



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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March 21, 2019

Nicole Gaudette, Senior Planner
Community Planning & Development
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

Re: Hou Critical Areas Determination
File Nos.: CAO17-010 and SEP19-003, Ecology SEPA #201900882

Dear Nicole Gaudette:

Thank you for the opportunity to provide comments on the **Hou Critical Areas Determination Project**. Based on review of the State Environmental Policy Act (SEPA) checklist associated with this Project, the Department of Ecology (Ecology) has the following comments:

Ecology would regulate the wetland as a water of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. We are concerned about the buffer encroachment and do not support building the house so close to the wetland. This is not consistent with Ecology guidance on buffer widths in Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Publication #06-06-011a).

For more information about SEPA and Ecology, please visit <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>.

Thank you for considering these comments from Ecology. If you have any questions or would like to respond to these comments, please contact Doug Gresham from the Shorelands and Environmental Assistance Program at (425) 649-7199 or by email at doug.gresham@ecy.wa.gov.

Sincerely,

Tracy Nishikawa
SEPA Coordinator

Sent by email: Nicole Gaudette, nicole.gaudette@mercergov.org

cc: Sang Hou, Applicant

ecc: Doug Gresham, Ecology