



CITY OF EDMONDS

ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). the lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposed nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:

City of Edmonds Shoreline Master Program Periodic Review

2. Name of applicant:

City of Edmonds

3. Address and phone number of applicant and contact person:

Kernen Lien, Environmental Programs Manager
121 – 5th Avenue North
Edmonds, WA 98020

4. Date checklist prepared:

October 2018

5. Agency requesting checklist:

City of Edmonds

6. Proposed timing or schedule (including phasing, if applicable):

The Edmonds City Council is expected to approve the revisions to the Shoreline Master Program (SMP) in the June 2019 and then forward the SMP to Department of Ecology for their review and approval.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

In accordance with RCW 90.58.080, periodic review of the Shoreline Master program is required every eight years.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

City of Edmonds Shoreline Inventory & Characterization
City of Edmonds Shoreline Master Program Restoration Plan
City of Edmonds Cumulative Impacts Analysis

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No pending applications or approvals would be affected. Once adopted and approved by Ecology, the proposed SMP amendments would apply to any new use or development within the City of Edmonds shoreline jurisdiction. Permit applications with the City's shoreline jurisdiction would be processed according to the SMP regulations and procedures in effect at the time the application was determined to be complete.

10. List any government approvals or permits that will be needed for your proposal, if known.

The proposed Shoreline Master Program will need the following approvals:

- Review and threshold determination under the State Environmental Policy Act for non-project actions;
- Adoption of the Edmonds City Council; and
- Approval by the Washington State Department of Ecology (RCW 90.58.090).

11. Give brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The Shoreline Management Act requires each SMP be reviewed and revised, if needed, on an eight-year schedule established by the Legislature. Ecology is the regulatory body in charge of overseeing the City's SMP periodic review and also provides technical support and partial funding to prepare SMP periodic reviews. The City of Edmonds' periodic review must be completed by June 30, 2019. The periodic review ensures the SMP stays current with changes in laws and rules, remains consistent with other City of Edmonds' plans and regulations, and is responsive to changed circumstances, new information and improved data.

Ecology developed a Periodic Review Checklist in order to provide some guidance to jurisdictions conducting their periodic reviews. The checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2017 that may trigger the need for local SMP amendments during periodic reviews. The City of Edmonds just completed a comprehensive update of its SMP in June 2017. This comprehensive update took many years to complete and some recent amendments to the SMA and shoreline guidelines did not get incorporated in the City's SMP. Staff has reviewed and completed the periodic review checklist which is included as Attachment A to this SEPA checklist.

In addition to the statutory and regulatory amendments identified in the checklist, staff added the Other Review Elements section to the end of Ecology's checklist to identify a couple of other items that may be amended with this periodic

update. Updates to the SMP may result from a site specific study of the Edmonds Marsh being undertaken by the City of Edmonds. This study is not likely to be completed by the time the City's periodic review is due, however, it is likely that information will be available to provide an amendment to the Shoreline Inventory and Characterization document (see the current SMP Documents tab below) with current information on the Edmonds Marsh. Additionally, staff identified section ECDC 24.80.100 for process clarifications on how a shoreline substantial development review may move from a staff decision process (Type II) to a public hearing process (Type III).

The SMP code revisions identified in the Periodic Review Checklist and other related items identified above are provided as Attachment B, and supplemental information for the Shoreline Inventory and Characterization related to the Edmonds Marsh are provided in Attachment C.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide range or boundaries of the site(s). Provide legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

The SMP periodic review is a city-wide, non-project action that affects activities and developments in the City's shoreline jurisdiction. The shoreline areas within the City of Edmonds jurisdiction include Puget Sound, Lake Ballinger, and the tidally influenced portions of the Edmonds Marsh. Shoreline Jurisdiction also applies to upland areas within 200 feet of the shoreline edge (ordinary high water mark) and associated wetlands.

TO BE COMPLETED BY APPLICANT

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one):** Flat, rolling, hilly, steep slopes, mountainous, other:

Edmonds is a highly developed and well-established community. The Edmonds marine shoreline extends 5.2 miles from north to south. The City's northern border is the Meadow Beach Park in unincorporated Snohomish County and the City is bounded by the Town of Woodway to the south. The BNSF Railway borders a majority of the Edmonds marine shoreline. The railroad tracks form a barrier between the natural shoreline and the existing residential neighborhoods for over half the Edmonds marine shoreline. For the majority of the northern marine shoreline, a bluff lies between the residential properties and the railroad below.

- Edmonds' southern shoreline is the current location for the Washington State Ferry (WSF) terminal to Kingston, in addition to commercial and residential properties, waterfront parks, walkways, and the Port of Edmonds Marina. On either side of the ferry terminal are two regional parks, Brackett's Landing North and South, respectively. Collectively, these parks include public beach, picnic areas, interpretive information, public restrooms, a parking lot, and showers. Paths lead to a wheelchair-accessible jetty. On the northern side of the ferry is another regional park, Edmonds' Underwater Park. This park was one of the first officially designated underwater parks on the West Coast.

Edmonds' freshwater shoreline consists of the south and west shores of Lake Ballinger. The eastern half of Lake Ballinger is located in the City of Mountlake Terrace. This shoreline is zoned single family residential.

- b. What is the steepest slope on the site (approximate percent slope)?**

The slopes of the marine bluffs along the City's shorelines may be up to 50 percent.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long term commercial significance and whether the proposal results in removing any of these soils.**

The soil survey of Snohomish County indicates that the predominant soils found across the City are Alderwood gravelly sand loam, Everett gravelly sandy loam, and Alderwood urban land complex. Other soils with much small extent include Kitsap silt loam, McKenna gravelly silt loam and Mukilteo muck. There is no designated prime farmland in the City of Edmonds' shoreline.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. _____

Yes, particularly in an area designated as the North Edmonds Earth Subsidence Landslide Hazard Area (ESLHA) in the area as identified in a 2007 report by Landau Associates. There have been multiple historic landslides in the ESLHA and any development in the area is subject to special review in accordance with ECDC 19.10.

e. Describe the purpose, type, total area and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

No specific filling or grading is proposed. Under the SMP, clearing and grading activities within shoreline jurisdiction are permitted only as part of an allowed use or an ecological restoration or enhancement project.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Erosion control would be addressed on a project level basis through the City's stormwater regulations, clearing and grading code and other provisions of the SMP.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This is a nonproject action with no specific construction resulting in new impervious surfaces.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

The SMP includes provisions to limit clearing, retain existing native shoreline buffer vegetation, manage stormwater and provide erosion and sediment control. The SMP regulations will work in conjunction with other City of Edmonds regulations mitigate impacts of development. These provisions are implanted on a project-by-project basis.

2. AIR

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

None.

b. Are there any off-site sources of emissions or odor that may effect your proposal? If so, generally describe.

No.

c. Proposed measures to reduce or control emissions or other impacts to the, if any:

None.

3. WATER

a. Surface:

(1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The City of Edmonds is located on the shoreline of Puget Sound. Within the City's shoreline jurisdiction, there are a number of streams that drain into Puget Sound including Perrinville Creek, Fruitdale Creek, Northstream, Shell Creek, and Willow Creek. The City's shoreline also includes a few unnamed drainages.

The City's shoreline jurisdiction also includes Lake Ballinger, which is lined by wetlands in a number of locations.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Not applicable. As a non-project action, adoption of the proposed SMP revisions would not require any in or overwater work. New development in the shoreline jurisdiction would be subject to provisions of the SMP, which includes specific prohibitions and standards for over-water structures.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

Not applicable. As a non-project action, adoption of the proposed SMP revisions do not require any fill or dredging. New development in the shoreline jurisdiction would be subject to provisions of the SMP, which includes specific prohibitions and standards for dredging and filling.

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.**

No ground water withdrawals are proposed.

- (5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

The 100-year flood plain is mapped for the City of Edmonds on the Snohomish County Federal Emergency Management Agency (FEMA) flood insurance rate maps. Within Edmonds, the 100-year flood plain is shown around the Edmonds Marsh, the Port of Edmonds, near the mouths of Shell Creek and Perrinville Creeks. The flood plan is also mapped around the shoreline of Lake Ballinger.

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

As a non-project action, no discharges of waste materials to surface waters are proposed. The City of Edmonds maintains a storm drainage system consisting of pipes, ponds, ditches, bioswales, and streams. The majority of the system eventually discharges into the Puget Sound via one of the City's streams, drainages, or pipes.

b. Ground:

- (1) Will ground water be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.**

No groundwater withdrawals or discharges are proposed.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

Not applicable. As a non-project action, no materials are proposed to be discharged into the ground.

c. Water Runoff (including storm water):

- (1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

As a non-project action, adoption of the SMP will not result in new runoff. New development and redevelopment would be required to provide stormwater management facilities. The City of Edmonds maintains a storm drainage system consisting of pipes, ponds, ditches, bioswales, and streams. The majority of the system eventually discharges into the Puget Sound via one of the City's streams, drainages, or pipes.

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

Under the SMP, shoreline use and development must control and treat stormwater to protect and maintain surface and ground water quantity and quality in accordance with the City's stormwater regulations.

- (3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No. As a non-project action, adoption of the SMP will not affect any drainage patterns.

- d. Proposed measures to reduce or control surface, ground, runoff water, and drainage pattern impacts, if any:

The SMP encourages management of stormwater throughout the City consistent with the City's stormwater regulations as contained in ECDC 18.30. Low impact development techniques are encouraged where feasible.

4. Plants

- a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other: _____

evergreen tree: fir, cedar, pine, other: _____

shrubs _____

grass _____

_____ pasture _____

_____ crop or grain _____

_____ Orchards, vineyards or other permanent crops _____

wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other: _____

water plants: water lily, eelgrass, milfoil, other: _____

_____ other types of vegetation: _____

- b. What kind and amount of vegetation will be removed or altered?

None specifically. The SMP requires new development to protect shoreline vegetation.

- c. **List threatened or endangered species known to be on or near the site.**

None known.

- d. **Proposed landscaping, use of native plants, or other materials to preserve or enhance vegetation on the site, if any:**

The SMP encourages the protection and restoration of native vegetation and control of non-native invasive plant species. The SMP also includes a restoration plan describing opportunities to restore native vegetation.

- e. **List all noxious weeds and invasive species known to be on or near the site.**

None known.

5. Animals

- a. **List any birds and other animals that have been observed on or near the site or are known to be on or near the site. Examples include:**

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

Numerous fish and wildlife species depend on the Edmonds shoreline and adjacent shoreland habitats for either part or all of a life stage. Shellfish resources include clams, mussels, crab, and shrimp. Eight species of salmonids use nearshore areas of Puget Sound at some point in their life cycle. These include Chinook, chum, coho, sockeye, and pink salmon and sea-run cutthroat, steelhead, and bull trout. Birds with priority habitats that occur within the City include bald eagle, purple martin, and great blue heron.

- b. **List any threatened or endangered species known to be on or near the site.**

Several federally listed threatened or endangered species that may inhabit marine waters or adjacent habitats within the City are identified in the State database. The threatened marbled murrelet are observed intermittently in inland Puget Sound waters; winter and summer surveys by WDFW conducted near Edmonds found no murrelets in winter and only a few birds in the Edmonds area in summer. Federally listed threatened fish species that may occur in or in the vicinity of Edmonds, including Puget Sound Chinook salmon and bull trout. Federally listed marine mammals (Steller sea lion and Puget Sound orcas) may be present in the Edmonds shore zone, but are not commonly observed.

- c. **Is the site part of a migration route? If so, explain.**

The shoreline of Puget Sound provides a migratory route for salmon and the City of Edmonds is located within the Pacific Flyway, which is a flight corridor for migrating waterfowl and other birds.

- d. **Proposed measures to preserve or enhance wildlife, if any:**

The SMP regulations protect existing shoreline vegetation through vegetation conservation provisions, limits on filling, clearing and grading, and mitigation sequencing. e. List any invasive animal species known to be on or near the site.

6. Energy and Natural Resources

- a. **What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

Not applicable.

- b. **Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

No. The SMP retains the maximum building height limits of the underlying zoning.

- c. **What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

7. Environmental Health

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so describe.**

No.

- (1) **Describe any known or possible contamination at the site from present or past uses.**

Not applicable.

- (2) **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

Not applicable.

- (3) **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or constructions, or at any time during the operating life of the project.**

Not applicable.

- (4) **Describe special emergency services that might be required.**

Not applicable.

- (5) **Proposed measures to reduce or control environmental health hazards, if any:**

Not applicable.

b. **Noise**

- (1) **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

Not applicable.

- (2) **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hour's noise would come from the site.**

Not applicable.

- (3) **Proposed measures to reduce or control noise impacts, if any:**

Not applicable.

8. Land and Shoreline Use

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

The City of Edmonds marine shoreline extends 5.2 miles along Puget Sound. The BNSF Railway borders a majority of the Edmonds marine shoreline. The railroad tracks form a barrier between the natural shoreline and the existing residential neighborhoods for over half the Edmonds marine shoreline. This part of the City's marine shoreline is primarily characterized by a seawall and fill that created the BNSF railroad bed. Residential development lies landward of the railroad along the northern two-thirds of the marine shoreline. Edmonds' southern shoreline is the current location for the Washington State Ferry (WSF) terminal to Kingston, in addition to commercial properties, waterfront parks, walkways, and the Port of Edmonds Marina.

The City's Lake Ballinger shoreline area is entirely residential.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

No.

- (1) **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

No.

- c. **Describe any structures on the site.**

The major structure in the City's shoreline is the BNSF railway. The waterward side of the railroad is armored with either a sloped or vertical seawall. An old pier known as Haines Wharf is located near the north end of the City's shoreline. Residences are located along the bluff and around Lake Ballinger.

On either side of the ferry terminal are two regional parks, Brackett's Landing North and South, respectively. Collectively, these parks include public beach, picnic areas, interpretive information, public restrooms, a parking lot, and showers. Paths lead to a wheelchair-accessible jetty. On the northern side of the ferry is another regional park, Edmonds' Underwater Park. This park was one of the first officially designated underwater parks on the West Coast. The facility includes 27 acres of tide and bottom lands and was established as a marine preserve and sanctuary in 1970.

From the ferry terminal to the Port of Edmonds Marina is a public waterfront walkway. This public facility offers wheelchair-accessible access to the waterfront while acting as a breakwater for existing residential and commercial structures within the shoreline area. At the southern portion of this walkway, at the northern edge of the marina, is a city park and public fishing pier. Olympic Beach Park is located just north of the fishing pier. The shoreline jurisdiction extends east to the vicinity of Railroad Avenue from Main Street and south to the vicinity of Dayton Street. Between Railroad Avenue and the City's walkway are a number of commercial offices, a senior center, a parking lot, and private residential condominiums.

The Port of Edmonds owns and operates the marina and adjacent uplands, including the Harbor Square Development and the land adjacent to the Edmonds Marsh. The marina includes 676 wet moorage slips and 279 dry storage spaces. More than 50 guest moorage slips are available for overnight and short-term stays. The Port provides two boat haulout facilities, showers, laundry facilities, restrooms, fuel, and boat launch for both tenants and guests. A rubble mound breakwater that extends some 2,400 feet from north to south protects the marina. The marina was originally constructed in 1961 with a major reconstruction in 1998 following destruction by a major winter storm.

On Port property upland from the marina and within the shoreline jurisdiction are several businesses and restaurants with associated parking facilities. In addition, the Port Administrative offices are located on the uplands, east of the marina, within the shoreline jurisdiction.

- d. **Will any structures be demolished? If so, what?**

No.

e. What is the current zoning classification of the site?

The shoreline areas along the northern marine shoreline is largely residential with RS-20 and RS-12 zones. The area around Haines Wharf is zoned commercial waterfront. The residential property along the southern marine shoreline is zoned RS-6 (single-family) and the Port of Edmonds property west of the railroad is zoned commercial waterfront. The Harbor Square property on the north side of the Edmonds Marsh is under a contract rezone as General Commercial and the old Unocal property on the south side of the marsh is zoned Master Plan 2.

f. What is the current comprehensive plan designation of the site?

The shoreline jurisdiction around Lake Ballinger and from the northern city boundary to Casper Street on the edge of downtown is designated as Single-Family Resource. The residential properties in the downtown area are Single-Family Urban. The Haines Wharf site in north Edmonds has a Mixed Use comprehensive plan designation. The Port of Edmonds property is designated at Master Plan Development, while the commercial area just south of the ferry terminal is designated as Shoreline Commercial. The near shore area in Puget Sound is designated as Park/Open Space.

g. If applicable, what is the current shoreline master plan designation of the site?

The City's Shoreline Master Program has 12 shoreline environments: Natural, Conservancy, Aquatic I -II, Urban Mixed Use I – IV, Urban Railroad, and Suburban Residential I – III.

h. Has any part of the site been classified critical area by the city? If so, specify.

Environmentally sensitive or critical areas are present in the shoreline include geologically hazardous areas (landslide hazard, erosion, and seismic hazards), wetlands, and fish and wildlife habitat areas (streams and the marine shoreline).

i. Approximately how many people would reside or work in the completed project?

Not applicable.

j. Approximately how many people would the completed project displace?

None.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The Shoreline Master Program has been developed as both a policy and regulatory program. As such, the shoreline master program is a part of and was developed to be consistent with the City of Edmonds Comprehensive Plan and its component elements.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

Not applicable.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None.

b. Approximately how many units, if any would be eliminated? Indicate whether high, middle, or low-income housing.

None.

c. Proposed measures to reduce or control housing impacts, if any:

Not applicable.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principle exterior building material(s) proposed?

Adoption of the SMP is a nonproject action and no specific structures are proposed. The proposed SMP revisions maintain the existing building height limits of the underlying zoning.

b. What views in the immediate vicinity would be altered or obstructed?

Not applicable.

c. Proposed measures to reduce or control aesthetic impacts, if any:

The SMP requires shoreline uses and activities to be designed and operated to avoid blocking, reducing, or adversely interfering with the public's visual access to the water and shorelines from public locations.

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

Adoption of the SMP is a nonproject action. Height limitations of the underlying zoning are being maintained.

c. What existing off-site sources of light or glare may affect your proposal?

Not applicable.

d. Proposed measures to reduce or control light and glare impacts, if any:

The SMP includes measures to minimize off-site glare to avoid impacts to wetlands and fisheries.

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

The City of Edmonds has a number of recreational opportunities within its shoreline jurisdiction. On either side of the ferry terminal are two regional parks, Brackett's Landing North and South, respectively. Collectively, these parks include public beach, picnic areas, interpretive information, public restrooms, a parking lot, and showers. Paths lead to a wheelchair-accessible jetty. On the northern side of the ferry is another regional park, Edmonds' Underwater Park. This park was one of the first officially designated underwater parks on the West Coast. The facility includes 27 acres of tide and bottom lands and was established as a marine preserve and sanctuary in 1970.

From the ferry terminal to the Port of Edmonds Marina is a public waterfront walkway. This public facility offers wheelchair-accessible access to the waterfront while acting as a breakwater for existing residential and commercial structures within the shoreline area. At the southern portion of this walkway, at the northern edge of the marina, is a city park and public fishing pier. Olympic Beach Park is located just north of the fishing pier.

The Port of Edmonds owns and operates a marina with 676 wet moorage slips and 279 dry storage space as well as more the 50 guest moorage slips for overnight and short-term stays.

The southern-most portion of the Edmonds marine shoreline ends at Marina Beach Park which includes a large open grassy area with picnic and playground facilities, car-top boat launch opportunities and a designate off-leash dog park.

- b. Would the proposed project displace any existing recreation uses? If so, describe.**

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

One goal of the Shoreline Management Act is to provide and enhance public access and recreational opportunities in the shorelines of the state. Public water-oriented recreational development is a preferred shoreline use. The City of Edmonds SMP requires that shoreline development shall not block or interfere with normal public use of public access to publicly owned shorelines and water bodies.

13. Historic and Cultural Preservation

- a. Are there any buildings, structures, or sites located on or near the site that are over 45 years old listed in, or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

Brackett's Landing is listed on the Edmonds Register of Historic Places. George Brackett is the founder of Edmonds and Brackett's Landing is the location he came ashore while searching for timber in 1870.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

None known.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the Department of Archeology and Historic Preservation, archaeological surveys, historic maps, GIS data, etc.**

As a nonproject action, adoption of the SMP should have no direct impacts on any cultural or historic resources.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

The SMP requires that if any archeological artifacts are uncovered during excavations in the shoreline, work must stop and the City of Edmonds, affected tribes, and State Department of Archeology and Historic Preservation must be notified. Permits issued in areas known or highly suspected to contain archeological artifacts and data require a site inspection and evaluation by an archeologist in coordination with affected Tribes prior to disturbance and for monitoring of potentially disruptive activities.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area, and describe proposed access to the existing street system. Show on site plans, if any.**

Edmonds is served by a series of State and local roads. SR 104 runs from the east at Interstate 5 through the southern part of Edmonds, ending at the State of Washington Ferry Terminal. SR 524 begins in Lynnwood at Interstate 5 and runs west through the center of Edmonds from the crest of the hill and down into the city center. Local roads provide access throughout Edmonds. These roads provide access for Community Transit, the commuter bus service for South Snohomish County. Commuter Park and Ride lots are located throughout Edmonds and are served by Community Transit bus service.

The rail lines along the Edmonds' shoreline are primarily used by BNSF for freight service, but also provide Amtrak passenger train service through Edmonds. Sound Transit provides daily commuter service to and from Seattle.

Washington State Ferries operates ferry service from Edmonds to Kingston providing access to the Olympic Peninsula. This is one of the busiest commuter ferry terminals in Puget Sound, as well as one of the major access points from the east side of Puget Sound to the west.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

The City of Edmonds is served by Community Transit bus service, Washington State ferries, Sound Transit commuter rail and Amtrak passenger train service.

- c. How many additional parking spaces would the completed project or nonproject proposal have? How many would the project or proposal eliminate?**

Not applicable as adoption of the SMP is a nonproject action.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities not including driveways? If so, generally describe (indicate whether public or private).**

Not applicable.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

The BNSF rail line runs along the Puget Sound shoreline and the Washington State Ferries operates ferry service from Edmonds to Kingston providing access to the Olympic Peninsula.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and passenger vehicles). What data or transportation models were used to make these estimates?**

Not applicable.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No.

- h. Proposed measures to reduce or control transportation impacts, if any:**

The SMP requires that transportation facilities by planned, located, and designed so that routes will have the least possible adverse effect on unique or fragile shoreline features, will not result in a net loss of shoreline ecological functions or adversely impact existing or planned water-dependent uses.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any:**

Not applicable.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**

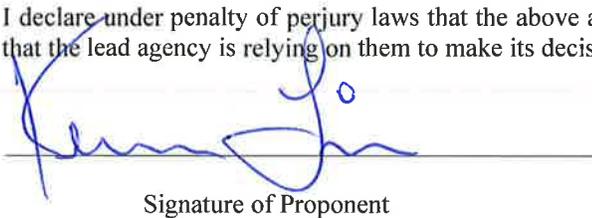
The City of Edmonds is served by all the utilities identified above. While a few septic systems may still be in service in Edmonds, that vast majority of the City's residences are connected to a sanitary sewer system.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

No new utilities are proposed. The SMP notes that new utilities should be located inland from the land/water interface, preferably out of shoreline jurisdiction, unless this location is reasonably necessary for the efficient operation of the utility facility or service. Utilities are required to be located and designed to avoid negative impacts to public recreation and public access areas and significant natural, historic, archaeological or cultural resources.

C. SIGNATURE

I declare under penalty of perjury laws that the above answers are true and correct to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.



Signature of Proponent

11-5-18

Date Submitted

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would not directly increase discharges to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise. All development and redevelopment in the shoreline jurisdiction would be subject to applicable local, state and federal regulatory requirements, including building code, fire code, storm water, in addition to the provisions of the SMP. As part of the SMP update a cumulative impacts assessment (CIA) was completed to analyze the potential adverse impacts that could result from uses and developments permitted through the SMP. The CIA concluded that over time reasonably foreseeable development in the shoreline would not result in a net loss of ecological function such as water quality.

Proposal measures to avoid or reduce such increases are:

The SMP includes policies and regulations for the protection of the shoreline environment and addressing impacts of specific uses and shoreline modifications. The development standards and regulations of shoreline modifications provides more protection for shoreline ecological processes. The standards and regulations are more restrictive of activities that would result in adverse impacts to the shoreline environment. The shoreline restoration plan provides the City with opportunities to improve or restore ecological functions that have been impaired as a result of past development activities.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The SMP has been developed, in part, to meet the goal of “no net loss” of shoreline ecological functions. As development occurs in accordance with the SMP, impacts to shoreline ecological functions will be avoided, minimized, and/or compensated for. Additionally, the shoreline restoration plan addresses the goal of improving shoreline ecological functions that have been degraded over time from past development activities. Through goals, policies, development standards, use regulations, and mitigation requirements, the SMP provides protection and enhancement of fish and wildlife habitat, natural vegetation, and management of critical areas.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The SMP incorporates the majority of the City’s existing critical area and regulations. Certain sections of the City critical area regulations are exempted from implementation with shoreline jurisdiction and replaced with shoreline specific measures. The SMP also provides for additional protections of native vegetation and limitations on shoreline developments. The SMP requires that all uses and developments (even exempt activities) achieve no net loss of ecological functions. As part of the SMP update a cumulative impacts assessment was completed to analyze the potential adverse impacts that could result from uses and developments permitted through the SMP. The CIA concluded that over time, reasonably foreseeable development in the shoreline would not result in a net loss of ecological functions such as fish and wildlife habitat.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed SMP revisions would not result in the depletion of energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

The shoreline environments and regulations were developed with the intent to preserve the City’s natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Generally, the SMP establishes policies and regulations for the protection and conservation of environmentally sensitive areas and public access to recreational sites. The development standards and regulation of shoreline modifications provide protection for shoreline processes. The standards and regulations are more restrictive of activities that would result in adverse impacts to the shoreline environment. The restoration plan provides opportunities to improve or restore ecological functions that have been impaired as a result of past development activities. In addition, the propose SMP is meant to complement several City, state and federal efforts to protect shoreline functions and values.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The SMP was developed to be consistent with the state shoreline guidelines (WAC 173-26) to provide a level of protection to assure no net loss of ecological functions and values. These include protection of critical areas and native shoreline vegetation. The also include limitations of damaging shoreline development and shoreline modifications.

As part of the SMP update a cumulative impacts assessment (CIA) was completed to analyze the potential adverse impacts that could result from uses and developments permitted through the SMP. The CIA concluded that over time reasonably foreseeable development in the shoreline would not result in a net loss of ecological functions.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The City's SMP identifies preferences for water-oriented uses and public access in the shorelines. The SMP also allows most uses that are allowed by the underlying zoning provided they are developed consistent with the SMP's development standards. The SMP would not allow any new uses in the shoreline that are not currently allowed.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The SMP contains twelve shoreline environments (Aquatic I and II; Urban Mixed Use I - IV; Shoreline Residential I, II, and III; Urban Conservancy; Natural; and, Urban Railroad). The shoreline environment designations are consistent with both the existing land use pattern and Comprehensive Plan land use designations.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed SMP revisions do not establish new patterns of land use or increased density of existing land use patters. Reasonable foreseeable development will likely be redevelopment of property rather than new development. Redevelopment will not likely result in significant changes to or increased demand for public services or infrastructure.

Proposed measures to reduce or respond to such demand(s) are:

Since increased demands are not anticipated, no specific measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The City's SMP is designed to be consistent with and work in conjunction with local, state and federal programs to protect the functions and values of shoreline resources and protect the health and safety of Edmonds residents.

Attachment A



SHORELINE MASTER PROGRAM PERIODIC REVIEW

Periodic Review Checklist

Introduction

This document is intended for use by counties, cities and towns conducting the “periodic review” of their Shoreline Master Programs (SMPs). This review is intended to keep SMPs current with amendments to state laws or rules, changes to local plans and regulations, and changes to address local circumstances, new information or improved data. The review is required under the Shoreline Management Act (SMA) at [RCW 90.58.080\(4\)](#). Ecology’s rule outlining procedures for conducting these reviews is at [WAC 173-26-090](#).

This checklist summarizes amendments to state law, rules and applicable updated guidance adopted between 2007 and 2017 that may trigger the need for local SMP amendments during periodic reviews.

How to use this checklist

See Section 2 of Ecology’s *Periodic Review Checklist Guidance* document for a description of each item, relevant links, review considerations, and example language.

At the beginning: Use the review column to document review considerations and determine if local amendments are needed to maintain compliance. See WAC 173-26-090(3)(b)(i).

At the end: Use the checklist as a final summary identifying your final action, indicating where the SMP addresses applicable amended laws, or indicate where no action is needed. See WAC 173-26-090(3)(d)(ii)(D), and WAC 173-26-110(9)(b).

Local governments should coordinate with their assigned [Ecology regional planner](#) for more information on how to use this checklist and conduct the periodic review.

Row	Summary of change	Review	Action
2017			
a.	OFM adjusted the cost threshold for substantial development to \$7,047.	ECDC 24.80.010.B.1 lists a threshold value of \$5,718.	Section should be updated to reflect the updated dollar threshold.
b.	Ecology amended rules to clarify that the definition of “development” does not include dismantling or removing structures.	ECDC 24.90.020.I does not include the clarifying sentence at the end of the definition noting that “development” does not include dismantling or removing structures.	Definition of development should be updated.
c.	Ecology adopted rules that clarify exceptions to local review under the SMA .	ECDC 24.80 does not include the clarifications for exceptions to local review.	Should add new section to ECDC 24.80 consistent with WAC 173-27-044 and 173-27-045.

Attachment A



Row	Summary of change	Review	Action
d.	Ecology amended rules that clarify permit filing procedures consistent with a 2011 statute.	Administrative procedures in 24.80 are consistent with the permit filing procedures adopted un SSB 5192.	No amendment necessary.
e.	Ecology amended forestry use regulations to clarify that forest practices that only involves timber cutting are not SMA “developments” and do not require SDPs.	The City of Edmonds’ SMP relies on the Forest Practices Act (RCW 76.09) for forestry activities within shoreline jurisdiction as recommended by WAC 173-26-241(3)(e).	No amendment necessary.
f.	Ecology clarified the SMA does not apply to lands under exclusive federal jurisdiction	No shoreline areas within Edmonds jurisdiction are under exclusive federal jurisdiction.	No amendment necessary.
g.	Ecology clarified “default” provisions for nonconforming uses and development .	The City of Edmonds’ SMP contains a nonconforming development chapter (Chapter 24.70 ECDC).	Should considered amending provision requiring a nonconforming structure which is moved any distance to be brought into full conformance. Current language may act a disincentive to making something less nonconforming (e.g. move further away from shoreline).
h.	Ecology adopted rule amendments to clarify the scope and process for conducting periodic reviews .	The only mention of periodic reviews (updates) in the SMP is under the Administrative Authority and Responsibility section in ECDC 24.80.150. ECDC 24.80.150.A notes a cumulative effecters review every seven years with the SMP update.	Consider adding line regarding periodic reviews under City Council’s Administrative Authority and Responsibility (ECDC 24.80.150.C) and correct the update frequency in ECDC 24.80.150.A.
i.	Ecology adopted a new rule creating an optional SMP amendment process that allows for a shared local/state public comment period.	Joint public hearings with other local, state, regional, federal or other public agency allowed by ECDC 20.06.001. City of Edmonds may consider the optional SMP amendment process during the periodic update.	No amendment necessary.
j.	Submittal to Ecology of proposed SMP amendments.	The City of Edmonds’ SMP does not contain a description	No amendment necessary.

Attachment A



Row	Summary of change	Review	Action
		of the SMP submittal process for Ecology's review.	
2016			
a.	The Legislature created a new shoreline permit exemption for retrofitting existing structures to comply with the Americans with Disabilities Act .	The list of exemptions in ECDC 24.80.010.B does not contain and exemption regarding ADA retrofitting.	The list of exemptions should be updated to add the new exemption for ADA retrofitting.
b.	Ecology updated wetlands critical areas guidance including implementation guidance for the 2014 wetlands rating system.	The City of Edmonds included the most recent wetland guidance (June 2016) within its SMP.	The City of Edmonds should consider updating the CAO with the June 2016 guidance prior to updating the SMP so the same wetland regulations will apply both within and outside shoreline jurisdiction.
2015			
a.	The Legislature adopted a 90-day target for local review of Washington State Department of Transportation (WSDOT) projects.	The City of Edmonds SMP currently does not contain the special procedure for WSDOT projects.	A new section could be added to ECDC 24.80 to address the 90-day review target for WSDOT projects.
2014			
a.	The Legislature raised the cost threshold for requiring a Substantial Development Permit (SDP) for replacement docks on lakes and rivers to \$20,000 (from \$10,000).	ECDC 24.80.010.B.7.b lists a threshold value of \$10,000.	Section should be updated to reflect the updated dollar threshold. .
b.	The Legislature created a new definition and policy for floating on-water residences legally established before 7/1/2014.	The City of Edmonds does not have any floating on-water residences and new on-water residences are prohibited.	No amendment necessary.
2012			
a.	The Legislature amended the SMA to clarify SMP appeal procedures .	These provisions are not about appeals of individual permits. They describe the appeal pathway after Ecology's approval of an SMP. The City of Edmonds SMP does not describe the appeal process of an SMP.	No amendment necessary.
2011			
a.	Ecology adopted a rule requiring that wetlands be delineated in	ECDC 23.50.010.A (which is adopted by the SMP)	No amendment necessary.

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Row	Summary of change	Review	Action
	accordance with the approved federal wetland delineation manual .	references the approved federal wetland delineation manual for designating wetlands.	
b.	Ecology adopted rules for new commercial geoduck aquaculture .	Geoducks are not specifically addressed in the aquaculture section (ECDC 24.60.010); however, given the urbanized shoreline, geoduck aquaculture in Edmonds is highly unlikely.	No amendment necessary.
c.	The Legislature created a new definition and policy for floating homes permitted or legally established prior to January 1, 2011.	No existing floating homes within Edmonds and new on-water residences are prohibited.	No amendment necessary.
d.	The Legislature authorized a new option to classify existing structures as conforming .	Nonconforming structures addressed in ECDC 24.70.020.	No amendment necessary.
2010			
a.	The Legislature adopted Growth Management Act – Shoreline Management Act clarifications .	SMP was developed with GMA/SMA integration taken under consideration.	No amendment necessary.
2009			
a.	The Legislature created new “relief” procedures for instances in which a shoreline restoration project within a UGA creates a shift in Ordinary High Water Mark.	This “relief” procedure is not explicitly referenced in the SMP; however, the process may be used even if the provision is not in the SMP.	Consider adopting “relief” rule by reference, or granting relief incorporate the rule into the SMP to make it clear that this process is available.
b.	Ecology adopted a rule for certifying wetland mitigation banks .	Critical area regulations incorporated in the SMP authorizes the use of wetland mitigation banks.	No amendment necessary.
c.	The Legislature added moratoria authority and procedures to the SMA.	Moratoria not explicitly addressed in the SMP.	No amendment necessary.
2007			
a.	The Legislature clarified options for defining "floodway" as either the area that has been established in FEMA maps, or the floodway criteria set in the SMA.	Floodway not defined in SMP or CAO.	A definition of floodway should be added to the CAO noting that floodways are the area established in the FEMA maps.

Attachment A



Row	Summary of change	Review	Action
b.	Ecology amended rules to clarify that comprehensively updated SMPs shall include a list and map of streams and lakes that are in shoreline jurisdiction.	Shoreline jurisdiction in the City of Edmonds is defined within the text of the SMP and on maps.	Review and revise shoreline jurisdiction as necessary.
c.	Ecology’s rule listing statutory exemptions from the requirement for an SDP was amended to include fish habitat enhancement projects that conform to the provisions of RCW 77.55.181.	The City of Edmonds’ SMP provides an exemption for fish habitat enhancement projects, but does not contain all of the language included in WAC 173-27-040(2)(p).	Consider amending the exemption provision to match WAC 173-27-040(2)(p) or simplify the language to reference the exemption.

Other Review Elements

In addition to ensuring consistency with changes to the state laws and rules identified above, the City of Edmonds is considering reviewing and modifying (as necessary) the following elements of the City’s Shoreline Master Program.

SMP Section	Summary	Review	Action
Edmonds Marsh, UMU IV shoreline designation, Shoreline Inventory and Characterization	The Edmonds Marsh was identified as a shoreline of the state relatively late in the previous SMP update and appropriate shoreline regulations surrounding the marsh was the subject of significant public comment and discussion before the City Council.	The City of Edmonds has contracted with a consultant to assess the ecological functions of the marsh and evaluate buffer widths that will ensure effective site-specific buffer functions.	Results from the Edmonds Marsh study will be used to update the Shoreline Inventory and Characterization and could result in modifications to UMU IV shoreline regulations.
24.80.100	This section identifies when a public hearing is required for a shoreline substantial development permit. In some instances, a shoreline permit may begin the process as a staff decision but require a public hearing if one or more interested persons request a public hearing.	Clarification should be added to how a review moves from a staff decision process (Type II) to a public hearing process (Type III).	Consider establishing a process similar to the contingent review process in critical areas section ECDC 23.40.195.

Attachment B

24.40.020 Critical areas.

A. Applicability. Critical areas include the following areas and ecosystems: wetlands, areas with a critical recharging effect on aquifers used for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.

B. The city of Edmonds critical area ordinance, as codified in Chapters 23.40 through 23.90 ECDC (dated May 3, 2016, Ord. 4026 ~~and as amended by Ord. 4106 and Ord. XXXX~~), is herein adopted as a part of this program, except for the specific subsections list below in subsection (C) of this section. All references to the city of Edmonds critical area ordinance in this program are for this specific version. As a result of this incorporation of the Edmonds critical area ordinance, the provisions of Chapters 23.40 through 23.90 ECDC, less the exceptions listed in subsection (C) of this section, shall apply to any use, alteration or development within shoreline jurisdiction whether or not a shoreline permit or written statement of exemption is required. In addition to the critical area regulations in Chapters 23.40 through 23.90 ECDC (Appendix B of this master program), the regulations identified in this section also apply to critical areas within shoreline jurisdiction. Where there are conflicts between the city of Edmonds critical area ordinance and this shoreline master program, provisions of the shoreline master program shall prevail.

C. Exceptions. The specific provisions of the critical area ordinance listed below shall not apply to development within shoreline jurisdiction.

1. General Provisions.

- a. ECDC 23.40.130(D), Monitoring Program.
- b. ECDC 23.40.210, Variances.

~~2. Wetlands.~~

~~a. ECDC 23.50.010(B), Wetland Ratings.~~

~~b. ECDC 23.50.040(F)(1), Standard Buffer Widths.~~

~~c. ECDC 23.50.040(F)(2), Required Measures to Minimize Impacts to Wetlands.~~

~~d. ECDC 23.50.040(K), Small, Hydrologically Isolated Wetlands.~~

~~3. Geologically Hazardous Areas.~~

- a. ECDC 23.80.040(B)(1) and (2), allowed activities in geologically hazardous areas.

D. Development Limitations.

1. All uses, modifications and activities on sites containing marine shorelines, environmentally sensitive areas and/or critical areas must comply with all applicable local, state, and federal laws pertaining to development in these areas unless in conflict with the provisions of this master program.

2. The site must be specifically designed so that hazards from or impact on the environmentally sensitive area and/or critical areas will be mitigated.

3. Mitigation Sequencing. In order to comply with subsection (D)(2) of this section, a shoreline permit applicant or project proponent shall demonstrate all reasonable efforts have been taken to provide sufficient mitigation such that the activity does not have significant adverse impacts. Mitigation shall occur in the following prioritized order:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action.
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology or by taking affirmative steps, such as project redesign, relocation, or timing to avoid or reduce impacts.

Attachment B

- c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment to the historical conditions or the conditions existing at the time of the initiation of the project.
- d. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action.
- e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments.

4. Monitoring Program. Mitigation plans shall include a program for monitoring construction and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring (for example, monitoring shall occur in years one, two, three, five, seven, and 10 after site construction), and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than 10 years.

5. Long-Term Protection of Mitigation Sites. The city shall require documentation that a mitigation site has been permanently preserved from future development or alteration that would be inconsistent with the functions of the mitigation. The documentation may include, but is not limited to, a conservation easement, deed restriction or other agreement between the applicant and the owner of a mitigation site. Such documentation shall be recorded with the Snohomish County auditor.

~~E. Wetlands. Wetlands are those areas, designated in accordance with WAC 173-22-035, that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas to mitigate the conversion of wetlands.~~

~~1. Wetlands shall be rated according to the Washington Department of Ecology wetland rating system, as set forth in the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology-Publication No. 14-06-029, or as revised and approved by Ecology), which contains the definitions and methods for determining whether the criteria below are met:~~

~~a. Category I. Category I wetlands are: (i) relatively undisturbed estuarine wetlands larger than one acre; (ii) wetlands of high conservation value that are identified by scientists of the Washington Natural Heritage Program/DNR; (iii) bogs; (iv) mature and old-growth forested wetlands larger than one acre; (v) wetlands in coastal lagoons; (vi) interdunal wetlands that score eight or nine habitat points and are larger than one acre; and (vii) wetlands that perform many functions well (scoring 23 points or more). These wetlands: (i) represent unique or rare wetland types; (ii) are more sensitive to disturbance than most wetlands; (iii) are relatively undisturbed and contain ecological attributes that are impossible to replace within a human lifetime; or (iv) provide a high level of functions.~~

~~b. Category II. Category II wetlands are: (i) estuarine wetlands smaller than one acre, or disturbed estuarine wetlands larger than one acre; (ii) interdunal wetlands larger than one acre or those found in a mosaic of wetlands; or (iii) wetlands with a moderately high level of functions (scoring between 20 and 22 points).~~

~~c. Category III. Category III wetlands are: (i) wetlands with a moderate level of functions (scoring between 16 and 19 points); (ii) can often be adequately replaced with a well-planned mitigation project; and (iii) interdunal wetlands between one-tenth and one acre. Wetlands scoring between 16 and 19 points generally have been disturbed in some ways and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.~~

Attachment B

~~d. Category IV. Category IV wetlands have the lowest levels of functions (scoring fewer than 16 points) and are often heavily disturbed. These are wetlands that we should be able to replace, or in some cases to improve. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions, and should be protected to some degree.~~

~~e. Illegal Modifications. Wetland rating categories shall not change due to illegal modifications made by the applicant or with the applicant's knowledge.~~

~~2. Development in designated wetlands within shoreline jurisdiction shall be regulated in accordance with the following:~~

~~a. Buffer Requirements. The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication No. 14-06-029, or as revised and approved by Ecology). The adjacent land use intensity is assumed to be high.~~

~~i. For wetlands that score five points or more for habitat function, the buffers in subsection (E)(2)(b) of this section can be used if both of the following criteria are met:~~

~~(A) A relatively undisturbed, vegetated corridor at least 100 feet wide is protected between the wetland and any other priority habitats as defined by the Washington State Department of Fish and Wildlife.~~

~~The corridor must be protected for the entire distance between the wetland and the priority habitat by some type of legal protection such as a conservation easement.~~

~~Presence or absence of a nearby habitat must be confirmed by a qualified biologist. If no option for providing a corridor is available, subsection (E)(2)(b) of this section may be used with the required measures in subsection (E)(2)(c) of this section alone.~~

~~(B) The measures in subsection (E)(2)(c) of this section are implemented, where applicable, to minimize the impacts of the adjacent land uses.~~

~~ii. For wetlands that score 3 to 4 habitat points, only the measures in subsection (E)(2)(c) of this section are required for the use of subsection (E)(2)(b) of this section.~~

~~iii. If an applicant chooses not to apply the mitigation measures in subsection (E)(2)(c) of this section, or is unable to provide a protected corridor where available, then subsection (E)(2)(d) of this section must be used.~~

~~iv. The buffer widths in subsection (E)(2)(b) and (d) of this section assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.~~

~~b. Wetland Buffer Requirements If the Measures in Subsection (E)(2)(c) of This Section Are Implemented and Corridor Provided.~~

Wetland Category	Buffer Width (in Feet) Based on Habitat Score			
	3-4	5	6-7	8-9
Category I: Based on total score	75	105	165	225
Category I: Bogs and wetlands of high conservation value	190			225

Attachment B

Wetland Category	Buffer Width (in Feet) Based on Habitat Score			
	3-4	5	6-7	8-9
Category I: Coastal Lagoons	150		165	225
Category I: Interdunal	-			225
Category I: Forested	75	105	165	225
Category I: Estuarine	150 (buffer width not based on habitat score)			
Category II: Based on score	75	105	165	225
Category II: Interdunal wetlands	110		165	225
Category II: Estuarine	110 (buffer width not based on habitat score)			
Category III (all)	60	105	165	225
Category IV (all)	40			

~~c. Required Measures to Minimize Impacts to Wetlands. Measures are required, if applicable to a specific proposal.~~

Disturbance	Required Measures to Minimize Impacts
Lights	<ul style="list-style-type: none"> • Direct lights away from wetland
Noise	<ul style="list-style-type: none"> • Locate activity that generates noise away from wetland • If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source • For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10-foot heavily vegetated buffer strip immediately adjacent to the out wetland buffer
Toxic runoff	<ul style="list-style-type: none"> • Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered • Establish covenants limiting use of pesticides within 150 feet of wetland • Apply integrated pest management
Stormwater runoff	<ul style="list-style-type: none"> • Retrofit stormwater detention and treatment for roads and existing adjacent development • Prevent channelized flow from lawns that directly enters the buffer • Use low impact development techniques (per PSAT publication on LID techniques)
Change in water regime	<ul style="list-style-type: none"> • Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns
Pets and human disturbance	<ul style="list-style-type: none"> • Use privacy fencing or plant dense vegetation to delineate buffer edge and to discourage disturbance using vegetation appropriate for the ecoregion

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Disturbance	Required Measures to Minimize Impacts
	Place wetland and its buffer in a separate tract or protect with a conservation easement
Dust	Use best management practices to control dust

~~d. Wetland Buffer Requirements If the Measures in Subsection (E)(2)(c) of This Section Are Not Implemented or Corridor Not Provided.~~

Wetland Category	Buffer Width (in Feet) Based on Habitat Score			
	3-4	5	6-7	8-9
Category I: Based on total score	100	140	220	300
Category I: Bogs and wetlands of high conservation value	250			300
Category I: Coastal lagoons	200		220	300
Category I: Interdunal	-			300
Category I: Forested	100	140	220	300
Category I: Estuarine	200 (buffer width not based on habitat score)			
Category II: Based on score	100	140	220	300
Category II: Interdunal wetlands	150		220	300
Category II: Estuarine	150 (buffer width not based on habitat score)			
Category III (all)	80	140	220	300
Category IV (all)	50			

~~e. Additions to structures existing within wetlands and/or wetland buffers may be permitted pursuant to ECDC 23.50.040(I). Additions to structures within wetlands will also require state and federal approval.~~

FE. Geologically Hazardous Areas. Development in designated geologically hazardous areas shall be regulated in accordance with the following:

1. New development or the creation of lots should not be allowed that would cause foreseeable risk from geological conditions to people or improvements during the life of the development.
2. New development should not be allowed that would require structural shoreline stabilization over the normal, useful life of the development. Exception may be made for instances where stabilization is necessary to protect allowed uses where no alternative locations are available and no net loss of ecological functions will result. The stabilization measures shall conform to ECDC 24.50.020, Shoreline stabilization.
3. Where no alternatives, including relocation or reconstruction of existing structures, are found to be feasible, and less expensive than the proposed stabilization measure, stabilization structures or measures to protect existing primary residential structures may be all in conformance with ECDC 24.50.020 requirements and then only if no net loss of ecological functions will result.

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GF. Critical Saltwater Habitats.

1. Development shall not intrude into or over critical saltwater habitats except when all of the conditions below are met:

- a. The public's need for such an action or structure is clearly demonstrated and the proposal is consistent with protection of the public trust, as embodied in RCW 90.58.020.
- b. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible or would result in unreasonable and disproportionate cost to accomplish the same general purpose.
- c. The project, including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat.
- d. The project is consistent with the state's interest in resource protection and species recovery.

2. Private, noncommercial docks for individual residential or community use may be allowed; provided, that:

- a. Avoidance of impacts to critical saltwater habitats by an alternative alignment or location is not feasible;
- b. The project, including any required mitigation, will result in no net loss of ecological functions associated with critical saltwater habitat.

3. Where inventory of critical saltwater habitat has not been completed, all overwater and nearshore developments in marine and estuarine waters shall be required to conduct a habitat assessment of the site and adjacent beach sections to assess the presence of critical saltwater habitats and functions.

HG. Critical Freshwater Habitats. Existing hydrological connections into and between water bodies, such as streams and wetlands, shall be maintained. Obstructed channels shall be reestablished as a condition of non-water-dependent uses, where feasible.

HH. Additional Authority. In addition to any other authority the city may have, the city is hereby authorized to condition or deny a proposed use, modification or activity or to require site redesign because of hazards associated with the use, modification or activity on or near an environmentally sensitive and/or critical area, and/or the effect of the proposal on the environmentally sensitive area and/or critical area. [Ord. 4072 § 1 (Att. A), 2017].

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Chapter 24.70

NONCONFORMING DEVELOPMENT

Sections:

- 24.70.000 Purpose.
- 24.70.010 Nonconforming uses.
- 24.70.020 Nonconforming development, building and/or structure.
- 24.70.030 Nonconforming lots.
- 24.70.040 Nonconforming signs.
- 24.70.050 Nonconforming local public facilities.

24.70.010 Nonconforming uses.

A. Nonconforming uses are shoreline uses which were lawfully established prior to the effective date of the Shoreline Management Act or this master program, or amendments thereto, but which do not conform to present regulations or standards of this master program or policies of the Act.

B. A use which is listed as a conditional use but which existed prior to adoption of this master program or any relevant amendment and for which a conditional use permit has not been obtained shall be considered a nonconforming use. A use which is listed as a conditional use but which existed prior to the applicability of this master program to the site and for which a conditional use permit has not been obtained shall be considered a nonconforming use.

C. A nonconforming use may continue, unless required to be abated by subsection (D) of this section, but it may not be expanded in any way, including additional lot areas, floor area, height, number of employees, equipment, or hours of operation, except as otherwise provided in ECDC 24.70.050.

D. Lapse of Time.

1. If a nonconforming use is discontinued for six consecutive months or for 12 months during any two-year period, any subsequent use shall be conforming. It shall not be necessary to show that the owner of the property intends to abandon such nonconforming use in order for the nonconforming rights to expire. Uses such as agricultural or aquiculture, which vary seasonally, shall be deemed abandoned if the seasonal use is not utilized during one full season consistent with the traditional use.

2. If a nonconforming use ceases because its building is damaged in excess of 75 percent of its replacement cost, the use may be reestablished if, but only if, an application for a building permit which vests as provided in ECDC 19.00.015, et seq., is filed within six-eighteen months of the date such damage occurred. After the application has been filed, only one 180-day extension may be granted.

3. The right of reestablishment of use described in subsection (D)(2) of this section shall not apply if:

a. The building or structure was damaged or destroyed due to the unlawful act of the owner or the owner's agent; or

b. The building is damaged or destroyed due to the ongoing neglect or gross negligence of the owner or the owner's agent.

c. In the event that subsection (D)(3)(a) or (b) of this section applies, the nonconforming use shall be abated if damage exceeds 25 percent of replacement cost. "Replacement cost" shall be determined as proved in ECDC 24.70.020.

E. A nonconforming use shall not be changed to another nonconforming use, regardless of the conforming or nonconforming status of the building or structure in which it is housed. [Ord. 4072 § 1 (Att. A), 2017].

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24.70.020 Nonconforming development, building and/or structure.

A. Nonconforming development means a shoreline development which was lawfully constructed or established prior to the effective date of the Shoreline Management Act or this master program, or amendments thereto, but which does not conform to present regulations or standards of the program.

B. A nonconforming building is one which once met bulk zoning standards and the site development standards applicable to its construction, but which no longer conforms to such standards due to the enactment or amendment of the zoning ordinance of the city of Edmonds or the application of such ordinance in the case of a structure annexed to the city. Subject to the other provisions of this section, an accessory building that is not an accessory dwelling unit shall be presumptively nonconforming if photographic or other substantial evidence conclusively demonstrates that the accessory building existed on or before January 1, 1981. In the case of a property that was annexed after January 1, 1981, then the date shall be that of the effective date of the annexation of the city of Edmonds. Such presumption may be overcome only by clear and convincing evidence.

C. A structure for which a variance has been issued shall be considered a legal nonconforming structure and the requirements of this section shall apply as they apply to preexisting nonconformities.

D. A nonconforming development, building and/or structure which is moved any distance must be brought as closely as practicable into conformance with this master program.

E. Nonconforming development, building and/or structure may be maintained and continued, unless required to be abated elsewhere in this chapter or section; provided, that it is not enlarged, intensified, increased, or altered in any way which increases its nonconformity except as expressly provided in subsections (F) through (L) of this section.

F. Historic Buildings and Structures. Nothing in this section shall prevent the full restoration by reconstruction of a building or structure which is either listed on the National Register of Historic Places, the Washington State Register of Historic Places, the Washington State Cultural Resource Inventory, or the Edmonds register of historic places, or is listed in a council approved historical survey meeting the standards of the State Department of Archaeology and Historic Preservation. "Restoration" means reconstruction of the historic building or structure with as nearly the same visual design appearance and materials as is consistent with full compliance with the State Building Code and consistent with the requirements of Chapter 20.45 ECDC, Edmonds Register of Historic Places. The reconstruction of all such historic buildings and structures shall comply with the life safety provisions of the State Building Code.

G. If a nonconforming development, building and/or structure is destroyed or damaged to an extent not exceeding 75 percent replacement cost at the time of destruction, it may be restored to its former size, shape and lot location as existing immediately prior to the time the structure was damaged, so long as restoration is either:

1. Completed within one year of the date of damage; or
2. Completed within one year of the date of issuance of all required permits, so long as applications for such permits are vested within ~~six~~ eighteen months of the date of damage and are pursued in a timely manner.

H. Determination of replacement costs and the level of destruction shall be made by the building official and shall be appealable as Type II staff decision under the provisions of Chapter 20.06 ECDC.

I. The right of restoration described in subsection (E) of this section shall not apply if:

1. The development, building and/or structure was damaged or destroyed due to the unlawful act of the owner or the owner's agent; or
2. The development, building and/or structure is damaged or destroyed due to the ongoing neglect or gross negligence of the owner or the owner's agents.

J. Residential Buildings in Commercial Zones. Existing nonconforming buildings in commercial zones in use solely for residential purposes, or structures attendant to such residential use, may be remodeled or reconstructed without regard to the limitations of subsections (D), (E) and (G) of this section, if, but only if, the following conditions are met:

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1. The remodel or reconstruction takes place within the footprint of the original building or structure. "Footprint" shall mean an area equal to the smallest rectangular area in a plane parallel to the ground in which the existing building could be placed, exclusive of uncovered decks, steps, porches, and similar features; and provided, that the new footprint of the building or structure shall not be expanded by more than 10 percent and is found by the city staff to be substantially similar to the original style and construction after complying with current codes.

2. All provisions of the State Building and Electrical Codes can be complied with entirely on the site. No nonconforming residential building may be remodeled or reconstructed if, by so doing, the full use under state law or city ordinance of a conforming neighboring lot or building would be limited by such remodel or reconstruction.

3. These provisions shall apply only to the primary residential use on site and shall not apply to nonconforming accessory buildings or structures.

4. A nonconforming residential single-family building may be rebuilt within the defined building envelope if it is rebuilt with materials and design which are substantially similar to the original style and structure after complying with current codes. "Substantial compliance" shall be determined by the city as a Type II staff decision, except that any appeal of the staff decision shall be to the ADB rather than the hearing examiner. The decision of the ADB shall be final and appealable only as provided in ECDC 20.07.006.

K. Subject to the other provisions of this section, an accessory building that is not an accessory dwelling unit shall be presumptively nonconforming if photographic or other substantial evidence conclusively demonstrates that the accessory building existed on or before January 1, 1981. In the case of a property that was annexed after January 1, 1981, then the date shall be that of the effective date of the annexation to the city of Edmonds. Such presumption may be overcome only by clear and convincing evidence.

L. BD5 Zone. The BD5 zone was created in part to encourage the adoption and reuse of existing residential structures for live/work and commercial use as set forth in ECDC 16.43.030(B)(5). In the BD5 zone, conforming and nonconforming buildings may be converted to commercial or other uses permitted by ECDC 16.43.020 and this master program without being required to come into compliance with the ground floor elevation requirements of ECDC 16.43.030(B). [Ord. 4072 § 1 (Att. A), 2017].

Chapter 24.80

ADMINISTRATION – SHORELINE PERMITS

Sections:

- 24.80.000 Purpose.
- 24.80.010 Exemptions from shoreline substantial development permit process.
- 24.80.020 Letter of exemption.
- 24.80.025 [Developments not required to obtain shoreline permits or local reviews.](#)
- 24.80.030 Review criteria for all development.
- 24.80.040 Substantial development permit criteria.
- 24.80.050 Conditional use permit criteria.
- 24.80.060 Variance permit criteria.
- 24.80.070 Minimum application requirements.
- 24.80.080 Notice of application.
- 24.80.090 Special procedures for limited utility extensions and bulkheads.
- 24.80.095 [Shoreline restoration projects – Relief from shoreline master program development standards and use regulations](#)
- 24.80.100 Public hearings.
- 24.80.105 [Special procedures for WSDOT projects.](#)
- 24.80.110 Notice of decision, reconsideration, and appeals.
- 24.80.120 Initiation of development.
- 24.80.130 Revisions.
- 24.80.140 Time requirements of shoreline permits.
- 24.80.150 Administrative authority and responsibility.
- 24.80.160 Compliance.
- 24.80.170 Enforcement.

24.80.010 Exemptions from shoreline substantial development permit process.

A. Application and Interpretation.

1. Exemptions shall be construed narrowly. Only those developments that meet the precise terms of one or more of the listed exemptions may be granted exemption from the substantial development permit process.
2. An exemption from the substantial development permit process is not an exemption from compliance with the Shoreline Management Act or the city of Edmonds shoreline master program, or from any other regulatory requirements. To be authorized, all uses and developments must be consistent with the policies and provisions of this master program and the Shoreline Management Act.
3. When a development or use is proposed that does not comply with the bulk, dimensional and performance standards of the master program, such development or use can only be authorized by approval of a variance.
4. A development or use that is listed as a conditional use pursuant to this master program, or is an unlisted use, must obtain a conditional use permit even though the development or use does not require a substantial development permit.
5. The burden of proof that a development or use is exempt from the permit process is on the applicant.
6. If any part of a proposed development is not eligible for exemption, then a substantial development permit is required for the entire proposed development project.
7. The city of Edmonds may attach conditions to the approval of exempted developments and/or uses as necessary to assure consistency of the project with the Shoreline Management Act and this master program.

B. Exemptions Listed. The following developments shall not require substantial development permits:

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1. Any development of which the total cost or fair market value, whichever is higher, does not exceed \$5,7187,047, if such development does not materially interfere with the normal public use of the water or shorelines of the state. The dollar threshold established in this subsection must be adjusted for inflation every five years consistent with WAC 173-27-040(2)(a). For purposes of determining whether or not a permit is required, the total cost or fair market value shall be based on the value of development that is occurring on shorelines of the state as defined in RCW 90.58.030(2)(c). The total cost or fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials.
2. Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment.
3. Construction of the normal protective bulkhead common to single-family residences. A "normal protective" bulkhead includes those structural and nonstructural developments installed at or near, and parallel to, the ordinary high water mark for the sole purpose of protecting an existing single-family residence and appurtenant structures from loss or damage by erosion. A normal protective bulkhead is not exempt if constructed for the purpose of creating dry land. When a vertical or near vertical wall is being constructed or reconstructed, not more than one cubic yard of fill per one foot of wall may be used as backfill. When an existing bulkhead is being repaired by construction of a vertical wall fronting the existing wall, it shall be constructed no further waterward of the existing bulkhead than is necessary for construction of new footings. When a bulkhead has deteriorated such that an ordinary high water mark has been established by the presence and action of water landward of the bulkhead then the replacement bulkhead must be located at or near the actual ordinary high water mark. Beach nourishment and bioengineered erosion control projects may be considered a normal protective bulkhead when any structural elements are consistent with the above requirements and when the project has been approved by the Department of Fish and Wildlife.
4. Emergency construction necessary to protect property from damage by the elements. An "emergency" is an unanticipated and imminent threat to public health, safety, or the environment which requires immediate action within a time too short to allow full compliance with this chapter. Emergency construction does not include development of new permanent protective structures where none previously existed. Where new protective structures are deemed by the administrator to be the appropriate means to address the emergency situation, upon abatement of the emergency situation the new structure shall be removed or any permit which would have been required, absent an emergency, pursuant to Chapter 90.58 RCW, these regulations, or the local master program, obtained. All emergency construction shall be consistent with the policies of Chapter 90.58 RCW and the local master program. As a general matter, flooding or other seasonal events that can be anticipated and may occur but that are not imminent are not an emergency.
5. Construction or modification of navigational aids such as channel markers and anchor buoys.
6. Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of 25 feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to Chapter 90.58 RCW. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance as defined in ECDC 24.90.010(F). Construction authorized under this exemption shall be located landward of the ordinary high water mark.
7. Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single family and multiple-family residences.

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A dock is a landing and moorage facility for watercraft and does not include recreational decks, storage facilities or other appurtenances. This exception applies if either:

- a. In salt waters (Puget Sound), the fair market value of the dock does not exceed \$2,500; or
- b. In fresh waters (Lake Ballinger) the fair market value of the dock does not exceed: (A) twenty thousand dollars for docks that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced; or (B) \$10,000 ten thousand dollars for all other docks constructed in fresh waters; ~~but-However,~~ if subsequent construction ~~having a fair market value exceeding \$2,500~~ occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified above, the subsequent construction shall be considered a substantial development for the purpose of this chapter.

8. Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored ground water from the irrigation of lands.

9. The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water.

10. Operation and maintenance of any system of dikes, ditches, drains, or other similar drainage or utility facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system.

11. Any project with a certification from the governor pursuant to Chapter 80.50 RCW.

12. Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:

- a. The activity does not interfere with the normal public use of the surface waters;
- b. The activity will have no significant adverse impact on the environment including but not limited to fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;
- c. The activity does not involve the installation of any structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;
- d. A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions; and
- e. The activity is not subject to the permit requirements of RCW 90.58.550.

13. The process of removing or controlling aquatic noxious weeds, as defined in RCW 17.26.020, through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the Department of Agriculture or the Department of Ecology jointly with other state agencies under Chapter 43.21C RCW.

14. Watershed restoration projects as defined in WAC 173-27-040(2)(o). The administrator shall review the projects for consistency with the shoreline master program in an expeditious manner and shall issue its decision along with any conditions within 45 days of receiving all materials necessary to review the request for exemption from the applicant. No fee may be charged for accepting and processing requests for exemption for watershed restoration projects as used in this section.

15. Consistent with WAC 173-27-040, a public or private project designed to improve fish or wildlife habitat or fish passage, that conforms to the provisions of RCW 77.55.181. A public or private project that is designed to improve fish or wildlife habitat or fish passage, when all of the following apply:

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- ~~a. The project has been approved in writing by the Department of Fish and Wildlife;~~
- ~~b. The project has received hydraulic project approval by the Department of Fish and Wildlife pursuant to Chapter 77.55 RCW; and~~
- ~~c. The city has determined that the project is substantially consistent with the local shoreline master program. The city shall make such determination in a timely manner and provide it by letter to the project proponent. [Ord. 4072 § 1 (Att. A), 2017].~~

16. The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities.

24.80.025 Developments not required to obtain shoreline permits or local reviews

Requirements to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other review to implement the Shoreline Management Act do not apply to the following:

- A. Remedial actions. Pursuant to RCW 90.58.355, any person conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to Chapter 70.105D RCW, or to the Department of Ecology when it conducts a remedial action under Chapter 70.105D RCW.
- B. Boatyard improvements to meet NPDES permit requirements. Pursuant to RCW 90.58.355, any person installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit.
- C. WSDOT facility maintenance and safety improvements. Pursuant to RCW 90.58.356, Washington State Department of Transportation projects and activities meeting the conditions of RCW 90.58.356 are not required to obtain a substantial development permit, conditional use permit, variance, letter of exemption, or other local review.
- D. Projects consistent with an environmental excellence program agreement pursuant to RCW 90.58.045.
- E. Projects authorized through the Energy Facility Site Evaluation Council process, pursuant to Chapter 80.50 RCW.

24.80.095 Shoreline restoration projects—Relief from shoreline master program development standards and use regulations.

The city may grant relief from shoreline master program development standards and use regulations resulting from shoreline restoration projects within urban growth areas consistent with criteria and procedures in WAC 173-27-215.

24.80.100 Public hearings.

A. The administrator shall determine whether an application requires a public hearing pursuant to the criteria below no later than 15 days after the minimum public comment period provided by ECDC 24.80.080(B). An open record public hearing shall be required for all of the following:

- ~~1. One or more interested persons has submitted to the administrator, within 15 days of the final publication notice of the application, a written request for such a hearing together with a statement of the reasons for the request; or~~
- 2. The proposal is determined to have a significant adverse impact on the environment and an environmental impact statement is required in accordance with the State Environmental Policy Act; or
- 3. The proposal requires a variance and/or conditional use approval pursuant to this master program; or

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34. The use or development requires an open record public hearing for other city of Edmonds approvals or permits; ~~or~~ [Ord. 4072 § 1 (Att. A), 2017].

4. The city receives a request from any interested person within 14 days of the date of the notice of application and the public hearing request is accompanied by a hearing fee, to be paid by the person(s) requesting the hearing, in the amount of 50 percent the difference between the Type II and Type III application fee.

B. When a public hearing is triggered pursuant to subsection A.4 of this section, the project applicant shall pay the other 50 percent of the difference between the Type II and Type III application fee, on top of the previously paid Type II application fee. The applicant shall pay this fee within 30 days of notice from the city that the fee is due. If the applicant fails to pay the additional fee within the required 30-day period, the application for the project shall be deemed withdrawn. The city shall not schedule the public hearing until the additional fee has been paid. For these public hearings, the cost of the hearing examiner shall be borne by the city.

24.80.105 Special procedures for WSDOT projects.

A. Permit review time for projects on a state highway. Pursuant to RCW 47.01.485, the Legislature established a target of 90 days review time for local governments.

B. Optional process allowing construction to commence twenty-one days after date of filing. Pursuant to RCW 90.58.140, Washington State Department of Transportation projects that address significant public safety risks may begin twenty-one days after the date of filing if all components of the project will achieve no net loss of shoreline ecological functions.

24.80.150 Administrative authority and responsibility.

A. Shoreline Administrator. The shoreline administrator shall be the planning manager or his/her designee and is vested with the following authority and responsibility to:

1. Have overall administrative responsibility for this master program;
2. Determine if a public hearing should be held on a shoreline permit application by the hearing examiner pursuant to ECDC 24.80.100;
3. Grant or deny written permit exemptions from shoreline substantial development permit requirements of this master program;
4. Authorize, approve or deny shoreline substantial development permits, except for those for which a public hearing is required pursuant to ECDC 24.80.100;
5. Make written recommendation to the hearing examiner or city council as appropriate and insofar as possible, in order to assure that all relevant information, testimony, and questions regarding a specific matter are made available during their respective reviews of such matter;
6. Review and evaluate the records of project review actions (permits and exemptions) in shoreline areas and report on the cumulative effects of authorized development of shoreline conditions at a minimum every ~~seven-~~eight years when this master program is updated. The administrator shall coordinate such review with the Washington State Department of Ecology, Washington State Department of Fish and Wildlife, and other interested parties;
7. Advise interested citizens and project proponents of the goals, policies, regulations and procedures of this master program; and
8. Make administrative decisions and interpretations of the policies and regulations of this master program and the Shoreline Management Act.

B. Hearing Examiner. The hearing examiner is vested with the following authority:

1. To grant or deny shoreline substantial development permits requiring public hearings pursuant to ECDC 24.80.100;

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2. To grant or deny shoreline conditional use permits under this master program;
3. To grant or deny variances from this master program; and
4. To decide on appeals of administrative decisions issued by the administrator of this master program in accord with procedures set forth in ECDC Title 20.

C. City Council.

1. The Edmonds city council is vested with the authority to approve any revisions or amendments to this master program in accordance with the applicable requirements of the Shoreline Management Act and the Washington Administrative Code.

2. To become effective any amendment to this master program must be reviewed and adopted by the Department of Ecology pursuant to RCW 90.58.190 and Chapter 173-26 WAC. [Ord. 4072 § 1 (Att. A), 2017].

3. The City Council will conduct the periodic review process consistent with the requirements of RCW 90.58.080 and WAC 173-26-090.

24.90.020 Definitions – C to F.

I. “Development” means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; grading; filling; removal of any sand, gravel, or minerals; bulk heading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the act at any stage of water level. “Development” does not include dismantling or removing structures if there is no other associated development or re-development.

GG. “Floodway” means the area that has been established in effective Federal Emergency Management Agency flood insurance rate maps or floodway maps. The floodway does not include lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political division of the state.

Attachment C



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MEMORANDUM

To: Michael Nelson, Diane Buckshnis, Kristiana Johnson, Shane Hope, Kernen Lien, and Maureen Judge, City of Edmonds

From: Jennifer Love and Ron Gouguet

Subject: Description of Edmonds Marsh for inclusion in the 2019 Shoreline Master Program periodic review **DRAFT**

Date: November 2, 2018

INTRODUCTION

The Edmonds Marsh (Marsh) is a tidally influenced¹ wetland occupying approximately 27 acres in the heart of Edmonds, Washington (Figure 1); it is the remnant of a much larger estuarine wetland that was once located along the shores of Puget Sound (Sea-Run Consulting et al. 2007). Historically, the Marsh was a pocket estuary more than 100 acres in size and protected by a barrier sand spit (Shannon & Wilson 2015). It extended from Point Edmonds (located at the southern end of Marina Beach Park) north to Brackett's Landing near the Washington State Department of Transportation ferry terminal.

The purpose of this memorandum is to provide updated information regarding the Marsh, its tributary creeks, and Shellabarger Marsh to be included with the 2019 Shoreline Master Program (SMP) periodic review. A great deal of data and other information has been collected regarding the Marsh and its tributary creeks since 2007, when the last shoreline inventory and characterization document was published (Sea-Run Consulting et al.).

¹ The Marsh is tidally influenced when the tide gate downstream of the Marsh is open, typically in the spring and summer months (April through September) (Sea-Run Consulting et al. 2007).

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The western portion of the Marsh contains mudflat habitat and tidal channels and supports saltmarsh plants (Figure 2). This area is understood to be brackish in the winter months, when the tide gate downstream of the Marsh typically is closed, and saline in the spring and summer months, when the tide gate typically is open (Sea-Run Consulting et al. 2007). The eastern portion of the Marsh is a predominantly freshwater system fed by two tributary creeks – Willow Creek and Shellabarger Creek (Figure 1).

Shellabarger Marsh is an approximately 5-acre freshwater wetland located on the east side of State Route (SR) 104 (Figure 1). It was once part of the Marsh, but the two areas were separated when SR 104 was constructed. The two marshes are still hydraulically connected via a pair of culverts that run under SR-104 (Sea-Run Consulting et al. 2007). Both marshes provide valuable habitat to birds and other wildlife, in addition to conveying large quantities of stormwater and surface water.

The Marsh is connected to Puget Sound via Willow Creek, which currently flows out of the Marsh into an approximately 2,200-ft-long system of ditches, pipes, culverts, and flood gate infrastructure prior to discharging into Puget Sound via a submerged outfall. The City of Edmonds (City) plans to daylight (i.e., bring aboveground) Willow Creek, a project that will improve hydraulic and habitat connectivity between the Marsh and Puget Sound (Shannon & Wilson 2015). As the Marsh is the only remaining salt marsh within the nearshore habitat zone of Watershed Resources Inventory Area (WRIA) 8 (the Lake Washington/Cedar/Sammamish Watershed), daylighting Willow Creek is ranked as a high priority restoration project (SRFB 2014, 2018).

SITE SETTING AND DRAINAGE BASIN

The Marsh is surrounded by commercial development, as well as transportation rights-of-way (ROWs) and a former (now vacant) industrial site. The Burlington Northern Santa Fe (BNSF) railroad ROW runs northeast to southwest along the western boundary of the Marsh, and SR 104 runs north to south along the eastern boundary of the Marsh, as shown on Figure 1. The Port of Edmonds's Harbor Square property, which contains buildings, paved areas, and recreational facilities (e.g., tennis courts and a paved trail), is adjacent the Marsh to the north. Two properties are adjacent to the Marsh to the south: the Willow Creek Fish Hatchery (Hatchery) property, which is owned by the City, and a former bulk fuel terminal known as the Unocal property, which is owned by the Chevron Corporation (Chevron). Shellabarger Marsh is surrounded primarily by residential developments, both single-family homes and apartment and condominium buildings (Figure 1).

The drainage basin of Willow Creek is approximately 393 acres in size and encompasses residential land to the south and east of the Marsh (Shannon & Wilson 2015; SAIC and Herrera 2013). Willow Creek enters the Marsh as two separate branches, flowing into the southeastern side of the Marsh via the Hatchery property (Figure 1). The drainage basin of Shellabarger Creek is approximately 378 acres in size and encompasses dense residential developments to the north, east, and south of the Marsh (SAIC and Herrera 2013). Shellabarger Creek flows through Shellabarger Marsh and other privately owned

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residential properties to the south of Shellabarger Marsh before passing through the SR 104 culverts into the Marsh. Upon exiting the culverts, Shellabarger Creek flows in an unconfined path (i.e., it is not contained within a distinct channel) through the dense Marsh vegetation (predominantly cattails [*Typha latifolia*]). Including the two creeks and other areas that discharge surface water to the Marsh, the drainage basin of the Marsh is approximately 900 acres in size.

Other smaller areas also contribute surface water flows to the Marsh. Stormwater enters the Marsh from the Harbor Square property and Dayton Street via two stormwater outfalls on the northern edge of the Marsh (Figure 1). After exiting the outfalls, the stormwater flows into patches of cattail and other emergent vegetation at the Marsh perimeter. Stormwater from a portion of SR 104 also discharges directly to the eastern portion of the Marsh.

Water flowing out of the Marsh enters the lower, channelized portion of Willow Creek. Just downstream of the primary tidal channel of the Marsh, Willow Creek makes a sharp turn to the south and runs through a 600-ft-long open ditch parallel to and alongside the BNSF railroad tracks (Shannon & Wilson 2015) (Figure 1). The creek then flows into double culverts that run underneath the railroad tracks before entering a 1,600-ft-long series of underground pipes and other drainage infrastructure, including a tide gate (Shannon & Wilson 2015). The tide gate is made of steel and has a top-hinged flap gate within a large storm drain vault. It is chained open in spring and summer (from March until October), allowing tidal flow into the Marsh. It is closed in fall and winter (from October until March), although it is not totally watertight when closed. After passing through the underground drainage system, Willow Creek discharges to the Puget Sound via a submerged outfall located approximately 200 ft offshore from Marina Beach Park (Shannon & Wilson 2015).

The current drainage system through which Willow Creek passes prior to discharging to the Puget Sound limits both tidal flow and fish passage into and out of the Marsh and its tributary creeks (Shannon & Wilson 2015). Even with the existing tide gate open, tidal flow into the portion of Willow Creek adjacent to the Unocal property detention basin is muted (i.e., reduced) by 1 to 2 ft of elevation owing to the seaward pipes and other drainage infrastructure that Willow Creek passes through before connecting to Puget Sound.

The City is planning a project to daylight and otherwise restore the portion of Willow Creek downstream of the Marsh. The project would restore a more natural, aboveground creek channel in this portion of Willow Creek, removing the creek from the subsurface pipes, culverts, and other drainage infrastructure through which it currently flows. A few alternatives for the creek alignment are being considered, but ultimately the creek would flow to the Puget Sound by way of Marina Beach Park (Shannon & Wilson 2015, 2017). The daylighting project would also include the excavation of channels through the Marsh in order to improve the flow of Shellabarger Creek downstream of the SR 104 culverts and through the eastern portion of the Marsh,

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re-establish connections between Willow and Shellabarger Creeks, and increase the extent of saltwater influence within the Marsh. Extending saltwater influence would allow native salt marsh vegetation to re-occupy some of the areas that are currently dominated by cattail, and opening up the creek channels would allow fish to access the stream habitat (Shannon & Wilson 2015).

MARSH HABITAT AND WILDLIFE

The US Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) Internet soil survey lists Mukilteo muck as the dominant soil type within the Marsh (USDA 2011). Mukilteo muck is typically found in depressions, and its parent material is herbaceous organic material. It is very poorly drained soil with a moderately high to high capacity to transmit water. The NRCS rates Mukilteo muck as hydric. Minor soil types are also present on the margins of the Marsh, including Alderwood-Everett gravelly sandy loams and Everett very gravelly sandy loam. Urban land, consisting of level areas where structures and altered soils are present, is also present on the Marsh's margins. Alderwood-Everett and Everett soil types are found on terraces and outwash plains formed by glacial outwash. These soil types drain moderately well, and their surface layer is gravelly sandy loam.

As part of a baseline study being conducted within the Marsh in 2018 and 2019, water depth and salinity data are being collected from five monitoring stations within the Marsh using conductivity, temperature, and depth (CTD) recorders. An additional CTD recorder is being used in the fenced basin west of the BNSF tracks, which receives outflow from the Marsh and Willow Creek. CTD data from July 17 through October 11, 2018, are currently available; the network of CTD recorders will be maintained for a total of one year as part of the baseline study. To date, salinity within the Marsh has ranged from 0 to 25 (+) parts per thousand (ppt).² Maximum salinity recorded was 25 ppt, but the absolute peak has not been determined due to "high pegging" of the conductivity sensor; a higher conductivity range was selected on October 22, 2018, in order to better evaluate the higher salinity range. Absolute tide (referenced to the geoid) will be calculated after a real-time kinematic (RTK) GPS survey is completed toward the end of the baseline monitoring period. The earliest CTD records (July and August 2018) indicate a constriction in tidal exchange, but records from September and early October 2018 suggest a reduction in that restriction, as salinity and water depth over the sensor values have increased substantially.

² In 1978, the Practical Salinity Scale, which uses a ratio of measured conductivity to the conductivity of a standard potassium chlorine solution to determine salinity, was adopted by oceanographers (Thermo Scientific 2011). This scale is referred to as PSS-78 and has no units, as it measures ratios, but it does report salinity in "practical salinity units" (psu). One psu is virtually equivalent to 1 ppt, and salinity is often still reported in ppt. The salinity measurements being taken in the Marsh are calculated from conductivity and temperature in psu, but are reported here as ppt for comparison with regulatory standards.

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Vegetation in the eastern portion of the Marsh is dominated by cattail, with some patches of alder and willow intermixed (Figure 2). The western portion of the Marsh contains tidal channels, mudflat habitat, and a greater diversity of Marsh plants, several of which are salt-tolerant, such as pickleweed (*Salicornia depressa*), saltgrass (*Distichlis spicata*), American three-square (*Schoenoplectus pungens*), and seaside arrowgrass (*Triglochin maritima*). Figure 2 shows the existing boundary between the cattail-dominated eastern portion of the Marsh and the western portion, which is tidally influenced.

A diverse mix of both native and non-native vegetation is also present within the Marsh's buffer areas. Native species observed along the northern portion of the Marsh within the Harbor Square property include Pacific willow (*Salix lucida* ssp. *lasianдра*), Scouler's willow (*Salix scouleriana*), red alder (*Alnus rubra*), paper birch (*Betula papyrifera*), western red cedar (*Thuja plicata*) seedlings, common snowberry (*Symphoricarpos albus*), red-flowering currant (*Ribes sanguineum*), and red-osier dogwood (*Cornus sericea*), among other species. The diversity of native plants in this area has been enhanced by recent restoration efforts. Invasive species, including reed canarygrass (*Phalaris arundinacea*) and Himalayan blackberry (*Rubus armeniacus*), are also present, as are ornamental plantings along the northern side of the paved pedestrian path.

The Hatchery property contains relatively high-quality, forested upland and wetland habitat with a diversity of native species, including red alder, bigleaf maple (*Acer macrophyllum*), Douglas fir (*Pseudotsuga douglasii*), western red cedar, and western hemlock (*Tsuga heterophylla*). The understory contains a variety of native shrub and ground cover species, including salmonberry (*Rubus spectabilis*), osoberry (*Oemleria cerasiformis*), red-osier dogwood, red-flowering currant, vine maple (*Acer circinatum*), western red cedar seedlings and saplings, red elderberry (*Sambucus racemosa*), stink currant (*Ribes bracteosum*), lady fern (*Athyrium filix-femina*), fringe-cup (*Tellima grandiflora*), youth-on-age (*Tolmiea menziesii*), lily-of-the-valley (*Convallaria majalis*), western bleeding heart (*Dicentra formosa*), and a good number of skunk cabbages (*Lysichitum americanum*) beneath the tree canopy along Willow Creek. Invasive species, including Himalayan blackberry, English ivy (*Hedera helix*) and a few scattered seedlings of English holly (*Ilex aquifolium*), have also been observed within the Hatchery property, but for the most part these exist in sparse and non-dominant patches. A very dense patch of bittersweet nightshade (*Solanum dulcamara*) is present near the transition from the forested wetland habitat of the Hatchery to the emergent area of the Marsh interior.

Forest vegetation along the southwestern portion of the Marsh, located on the Unocal property, appears to be similar to that of the Hatchery property. Vegetation growing between SR 104 and the Marsh consists of a narrow but dense strip of red alder, Himalayan blackberry, Scotch broom (*Cytisus scoparius*), and Pacific willow. Near the location where Shellabarger Creek passes through the double culverts to enter the Marsh, cattails extend from the Marsh all the way to the sidewalk along the highway. The invasive species bittersweet nightshade, Himalayan blackberry, and reed

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canarygrass are also present in this area. The strip of trees and shrubs between the highway and the Marsh widens as it extends south from the Shellabarger Creek culverts. The forest here is a mix of native trees, including red alder, water birch (*Betula occidentalis*), Douglas fir, bigleaf maple, and western hemlock.

Edmonds Marsh and its adjacent buffer areas are home to 190 bird species, including waterfowl, shorebirds, herons, raptors, and passerines (Riddell and Peterson 2016). Eastern cottontail rabbits, coyotes, and deer are some of the mammal species that have been observed in the Marsh and its buffer areas.

While fish are not currently known to use the Marsh's tidal channels, coho salmon (*Oncorhynchus kisutch*), chum salmon (*Oncorhynchus keta*), resident and sea-run cutthroat trout (*Oncorhynchus clarkii*), sculpins, and threespine stickleback (*Gasterosteus aculeatus*) were observed in Willow Creek historically (Sea-Run Consulting et al. 2007; Shannon & Wilson 2015).³ Prior to the early 2000s (when the Willow Creek outfall pipe was lengthened and submerged deeper into the Puget Sound), small numbers of adult coho salmon were known to return to Willow Creek and migrate into Upper Willow Creek (Shannon & Wilson 2015). After the early 2000s, very small numbers of adult salmon or sea-run cutthroat trout were reportedly able to find the submerged pipe and migrate up into Willow Creek, but none have been observed for the past several years (Shannon & Wilson 2015). In 2008, more than 5,500 threespine stickleback, a pair of prickly sculpin (*Cottus asper*), and a single starry flounder (*Platichthys stellatus*) were captured in the lower portion of Willow Creek adjacent to the Unocal property and the BNSF railway line (Arcadis 2010).⁴ No salmonids were observed in this portion of the creek in 2008. One of the goals of the Willow Creek daylighting project is to promote the use of the Marsh and its tributary creeks by juvenile Chinook salmon (*Oncorhynchus tshawytscha*).

Additional data and information regarding the habitat value and other ecological functions provided by the Marsh and its adjacent buffer areas are being collected as part of the Edmonds Marsh Baseline Study. This study started in the summer of 2018 and will continue for one year. Additional information generated by the study will be available in the future to help inform the SMP periodic review process.

REFERENCES

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Riddell C, Peterson T. 2016. 190 bird species of Edmonds Marsh. Edmonds, WA.

³ Fish were observed within Willow Creek; it is not clear whether they were also observed in the Marsh's tidal channels or in Shellabarger Creek.

⁴ The fish were captured and removed from this portion of Willow Creek because it was undergoing remediation by Chevron.

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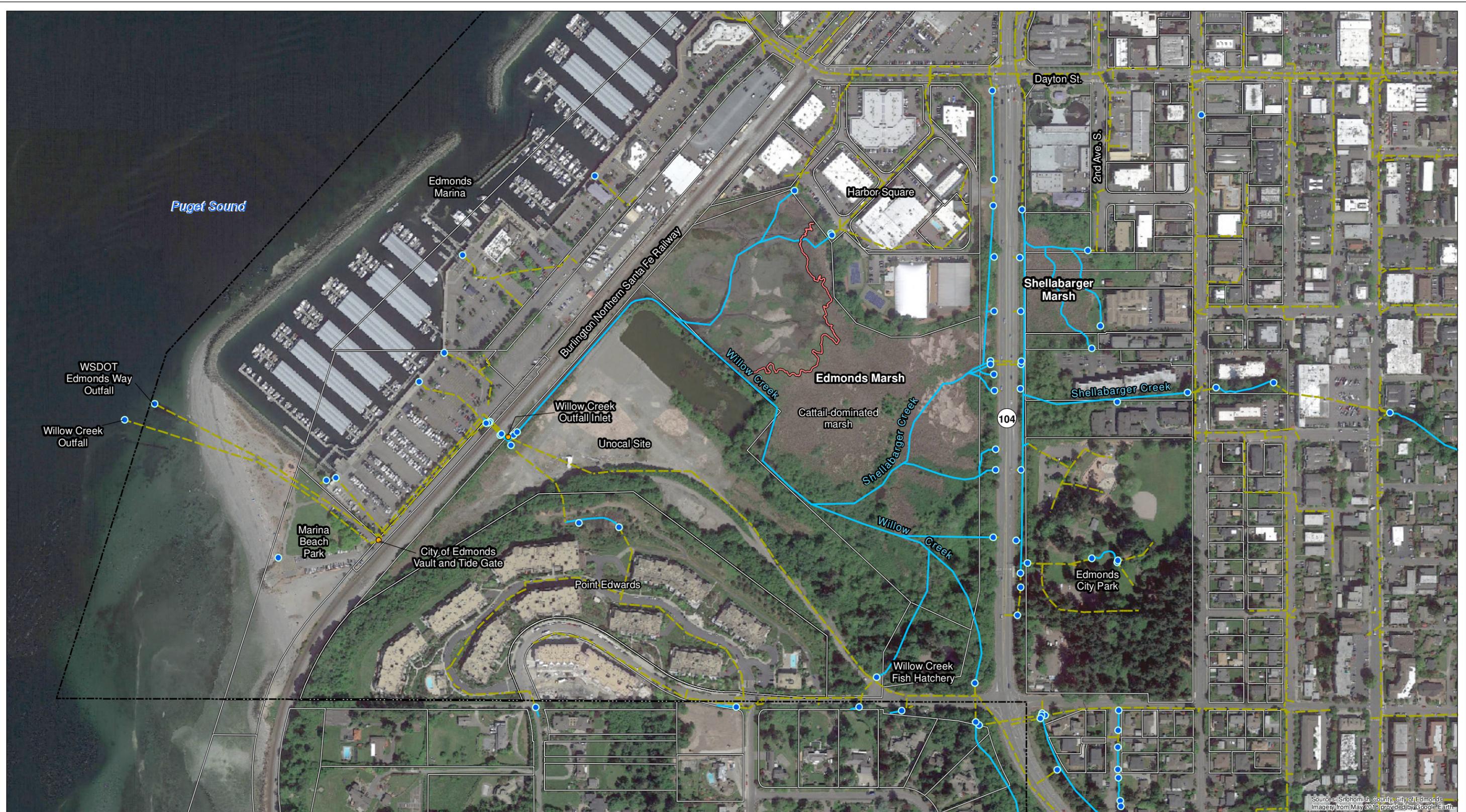
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Prepared by mlevy, 11/1/2016, W:\Projects\Edmonds Marsh Data GIS Maps and Analyses\SMP - task 3.6974_Site features and vicinity.mxd

Source: Snohomish County, City of Edmonds. Imagery from May 2013 provided by Google Earth.



- Major vegetation transition line
- Storm culvert
- Storm line
- Storm ditch/creek
- Parcel
- City of Edmonds boundary

Note: Shellabarger and Willow Creeks no longer flow through defined channels in the eastern portion of the marsh; however, their previous flow paths are shown.

Figure 1. Site setting and stormwater structures

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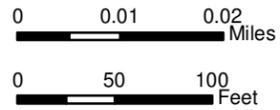
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Patch ID No.	Species Present Within Patch
1	seaside arrowgrass and American three-square
2	brass buttons growing along mudflat perimeter
3	Lyngbye's sedge
4	cattail and hardstem bulrush; American three-square growing along mudflat perimeter
5	hardstem bulrush
6	hardstem bulrush
7	common reed
8	saltgrass, potentilla
9	saltgrass
10	American three-square
11	American three-square, seaside arrowgrass
12	baltic rush, saltgrass, potentilla, meadow barley
13	potentilla
14	narrow band of reed canarygrass and Himalayan blackberry along wooden boardwalk
15	cattail and bittersweet nightshade
16	native shrub buffer (e.g., snowberry, roses, red-flowering currant) - planted
17	Japanese knotweed, hops, reed canarygrass, small-fruited bulrush growing adjacent to boardwalk
18	American three-square, potentilla, saltgrass
19	saltgrass
20	cattail and common reed (common reed in western portion of patch)
21	saltgrass, potentilla, baltic rush, Lyngbye's sedge, small patch American three-square, brass buttons, spear saltbush and pickleweed along mudflat perimeter
22	spear saltbush, saltgrass
23	spear saltbush, saltgrass, meadow barley
24	spear saltbush, saltgrass, meadow barley
25	hardstem bulrush, creeping bentgrass
26	cattail

Prepared by mlevy, 1/17/2018, W:\Projects\Edmonds Marsh Data GIS\Maps and Analyses\Data Report\6979 Marsh Interior Vegetation Survey.mxd

Imagery taken May 2018 provided by Google Earth



Unique vegetation patches
 Major vegetation transition line

Figure 2. Marsh interior vegetation

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