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memorandum

date September 20, 2016

to Scott Greenberg, Project Planner; City of Mercer Island

from Scott Olmsted, Project Manager and Claire Hoffman, Ecologist; ESA

subject Proposed Mercer Island Center for the Arts (MICA) - Wetland Buffer Impacts and Mitigation Review

On behalf of the City, ESA reviewed the applicant's submittal materials for the proposed Mercer Island Center for the Arts (MICA). We focused our review on the following documents: Wetland Delineation Study (May 21, 2015), Supplemental Regulatory Evaluation (September 11, 2015), Wetland Interpretation (September 4, 2015), and a Conceptual Mitigation drawing (July 20, 2016) by The Watershed Company (TWC). Additionally, ESA reviewed the SEPA Checklist for MICA (July 27, 2016) by Framework Cultural Placemaking, Sheet C3502 Offsite Site and Paving Plan (July 9, 2015) and the Sheet C502 Offsite Storm Drainage Plan (July 9, 2015) by Framework and ORA. The proposed MICA would be located at 3205 77th Ave SE (Parcel #1224049068). This review is prepared to ensure compliance with Mercer Island City Code (MICC).

Review of Wetland Delineation

ESA staff conducted a field visit on September 13, 2016. Based on that field visit, the mapped wetland provided by TWC appears to match field conditions. A number of flags from TWC remained in the field making boundary verification possible. The wetland was observed to be a palustrine scrub-shrub and forested wetland dominated by bigleaf maple and Oregon ash. The wetland appears to be correctly rated as a Category III slope wetland, which has a standard buffer of 50 feet MICC 19.07.080(C)(1).

Review of Potential Stormwater Discharge

Insufficient information has been provided to determine whether the project complies with MICC 15.09. We recommend the applicant provide a stormwater control management plan or a "storm water site plan." Additionally, the applicant proposes several features that would discharge water to the wetland, which is allowed under MICC 15.09.040; however, it is not clear if such discharges are in compliance with state regulations.

The project proposes two features that would discharge water directly into the wetland: 1) a swale located west of the proposed building and 2) a wall drain located on the south side of the building (see Sheet C302 Offsite Storm Drainage Plan). Potential impacts to the wetland resulting from these proposed discharges (e.g., altered hydrology, scour) was not evaluated in submittal materials; therefore, ESA recommends that such an analysis be included in the stormwater management plan and/or wetland buffer mitigation plan. The analysis should include the volume and quality of water expected to discharge from these structures.

A proposed storm drain connected to the existing storm drain system will pass through a new underground stormwater dentition vault and discharge to a new bioretention cell located at the south end of the proposed building. The proposed bioretention cell is partially located within the 50-foot wetland buffer. MICC does not restrict the placement of bioretention cell in wetland buffers; however, buffer impacts associated with the bioretention cell have not evaluated or mitigated. The applicant should describe wetland buffer impacts, and detail how impacts will be mitigated. Further, an access road "stub" north of the bioretention cell area is shown on Sheet C502 Offsite Storm Drainage Plan which also encroaches on the 50-foot wetland buffer.

Tree Removal

The project would remove multiple trees, requiring a tree removal permit (MICC 19.10.020). The applicant should include a description of proposed tree removals and provide a restoration/protection plan per MICC 19.10.080. This documentation should also include a discussion of trees that will be removed within the wetland buffer (a tree within 25 feet of the wetland boundary is considered a "critical area tree") and any landmark trees. Trees removed from the wetland buffer will need to be replaced.

Wetland Buffer Reduction and Mitigation Plan

Sheet C502 (Offsite Storm Drainage Plan) indicates the proposed swale will continue into the wetland and the wall drain will be located with the wetland boundary. The applicant should confirm that no grading is proposed within the wetland and no fill material will be placed within the wetland boundary. If grading is proposed within the wetland buffer, these impacts (temporary and permanent) should be described.

Sheet W1 of 1 shows a buffer reduction at the north end of the wetland. The buffer will be reduced from 50 feet to 25 feet, which is the minimum width allowed MICC 19.07.080(C)(1). Buffer reduction would reduce the buffer area by 4,997 square feet. Proposed buffer reduction activities should be documented in a buffer mitigation plan. The proposed buffer reduction must account for the bioretention area and access road "stub" as described above.

To mitigate for buffer reduction, the applicant proposes to enhance 5,996 square feet of buffer located about 80 feet south of the reduction, adjacent to the east side of the wetland (Sheet W1 of 1). Buffer enhancement is an approved mitigation activity that offsets loss of buffer functions associated with buffer reductions MICC 19.07.080(C)(2). To better understand if the proposed mitigation complies with MICC, the applicant should provide a more detailed mitigation plan. ESA recommends a buffer mitigation plan that provides applicable information listed in MICC 19.07.050(C).

Recommendations

The applicant should update the submittal materials to provide additional details on wetland buffer impacts, stormwater management, and tree removal. We recommend that the following information be included in the resubmitted documents:

- Description of all wetland buffer impacts, including tree removal, and detail regarding how impacts will be mitigated in a buffer mitigation plan;
- Confirmation that no grading is proposed within the wetland or wetland buffer and no fill material will be placed within the wetland boundary;
- Description of proposed tree removals and a restoration/protection plan per MICC 19.10.080; and
- Provision of a stormwater control management plan or a "storm water site plan."

If you have any questions, please call us at (206) 789-9658.