



memorandum

date November 4, 2022

to Ryan Harriman, City of Mercer Island

cc

from Emily Heim & Matt Maynard, ESA

subject Review of 5637 East Mercer Way- Permit Application (2204-107)

On behalf of the City of Mercer Island (City), Environmental Science Associates (ESA) reviewed the application materials submitted on October 7, 2022 for the proposed development located at 5637 East Mercer Way, in the City of Mercer Island, Washington (King County Parcel #1924059312). This review is to determine if the proposed project complies with Mercer Island City Code (MICC) Chapter 19.07 (Environment) and Conditions of Approval outlined in the Hearing Examiner Decision following the most recent Remand Hearing.

A previous review by ESA dated June 29, 2022 determined that four corrections should be made in order to accurately depict the proposed development and comply with the Conditions of Approval outlined in the Hearing Examiner Decision.

The following materials were reviewed (listed chronologically):

- *Final Storm Drainage Report* prepared by Core Design dated May 29, 2022 (with comments).
- *Arborist Corrections* prepared by Gilles Consulting dated August 12, 2022.
- *Shoring Load Calculations for the MI Treehouse* prepared by Stoney Point Engineering dated August 22, 2022.
- *Final Storm Drainage Report* prepared by Core Design dated September 22, 2022.
- *Mitigation Bank Use Plan* prepared by Sewall Wetland Consulting dated October 5, 2022.
- *Revised Critical Areas Report* prepared by Sewall Wetland Consulting dated October 5, 2022.
- *Complete Plan Set* prepared by The Healey Alliance AZ dated October 5, 2022.

Response to ESA's June 29, 2022 Recommendations

The recommendations ESA provided based on the previous documents were addressed:

1. ESA recommended the following submittal documents be updated to reflect the correct parcel number:
 - a. Revise the *Mitigation Bank Use Plan* prepared by Sewall Wetland Consulting, Inc. dated December 28, 2020 to correct the parcel number to 192405-9312 instead of 192405-0312. This has been updated.
 - b. Revise the *Revised Critical Areas* dated January 26, 2021 to correct the parcel number to 192405-9312 instead of 192405-0312. This has been updated.

2. The Site Plan did not show a split rail fence around the north, west, and south extent of the clearing limits. ESA recommended the Site Plan be updated to include the split rail fence as described in the Conditions of Approval determined by the Hearing Examiner December 15, 2021. This has been updated. The correction is shown on the Site, Storm, Utilities & Grading Plan & Notes Sheet (page 45) of the *Complete Plan Set* prepared by The Healey Alliance AZ dated October 5, 2022.

3. The MDNS requires consultation with a hydrologist to determine any impacts related to the final design of the drainage system. ESA recommended documentation of hydrologist review be added to the submittal documents. The *Final Storm Drainage Report* prepared by Core Design dated September 22, 2022 notes on page 18 that Core Design, Inc. conducted a hydrologic evaluation and analyzed the impacts. In the professional opinion of Core Design, “the discharge from the project site causes negligible increases at all storm events through the 100-year with no adverse impacts expected”. Therefore, updates to the mitigation plans are not needed.

4. The Conditions of Approval determined by the Hearing Examiner December 15, 2021 require the applicant to conduct a wetland delineation during Year 5 of monitoring to verify the boundaries and ensure no net loss of wetland area or function. ESA recommended the wetland delineation and functional assessment be added to the performance standards of the Critical Area Enhancement Plan. This has been corrected. The following statement was added to the Critical Area Enhancement Plan:

Year 5 only - Wetland limits shall be verified using the wetland delineation methods described in the 1987 Corps of Engineer Wetland Delineation Manual as amended by the Regional Supplement to the Corps of Engineers Manual: Western Mountains, Valleys, and Coast (version 2.0).

November 2022 Recommendation

ESA recommends that verification of clearing limits occur prior to the beginning of construction.

If you have any questions, please contact us at (206) 204-6980 or email eheim@esassoc.com.

Sincerely,
ESA

Emily Heim
Environmental Planner

Matt Maynard
Senior Wetland Biologist