



# **WESTECH COMPANY**

*Environmental Consulting ~ Site Permitting*

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September 28, 2018

Ms. Lauren Anderson  
City of Mercer Island  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040-3732

Dear Ms. Anderson:

In accordance with your comments, ESAs comments and Public Comments on the permit application for a single family residence at 8114 West Mercer Way, Westech Company revised our Mitigation Plan and Monitoring Plan Report (dated September 2018) which has been submitted to you by Mr. Benny Kim. As you have also requested, this letter discusses the various comments on a point-by-point basis. I hope that this is helpful information.

## **Land Use Review Comments**

### **1. Options to Proceed**

In response to this comment, the applicant (Mr. Benny Kim) has chosen item (b), and redesigned the residence to lie outside of the minimum 25 foot buffer (see Site Plan in Figure 4, of the Mitigation & Monitoring Plan hereafter M&M Plan). The new design and mitigation will result in a net improvement of wetland function with the new Enhancement Area as shown in that Figure (4). This will comply with MICC 19.07.070(3).

### **2. ESA Review**

- a) The plan (Figure 4 in the M&M Plan) shows the 200 square foot wet area, which was checked and found not to satisfy the requirements of a wetland. A data sheet was appended to the report to demonstrate that finding (Appendix A).
- b) The driveway was narrowed and reconfigured as requested by ESA and a row of trees is required along the north edge of the driveway as requested (see Figure 4 in the M&M Plan)
- c) The house has been redesigned to lie outside the minimum buffer. The driveway dimensions have been reduced to lie outside of that minimum to the extent feasible and trees have been required to off-set any residual impact and protect the wetland as requested by ESA.

### 3. Public Comment

- a.) Concerns relating to Landslide hazard and development on steep slope. These concerns have been addressed by a licensed Civil Engineer (C2MY Engineering) in previous reports. In addition an erosion control plan has been produced by C2MY Engineering – attached as a separate exhibit).
- b) Water on-site: Concerns about erosion and run-off and the potential impacts to neighboring sites. Again, C2MY Engineering has prepared an erosion control plan to mitigate impacts during construction. Re-vegetation plans (with native plants) have been developed to stabilize the soils in the construction area. BMPs will be used during construction. Silt fences will be kept in place until new shrubs and trees are established in the Buffer Enhancement Area (see Figure 4 in the M&M Plan).
- c) The very small (200 square foot) possible wetland was studied further and found NOT to constitute a wetland area (See M&M Plan, Figure 4 and Appendix A). Off-site impacts will be mitigated with use of silt fences, erosion control practices during construction and use of Best Management Practices (BMPs) as discussed in Chapters 3.0 and 4.0 of the M&M Plan. Erosion control measures will remain in place until new plants become established.

### 4. Site Plan

- a) The new Site Plan has been revised to show the 25 foot(minimum) and 35 foot (standard) buffers adjacent to the house site.
- b) The 200 square foot “wet area” was studied further and found NOT to constitute a wetland (see Figure 4, Chapter 5.0 and Appendix A of the M&M Plan).
- c). The off-site buffer has been removed from the Plan.
- d) The reduced buffer has been shown for the house and the driveway as requested.
- e) This information regarding steep slopes has been added to the Site Plan.
- f) This information regarding easements will be submitted under separate cover.
- g) This information regarding the property line and dimensions has been added to the Site Plan.

## 5. Critical Areas Study

a) The new driveway has been reduced in dimension and extent. It also will be constructed using all reasonable and feasible BMPs (as per MICC 19.07.030(6)a). These will include a silt fence, straw wattles and other erosion control methods as specified in the M&M Plan and in C2YM Engineering's Erosion Control Plan (under separate attachment). The residence has been re-designed to minimize impacts to critical areas using best available science as demonstrated by the Wetland Delineation Report and the Mitigation and Monitoring Plan as per MICC 19.07.030(6)b (Westech Company 2018a,b).

As per the M&M Plan Report, impacts to critical areas have been mitigated to the greatest extent feasible so there is No Net Ecological Loss of critical area functions as per MICC 19.07.030(6)c. The Critical Areas Study (Wetland Delineation Report) and Restoration Plan (Mitigation and Monitoring Plan) have been prepared and submitted to the City of Mercer Island as per MICC 19.07.030(6)d. This information therefore complies with all requirements of MICC 19.07.030(6) a-d.

b) Construction of the Project will be consistent with Best Management Practices (BMPs). See C2MY Engineering Erosion Control Plan (separate attachment).

c. The residence has been re-designed and located to avoid critical areas. The lot was configured to have a driveway access at the southeast corner adjacent to the other driveways of the two adjacent residences. The driveway has been reduced to the extent possible and a row of trees and a planting area containing shrubs have been shown in the M&M Plan on the north side of the driveway. The residence was re-designed to lie outside of the 25 foot minimum buffer.

d. As stated above, there will be no-net loss of ecological function for critical areas if all Mitigation & Monitoring measures are implemented and all BMPs are utilized.

e. A Mitigation and Restoration Plan (referred to as a Mitigation and Monitoring Plan has been submitted and will be implemented with the Project (Westech Company 2018b). It shows the location of existing trees and removal of one alder tree (see M&M Plan). Mitigation and replacement trees and shrubs are listed in Chapter 4.0 of the M&M Plan (Planting Plan).

As included analysis in the M&M Plan Report, the 200 square foot area was determined NOT to be a wetland (see Figure 4 and Appendix A of the M&M Plan). There are no known wildlife habitat conservation areas or any T&E species on the Site. Proposed grading is shown in plans submitted separately by C2MY Engineering. Impacts to the functions of Critical Areas as shown in the M&M Plan, as is proposed maintenance and monitoring plan (see Chapters 3.0 and 4.0 M&M Plan).

- f. Site survey, cover sheets and site construction plans have been submitted under separate cover by Mr. Benny Kim, Architect and C2YM Engineering.
6. This King County Bond Worksheet is provided under separate cover.
7. The proposal is for a single family residence in an area of previously developed single family residences. This falls below the de minimus threshold for SEPA. House and driveway construction have been re-designed to be minimal and the house is outside of the 25 foot minimum buffer zone.
8. The wetland is a Category IV wetland less than one acre in size. No alteration is expected, except potentially where the reduced size driveway will enter the property.

The M&M Plan details restoration and enhancement of the wetland and its buffer with native vegetation, including tree screening with new native trees along the north side of the driveway and an additional area of new native shrubs immediately to the north of that location. It appears that the driveway will be placed adjacent to but not within the wetland and the house has been redesigned to remain outside of the minimum 25 foot buffer zone. The M&M Plan details enhancement and restoration measures for the buffer zone.

9. As stated above, the house has been redesigned and the stairs and home will not intrude into the 25 foot minimum buffer zone. A construction fence and silt fence will divide the construction area from the minimum buffer zone. It is expected that 2-3 feet additional will be available as a set-back as requested, however, the home-site is very tight in configuration. The driveway has been reduced to a minimum size as requested.

10. Thank you for this information. Westech Company has submitted a Wetland Delineation Report and a Final Wetland Mitigation and Monitoring Plan (Westech 2018 a,b). These two documents have identified Critical Areas on the Site and have developed recommended Mitigation Measures (including a Planting Plan for native species) and a Monitoring Plan to ensure survival of native shrubs and trees planted in the restoration/enhancement area.

These mitigation measures and the Monitoring Plan, in combination with site architectural and engineering design, and an engineered Erosion Control Plan (C2YM Engineering) are anticipated to achieve "No Net Ecological Loss" during construction and occupancy of the new residence. This will maintain and restore any effects on the wetland and will enhance the buffer in comparison with current conditions, once the plants have become established at the Site.

Lauren Anderson  
City of Mercer Island  
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**Civil Engineering Review Comments:**

These comments are addressed by C2MY Engineering under separate cover.

We believe that this letter provides new and complete information regarding environmental impacts, mitigation and monitoring plans for the proposed Project. We have found that "No Net Ecological Loss" will occur if these plans are implemented. Similarly, engineering plans have been submitted by the applicant and C2MY Engineering which should protect the wetland areas and nearby residences from construction impacts, including erosion (see C2MY Erosion Control Plans attached under separate cover).

Thank you for your review of this additional information. Please let us know if you have any remaining or additional questions.

Sincerely,



G. Bradford Shea, Ph.D., REPA, ABI  
Senior Ecologist/Senior Environmental Scientist

GBS/mas

Cc: Mr. Benny Kim, Architect