JAMESTOWN S'KLALLAM TRIBE
1033 Old Blyn Highway, Sequim, WA 98382 360/683-1109 FAX 360/681-4643

May 13, 2024

City of Sequim Department of Community Development
152 W Cedar St.
Sequim, WA 98382

RE: Bell Creek Investments, LLC (Sub-24-002)

Dear City of Sequim DCD staff,

We thank you for the opportunity to voice the Jamestown S'Klallam Tribe's priorities when it comes to urgently needed housing in Sequim. One of the Tribe's top priorities is maintaining and enhancing treaty rights with regards to local fisheries resources and it is important to assess developments that may affect streams in the Tribe's Usual and Accustomed area. Since this development will straddle both sides of Bell Creek, it is beneficial that the homes will be connected to Sequim's sewer/water so as not to further impair a 303(d)-listed waterway by adding new septic systems. However, after reviewing the materials for the development proposed by Bell Creek Investments, LLC, staff at the Jamestown S'Klallam Tribe request that the applicant and permitting agencies address several areas of concern.

1. The SEPA checklist indicates that there are no *threatened* or *endangered* species in the project area (pages 13 – 14), however, the National Marine Fisheries Service Critical Habitat Mapper[i] and the Washington Department of Fish and Wildlife Salmon Scape[ii] tools indicate that this reach of Bell Creek serves as critical habitat for the Puget Sound Steelhead *(Oncorhynchus mykiss)* – a federally threatened species. Additionally, Bell Creek is known to have cutthroat trout (*O. clarkii),* pink (*O. gorbuscha)* and coho (*O. kisutch*) salmon which are culturally and ecologically significant resources for the Tribe.
    a. The City of Sequim Critical and Environmentally Sensitive Areas Protection code (chapter18.80.070 d(1)) dictates that a Habitat Management Plan must be submitted by the applicant when a development contains priority habitat for *threatened* or *endangered* species[iii]. However, a Habitat Management Plan is not available in the list of materials provided for the project's application on the City's website. We recommend that the SEPA checklist and Critical Areas Report be amended to reflect the documented presence of federally-listed species within the project boundaries and that a Habitat Management Plan be included as a requirement in the SEPA determination as outlined in chapter 18.80.070 mentioned above.

2. The project reach of Bell Creek is a Clean Water Act section 303(d)-listed water body for both fecal coliform and dissolved oxygen[iv]. Additionally, it is categorized as a water of concern for pH[v]. The Elwha-Dungeness Watershed Plan indicates that this impairment is due in part to urban and residential land use that have created significant stormwater impacts (page 3.14-6)[vi]. The post-construction stormwater design available in the application materials is insufficient to assess its efficacy in minimizing or mitigating additional impacts to this water body. The Watershed Plan identifies that the City of Sequim should manage stormwater to remediate current impacts

and minimize additional impairments (page 3.14-6). To accomplish this, we suggest that the stormwater design - including conveyances, treatment ponds and treatment strategies - specifically identifies how it will prevent further degradation of this impaired water body. Additionally, pre and post project implementation water quality monitoring should be included in the SEPA mitigation parameters to ensure that further impairment does not result from this development.

3. Given the water quality concerns and the presence of on-site critical habitat for an Endangered Species Act-listed fish species, we suggest modifying the stream buffer. The City's Critical and Environmentally Sensitive Areas Protection code 18.80.070 d(2) dictates that buffers be established on a case-by-case basis as described in an applicant's *Habitat Management Plan* when a development is within Fish and Wildlife Habitat Conservation Areas that include listed species [iii].
    a. A scientifically supported approach to establishing protective stream buffers promulgated by WDFW in their Riparian Ecosystems Management Recommendations[vii] is the Site Potential Tree Height (SPTH) of an area which in this case, is 171 feet[viii]. The SPTH tool was created with the goal of protecting and maintaining riparian function to perpetuate Washington's fish and wildlife resources. This is notably larger than the City's standard buffer for a type 2 stream and if the SPTH is not implemented, we suggest that at a minimum, the City adopt Clallam County's buffer for a type 2 stream of 150 feet (critical areas chapter 27.12.315 (1)A)[ix] to reduce potential impacts to this ecosystem.

We appreciate the opportunity to provide comments and express our concerns of behalf of the Jamestown S'Klallam Tribe. A new development is a welcome addition to provide much needed housing in our community *and* it provides an opportunity to do so in alignment with WDFW's riparian management recommendations, Washington's clean water standards and the Tribe's treaty resources.

Sincerely,

Alex Scagliotti
Environmental Planner
Jamestown S'Klallam Tribe
ascagliotti@jamestowntribe.org

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[i] National NMFS ESA Critical Habitat Mapper (arcgis.com)
[ii] WDFW SalmonScape (wa.gov)
[iii] https://www.codepublishing.com/WA/Sequim/html/Sequim18/Sequim1880.html#18.80.045
[iv] Listing 78089 (wa.gov) and Listing 15604 (wa.gov)
[v] Listing 71926 (wa.gov)
[vi] Microsoft Word - 3.14 clean 7-5-05.doc (clallamcountywa.gov)
[vii] Riparian Ecosystems, Volume 2: Management Recommendations (wa.gov)
[viii] https://www.arcgis.com/apps/mapviewer/index.html?layers=f2ebe49e73e547c181a74606d059ca28
[ix] Ch. 27.12 Critical Areas | Clallam County Code

TG: 1.24266.00 Task 04

October 31, 2024

Nick Dostie, PE
City Engineer/Deputy Director of Public Works
City of Sequim
152 W. Cedar Street
Sequim, WA 98382

SUBJECT: BELL CREEK TRAFFIC IMPACT ANALYSIS (TIA) REVIEW COMMENTS

Dear Mr. Dostie:

On behalf of the City of Sequim (the "City"), we have completed our independent review of the *Bell Creek – Sequim Traffic Impact Analysis* prepared by Heath & Associates on March 22, 2024. We recommend that the City require the Applicant to respond to the following comments and provide the requested information before finalizing the conclusions of the traffic impact analysis (TIA). Note that the TIA was reviewed for consistency with the City of Sequim Transportation Impact Analysis Guidelines.

Comments

Comment 1, Existing Traffic Count Collection Period (Page 7): The TIA notes that the existing turning movement count data used to evaluate intersection operations were collected in December 2023. As outlined in the City's Transportation Master Plan (TMP), traffic volumes in the City peak during the summer. As such, we recommend using the count data collected in August 2022 at the two US-101 freeway ramp intersections (as part of the Intersection Control Evaluation [ICE] prepared for WSDOT) to analyze operations at these two locations. A 2% annual growth factor can be applied to these counts to develop the existing (2024) traffic volumes. Intersection delay and LOS conditions should generally be consistent with the ICE analysis.

Comment 2, Peak Hour Factor (Page 11): For the analysis of existing conditions at the study intersections, peak hour factors (PHFs) below 0.80 were adjusted upward to this value in accordance with the *WSDOT Synchro & SimTraffic Protocol* (August 2018). For the analysis of future conditions at the two Sequim Avenue freeway ramp intersections (Intersections 5 and 6), the PHFs were adjusted to 1.0. Consistent with the other intersections in the analysis, we recommend adjusting the future condition PHFs for these two intersections to match the assumptions for the existing condition analysis.

Comment 3, Deviation for Not Extending Miller Road as a Collector Roadway (Page 20): The study provides a memorandum requesting that the Miller Road extension between 3rd Avenue and Sequim Avenue not be required. An alternative alignment through the proposed project is identified to provide the desired connectivity between these north-south streets. This alternate connection is not appropriate to provide the required connectivity between the two roadways for several reasons:

1. The Miller Road extension is identified as a "Rural Transition" roadway in the Layer Street Network in the TMP. These roadways are intended to serve vehicular travel while also accommodating other modes with wide shoulders and/or a parallel mixed-use path. The alignment though the project site is not designed to accommodate through traffic, especially with numerous properties and driveways directly accessing the roadway. To meet the connectivity needs required of Rural Transition

roadways, this roadway would need to be classified and constructed as a Collector Street, as defined in the *City of Sequim Engineering Standards*. This would require a minimum 60-foot right-of-way (including a minimum 30-foot roadway).

2. The alignment through the project site does not provide a direct connection to the existing Miller Road. Vehicles trying to connect from 3rd Avenue to properties along Miller Road (east of Sequim Avenue) would have to make turning movements onto and off of Sequim Avenue to travel between these roadways. This alternate alignment would not achieve the direct connectivity identified as one of the City's transportation goals (see Comprehensive Plan Policies TR 4.3.2 and TR 4.3.5) and is inconsistent with Sequim Municipal Code Section 17.32.020C which restricts the creation of dog-leg intersections.
3. The currently identified alignment for the Miller Road extension would align with the existing driveway for the Dominion Terrace residential development. This would focus traffic volumes and potential turning movement conflicts at a single location. This intersection would be better able to accommodate higher traffic volumes expected along a Rural Transition roadway than the Local Street intersections introduced by the project roadways.

As part of the Comprehensive Plan update process currently underway, the City's future roadway network (including street connectivity and roadway classifications) is being reviewed to ensure the transportation system can support future growth. An additional east-west connection between 3rd Avenue and Sequim Avenue is necessary to provide connectivity to and from planned residential developments in the south part of the City. A review of alternative connectivity opportunities in this area of the City was conducted and it was determined that the extension of Miller Road is the most suitable location for this roadway based on its connection with the existing and planned roadway network, and surrounding constraints.

We recommend that the project be required to dedicate right-of-way and provide the half-street roadway improvements along the south side of the project site (along Provence View Lane) to support the future construction of the Miller Road extension. The extension of Miller Road to 3rd Avenue will require a redesign of the current Road D alignment and the site plan. The east-west portion of Road D should be redesigned based on the Collector Street standard and serve as the westerly extent of the Miller Road extension. An intersection at Road D/Miller Road should be introduced at the current bend in the roadway.

Comment 4, Transportation Impact Fees (Page 21): The study calculates the required transportation impact fees (TIF) to be paid by the project. Payment of the full impact fee will be required, as the frontage improvements proposed by the project (along Brownfield Road, 3rd Avenue, Sequim Avenue, and Miller Road) are not included within the City's TIF program. The text on page 21 should be updated accordingly.

Thank you for the opportunity to assist in this review. Please do not hesitate to contact me at 425.821.3665 or jon.pascal@transpogroup.com should you have any questions about our comments.

Sincerely,
Transpo Group USA, Inc.



Jon Pascal, PE
Managing Principal

Outlook

RE: SUB-24-002 Bell Creek Major Subdivision

From Green, Brady A (DFW) <Brady.Green@dfw.wa.gov>
Date Wed 2/12/2025 3:36 PM
To DFW R6CSplanning <R6CSplanning@dfw.wa.gov>; Travis Simmons <tsimmons@sequimwa.gov>
Cc Szewczak, Avery (DFW) <Avery.Szewczak@dfw.wa.gov>; Zitomer, Danielle R (DFW) <Danielle.Zitomer@dfw.wa.gov>

You don't often get email from brady.green@dfw.wa.gov. Learn why this is important

EXTERNAL SENDER: This email originated outside the organization. Do not click links or open attachments unless you verify the sender and know the content is safe.

Hello Travis,

I apologize for listing the wrong area biologist in my previous email. Danielle Zitomer is the permitting biologist for the Bell Creek project area, not Avery Szewczak. I have included her in this email so that the applicant or their agent can reach out for more information on applying for a Hydraulic Project Approval.

Brady Green
Habitat Biologist
Region 6- Port Orchard Office
Washington Department of Fish and Wildlife

Brady.Green@dfw.wa.gov
360-490-2087

From: DFW R6CSplanning
Sent: Monday, February 10, 2025 4:34 PM
To: 'Travis Simmons' <tsimmons@sequimwa.gov>
Cc: Szewczak, Avery (DFW) <Avery.Szewczak@dfw.wa.gov>
Subject: RE: SUB-24-002 Bell Creek Major Subdivision

Hello Travis,

Thank you for the opportunity to review the Bell Creek Major Subdivision Project, SUB-24-002. After review of the materials provided, it's been determined that an HPA will be required for the construction of the trail/boardwalk over Bell Creek. An HPA application needs to be submitted to WDFW through the Aquatic Protection Permitting System (APPS) because the project proposes working in waters of the state. WAC 220-660-010 states, “A hydraulic project is the construction or performance of work that will use, divert, obstruct, or change the natural flow or bed of any of the salt or fresh waters of the state. Any person who wants to conduct a hydraulic project in the state of Washington must get a construction permit called the hydraulic project approval (HPA) from WDFW. The purpose of the HPA is to ensure that construction or performance of work is done in a manner that protects fish life. This chapter establishes the rules for the department's HPA authority (chapter 77.55 RCW).”

APPS information can be found here: [HPA application process | Washington Department of Fish & Wildlife]

The permitting biologist in this area is Avery Szewczak, who I have cc'd in this email, and the applicant or their agent can reach out to her for more information on applying for an HPA.

Brady Green
Habitat Biologist
Region 6- Port Orchard Office
Washington Department of Fish and Wildlife
Brady.Green@dfw.wa.gov
360-490-2087

From: Travis Simmons <tsimmons@sequimwa.gov>
Sent: Wednesday, January 29, 2025 3:58 PM
Subject: SUB-24-002 Bell Creek Major Subdivision

External Email

Hello,

You may have seen this and provided comments on this project before, but we're opening an additional 14-day comment based on feedback from Ecology. If there are any SEPA comments that you would like to propose for this project please submit your comments by February 12th, 2025. This is a 104-lot subdivision that spans Bell Creek. I've attached the signed MDNS, the reviewed Checklist, and proposed mitigations. Please let me know if you have any questions or concerns.

Thanks,

Travis Simmons

Department of Community Development

Senior Planner

(360)681-3438

tsimmons@sequimwa.gov



From:	ECY RE SWRO SEPA COORDINATOR
To:	DCD Public Comment
Cc:	Carp, Lizzie (ECY); Praisewater, Thomas (ECY)
Subject:	ECY SEPA 202500349 - Bell Creek Major Subdivision - Comments
Date:	Tuesday, February 11, 2025 2:47:39 PM
Attachments:	image001.png 202500349 ECY Comments.pdf
Importance:	High

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Travis Simmons, SEPA Contact:

Thank you for the opportunity to comment on the Bell Creek Major Subdivision Project (Lead Agency File No(s). SUB-24-002). Ecology's comments are attached.

[Statewide SEPA Register No. 202500349]

Have a great day,

Joe Thomas
ERTS & SEPA Coordinator
Southwest Region
Cell: 360-480-3300

DEPARTMENT OF ECOLOGY
State of Washington

From: Travis Simmons
To: Emily Coler
Subject: FW: DAHP Project 2024-02-01068 RE: Project for Comment SUB-24-002 Bell Creek Development
Date: Tuesday, May 14, 2024 4:12:03 PM
Attachments: image002.jpg
image003.jpg
image010.jpg
image005.png
image007.png
image009.png

FYI...

From: Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>
Sent: Tuesday, May 14, 2024 3:41 PM
To: Travis Simmons <tsimmons@sequimwa.gov>
Cc: planningdept@sequimwa.go; ataylor@jamestowntribe.org; pgst-thpo@pgst.nsn.us; bill.white@elwha.org; Stephanie Trudel <strudel@suquamish.nsn.us>; tharriman@suquamish.nsn.us
Subject: DAHP Project 2024-02-01068 RE: Project for Comment SUB-24-002 Bell Creek Development

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Hello Travis Simmons,

I was concerned to receive this ODNS for the Bell Creek Project. The ODNS falsely states that "there are currently no known archaeological resources on this site." Three archaeological sites have so far been reported to the DAHP by the project archaeologist. We have not yet received the final survey report for the project, so the full extent of cultural materials within the project area is currently unknown, and we are unable to provide our final recommendations for the project at this time.

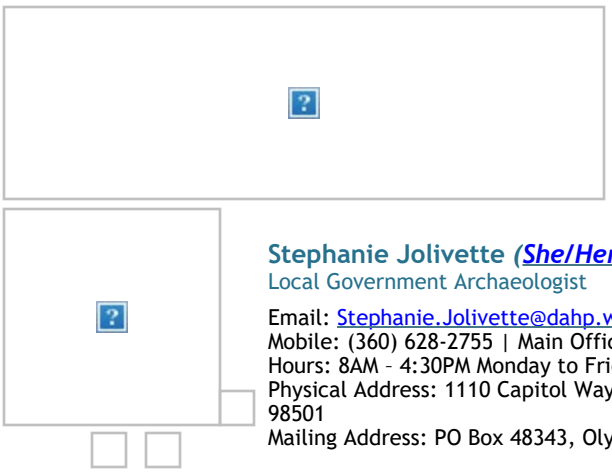
However, two of the archaeological sites date to the precontact period. Mitigation is therefore required under RCW 27.53. An Inadvertent Discovery Plan is not acceptable mitigation and a DAHP permit will likely be required for these sites. Failure to complete mitigation will result in a violation of RCW 27.53.

The DAHP requests the opportunity to fully review the cultural resources survey documentation prior to the City issuing any decisions on the project. Affected Tribes should also be granted a review period of all cultural resource documentation prior to the City issuing any decisions.

As stated above we cannot initiate our review of the project until we have been provided with the project documentation.

We look forward to receiving the completed cultural resources survey report as well as copies of City correspondence with the affected Tribes. The project archaeologist can upload the survey report directly into the DAHP online WISAARD system to expedite review by the DAHP. The Tribes may prefer the report be emailed directly to them.

Best,
Stephanie



Stephanie Jolivette ***(She/Her/Hers)***
Local Government Archaeologist
Email: Stephanie.Jolivette@dahp.wa.gov
Mobile: (360) 628-2755 | Main Office: (360) 586-3065
Hours: 8AM – 4:30PM Monday to Friday
Physical Address: 1110 Capitol Way South Suite 30, Olympia, WA 98501
Mailing Address: PO Box 48343, Olympia, WA 98504-8343

www.dahp.wa.gov

From: Travis Simmons <tsimmons@sequimwa.gov>
Sent: Wednesday, May 1, 2024 11:51 AM
Subject: Project for Comment

External Email

Hello,

We have an application for a 104-lot subdivision on a single undeveloped lot that is divided by Bell Creek. The property is situated between S Sequim and S 3rd Ave, and is south of Brownfield Rd. I've attached the NOA and anticipated MDNS. Please provide any comments by 5/13/2024 if possible, if any additional time is needed please let me know. We anticipate issuing the determination at the close of the comment period. To view more documents please visit → Current Projects | Sequim, WA - Official Website (sequimwa.gov). You'll find it under Hearing Examiner projects.

Thanks,

Travis Simmons
Department of Community Development
Assistant Planner
(360)681-3438
tsimmons@sequimwa.gov



Olympic Region

PLANS, SPECIFICATIONS AND ESTIMATE
Review Comment Disposition Form

Project Title:	US 101 – Bell Creek TIA	Job Charge #:	
Reviewer (name & office) Sarah Bogue – Traffic Design Jeffrey Le Cates – Traffic Design Date of Review Comments: 7/11/2024		Responses By: Date of Disposition:	

Comment No.	Sht or Pg.	Review Comment	Status Code	Designer's Response
1.	GEN	Please consider a seasonal adjustment factor. US 101 is a recreational route that experiences higher volumes. Please consider dividing volumes by a seasonal factor of 0.93 to adjust volumes to be closer to 30th highest hour.		
2.	PDF p7	Please clarify if 11:00 AM to 2:00 PM is the peak period for analysis. Were AM and PM counts collected?		
3.	PDF p9	Please clarify if the US 101 Ramps & S Sequim Ave New Signals (#33) project will be complete before the study development is fully occupied.		
4.	PDF p12	Please justify the choice of PM Peak trip generation when turning movements were compiled midday. Please document this in body of TIA.		
5.	GEN	Pleaseconduct a Safety Analysis per WSDOT Safety Analysis Guide Section 6.9 (https://wsdot.wa.gov/publications/fulltext/design/ASDE/Safety-Analysis-Guide.pdf).		
6.				
7.				
8.				
9.				
10.				

Status Code Legend: A = Incorporated B = Open/Under Review C = Evaluated/Not Incorporated D = Beyond Scope/Not Evaluated
All "B" and "C" responses require explanatory comments.

From:	ECY RE SWRO SEPA COORDINATOR
To:	DCD Public Comment
Cc:	Carp, Lizzie (ECY); Praisewater, Thomas (ECY)
Subject:	ECY SEPA 202500349 - Bell Creek Major Subdivision - Comments
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Travis Simmons, SEPA Contact:

Thank you for the opportunity to comment on the Bell Creek Major Subdivision Project (Lead Agency File No(s). SUB-24-002). Ecology's comments are attached.

[Statewide SEPA Register No. 202500349]

Have a great day,

Joe Thomas
ERTS & SEPA Coordinator
Southwest Region
Cell: 360-480-3300

DEPARTMENT OF ECOLOGY
State of Washington