

Joan E. Cook

From: Anderson, Paul S. (ECY) [paan461@ECY.WA.GOV]
Sent: Tuesday, March 13, 2012 2:48 PM
To: Joan E. Cook
Cc: Tallent, Geoff (ECY); Stockdale, Erik (ECY); Lambert, Patricia (ECY); Bails, Jamie L (DFW); Smith, Jonathan NWS; dave.somers@co.snohomish.wa.us
Subject: East Monroe DPEIS Ecology SEPA comments
Attachments: East Monroe DPEIS SEPA Letter 3-13-12.pdf

Dear Ms. Cook:

Attached, please find Ecology's comments for the record on East Monroe Draft Phased Environmental Impact Statement (DPEIS). I have also submitted comments electronically via the City's Website.

Our primary concern is that the wetland and shoreline information in the DPEIS is outdated and incomplete. We believe these sections should be updated with current wetland delineations and determination of shoreline extent in the project area. The wetland boundaries and ratings as well as the determination of shoreline extent should be field verified by Ecology prior to preparation of the final EIS for the proposed Comprehensive Plan and zoning changes.

Please let me know if you have any questions.

Paul

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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office 3190 160th SE Bellevue, Washington 98008-5452 (425) 649-7000

March 13, 2012

Joan Cook, Administrative Coordinator
City of Monroe
806 West Main Street
Everett, WA 98272

Dear Ms. Cook:

RE: Ecology SEPA Comments for East Monroe Draft Phased Environmental Impact Statement

Thank you for notifying the Washington State Department of Ecology (Ecology) that the East Monroe Draft Phased Environmental Impact Statement (DPEIS) is available for our review and comment. As the Ecology Wetland Specialist responsible for Snohomish County, I wish to have the following comments entered for the record. This proposal involves amending the City of Monroe (City) Comprehensive Land Use designation and rezoning approximately 50 acres immediately north of U.S. Highway 2 near the eastern city limits.

Ecology believes that the wetlands and shorelines sections of the DPEIS need to be revised to more accurately reflect current site conditions and permitting requirements. The Wetlands Affected Environment section of the DPEIS references a 1999 wetland delineation and wetland rating and a 2005 wetland inventory (p. 13). For site specific actions such as the proposed east Monroe rezone, state and federal standards require that wetland delineations be no more than five years old and that the delineations are verified by the agencies (see Regulatory Guidance Letter No. 05-02). The East Monroe wetland delineations are outdated. We recommend that the applicant have the wetlands on the project site re-delineated and re-rated by a qualified wetland biologist. Those results should be verified by the resource agencies prior to incorporation in the final EIS.

Based on a review of aerial photography and LiDAR data, the wetland categories shown in DPEIS Figure 9 may not be accurate. It appears that the Category III wetland shown on Parcels D, E and F is contiguous with the Category II wetland immediately to the west and should also be rated as a Category II wetland. If so, the applicable buffer on this wetland would be increased from 75 to 100 feet, potentially affecting the area available for development. The wetland rating should be field verified by Ecology based on a current delineation and rating.

Comments noted. Regulatory Guidance Letter No. 05-02 from the Army Corps of Engineers dated June 26, 2008 only refers to a five year time period in regards to a Jurisdictional Determination mad by the Army Corps of Engineers. No Jurisdictional Determination has been applied for for this property. Also, as this is a phased EIS the fact that wetlands and other critical areas exist on the property is sufficient at this time. When a specific development proposal is received further environmental review, including compliance with critical area regulations, will be required.

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The DPEIS states that the project area does not contain any areas within the shoreline jurisdiction (p. 20) and there is no further analysis of shoreline conditions. The channel and wetlands on Parcels A-C are shorelines of the state subject to regulation under the Shoreline Management Act. They are also regulated by the City's Shoreline Master Program and have been designated as an Urban Conservancy shoreline. Given the proximity of the other wetlands on the site to the shoreline water, at a minimum, the Category III wetland shown on DPEIS Figure 9 (Parcels D-F) is an associated wetland within shoreline jurisdiction¹. The associated wetlands would also be designated as an Urban Conservancy shoreline (see WAC 173-26-211(2)(e)). The final project EIS should include a review of project consistency with the City's Shoreline Master Program and the required local and state permitting based on the presence of regulated shorelines within the project area.

We look forward to receiving a copy of the revised EIS for our review and comment. If you have any questions or would like to discuss my comments, please give me a call at (425) 649-7148 or send an email to paan461@ecy.wa.gov.

Sincerely,



Paul S. Anderson, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

Comments noted. The area of the subject parcels delineated as with shorelines jurisdiction in the Department of Ecology approved City of Monroe Shorelines Master Program is specifically excluded from the proposed action. When an application for development activity is received, compliance with local, state, and federal regulations will be required, including the completion of a critical areas report per Monroe Municipal Code Section 20.05.060.

PSA: ca

cc: Geoff Tallent, Ecology Shorelands & Environmental Assistance Program
Erik Stockdale, Ecology Shorelands & Environmental Assistance Program
Patricia Lambert, Ecology Shorelands & Environmental Assistance Program
Jamie Bails, Washington Department of Fish and Wildlife
Jonathan Smith, U.S. Army Corps of Engineers
Dave Somers, Snohomish County Council

¹ The standard for associated wetland is proximity and influence to a shoreline water; see WAC 173-22-030.