



**Sewall Wetland Consulting, Inc.**

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February 12, 2017

Evan Maxim  
Planning Director  
City of Mercer Island

RE: 5637 East Mercer Way – Parcel #1924059312  
City of Mercer Island, Washington

Dear Evan,

This letter is a response to the comment below stated in the Staff Report and recommendation regarding the Reasonable Use Application for 5637 East Mercer Way (Parcel #1924059312), also known as City of Mercer Island project #CAO15-001;

**The City concludes that the applicant has proposed mitigation that is consistent with best available science, based upon the City's peer review. However, the applicant has failed to first address compliance with the City's adopted regulations by evaluating off-site mitigation within the same sub-basin. Compliance with existing standards is required where feasible; insofar as the applicant has not demonstrated compliance is infeasible, the City concludes this criterion is not met.**

*Response:*

The City Code requires review off-site mitigation possibilities within the same sub-basin as the subject parcel if mitigation cannot be conducted on-site. Our proposed mitigation package includes onsite enhancement of the existing wetland to be impacted, as well as purchase of mitigation "credits" from the King County Mitigation reserves Program. As noted by the City peer reviewer, our mitigation meets the best available science as well as the requirements put on the project by the Corps of Engineers for the 404 permit requiring use of a mitigation bank as a first choice if available.

Prior to deciding that credit purchase from King County was the best choice to make up the functional difference between our proposed enhancement and the proposed impacts, we did look to see what, if any, mitigation opportunities existed within the sub-basin of the project.

In looking within the sub-basin it was found that there was no wetland areas which could be enhanced or created if an easement were granted, or other land was owned by the applicant. Any wetland up-slope and off-site was found to be a slope type wetland not usable for wetland creation. In addition this area is already suitably vegetated with native vegetation, therefore making enhancement of little value. Downslope there is only a small stream with no associated wetland. In addition none of this area is owned by the applicant nor was available to be purchased by the applicant. The applicant has no further land ownership within the sub-basin except the site and there is none suitably available for mitigation.

In conclusion, it was found that there is no area on or off-site within the sub-basin that would be physically feasible for wetland creation or enhancement and usable as a mitigation site.

If you have any questions in regards to this report or need additional information, please feel free to contact me at (253) 859-0515 or at [esewall@sewallwc.com](mailto:esewall@sewallwc.com).

Sincerely,  
*Sewall Wetland Consulting, Inc.*



Ed Sewall  
Senior Wetlands Ecologist PWS #212