TECHNICAL MEMORANDUM

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200 NE Moe Street
Poulsbo, WA 98370

January 31, 2020

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File No.: 208.001.1100

Re: Olso Bay Apartments Wetland Delineation and HMP: Third-Party Review

1 INTRODUCTION

Grette Associates is under contract with the City of Poulsbo (City) to assist in the review of the Wetland Delineation Report (the "Report", revised August 21, 2019), and the Habitat Management Plan (the "HMP", revised August 21, 2019) that were prepared by Ecological Land Services, Inc. in support of the Oslo Bay Apartments project. The proposed project will occur north of the intersection of Highway 305 and Highway 307 (Kitsap County parcels 102601-4-022-2009, 112601-3-021-2001, 112601-3-006-2000, 112601-3-008-2008, and 112601-3-012-2002).

2 REVIEW METHODS

2.1 Site Assessment

Grette Associates completed an evaluation of the subject properties on January 29, 2020. The subject properties were traversed and evaluated for consistency with the information contained in the Report and HMP. In addition, all accessible areas within 300 feet of the subject properties were visually assessed to identify any potential critical area features that may have a buffer extending onto the subject properties.

2.2 Document Review

Grette Associates conducted a thorough review of the Report and HMP submitted to the City. The review focused on verifying the accuracy of the descriptions within the Report and HMP for compliance with Chapter 16.20 of the Poulsbo Municipal Code (PMC).

3 REVIEW RESULTS

3.1 Site Assessment Results

In summary, Grette Associates largely concurs with the conditions described in the Report and HMP. More specifically, Wetlands A, B, and C appear to be mapped in the approximate location shown in the Report and HMP. Furthermore, Dogfish Creek and its unnamed tributary appear to

largely be mapped in their approximate locations. However, Grette Associates observed the unnamed stream extending north of what is shown in the Report and HMP (please refer to Figure 2 of the Report). This stream feature extends approximately 600 feet north where it enters a culvert beneath the park and ride/bus station. With the exception of the three wetland features and two natural water features, no additional critical areas (wetlands and streams) were identified on or within 300 feet of the subject properties.

The portions of the subject properties that are not occupied by wetlands and streams typically consist of a mature upland forest that predominately consists of native evergreen species with a native understory beneath.

3.2 Document Review Results

Based on Grette Associates' review, the Report and HMP is not complaint with the minimum requirements defined in Chapter 16.20 of the PMC.

Wetlands

Per PMC 16.20.210, wetlands shall be rated using Ecology's current wetland rating system (Hruby 2014). According to the Report and HMP, Wetland A, B, and C are classified as Category IV wetlands. Based on the review of the rating forms, it is Grette Associates' professional opinion that these features should be rated as Category III wetlands. During review of the rating forms, Grette Associates disagreed with several of the answers provided in the forms. Summarized below are those discrepancies.

Question S6.1 (all rating forms)

Based on the Washington Department of Fish and Wildlife's (WDFW) SalmonScape on-line mapper (queried 1/30/2020), coho and steelhead spawning is documented to occur within Dogfish Creek downstream of the wetlands. The rating forms acknowledge there are surface flooding problems down-gradient of Wetlands A, B, and C; therefore, it appears an additional point should be given to this question which would give this question a score of High.

Question H2.3 (Wetland B's rating form)

The rating form for Wetland B gives -2 points for this question. However, according to Figure 9 in the Report, only approximately 44.7 percent of the area within one kilometer of the wetland is considered high intensity land use. Based on this information, this question should be given 0 points rather than -2 points which would give this question a score of Moderate.

Question H3.1 (all rating forms)

The rating forms give this question one point for two WDFW priority habitats within 330 feet of the wetlands. These ratings did not include the mature upland forest that occupies much of the subject properties. Based on Grette Associates' professional opinion, the average DBH of the tree species that provide canopy coverage appears to exceed 21 inches. Therefore, 2 points (3 priority habitats) should be given for this question for Wetlands A and B and 1 point (2 priority habitats) for Wetland C.

Given the habitat values (6-7 points; Hruby 2014), Category III wetlands are subject to a 150-foot buffer and a 15-foot building setback (PMC 16.20.230). The Report and Plan should be revised accordingly.

Please note that some of the additional application materials are inconsistent with the information provided in the Report and HMP. Examples are provided below.

- Application materials, such as the hydroperiods analysis, do not acknowledge and/or address Wetland C;

- Wetland rating labels are inconsistent. For example, some figures and/or documents state Wetland A and B as Category III wetlands. While Grette Associates concurs with this categorization, it is inconsistent with the Report and HMP. Furthermore, labeling doesn't specify buffer widths to determine if the applicable buffer is being applied;

- ELS's stormwater assessment that was prepared in support of the hydroperiods analysis references the wetland features as Category IV wetlands. As summarized above, Grette Associates disagrees with this classification. This analysis should be reevaluated.

As proposed, the HMP does not address buffer reductions for Wetland B's buffer as required under PMC 16.20.230.

Fish and Wildlife Habitat Conservation Areas

Per PMC 16.20.310 all Type F, Np and Ns streams, as defined in WAC 222-16-030, are designated as Fish and Wildlife Habitat Conservation Areas (FWHCA). Two natural water features are located within 300 feet of the project. Therefore, the project is required to comply with Section 300 of Chapter 16.20 of the PMC.

According to the Report and HMP, Dogfish Creek and the unnamed stream are categorized as Type F waters. Per PMC 16.20.315, the City regulates Type F waters based on salmonid use (Type F1, 200-foot buffer) and non-salmonid use (Type F2, 150-foot buffer). The Report and HMP does not differentiate these two water types.

The Report and HMP assign Dogfish Creek a 150-foot buffer which implies a Type F2 water feature. This stream typing is incorrect and Dogfish Creek should be classified as a Type F1 water which is subject to a 200-foot buffer and 25-foot building setback. Based on the lack of documented salmonid use and/or distribution by WDFW, Grette Associates concurs with the implied stream classification for the unnamed stream as a Type F2 water. Per PMC 16.20.315, Type F2 waters are subject to a 150-foot buffer and a 25-foot building setback.

The HMP provides a buffer reduction plan to facilitate portions of the proposed stormwater management infrastructure. Per PMC 16.20.315, stream buffer and/or building setback may be reduced up to 25 percent with an approved HMP. PMC 16.20.755 defines the minimum reporting requirements that shall be included in an HMP. Based on Figure 4 of the HMP, the project footprint appears to extend beyond the reduced buffer and setback; therefore, the project does not comply with PMC 16.20.315.

One of the key elements of an HMP is an analysis of the effects a proposed project may have upon FWHCA species and/or their habitats. In Grette Associates' professional opinion, the HMP lacks a sufficient analysis to demonstrate that the project and the proposed buffer reduction will not have an adverse impact to FWHCA species and/or their habitat. More specifically, the HMP does not provide any rationale as to why a buffer reduction is necessary. Based on Grette Associates' review of other application materials, it appears that stream buffer reduction is necessary to construct two stormwater ponds. The HMP should provide information to document this necessity.

According to the HMP, no direct stream impacts will occur as a result of this project and the document concludes that the stormwater runoff generated by the project will not affect the stream or impact water quality. While Grette Associates agrees that the project will not likely result in any direct impacts to the unnamed stream, Grette Associates disagrees with the conclusion that no indirect impacts to the stream will occur. The HMP does not provide any rationale to support this conclusion. Based on ELS' stormwater assessment letter (November 13, 2019) and Clear Creek Solutions' wetland hydroperiods analysis (November 21, 2019), stormwater from the project's stormwater management facility will discharge directly to Wetland A and Wetland B. The statements made in these letters contradict the impact analysis summarized in the HMP which states no indirect water quality impacts to the stream will occur because the terrain is inadequate. No information regarding stormwater control or input is provided within the wetland or stream.

In summary, Grette Associates is not able to make a determination whether the project and proposed buffer reduction is sufficient to mitigate any adverse impacts to the stream because the HMP does not include any information regarding stormwater discharge controls that would prevent the potential for high velocities or erosion associated with the proposed stormwater discharge.

4 CONCLUSION

Upon thorough review, the submitted documents are not compliant with Chapter 16.20 of the PMC. Prior to acceptance Grette Associates recommends that the Report, HMP and applicable application materials be revised to address the discrepancies identified in this review. Please see below.

- Per Chapter 16.20 of the PMC, all critical area features within 300 feet of a proposed project shall be identified. The unnamed tributary to Dogfish Creek that is situated in the western portion of the subject properties is not accurately mapped. This feature extends approximately 600 feet north of its terminus mapped in the Report and HMP. These documents should be revised accordingly;
- Per PMC 16.20.210, wetlands shall be rated using Ecology's current wetland rating system (Hruby 2014). According to the Report and HMP, Wetlands A, B, and C are classified as Category IV wetlands. Based on the review of the rating forms, it is Grette Associates' professional opinion that these features should be rated as Category III wetlands. Category III wetlands that provide moderate habitat (assuming high land use) are subject to a 150-foot buffer and a 15-foot building setback (PMC 16.20.230);
- Grette Associates identified inconsistencies with the Report and Plan compared to other application materials. All applicable materials shall be consistent with Chapter 16.20 for the PMC; therefore, these materials shall be revised accordingly;
- Per PMC 16.20.230, wetland buffer reductions shall adhere to the requirements defined in PMC 16.20.230. The HMP did not address a buffer reduction associated with Wetland B; therefore, the HMP needs to be revised accordingly;
- Per PMC 16.20.315, the City regulates Type F waters based on salmonid use (Type F1) and non-salmonid use (Type F2). The Report and Plan inaccurately classify Dogfish Creek as a Type F2 water. Given its documented salmonid use and distribution by WDFW, Dogfish

Creek is classified as a Type F1 water and subject to a 200-foot buffer and 25-foot building setback (PMC 16.20.3215). The Report and HMP need to be revised accordingly;

- Per PMC 16.20.315, a reduction of a stream buffer and/or building setback may be reduced up to 25 percent with an approved HMP. Based on Figure 4 of the HMP, the project footprint appears to extend beyond the reduced buffer and setback; therefore, the project does not comply with PMC 16.20.315. The HMP and project need to be revised accordingly;
- Per PMC 16.20.755, an HMP shall contain an analysis of the effects a proposed project may have upon FWHCA species and/or their habitats. According to the HMP, the project will not have any indirect impacts to the unnamed stream because no stormwater discharge will enter the stream or its buffer. This conclusion contradicts ELS' stormwater assessment letter that states stormwater will discharge into Wetland A and Wetland B. The unnamed stream flows through Wetland B which implies that any stormwater discharge will ultimately flow directly into the stream given its relationship with the wetland. The HMP did not provide any supporting information how the project will implement any appropriate mitigation measures (flow control mechanisms or like features) to ensure no adverse impacts will occur. The HMP needs to be revised accordingly.

The review of the Report and HMP was conducted using the best available scientific information and methodologies and the best professional judgement of Grette Associate's staff biologists. Final acceptance and approval is at the discretion of City staff.

If you have any questions from this review, please contact me at (253) 573-9300, or by email at chadw@gretteassociates.com.

Regards,

Chad Wallin
Biologist

References:

Hruby, T. 2014. Washington State Wetland Rating System for Western Washington: 2014 Update. Washington State Department of Ecology Publication # 14-06-029.