

**City of Mill Creek
Critical Area Identification Form**

Date: 9/7/17

Applicant name: CHER ANDERSON

Project/site name: CREEKSIDE WEST

Project Information

Location of the proposed activity (street address and/or S-T-R):

13407 35th AVE SE, MILL CREEK, WA 98012

Tax Parcel #(s):

011354-000-026-00

Type of proposed development or alteration:

10 UNIT FEE SIMPLE TOWNHOMES

Are other permits or approvals needed?

Yes

No

Not sure

If yes, describe?

Preliminary plat, SEPA determination, grading & drainage approval, sewer & water plan approval

Site Information

Briefly describe the existing site, including current and past uses of the property:

The site is vacant.

Initials: _____

Are there any mapped or known wetlands, streams, steep slopes or potentially valuable habitats or species within 300 feet of the site (consider City's inventory maps and other pertinent information)?

- Yes
- No
- Not sure

If yes, describe the critical area(s) and proximity to site:

Penny Creek and its associated wetland and buffer lies east of the site in Tract 994 of the "Plat of Creekside Place" recorded under Snohomish County AFN: 201311085003

Have any critical areas or protection easements been recorded on the title of the property or adjacent properties?

- Yes
- No
- Not sure

Has a critical area review, or other environmental review, been conducted for another project located on or adjacent to the site?

- Yes
- No
- Not sure

Is any portion of the site currently used for agriculture?

- Yes
- No
- Not sure

Is there evidence of the following on/near the site? Check all that apply:

- Surface waters including stream, intermittent streams, drainage channels, and/or ditches
- Clay, peat or muck soils
- Evidence of standing water or soil saturation (cracked soil, bare soils, etc)
- Depressions areas or swales
- Seeps or springs
- Plants such as cattail, buttercup, yellow iris, reed canary grass, bulrush, skunk cabbage, water lily, or other wetland plants?
- Evidence of flooding (drift lines, flood debris, etc)
- The site is within the 100-year flood plain, shown on flood insurance maps published by FEMA, or on other local flood maps
- Slopes greater than ~15 % (What is the steepest slope? _____)
- Evidence of erosion, unstable soil, or cracks on hillsides
- Ponds or wetlands
- Mature forests/stands of trees
- Large snags
- Stormwater treatment or detention facilities
- Wells (active or abandoned)
- Drainage tiles or other subsurface drainage features

MEMORANDUM – Creekside West Critical Areas Review

2707 Colby Avenue, Suite 900, Everett, WA 98201 | P 425.252.7700

To: Kamal Mahmoud, PE, Acting Director of Public Works, City of Mill Creek

From: Jason Walker, PLA, PWS, Environmental Manager and Wetland Scientist, Perteet

Date: October 18, 2017

Re: Critical Areas Review Comments for Creekside West

SUMMARY

Perteet Inc. conducted a critical areas review of the proposed Creekside West Preliminary Binding Site Plan for the City of Mill Creek. The project site is located at 13407 35th Ave S, Mill Creek, WA 98012. From Snohomish County information, the project occurs on Snohomish County Tax Parcel 01135400002600; Section 33, Township 28, Range 05, Quarter NW. The action is to construction 10 fee simple townhouse units, inclusive of stormwater management and related site improvements. The project occurs adjacent to critical areas. The project requires City land use approvals that include a critical areas assessment. A review of submitted and obtained critical areas information was completed pursuant the Mill Creek Municipal Code (MCMC) current as of October 18, 2017.

Penny Creek occurs east of the eastern property boundary along with an associated stream buffer; an associated wetland also occurs directly east of Penny Creek. Penny Creek and the wetland occur within Tract 994 of the final plat of Creekside Place (AFN: 201311085003). Penny Creek was provided with a 100-foot buffer when this adjacent project was originally permitted under Snohomish County jurisdiction prior to Mill Creek annexation. Pursuant to MCMC 18.06.1050 the required buffer width for Penny Creek is 75 feet. The stream ordinary high water mark (OHWM) was observed to occur in a substantially similar location to the mapped location for the Creekside Place project; the stream occurs in a linear ditched channel. A large wetland complex with ponded areas extends east from the east bank of Penny Creek with direct and unrestricted surface water contribution to the stream. The wetland (Wetland A) was identified in 2005 for the adjacent Creekside Place project as a Category III in a prior critical areas report that was obtained for this project review.

Perteet ecological staff completed a site visit and critical areas reconnaissance of the subject property in comparison to the proposed project action on October 17, 2017. Penny Creek was observed to be flowing near the subject property within Tract 994. The subject property is a vacant parcel dominated by herbaceous and shrub communities with a conifer hedge row adjacent to the property to the south and with an alder and willow dominated buffer for Penny Creek off-site to the east. Few trees occur on the subject property. One mature western red cedar with codominant leaders was observed to be in a state of decline. Invasive Himalayan blackberry and other non-native invasive species were present in lesser quantities. No wetlands or other critical areas were observed on the subject property.

DOCUMENTS REVIEWED

The following documents and resource information websites were reviewed by Perteet:

- City of Mill Creek Critical Area Identification Form, Prepared by Cher Anderson for the Creekside West Project, September, 7, 2017.
- SEPA Checklist, Prepared by Cher Anderson of Village Life/Wilcox Group LLC for Creekside West Project, September, 13, 2017.
- Drainage Report for Creekside West, Prepared by Joseph Smeby, PE, August, 2017.

MEMORANDUM – Creekside West Critical Areas Review

- Geotechnical Memo summarizing investigations for Creekside Place, Prepared by Liu and Associates, August 10, 2017.
- Project Narrative for Creekside West, Prepared by Village Life, September 14, 2017.
- Preliminary Binding Site Plan for Creekside West, Prepared by ASPI Land Surveying and Planning, September 6, 2017.
- Mill Creek Municipal Code (MCMC) reviewed online (<http://www.codepublishing.com/WA/MillCreek/#!/MillCreek18/MillCreek1806.html#18.06>), accessed October 18, 2017.
- Snohomish County Online Property Information (<http://gis.snoco.org/maps/property/viewer.htm>), accessed October 17, 2017.
- Critical Areas Report and Conceptual Wetland Mitigation Plan for Creekside Place, Prepared by Talasoea Consultants, May 9, 2005.
- Final Plat of Creekside Place (AFN: 201311085003).
- Google Earth Pro with historic imagery from 1990 to present.
- Washington Department of Fish and Wildlife Salmonscape Mapping Tool (<http://apps.wdfw.wa.gov/salmonscape/map.html>), accessed October 18, 2017.
- WDFW Priority Habitats and Species (PHS) database, PHS on the Web (<http://apps.wdfw.wa.gov/phsontheweb/>), accessed October 18, 2017.
- EPA Approved Water Quality Assessment for Washington State (<http://www.ecy.wa.gov/programs/wq/303d/currentassessmt.html>), accessed October 18, 2017.
- FEMA Flood Map Service Center (<https://msc.fema.gov/portal/search?AddressQuery=mill%20creek%20wa#searchresultsanchor>), accessed October 18, 2017.

FINDINGS

1. Mill Creek Municipal Code Consistency:
 - a. 18.06.810 Critical Area Signs and Fencing. The boundary at the outer edge of the critical area tract for Penny Creek should be identified with fencing and signs/markers every 100 feet, or as approved by the director, to clearly indicate the location of the critical area. There are currently some older sign posts along the east parcel boundary but critical areas signs and fencing do not exist. It is recommended that fencing/signs be provided along the eastern property boundary as part of the proposed project adjacent to Tract 994.
 - b. 18.06.840 Building setbacks. Buildings and other structures shall be set back a distance of 10 feet from the edges of all critical area buffers. This standard is being met with the proposed site plan.
 - c. 18.06.1050 Performance standards – Stream, Lake, Pond and Riparian Buffer Widths. The standard 75 foot buffer for Penny Creek required by this chapter is provided off site; the west OHWM of the stream occurs approximately 100 feet to the east of the project.
 - d. 18.06.1070 Critical Area Report Requirements for Fish and Wildlife Habitat Areas. A critical areas report for a fish and wildlife habitat is required under this chapter since critical areas and buffers occur

MEMORANDUM – Creekside West Critical Areas Review

within 300 feet of the project area. The Creekside Place critical areas report describes Penny Creek and identifies priority fish habitat. Reviewing current information in the WDFW Priority Habitats and Species (PHS) database, coho salmon (*Oncorhynchus kisutch*) occurrence/migration is documented to occur in Penny Creek. No project actions will be permitted to occur in the buffer or stream. The Creekside Place critical areas report that identifies Penny Creek along with this current review of PHS data serves the requirements of this chapter.

- e. 18.06.930 Performance Standards – Wetland Buffer Widths. The adjacent wetland to the east of Penny Creek occurs approximately 115 feet from the east parcel boundary on the east side of Penny Creek. The critical areas report for Creekside Place was prepared in 2005 to an older wetland rating system (Ecology 2004) and the older wetland rating cannot be compared to current MCMC provisions. Perteet rated the wetland under the current rating system for this review (Ecology 2014). The wetland rated as a Category III requiring a 100 foot buffer under the MCMC. The 100 foot wetland buffer does not overlap into the subject property.

2014 Wetland 3 Rating System and Functional Assessment Results (Ecology 2014)

Wetland 3 Function	Improving Water Quality	Hydrologic Function	Habitat Function	Total
Site Potential	Medium	Medium	Medium	
Landscape Potential	Medium	Medium	High	
Value	Medium	Medium	Medium	
Score Based on Ratings	6	6	7	III (19)

2. SEPA Checklist:

Section 5, Animals – documented presence of coho salmon (not listed as a threatened/endangered species) occurs in Penny Creek according to WDFW resource information. This should be listed under “Other” in SEPA Section 5.

END OF MEMO