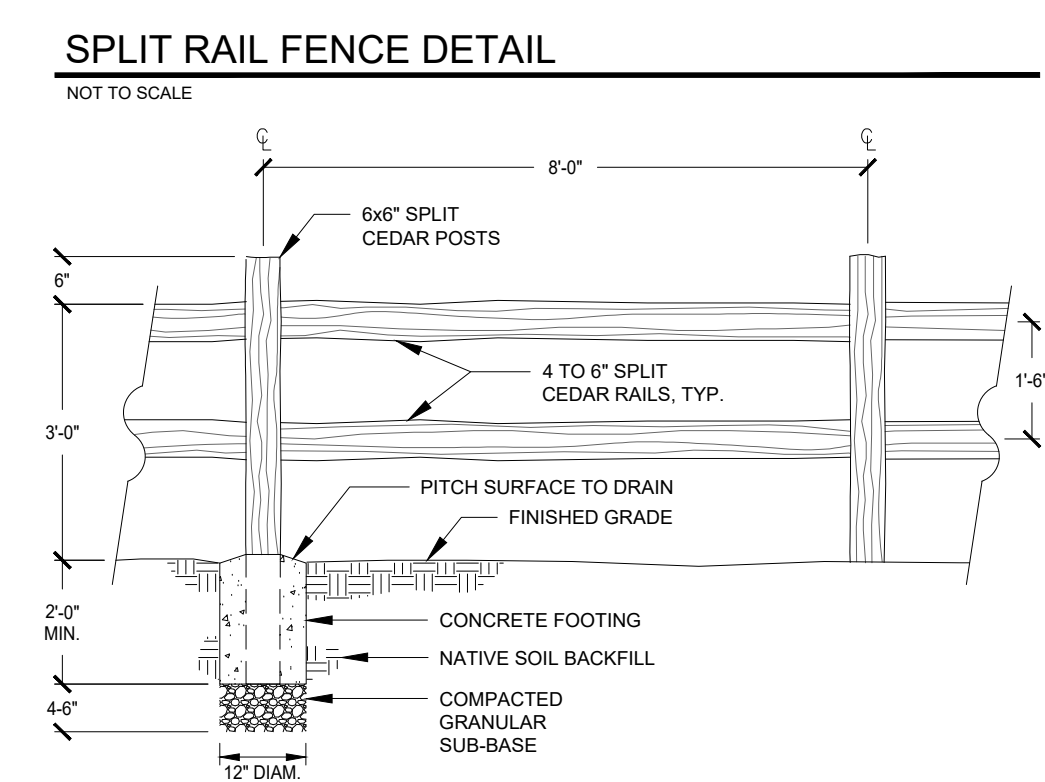
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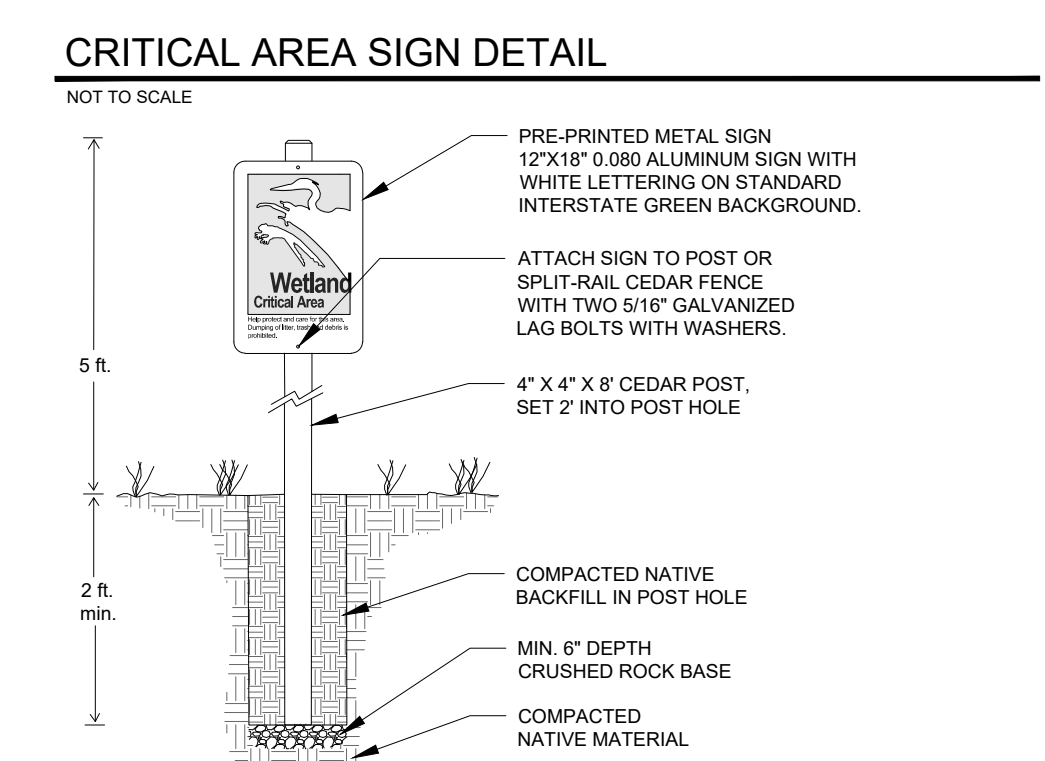
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- NOTES:**
- POSTS AND RAILINGS PRE-CUT FOR ASSEMBLY.
 - 3-RAIL DESIGNS ARE PERMITTED.
 - FENCE SHALL BE PLACED AT APPROVED BUFFER EDGE.



- CRITICAL AREA BOUNDARY SIGN NOTES:**
- TWO-RAIL FENCING SHALL BE CONSTRUCTED WITH PRESSURE TREATED POSTS AND RAILS AND CEMENTED INTO THE GROUND WITH EITHER CEDAR OR TREATED RAILS. ALTERNATIVE MATERIALS MAY BE USED SUBJECT TO APPROVAL BY THE CITY.
 - SIGNS DESIGNATING THE PRESENCE OF AN ENVIRONMENTALLY SENSITIVE AREA SHALL BE POSTED ALONG THE BUFFER BOUNDARY. THE SIGNS SHALL BE POSTED AT A MINIMUM RATE OF ONE EVERY 100 LINEAL FEET.
 - PRE-PRINTED METAL SIGN AVAILABLE THROUGH:
ZUMAR INDUSTRIES
PHONE: 1-800-426-7967
WEBSITE: WWW.ZUMAR.COM

PLANTING LEGEND

	NON-COMPENSATORY WETLAND ENHANCEMENT	7,005 SF
	WETLAND CREATION	14,469 SF
	BUFFER ENHANCEMENT (INCLUDES 14,368 SF OF BUFFER CREATION)	114,000 SF
	BUFFER RESTORATION (INCLUDES 47,347 SF OF NON-CONFORMING RESIDENTIAL USES, 1,773 SF OF BUFFER CREATION, & 1,004 SF OF WETLAND FILL CONVERTED TO BUFFER)	69,796 SF
	WETLAND CREATION BOUNDARY	
	POST CONSTRUCTION BUFFER / CRITICAL AREA FENCE	3,549 LF
	CRITICAL AREA SIGN	50 SIGNS

PLAN LEGEND

	PROPERTY LINE
	RETAINED WETLAND BOUNDARY
	APPROXIMATED WETLAND BOUNDARY (NOT SURVEYED)
	STREAM ORDINARY HIGH WATER LINE (OHW)
	EXISTING CONTOUR

SOURCE:

Surveying
Engineering
Planning

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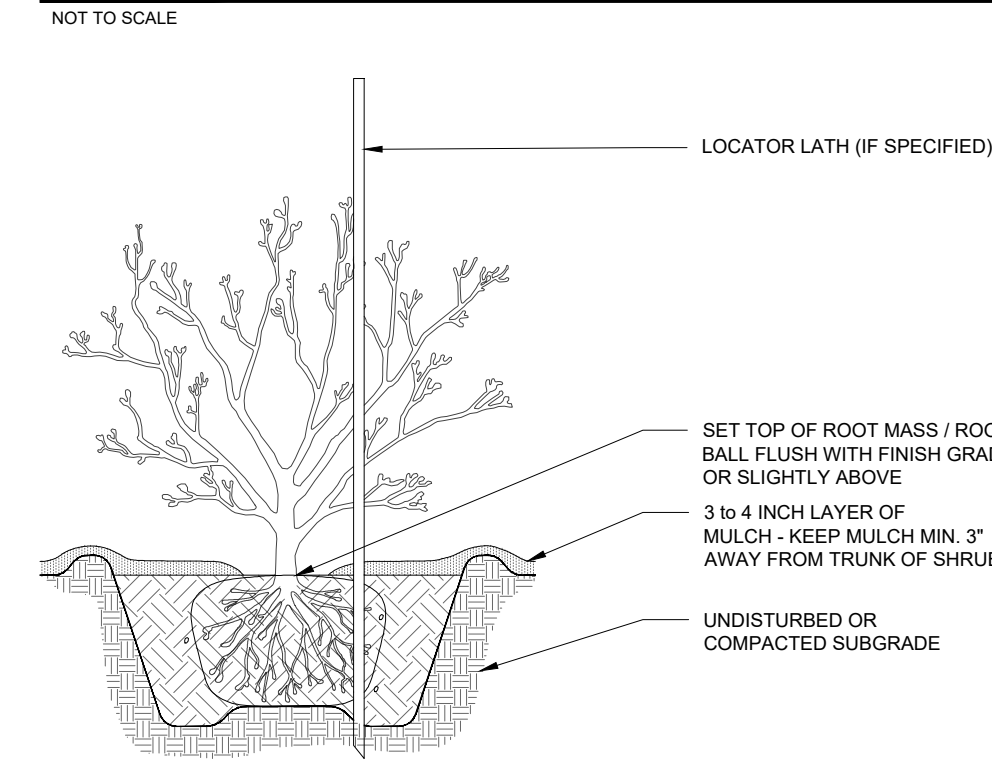
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Printed November 2, 2023

PLANT SCHEDULE

Scientific Name	Common Name	WL Status	Area (sf)				TOTAL	Spacing (min.)	Height (min.)	Size (min.)	Planting Area
			114,000	69,796	7,905	14,469					
			Cov'g (%)	50	100	50	100				
			Trees (%)	25	50	25	75				
			Shrubs (%)	75	50	75	25				
TREES											
<i>Acer macrophyllum</i>	bigleaf maple	FACU	25	61	0	0	86	10 ft	3 ft	2 gal	Dry
<i>Frangula purshiana (Rhamnus p.)</i>	cascara	FAC	4	9	0	0	13	10 ft	3 ft	1 gal	Dry
<i>Prunus emarginata</i>	bitter cherry	FACU	5	13	0	0	18	10 ft	3 ft	2 gal	Dry
<i>Pseudotsuga menziesii</i>	Douglas fir	FACU	66	162	0	0	228	10 ft	3 ft	2 gal	Dry
<i>Salix lasianдра</i>	Pacific willow	FACW	0	0	3	32	35	10 ft	4 ft	Stakes	Wet
<i>Salix scouleriana</i>	Scouler's willow	FAC	0	0	6	63	69	5 ft	4 ft	Stakes	Dry
<i>Salix sitchensis</i>	Sitka willow	FACW	0	0	3	32	35	5 ft	4 ft	Stakes	Moist/Wet
<i>Thuja plicata</i>	western redcedar	FAC	42	101	0	0	143	10 ft	3 ft	2 gal	Moist - on hummock
<i>Tsuga heterophylla</i>	western hemlock	FACU	25	61	0	0	86	10 ft	3 ft	2 gal	Moist - on hummock
Total:			167	407	12	127	713				
SHRUBS											
<i>Acer circinatum</i>	vine maple	FAC	158	129	0	0	287	10 ft	4 ft	2 gal	Dry/Moist
<i>Cornus stolonifera</i>	red-osier dogwood	FACW	99	81	25	34	239	4 ft	3 ft	1 gal	Moist/Wet
<i>Corylus cornuta var. californica</i>	western hazelnut	FACU	158	129	0	0	287	10 ft	2 ft	2 gal	Moist
<i>Crataegus douglasii</i>	Douglas hawthorn	FAC	0	0	7	9	16	5 ft	3 ft	2 gal	Moist
<i>Gaultheria shallon</i>	salal	FACU	198	159	0	0	357	4 - 5 ft	1 ft	1 gal	Dry
<i>Mahonia nervosa</i>	low Oregon grape	FACU	60	49	0	0	109	4 - 5 ft	1 ft	1 gal	Dry/Moist
<i>Oemleria carassiformis</i>	Indian plum	FACU	198	162	0	0	360	5 ft	2 ft	2 gal	Dry
<i>Ribes divaricatum</i>	wax currant	FAC	0	0	13	17	30	4 ft	2 ft	1 gal	Moist/Wet
<i>Rosa nutkana</i>	Nootka rose	FAC	198	162	0	0	360	4 ft	2 ft	1 gal	Dry
<i>Rubus parviflorus</i>	thimbleberry	FACU	119	97	0	0	216	4 ft	2 ft	1 gal	Moist
<i>Rubus spectabilis var. spectabilis</i>	salmonberry	FAC	237	194	79	109	619	4 ft	2 ft	1 gal	Moist
<i>Sambucus racemosa var. racemosa</i>	red elderberry	FACU	158	129	0	0	287	5 ft	2 ft	2 gal	Dry
<i>Symphoricarpos albus var. laevigatus</i>	common snowberry	FACU	198	162	0	0	360	4 ft	2 ft	1 gal	Dry
Total:			1781	1453	124	169	3527				
FERNS, LICHENS, & MOSSES											
<i>Polystichum munitum</i>	western swordfern	FACU	198	159	0	0	357	4 - 5 ft	1 ft	1 gal	Dry/Moist
Total:			198	159	0	0	357				
SEED MIXES (www.riverrefugesseed.com)											
Native Upland Grass Mix #9			20 lbs/acre								
<i>Elymus glaucus</i>	Blue wildrye	30%									
<i>Bromus carinatus</i>	California brome	25%									
<i>Hordeum brachyantherum</i>	Meadow barley	10%									
<i>Festuca roemerii</i>	Roemer's fescue	10%									
<i>Deschampsia elongata</i>	Slender hairgrass	10%									
<i>Agrostis exarata</i>	Spike bentgrass	5%									
<i>Deschampsia cespitosa</i>	Tufted hairgrass	5%									
<i>Festuca rubra var. rubra</i>	Red fescue	5%									
Total (lbs):			0	33	0	0	33				
Moist Soil Sedge & Rush Mix #11			20 lbs/acre								
<i>Carex mitis</i>	One-sided sedge	70%									
<i>Carex densa</i>	Dense sedge	12%									
<i>Juncus effusus</i>	Common rush	5%									
<i>Juncus tenuis</i>	Slender rush	5%									
<i>Juncus bufonius</i>	Toad rush	5%									
<i>Carex stipata</i>	Awl fruited sedge	2%									
<i>Carex obnupta</i>	Slough sedge	1%									
Total (lbs):			0	0	0	7	7				

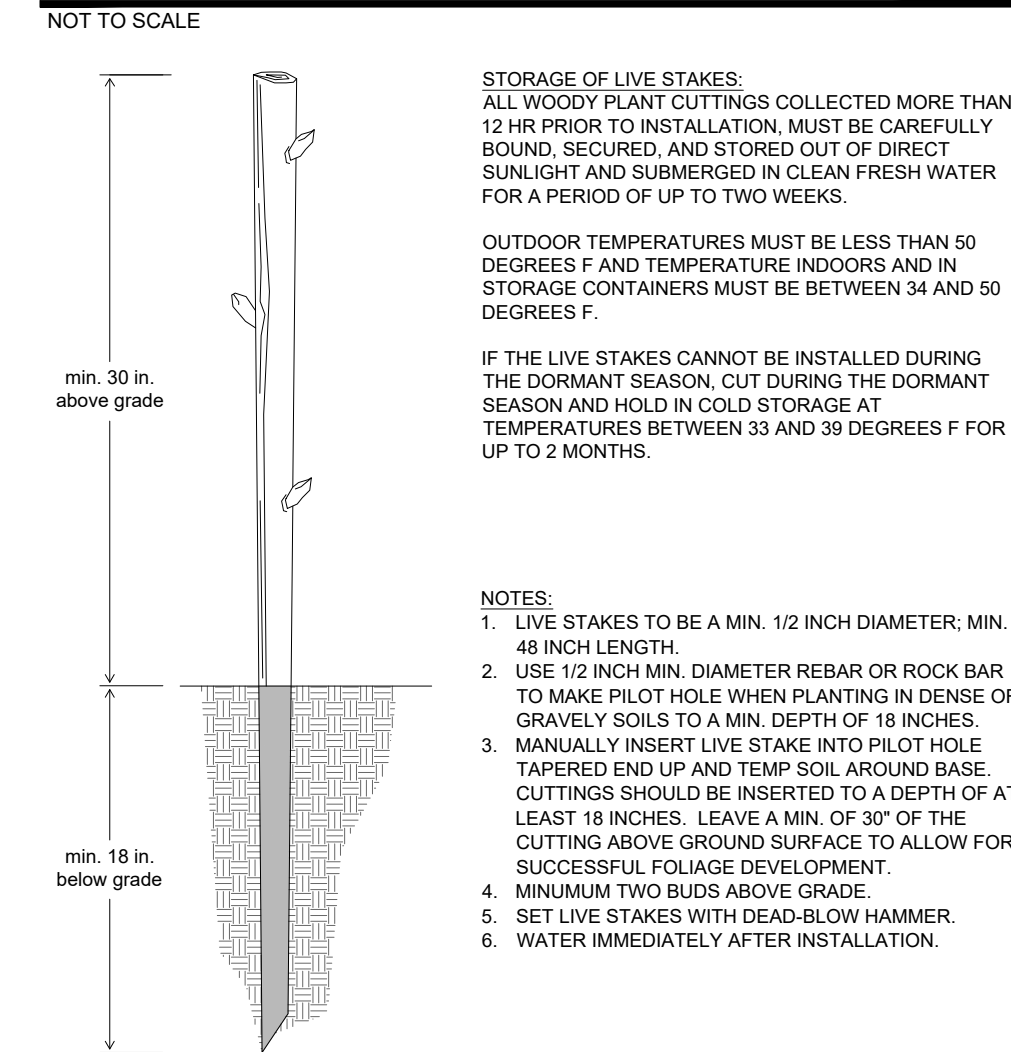
1 - Scientific names and species identification taken from *Flora of the Pacific Northwest, 2nd Edition* (Hitchcock and Cronquist, Ed. by Gilpin, Ledger, Zika, and Olmstead, 2018).
 2 - Over-sized container plants are suitable for replacement pending Wetland Scientist approval.
 3 - Alternate native plant species may be substituted or added with Wetland Scientist approval.
 4 - All disturbed and bare soil areas in the buffer to be seeded with a native grass seed mix.
 5 - Shrub calculations based upon 5-ft average spacing.
 6 - Tree calculations based upon 10-ft average spacing.
 7 - *Gaultheria shallon*, *Mahonia nervosa*, & *Polystichum munitum* to be planted in groups of 3-5 around the bases of trees and in areas of sparse vegetation.

TREE AND SHRUB PLANTING DETAIL (TYPICAL)

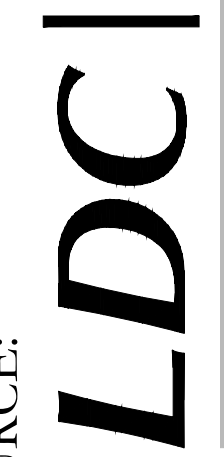


- NOTES:
1. PLANT SHRUBS OF THE SAME SPECIES IN GROUPS OF 3 to 9 AS APPROPRIATE. OR AS SHOWN ON PLAN. AVOID INSTALLING PLANTS IN STRAIGHT LINES TO ACHIEVE A NATURAL-LOOKING LAYOUT.
 2. EXCAVATE PIT TO FULL DEPTH OF ROOT MASS AND 2 X ROOT MASS DIAMETER. SPREAD ROOTS TO FULL WIDTH OF CANOPY. SCARIFY SIDES OF PIT.
 3. MIDWAY THROUGH PLANTING ADD AGROFORM TABLET AND WATER THOROUGHLY.
 4. BACKFILL TO BE COMPACTED USING WATER ONLY.
 5. WATER IMMEDIATELY AFTER INSTALLATION.

LIVE STAKE PLANTING DETAIL (TYPICAL)



SOURCE:



Surveying
Engineering
Planning

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1851 Centennial Pl. S. #101
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Woodinville
20210 142nd Avenue NE
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Soundview Consultants LLC

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40TH STREET NE
7811 & 7715 40TH ST NE;
7808 44TH ST NE
MARYSVILLE, WA 98270

SNOHOMISH COUNTY PARCEL NUMBERS:
29050200100200, 29050200100300,
& 29050200100400

DATE: 11/2/2023

JOB: 2422.0001

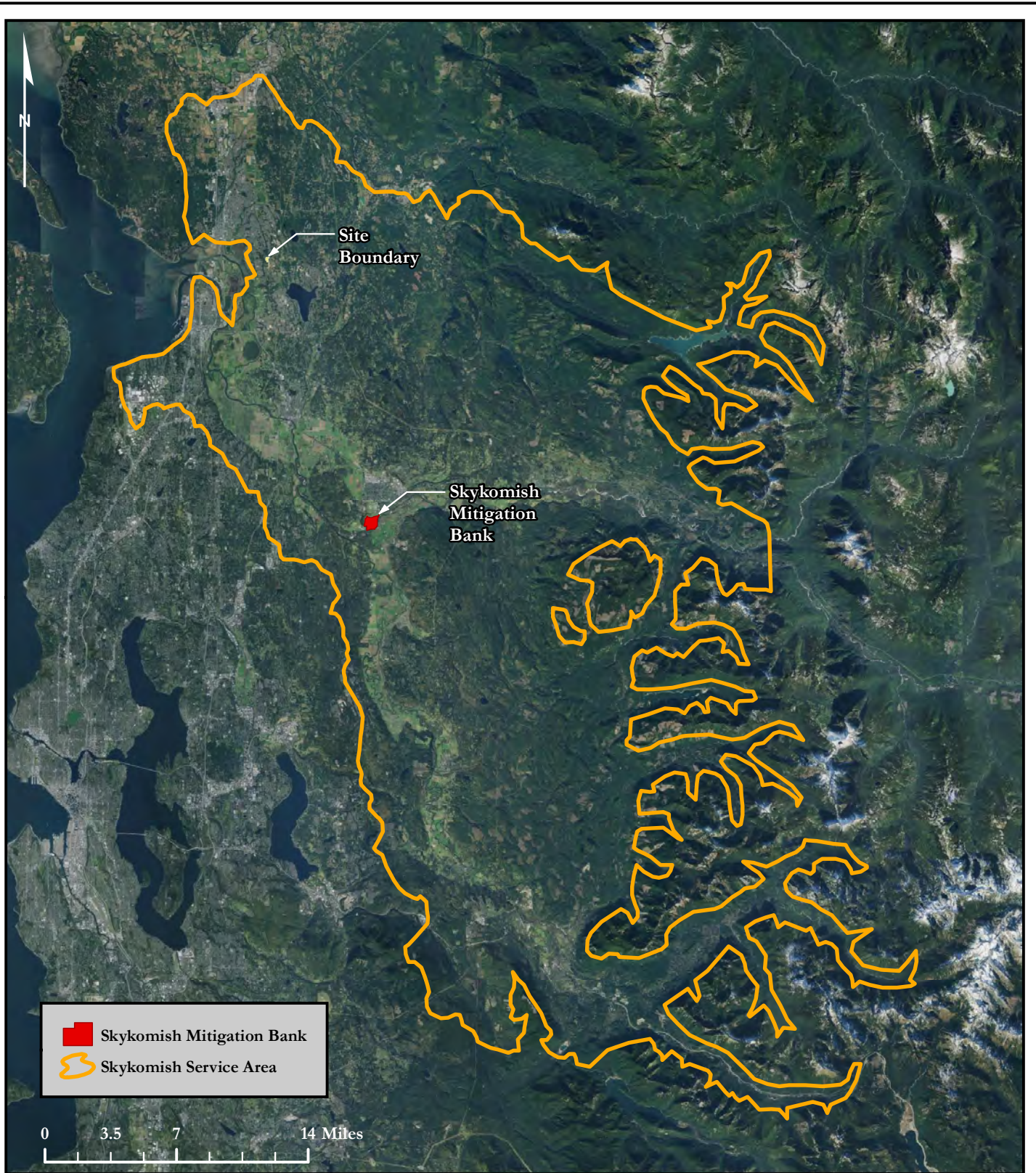
BY: MW/DS

SCALE: AS SHOWN

SHEET: 4

Appendix B — Mitigation Bank Service Area Exhibit

BANK USE EXHIBIT




Soundview Consultants LLC
Environmental Assessment • Planning • Land Use Solutions
2907 Harborview Dr., Suite D, Gig Harbor, WA 98335
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40TH STREET NORTHEAST
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MARYSVILLE, WA 98270

SNOHOMISH COUNTY PARCEL NUMBERS:
29050200100500, 29050200100200, 29050200100300,
& 29050200100400

DATE: 3/2/2023
JOB: 2422.0001
BY: DDS
SCALE: 1" = 7 mi
FIGURE NO. 1

Appendix C — Qualifications

All assessments and supporting documentation, including this *Conceptual Mitigation Plan* prepared for the *Creekside* site were prepared by, or under the direction of, Jon Pickett of SVC. In addition, report preparation was completed by Kramer Canup and additional project oversight and final quality assurance / quality control was completed by Rachael Hyland.

Jon Pickett

Principal

Professional Experience: 15 years

Jon Pickett is a Principal and Senior Scientist with a diverse background in environmental and shoreline compliance and permitting, wetland and stream ecology, fish and wildlife biology, mitigation compliance and design, and environmental planning and land use due diligence. Jon oversees a wide range of large-scale industrial, commercial, and multi-family residential projects throughout Western Washington, providing environmental permitting and regulatory compliance assistance for land use entitlement projects from feasibility through mitigation compliance. Jon performs wetland, stream, and shoreline delineations and fish & wildlife habitat assessments; conducts code and regulation analysis and review; prepares reports and permit applications and documents; provides environmental compliance recommendation; and provides restoration and mitigation design.

Jon earned a Bachelor of Science degree in Natural Resource Sciences from Washington State University and Bachelor of Science and Minor in Forestry from Washington State University. Jon has received 40-hour wetland delineation training (Western Mountains, Valleys, & Coast and Arid West Regional Supplements) and regularly performs wetland, stream, and shoreline delineations. Jon is a Whatcom County Qualified Wetland Specialist and Wildlife Biologist and is a Pierce County Qualified Wetland Specialist. He has been formally trained by WSDOE in the use of the Washington State Wetland Rating System 2014, How to Determine the Ordinary High-Water Mark (Freshwater and Marine), Using Field Indicators for Hydric Soils, and the Using the Credit-Debit Method for Estimating Mitigation Needs.

Rachael Hyland, PWS, Certified Ecologist

Senior Environmental Scientist

Professional Experience: 10 years

Rachael Hyland is a Senior Environmental Scientist with extensive wetland and stream delineation and regulatory coordination experience. Rachael has a background in wetland and ecological habitat assessments in various states, most notably Washington, Connecticut, Massachusetts, Rhode Island, and Ohio. She has experience in assessing wetland, stream, riparian, and tidal systems, as well as complicated agricultural and disturbed sites. She currently performs wetland, stream, and shoreline delineations and fish and wildlife habitat assessments; conducts environmental code analysis; and prepares environmental assessment and mitigation reports, biological evaluations, and permit applications to support clients through the regulatory and planning process for various land use projects. She also has extensive knowledge of bats and their associated habitats and white nose syndrome (*Pseudogymnoascus destructans*), a fungal disease affecting bats which was recently documented in Washington.

Rachael earned a Bachelor of Science degree in Ecology and Evolutionary Biology from the University of Connecticut, with additional ecology studies at the graduate level. Rachael is a Professional Wetland Scientist (PWS #3480) through the Society of Wetland Scientists as well as a Certified Ecologist through the Ecological Society of America. She has completed 40-hour wetland delineation training for Western Mountains, Valleys, & Coast and Arid West Regional Supplement, in addition to formal training for the Northcentral and Northeast supplement, and experience with the Midwest, Eastern Mountains and Piedmont, and Atlantic and Gulf Coast supplements. She has also received formal training from the Washington State Department of Ecology in the Using the Revised 2014 Wetland Rating System for Western Washington, How to Determine the Ordinary High Water Mark, Navigating SEPA, Selecting Wetland Mitigation Sites Using a Watershed Approach, and Wetland Classification. Rachael has also received training from the Washington State Department of Transportation in Biological Assessment Preparation for Transportation Projects and is listed by WSDOT as a junior author for preparing Biological Assessments.

Kramer Canup

Staff Scientist II

Professional Experience: 6 years

Kramer Canup is a Staff Scientist II with a professional background in project management, habitat restoration, vegetation monitoring, invasive plant management, monitoring protocol development, grant writing, tropical ecology, wildlife monitoring and environmental education. Kramer brings years of experience coordinating logistics for a variety of habitat restoration projects, vegetation monitoring programs, along with study abroad and backpacking courses. Previously, Kramer has managed riparian and upland habitat restoration projects, managed vegetation monitoring programs, and he has taught study abroad courses in the Peruvian Amazon and Andes for the University of Washington. Beyond Kramer's project management and coordination skills, he brings over 10 years of experience performing ecological field work such as vegetation monitoring, plant installation and invasive plant control.

Kramer currently prepares reports, prepares permits, and completes wetland and ordinary high water delineations and wildlife assessments.