



Delineation / Mitigation / Restoration / Habitat Creation / Permit Assistance

9505 19th Avenue S.E.
Suite 106
Everett, Washington 98208
(425) 337-3174
Fax (425) 337-3045

January 8, 2018

Steve Calhoon
PACE Engineers, Inc.
11255 Kirkland Way
Kirkland, WA 98033

RE: Legacy Ridge 1 Project (SUB15-0001 & SEP15-001) – Staff Comments

Wetland Resources, Inc. (WRI) has reviewed the City of Sequim staff comment letter dated December 16, 2016. This letter addresses the last three points listed in the letter. Recommendations/statements from the comment letter are listed in italics, with WRI responses following in plain text.

26. The Washington Department of Fish and Wildlife website identifies a regular concentration of Roosevelt Elk and a Management Buffer for the Northern Spotted Owl.

The information available online at <http://wdfw.wa.gov/mapping/phs/> does show the southeast area of the subject site as elk habitat and a management buffer for the Northern Spotted Owl. The information the Northern Spotted Owl on the online map is “masked,” and the resolution for the information is the township that the owl is in. In order to get more specific information on the location of the management buffer for the owl, WRI ordered the official hard-copy map for the subject site. This map shows Roosevelt Elk habitat on the Legacy Ridge site, but shows the owl management buffer terminating south of Happy Valley Road.

27. Provide a Habitat Management Plan per Chapter 18.80 CRITICAL AND ENVIRONMENTALLY SENSITIVE AREAS PROTECTION, see 18.80.070 Development Standards.

Since the site does not have any endangered or threatened species on it, WRI clarified with City of Sequim staff if a Habitat Management Plan is necessary for the proposed project. The conclusion was that a Habitat Management Plan is not required for this project. Please see attached emails for details.

28. Based upon a comparison of GPS points with field investigations, Wetland O may extend slightly farther south than as shown in the delineation. We dug three test pits south of the GPS-delineated edge of Wetland O's southern boundary. All of these pits met hydric soil indicator F6. Thus, this boundary was going to be revised and expanded approximately 20-25' southward. We observed most of the remaining delineated wetlands onsite and, based upon those observations, I can conclude that the remainder of the delineation is valid and accurate.

This comment is from Rick Mraz with the Washington State Department of Ecology. After the

meeting with Rick on the subject site, WRI used the additional information from the site visit to revise the southern Wetland O boundary. The adjusted boundary is reflected in the revised Critical Area Study and Mitigation Plan.

The *Critical Areas Study and Mitigation Plan* has been revised accordingly. Please review the report as part of our response to the review comments/letters. Should you have any questions or concerns, please don't hesitate to call our office at (425) 337-3174.

Wetland Resources, Inc.



Meryl Kamowski
Senior Ecologist

Enclosure: Emails between Meryl Kamowski and Charisse Deschenes, dated January 23 and 24, 2017

From: Charisse Deschenes cdeschenes@sequimwa.gov
Subject: RE: Staff Comments for Legacy Ridge
Date: January 24, 2017 at 11:04 AM
To: Meryl Kamowski meryl@wetlandresources.com
Cc: Matthew Klontz mklontz@sequimwa.gov



Good Morning Meryl,

If the official WDFW PHS maps returned no habitat of animal species which are considered to be endangered or threatened, the Habitat Management Plan is not required per the City of Sequim CAO. The CAO also states, "Fencing design shall not interfere with fish and wildlife migration and shall minimize impacts to the wetland and its associated habitat."

Thank you,

Charisse Deschenes, AICP
Senior Planner
Department of Community Development
(360) 683-4908

18.80.070 Development standards.

D. Fish and Wildlife Habitat Conservation Areas. To protect the habitat of animal species which are considered to be endangered or threatened species and thereby maintain and increase their populations, fish and wildlife habitat conservation areas shall be subject to the following:

1. When a development proposal contains a priority habitat for endangered or threatened species, the applicant shall submit a habitat management plan. The need for a habitat management plan should be determined during State Environmental Policy Act (SEPA) review of the proposal. The habitat management plan should identify how the impacts from the proposed project will be mitigated. Possible mitigation measures should include, but are not limited to:
 - a. Establishment of buffer zones,
 - b. Preservation of critically important plants and trees within the buffer,
 - c. Limitation of access to habitat area,
 - d. Scheduling construction activities to avoid interference with wildlife and fisheries rearing, resting, nesting or spawning activities,
 - e. Using best available technology to avoid or reduce impacts,
 - f. Using drainage and erosion control measures to prevent siltation of aquatic areas, and

- g. Possibly reducing the size, scope, configuration or density of the project;
2. Buffer. To retain adequate natural habitat for endangered or threatened species, buffers shall be established on a case-by-case basis as described in a habitat management plan;
3. Uses and activities allowed within a significant wildlife habitat area as identified by a habitat management plan shall be limited to low-intensity land uses which will not adversely affect or degrade the habitat and which will not be a threat to the critical ecological processes such as feeding, breeding, nesting and resting;
4. Bald eagle habitat shall be protected pursuant to the Washington State bald eagle protection rules (WAC [232-12-292](#)). Whenever activities are proposed within 800 feet of a verified nest territory or communal roost, a habitat management plan shall be developed by a qualified professional. The director shall verify the location of eagle management areas for each proposed activity. Approval of the activity shall not occur prior to approval of the habitat management plan by the Washington Department of Fish and Wildlife.

From: Meryl Kamowski [mailto:meryl@wetlandresources.com]
Sent: Monday, January 23, 2017 1:10 PM
To: Charisse Deschenes
Subject: Staff Comments for Legacy Ridge

Hi Charisse,

I'm one of the ecologists working on the Legacy Ridge development — we met this past July when Rick from Department of Ecology came out to see the site. I have a question about the comments on the letter dated December 16, 2016. Comments #26 and 27 talk about elk, spotted owl, and the need for a habitat management plan. We ordered the official (hard copy) WDFW PHS maps to see specifically if/where the spotted owl management buffer and elk habitat area were located on/near the site. The hard copy map depicts elk habitat on the Legacy Ridge site, but shows the owl management buffer ending south of Happy Valley Road.

When I reviewed the Fish and Wildlife Habitat Conservation Areas definition and the FWHCA section in 18.80.070, it seemed to me that a wildlife report/habitat management plan was only required if threatened or endangered species were present on the site. Is that correct? If not, could you tell me what triggers the need for a wildlife report/habitat management plan?

Thank you,

Meryl Kamowski
Senior Ecologist
Wetland Resources, Inc.
425.337.3174
meryl@wetlandresources.com