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**To:** [orey@omwlaw.com](mailto:orey@omwlaw.com); [Amy Rusko](#)  
**Cc:** [Brett N. Wiese](#)  
**Subject:** Letter to City of Arlington(11001032.5).pdf  
**Date:** Thursday, March 6, 2025 2:52:52 PM  
**Attachments:** [image001.png](#)  
[Letter to City of Arlington\(11001032.5\).pdf](#)

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**This message is from an External Sender**

This message came from outside the City of Arlington

Good afternoon,

Please see attached letter. Hard copies have been sent through Fedex.

Thank you,



**Ankita Das | Legal Assistant**

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March 6, 2025

**VIA FEDEX AND EMAIL**

City of Arlington 238  
c/o City Attorney: Oskar Rey  
701 5th Ave #5600  
Seattle WA 98104  
orey@omwlaw.com

City of Arlington 238  
Community & Economic Development Department  
c/o Amy Rusko  
18204 59th Ave NE,  
Arlington, WA 98223  
arusko@arlingtonwa.gov

RE: Arlington Garden Apartments-Binding Site Plan PLN # 1263 and  
Conditional Use Permit PLN # 1264 (the “Apartment Project”)

Dear City Attorney and Ms. Rusko,

We represent Reidar and Nellie Thompon, who own property located at 20825 59<sup>th</sup> Ave. NE, Arlington, WA 98223, tax parcel #31051000402600 (the “Thompson Parcel”).

The Thompson Parcel is adjacent to and south of the property owned by Lane Properties LLC, tax parcel #31051000402700 (the “Lane Parcel”). The Apartment Project is proposed to be located on the Lane Parcel.

Pursuant to our client’s December 18, 2024 letter, a copy of which is enclosed herewith, our clients provided the City of Arlington (“City”) with notice of their concerns with the proposed Apartment Project. Their letter was submitted to the City during the open public comment period. The City's general response, which went to all parties on record, did not address the specific issues that were raised by our clients. The City representative stated that there would be specific follow up with our clients regarding their independent Wetland Review,,but no follow up occurred.

Our clients’ most notable concern is how the City has classified the wetland area that is located between the Thompson Parcel and the Lane Parcel. Lane Properties LLC submitted to the City a “Wetland and Fish and Wildlife Habitat Assessment Report” dated July 2024 prepared by Soundview Consultants, LLC for Quarterra (the “Soundview Report”) which report took the position that the wetland shared by both parcels is a Category III wetland.

Our clients and their consultant, Scott Spooner of Wetlands & Wildlife, Inc., disagree with the conclusions set forth in the Soundview Report and the City’s position as the wetland area in question is actually a Category II wetland. See Mr. Spooner’s report, a copy of which enclosed herewith the Wetlands Report. The Wetlands Report clearly shows that the

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wetland is a Category II wetland.

Included with the Wetlands Report is a letter from Mr. Spooner with his detailed analysis of the Soundview Report stating the areas of the Soundview Report that are incorrect (including the fact that the Soundview Report used the incorrect Wetland Rating form as Soundview used the old Department of Ecology form from 2015 and not the Department of Ecology's updated 2023 form).

It is our clients' position that (i) the information and conclusions in Wetlands Report is accurate, (ii) the Soundview Report is inaccurate and used the wrong ratings form to reach its conclusions, and (iii) that the wetlands area between the Lane Parcel and the Thompson Parcel is actually a Category II wetland, not a Category III.

We respectfully request that the City review the Wetland Report and Mr. Spooner's cover letter and change its initial assessment of the wetlands from a Category III to the correct classification of a Category II wetland, and then re-evaluate the setbacks, restrictions, and code compliance requirements before proceeding any further with the Apartment Project.

We look forward to your prompt response.

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

Inslee, Best, Doezie & Ryder P.S.



Brett N. Wiese

Enclosures

CC: client



February 23, 2025

Mr. Reidar Thompson  
20825 59<sup>th</sup> Avenue NE  
Arlington, WA 98223

RE: Evaluations of Wetland and Fish and Wildlife Habitat Assessment Report (Parcel #31051000402700)

Dear Mr. Thompson:

Per your request, I have evaluated the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC* for *Quarterra* regarding their wetland and stream determinations on the property located north of your property (tax parcel 31051000402700). That property is located in the incorporated City of Arlington, Washington. Please see the last page of this letter which includes my Statement of Qualifications to Conduct Wetland and Stream Evaluations.

As you know, *Wetlands & Wildlife, Inc.* conducted recent Critical Areas evaluations on your personal property which is located immediately south of the proposed project site referenced above. Your property is located in unincorporated Snohomish County and the tax parcel number follows: 31051000402600. You requested for my company to conduct Critical Areas evaluations in relation to a future proposed shop / outbuilding on your personal property. Therefore, the recent Critical Areas evaluations that I conducted on your property in 2024 are based on my company's detailed delineation efforts and evaluations of the same wetland that extends off of your property onto the subject proposed project site (parcel number 31051000402700) and farther to the east of your property as well.

**Please see below for information based on my requested evaluations of the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC* compared to the wetland and stream determinations completed by my company for the future project on your property:**

1. Due to parcel number 31051000402700 being a privately-owned property, I have not been on that property to conduct on-site wetland and stream evaluations. Therefore, the comments below are derived from a combination of my previous evaluations on Snohomish County parcel number 31051000402600 and based on review of the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC* for *Quarterra*.
2. Please see the Critical Areas Overview Map (Map Sheet CA1.00) prepared by *Wetlands & Wildlife, Inc.* dated 2/23/25 which I have attached to this letter. Please also see the Wetland Rating Form previously prepared by *Wetlands & Wildlife, Inc.* which is attached to this letter. The attached Map

Sheet CA1.00 and the attached Wetland Rating Form are intended for review by the appropriate City of Arlington staff in conjunction with the comments outlined in this letter.

3. Per professional ecological industry standards, stream buffers are typically required to be derived from the Ordinary High Water Mark (OHWM) of the stream, not from the centerline of the stream. The Existing Conditions Map (Sheet 1) prepared by *Soundview Consultants, LLC* dated 7/2/2024 derives the stream buffer from the centerline of the off-site stream, not from the OHWM.
4. Please see the attached Map Sheet CA1.00 for the approximate location of a ditch located near the eastern property line of tax parcel number 31051000402700. This ditch is discussed on Page 9 of the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC*. It is my professional opinion that the City of Arlington should conduct detailed evaluations of that ditch to determine whether the ditch has an above-ground hydrological connection to the known fish-bearing stream (Type F-ESA stream) located on tax parcel number 31051000402600 (the Reidar Thompson property). If that ditch maintains an above-ground hydrologic connection to the Type F-ESA stream and is 2-3 feet wide as stated in the report prepared by *Soundview Consultants, LLC*, then the ditch should be regulated as a stream due to its connection to the Type F-ESA stream (even if the ditch is man-made). Washington Administrative Code (WAC) section 222-16-031 provides criteria for presumed fish-bearing waters. If the ditch is regulated as a stream per the City's Critical Areas Regulations, then a buffer would likely be required to extend from the Ordinary High Water Mark (OHWM) of that ditch as well. As previously noted, we don't have access to the ditch on parcel number 31051000402700 to make those determinations, but the appropriate City staff should closely evaluate the ditch to determine if the ditch meets the presumption criteria listed in WAC section 222-16-031.
5. If the ditch mentioned in comment #4 above meets the City's code requirement to be regulated as a stream and therefore requires a protective buffer, the overriding Critical Area buffer would need to change accordingly.
6. Code section 20.93.800(a) of the City of Arlington's Critical Areas Regulations states that "Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington, Ecology Publication #14-06-029 or as revised by ecology." The Wetland Rating Form attached to the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC* is the 2015 version of the Wetland Rating Form, but the most current version of the Wetland Rating Form was produced by Ecology in 2023. Please see the correct / most current version of the Wetland Rating Form attached to this letter.
7. See the Wetland Rating Form completed by my company for your future shop project on your property (parcel number 31051000402600). I have attached the PDF version of that Wetland Rating Form to this letter. The wetland located on the northern portion of your property is the same wetland as the wetland identified and discussed in the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC* for *Quarterra*
8. In my professional opinion, the Wetland Rating Form prepared by *Soundview Consultants, LLC* and the resulting determinations regarding the wetland category and standard wetland buffer are not accurate. Based on our detailed evaluations and determinations, the subject wetland is actually a Category II wetland with 6 habitat points, not a Category III wetland with 4 habitat points as asserted in the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC* for *Quarterra*. **Using the current version of the Wetland Rating Form (Version 2 produced in 2023), the subject wetland scored a total of 20 points (7 points for Water Quality Functions, 7 points for Hydrologic Functions, and 6 points for Habitat Functions) and is therefore considered a Category II wetland.**

9. There are several key differences (referenced and discussed further below) between the attached Wetland Rating Form previously prepared by my company for your project and the Wetland Rating Form prepared by *Soundview Consultants, LLC* which is attached to their Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024.
10. In my professional opinion, Question D6.1 on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* is not accurate. Due to the landscape context of the subject wetland (very close proximity to the Stillaguamish River and many mapped FEMA Flood Hazard Areas associated with the river), flooding occurs in a sub-basin immediately down-gradient of the unit. By providing the accurate score for that question, the score for Rating of Value in the Hydrologic Functions section on the Wetland Rating Form would increase from moderate (1 point given) to high (2 points).
11. In my professional opinion, Question H1.1 on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* is also not accurate. The subject wetland includes emergent and scrub-shrub Cowardin vegetation classes. The rating form figure (Figure No. 1 of 5) that *Soundview Consultants, LLC* attached to their report differs from how they scored this question on the Wetland Rating Form. I don't think that the wetland rating unit contains a forested class across 15% of the wetland (as shown in the Wetland Rating Form Figures prepared by *Soundview Consultants, LLC*), but there is definitely a scrub-shrub class that exceeds the thresholds listed in questions H1.1. The number of points assigned on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* does not match their own figure which is Figure No. 1 of 5. That would increase the number points on that question from 0 to 1 (or from 0 to 2 points if they include a Forested vegetative class as depicted on their Figure No. 1 of 5). Either way, the point total for Question H1.1 is not accurate as 0 points as shown on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC*.
12. In my professional opinion, Question H1.4 on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* is also not accurate. Based on my comment above regarding the wetland containing more than just an emergent Cowardin vegetation class, the wetland contains low habitat interspersions (at a minimum) due to the presence of emergent and scrub-shrub vegetation. If implementing Figure No. 1 of 5 prepared and submitted by *Soundview Consultants, LLC*, the level of habitat interspersions would at least be moderate, since the wetland would then have three different Cowardin vegetation classes. As you can see when comparing our Wetland Rating Form, we gave that question moderate habitat interspersions due to the presence of emergent and scrub-shrub vegetation classes PLUS an open-water component (per standards for completing the Wetland Rating Form). Either way, Question H1.4 should reflect that there is not just one Cowardin vegetated class, so the level of habitat interspersions should result in at least 1 point (if not 2 points as discussed above and as shown on our Wetland Rating Form).
13. In my professional opinion, Question H1.5 on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* is also not accurate. As you can see on our Wetland Rating Form, the subject wetland contains nearly all of the special habitat features in Question H1.5. The wetland contains more than 25% invasive vegetation (primarily reed canarygrass), but receives 5 other points on Question H1.5. Therefore, Question H1.5 should receive 5 points, significantly more than what is shown on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC*.
14. Based on the comments above, Site Potential Section for Habitat Functions should be moderate (12 points), whereas the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* states it should be low (6 points).

15. In my professional opinion, Question H3.1 on the Wetland Rating Form prepared and submitted by *Soundview Consultants, LLC* is also not accurate. Due to the forested slopes located south of the wetland rating unit, it is my professional opinion that there are Priority Snags and Logs (as defined by the Washington Department of Fish and Wildlife as a Priority Habitat) located within 330 feet of the wetland rating unit. The Wetland Rating Form prepared by Soundview states that no Priority Snags and Logs are present within 330 feet of the wetland, so they gave the Value portion of the Habitat section a score of 1 point (Moderate). Question H3.1 should be accurately rated as 2 points (High) due to Priority Snags and Logs being present within 330 feet of the wetland, in addition to Riparian and Instream Priority Habitats.
16. When the comments and determinations listed above in this letter are taken into account for the Wetland Rating Form produced by *Soundview Consultants, LLC*, **the subject wetland would be accurately considered a Category II wetland with a total Habitat Functions Score of 6.** Again, there are several key differences (referenced and discussed above) between the attached Wetland Rating Form previously prepared by my company for your future proposed shop project and the Wetland Rating Form prepared by *Soundview Consultants, LLC* which is attached to their Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024.
17. Per the City of Arlington's code section 20.93.830, the standard buffer for a Category II wetland with 6 habitat points would be either 150 feet (when using the standard buffer in Table 20.93-6) or 110 feet (when using the standard buffer in Table 20.93-4). However, in order to utilize the standard 110-foot buffer in Table 20.93-4, the applicants would need to implement the applicable mitigation measures in Table 20.93-5 and provide a relatively undisturbed, vegetated corridor as outlined in City Code section 20.93.830(a)(1)(A). Per City Code section 20.93.830(a)(3), "If an applicant does not apply the mitigation measures in Table 20.93-5 or is unable to provide a protected corridor, then the buffers in Table 20.93-6 shall be used." For a Category II wetland with a Habitat Functions Score of 6, that scenario would result in the standard buffer for this wetland being 150 feet.
18. Either one of those buffer options (150 feet or 110 feet) are different than (and in fact larger than) the standard 60-foot buffer that is depicted and described in the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by *Soundview Consultants, LLC*.
19. Please see the attached Map Sheet CA1.00 prepared by *Wetlands & Wildlife, Inc.* which depicts the information discussed in this letter.

Please note that while *Wetlands & Wildlife, Inc.* upheld professional ecological industry standards when completing our detailed wetland and stream evaluations, the information contained in this letter does not guarantee approval and / or agreement by all applicable federal, state, and / or local regulatory permitting agencies. If any questions arise regarding the information contained in this letter, please contact me directly at (425) 337-6450.

*Wetlands & Wildlife, Inc.*



Scott Spooner  
Owner / Principal Wetland & Wildlife Ecologist

\*\*Please see below for my Statement of Qualifications to Conduct Wetland and Stream Evaluations.

## STATEMENT OF QUALIFICATIONS TO CONDUCT WETLAND AND STREAM EVALUATIONS

The following provides a brief overview of Scott Spooner's experience and credentials to conduct the required detailed evaluations on the subject property. I am the Founder, Owner, and Principal Wetland and Wildlife Ecologist of *Wetlands & Wildlife, Inc.* I attended the University of Montana where I graduated cum laude with a degree in Wildlife Biology. As of 2025, I have 24 years of direct experience as a professional Biologist / Ecologist in western Washington and 28 years of overall experience completing natural resource assessments among many different ecosystems across the western United States. I have worked as a professional Biologist / Ecologist for federal, state, and county environmental agencies, as well as several private environmental consulting firms with specialties in wetlands, streams, rivers, lakes, and wildlife habitat. In my 28 years of experience, I have specialized in reviewing proposed land use and building development permit applications as they pertain to Critical Areas (wetlands, rivers, streams, lakes, and habitats of protected fish and wildlife species). I gained some of that experience working as a Senior Reviewing Ecologist for King County DDES and a Regulatory Biologist for Snohomish County PDS, while I also have many years of experience as a private environmental consultant.

I am listed on several Preferred / Qualified Consultant Rosters throughout western Washington. I am highly experienced with the required U.S. Army Corps of Engineers and Washington State wetland delineation methods. In addition to the wetland delineation certification, I am trained by the Washington Department of Ecology and have 20 years of experience in the use of the required Wetland Rating Form for western Washington (since its inception). I am trained by the Washington Department of Ecology to determine Ordinary High Water Mark (OHWM) locations for rivers, streams, and lakes. In addition to my expertise related to wetlands and streams, I have many years of experience conducting surveys of special-status wildlife species in the western U.S. I received certifications from the Washington Department of Fish and Wildlife for terrestrial wildlife habitat assessments and wildlife surveys of special-status wildlife species.

I have conducted over 2,500 biological / ecological assessments in different capacities on properties with many habitat types and zoning designations, from small, urban properties (0.25 acres) to large, rural properties (up to 2,000 acres in size). I have been selected by several local city jurisdictions to provide on-call 3rd-party environmental reviews of proposed development projects for compliance with local Critical Areas Ordinances and the FEMA Floodplain Habitat Assessment and Mitigation document.

Wetland name or number Wetland A

## RATING SUMMARY – Western Washington

Name of wetland (or ID #): Wetland A (Thompson Project) Date of site visit: 10/24/2024

Rated by Scott Spooner (Wetlands & Wildlife, Inc.) Trained by Ecology?  Yes \_\_\_ No Date of training 10/05 & 4/15

HGM Class used for rating Depressional Wetland has multiple HGM classes?  Y \_\_\_ N

**NOTE: Form is not complete without the required figures** (figures can be combined).

Source of base aerial photo/map Google Earth

**OVERALL WETLAND CATEGORY** II (based on functions  or special characteristics \_\_\_)

### 1. Category of wetland based on FUNCTIONS

\_\_\_ Category I – Total score = 23 - 27

Category II – Total score = 20 - 22

\_\_\_ Category III – Total score = 16 - 19

\_\_\_ Category IV – Total score = 9 - 15

FUNCTION	Improving Water Quality	Hydrologic	Habitat	
<i>Circle the appropriate ratings</i>				
Site Potential	H (M) L	H (M) L	H (M) L	
Landscape Potential	H (M) L	H (M) L	H M (L)	
Value	(H) M L	(H) M L	(H) M L	<b>TOTAL</b>
<b>Score Based on Ratings</b>	7	7	6	20

**Score for each function based on three ratings**  
(order of ratings is not important)

9 = H, H, H

8 = H, H, M

7 = H, H, L

7 = H, M, M

6 = H, M, L

6 = M, M, M

5 = H, L, L

5 = M, M, L

4 = M, L, L

3 = L, L, L

### 2. Category based on SPECIAL CHARACTERISTICS of wetland

CHARACTERISTIC	CATEGORY
Estuarine	I II
Wetland of High Conservation Value	I
Bog	I
Mature Forest	I
Old Growth Forest	I
Coastal Lagoon	I II
Interdunal	I II III IV
None of the above	<input checked="" type="checkbox"/>

Wetland name or number Wetland A

## Maps and figures required to answer questions correctly for Western Washington

### Depressional Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	D 1.3, H 1.1, H 1.4	1
Hydroperiods	D 1.4, H 1.2	2
Location of outlet ( <i>can be added to map of hydroperiods</i> )	D 1.1, D 4.1	2
Boundary of area within 150 ft of the wetland ( <i>can be added to another figure</i> )	D 2.2, D 5.2	1
Map of the contributing basin	D 4.3, D 5.3	4
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and total habitat	H 2.1, H 2.2, H 2.3	3
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	D 3.1, D 3.2	5
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	D 3.3	6

### Riverine Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Ponded depressions	R 1.1	
Boundary of area within 150 ft of the wetland ( <i>can be added to another figure</i> )	R 2.4	
Plant cover of trees, shrubs, and herbaceous plants	R 1.2, R 4.2	
Width of unit vs. width of stream ( <i>can be added to another figure</i> )	R 4.1	
Map of the contributing basin	R 2.2, R 2.3, R 5.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and total habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	R 3.1	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	R 3.2, R 3.3	

### Lake Fringe Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	L 1.1, L 4.1, H 1.1, H 1.4	
Plant cover of trees, shrubs, and herbaceous plants	L 1.2	
Boundary of area within 150 ft of the wetland ( <i>can be added to another figure</i> )	L 2.2	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and total habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	L 3.1, L 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	L 3.3	

### Slope Wetlands

Map of:	To answer questions:	Figure #
Cowardin plant classes	H 1.1, H 1.4	
Hydroperiods	H 1.2	
Plant cover of <b>dense</b> trees, shrubs, and herbaceous plants	S 1.3	
Plant cover of <b>dense, rigid</b> trees, shrubs, and herbaceous plants ( <i>can be added to figure above</i> )	S 4.1	
Boundary of 150 ft buffer ( <i>can be added to another figure</i> )	S 2.1, S 5.1	
1 km Polygon: Area that extends 1 km from entire wetland edge - including polygons for accessible habitat and total habitat	H 2.1, H 2.2, H 2.3	
Screen capture of map of 303(d) listed waters in basin (from Ecology website)	S 3.1, S 3.2	
Screen capture of list of TMDLs for WRIA in which unit is found (from web)	S 3.3	

**DEPRESSIONAL AND FLATS WETLANDS**

**Water Quality Functions** - Indicators that the site functions to improve water quality

**D 1.0. Does the site have the potential to improve water quality?**

D 1.1. <u>Characteristics of surface water outflows from the wetland:</u> Wetland is a depression or flat depression (QUESTION 7 on key) with no surface water leaving it (no outlet). <span style="float:right">points = 3</span> Wetland has an intermittently flowing stream or ditch, OR highly constricted permanently flowing outlet. <span style="float:right">points = 2</span> Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing <span style="float:right">points = 1</span> Wetland is a flat depression (QUESTION 7 on key), whose outlet is a permanently flowing ditch. <span style="float:right">points = 1</span>		2		
D 1.2. <u>The soil 2 in. below the surface (or duff layer) is true clay or true organic (use NRCS definitions).</u> Yes = 4 No = 0				
D 1.3. <u>Characteristics and distribution of persistent plants</u> (Emergent, Scrub-shrub, and/or Forested Cowardin classes): Wetland has persistent, ungrazed plants > 95% of area <span style="float:right">points = 5</span> Wetland has persistent, ungrazed plants > ½ of area <span style="float:right">points = 3</span> Wetland has persistent, ungrazed plants ≥ 1/10 of area <span style="float:right">points = 1</span> Wetland has persistent, ungrazed plants < 1/10 of area <span style="float:right">points = 0</span>			3	
D 1.4. <u>Characteristics of seasonal ponding or inundation:</u> This is the area that is ponded for at least 2 months. See description in manual. Area seasonally ponded is > ½ total area of wetland <span style="float:right">points = 4</span> Area seasonally ponded is ≥ ¼ total area of wetland <span style="float:right">points = 2</span> Area seasonally ponded is < ¼ total area of wetland <span style="float:right">points = 0</span>				4
Total for D 1 <span style="float:right">Add the points in the boxes above</span>		9		

**Rating of Site Potential** If score is: 12-16 = H  6-11 = M  0-5 = L Record the rating on the first page

**D 2.0. Does the landscape have the potential to support the water quality function of the site?**

D 2.1. Does the wetland unit receive stormwater discharges? <span style="float:right">Yes = 1 No = 0</span>		0
D 2.2. Is > 10% of the area within 150 ft of the wetland in land uses that generate pollutants? <span style="float:right">Yes = 1 No = 0</span>		1
D 2.3. Are there septic systems within 250 ft of the wetland? <span style="float:right">Yes = 1 No = 0</span>		1
D 2.4. Are there other sources of pollutants coming into the wetland that are not listed in questions D 2.1-D 2.3? Source _____ <span style="float:right">Yes = 1 No = 0</span>		0
Total for D 2 <span style="float:right">Add the points in the boxes above</span>		2

**Rating of Landscape Potential** If score is: 3 or 4 = H  1 or 2 = M  0 = L Record the rating on the first page

**D 3.0. Is the water quality improvement provided by the site valuable to society?**

D 3.1. Does the wetland discharge directly (i.e., within 1 mi) to a stream, river, lake, or marine water that is on the 303(d) list? <span style="float:right">Yes = 1 No = 0</span>		0
D 3.2. Is the wetland in a basin or sub-basin where an aquatic resource is on the 303(d) list? <span style="float:right">Yes = 1 No = 0</span>		1
D 3.3. Has the site been identified in a watershed or local plan as important for maintaining water quality? (Answer YES if there is a TMDL in development or in effect for the basin in which the unit is found.) <span style="float:right">Yes = 2 No = 0</span>		2
Total for D 3 <span style="float:right">Add the points in the boxes above</span>		3

**Rating of Value** If score is:  2-4 = H  1 = M  0 = L Record the rating on the first page

Wetland name or number Wetland A

### DEPRESSIONAL AND FLATS WETLANDS

#### Hydrologic Functions - Indicators that the site functions to reduce flooding and stream degradation

D 4.0. Does the site have the potential to reduce flooding and erosion?			
D 4.1. <u>Characteristics of surface water outflows from the wetland:</u>			
Wetland is a depression or flat depression with no surface water leaving it (no outlet)	points = 4	2	
Wetland has an intermittently flowing stream/ditch, OR highly constricted permanently flowing outlet	points = 2		
Wetland is a flat depression (question 7 on key), whose outlet is a permanently flowing ditch	points = 1		
Wetland has an unconstricted, or slightly constricted, surface outlet that is permanently flowing	points = 0		
D 4.2. <u>Depth of storage during wet periods:</u> Estimate the height of ponding above the bottom of the outlet. For wetlands with no outlet, measure from the surface of permanent water or if dry, the deepest part.			
Marks of ponding are 3 ft or more above the surface or bottom of outlet	points = 7	3	
Marks of ponding between 2 ft to < 3 ft from surface or bottom of outlet	points = 5		
Marks are at least 0.5 ft to < 2 ft from surface or bottom of outlet	points = 3		
The wetland is a "headwater" wetland	points = 3		
Wetland is flat but has small depressions on the surface that trap water	points = 1		
Marks of ponding less than 0.5 ft (6 in)	points = 0		
D 4.3. <u>Contribution of the wetland to storage in the watershed:</u> Estimate the ratio of the area of upstream basin contributing surface water to the area of the wetland unit itself.			
The area of the basin is less than 10 times the area of the unit	points = 5	3	
The area of the basin is 10 to 100 times the area of the unit	points = 3		
The area of the basin is more than 100 times the area of the unit	points = 0		
Entire wetland is in the Flats class	points = 5		
Total for D 4		Add the points in the boxes above	8

**Rating of Site Potential** If score is: 12-16 = H  6-11 = M  0-5 = L *Record the rating on the first page*

D 5.0. Does the landscape have the potential to support hydrologic functions of the site?			
D 5.1. Does the wetland receive stormwater discharges?	Yes = 1 No = 0	0	
D 5.2. Is >10% of the area within 150 ft of the wetland in land uses that generate excess runoff?	Yes = 1 No = 0	1	
D 5.3. Is more than 25% of the contributing basin of the wetland covered with intensive human land uses (residential at >1 residence/ac, urban, commercial, agriculture, etc.)?	Yes = 1 No = 0	1	
Total for D 5		Add the points in the boxes above	2

**Rating of Landscape Potential** If score is:  3 = H  1 or 2 = M  0 = L *Record the rating on the first page*

D 6.0. Are the hydrologic functions provided by the site valuable to society?			
D 6.1. Is <u>the unit in a landscape that has flooding problems</u> ? Choose the description that best matches conditions around the wetland unit being rated. Do not add points. <u>Choose the highest score if more than one condition is met.</u>			
The wetland captures surface water that would otherwise flow downgradient into areas where flooding has damaged human or natural resources (e.g., houses or salmon redds):			
<ul style="list-style-type: none"> <li>• Flooding occurs in a sub-basin that is immediately downgradient of unit. <span style="float: right;">points = 2</span></li> <li>• Surface flooding problems are in a sub-basin farther downgradient. <span style="float: right;">points = 1</span></li> <li>• Flooding from groundwater is an issue in the sub-basin. <span style="float: right;">points = 1</span></li> <li>• The existing or potential outflow from the wetland is so constrained by human or natural conditions that the water stored by the wetland cannot reach areas that flood. <i>Explain why</i> _____ <span style="float: right;">points = 0</span></li> <li>• There are no problems with flooding downstream of the wetland. <span style="float: right;">points = 0</span></li> </ul>		2	
D 6.2. Has the site been identified as important for flood storage or flood conveyance in a regional flood control plan?	Yes = 2 No = 0	0	
Total for D 6		Add the points in the boxes above	2

**Rating of Value** If score is:  2-4 = H  1 = M  0 = L *Record the rating on the first page*

**These questions apply to wetlands of all HGM classes.**

**HABITAT FUNCTIONS** - Indicators that site functions to provide important habitat

H 1.0. Does the site have the potential to provide habitat?

H 1.1. Structure of plant community: Indicators are Cowardin classes and strata within the Forested class. Check the Cowardin plant classes in the wetland. Up to 10 patches may be combined for each class to meet the threshold of ¼ ac if the unit is at least 2.5 ac, or more than 10% of the unit if it is smaller than 2.5 ac.

- Aquatic bed 4 structures or more: points = 4
- Emergent 3 structures: points = 2
- Scrub-shrub (areas where shrubs have > 30% cover) 2 structures: points = 1
- Forested (areas where trees have > 30% cover) 1 structure: points = 0

*If the unit has a Forested class, check if:*

- The Forested class has 3 out of 5 strata (canopy, sub-canopy, shrubs, herbaceous, moss/groundcover) that each cover 20% within the Forested polygon

1

H 1.2. Hydroperiods

Check the types of water regimes (hydroperiods) present within the wetland. The water regime has to cover more than 10% of the wetland if the unit is < 2.5 ac, or ¼ ac if the unit is at least 2.5 ac to count (see text for descriptions of hydroperiods).

- Permanently flooded or inundated 4 or more types present: points = 3
- Seasonally flooded or inundated 3 types present: points = 2
- Occasionally flooded or inundated 2 types present: points = 1
- Saturated only 1 type present: points = 0

- Permanently flowing stream or river in, or adjacent to, the wetland
- Intermittently or seasonally flowing stream in, or adjacent to, the wetland

- Lake Fringe wetland** **2 points**
- Freshwater tidal wetland** **2 points**

3

H 1.3. Richness of plant species

Count the number of plant species in the wetland that cover at least 10 ft<sup>2</sup>.

Different patches of the same species can be combined to meet the size threshold and you do not have to name the species. **Do not include Eurasian milfoil, reed canarygrass, purple loosestrife, Canada thistle**

- If you counted: > 19 species points = 2
- 5 - 19 species points = 1
- < 5 species points = 0

1

H 1.4. Interspersion of habitats

Decide from the diagrams below whether interspersions among Cowardin plants classes (described in H 1.1), or the classes and unvegetated areas (can include open water or mudflats) is high, moderate, low, or none. If you have four or more plant classes or three classes and open water, the rating is always high.



None = 0 points



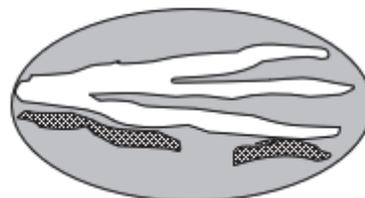
Low = 1 point



Moderate = 2 points



All three diagrams in this row are **High** = 3 points



2

Wetland name or number Wetland A

<p>H 1.5. Special habitat features:                  Check the habitat features that are present in the wetland. The number of checks is the number of points.</p> <p><input checked="" type="checkbox"/> Large, downed, woody debris within the wetland (&gt; 4 in. diameter and 6 ft long).</p> <p><input checked="" type="checkbox"/> Standing snags (dbh &gt; 4 in.) within the wetland</p> <p><input checked="" type="checkbox"/> Undercut banks are present for at least 6.6 ft (2 m) <b>and/or</b> overhanging plants extend at least 3.3 ft (1 m) over open water or a stream (or ditch) in, or contiguous with the wetland, for at least 33 ft (10 m)</p> <p><input checked="" type="checkbox"/> Stable steep banks of fine material that might be used by beaver or muskrat for denning (&gt; 30 degree slope) OR signs of recent beaver activity are present (cut shrubs or trees that have not yet weathered where wood is exposed)</p> <p><input checked="" type="checkbox"/> At least ¼ ac of thin-stemmed persistent plants or woody branches are present in areas that are permanently or seasonally inundated (structures for egg-laying by amphibians)</p> <p><input type="checkbox"/> Invasive plants cover less than 25% of the wetland area in every stratum of plants (see H 1.1 above for the list of strata and H 1.5 in the manual for the list of aggressive plant species)</p>		5
Total for H 1	Add the points in the boxes above	12

**Rating of Site Potential** If score is: 15-18 = H  7-14 = M  0-6 = L *Record the rating on the first page*

H 2.0. Does the landscape have the potential to support the habitat functions of the site?		
<p>H 2.1. Accessible habitat (include only habitat polygons accessible from the wetland.                  Calculate: % relatively undisturbed habitat <u>0.8</u> + [(% moderate and low intensity land uses)/2] <u>0.8</u> = <u>1.6</u> %</p> <p>Total accessible habitat is:</p> <p>&gt; 1/3 (33.3%) of 1 km Polygon <span style="float: right;">points = 3</span></p> <p>20-33% of 1 km Polygon <span style="float: right;">points = 2</span></p> <p>10-19% of 1 km Polygon <span style="float: right;">points = 1</span></p> <p>&lt; 10% of 1 km Polygon <span style="float: right;">points = 0</span></p>		0
<p>H 2.2. Total habitat in 1 km Polygon around the wetland.                  Calculate: % relatively undisturbed habitat <u>16.1</u> + [(% moderate and low intensity land uses)/2] <u>10.5</u> = <u>26.6</u> %</p> <p>Total habitat &gt; 50% of Polygon <span style="float: right;">points = 3</span></p> <p>Total habitat 10-50% and in 1-3 patches <span style="float: right;">points = 2</span></p> <p>Total habitat 10-50% and &gt; 3 patches <span style="float: right;">points = 1</span></p> <p>Total habitat &lt; 10% of 1 km Polygon <span style="float: right;">points = 0</span></p>		1
<p>H 2.3. Land use intensity in 1 km Polygon:</p> <p>&gt; 50% of 1 km Polygon is high intensity land use <span style="float: right;">points = (- 2)</span></p> <p>≤ 50% of 1 km Polygon is high intensity <span style="float: right;">points = 0</span></p>		-2
Total for H 2	Add the points in the boxes above	-1

**Rating of Landscape Potential** If score is:  4-6 = H  1-3 = M  < 1 = L *Record the rating on the first page*

H 3.0. Is the habitat provided by the site valuable to society?		
<p>H 3.1. Does the site provide habitat for species valued in laws, regulations, or policies? <i>Choose only the highest score that applies to the wetland being rated.</i></p> <p>Site meets ANY of the following criteria: <span style="float: right;">points = 2</span></p> <p><input checked="" type="checkbox"/> It has 3 or more Priority Habitats within 100 m (see next page)</p> <p><input type="checkbox"/> It provides habitat for Threatened or Endangered species (any plant or animal on the state or federal lists)</p> <p><input type="checkbox"/> It is mapped as a location for an individual WDFW Priority Species</p> <p><input type="checkbox"/> It is a Wetland of High Conservation Value as determined by the Department of Natural Resources data</p> <p><input type="checkbox"/> It has been categorized as an important habitat site in a local or regional comprehensive plan, in a Shoreline Master Plan, or in a watershed plan</p> <p>Site has 1 or 2 Priority Habitats (listed on next page) within 100 m <span style="float: right;">points = 1</span></p> <p>Site does not meet any of the criteria above <span style="float: right;">points = 0</span></p>		2

**Rating of Value** If score is:  2 = H  1 = M  0 = L *Record the rating on the first page*

## WDFW Priority Habitats

See complete descriptions of Priority Habitats listed by WDFW, and the counties in which they can be found, in: Washington Department of Fish and Wildlife. 2008 (current year, as revised). [Priority Habitat and Species List](#).<sup>133</sup> This list was updated for consistency with guidance from WDFW.

This question is independent of the land use between the wetland unit and the Priority Habitat. All vegetated wetlands are by definition a Priority Habitat but are not included in this list because they are addressed by this rating system.

Count how many of the following Priority Habitats are within 330 ft (100 m) of the wetland unit:

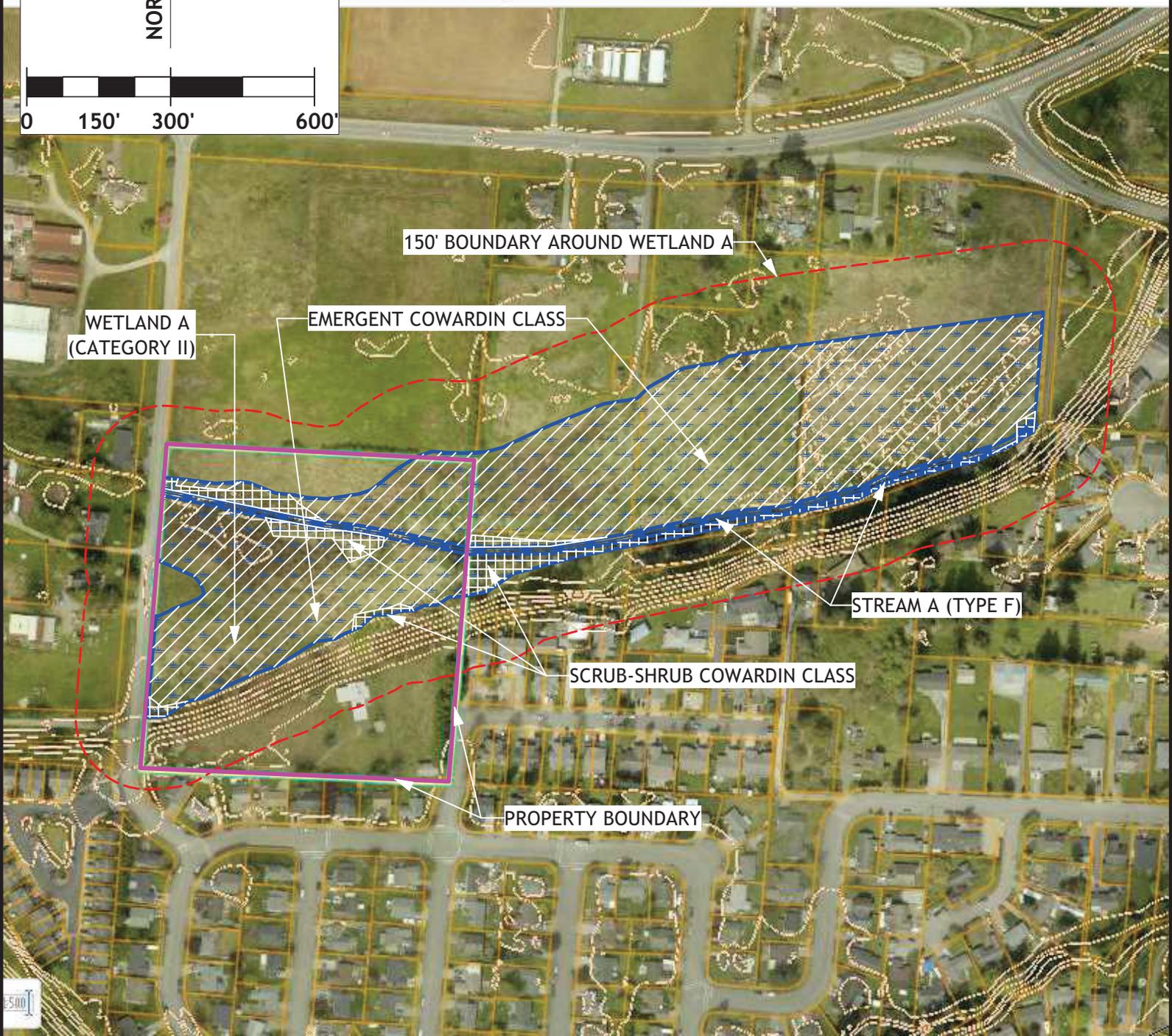
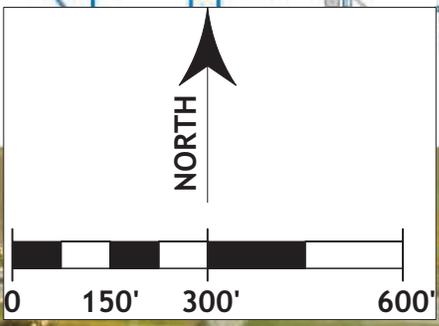
- **Aspen Stands:** Pure or mixed stands of aspen greater than 1 ac (0.4 ha).
- **Biodiversity Areas and Corridors:** Areas of habitat that are relatively important to various species of native fish and wildlife. This habitat automatically counts if mapped on the PHS online map within 100m of the wetland. If not mapped, a determination can be made in the field.
- **Caves:** A naturally occurring cavity, recess, void, or system of interconnected passages under the earth in soils, rock, ice, or other geological formations and is large enough to contain a human.
- **Cliffs:** Greater than 25 ft (7.6 m) high and occurring below 5000 ft elevation.
- **Fresh Deepwater:** Lands permanently flooded with freshwater, including environments where surface water is permanent and often deep, so that water, rather than air, is the principal medium within which the dominant organisms live. Substrate does not support emergent vegetation. Do not select if Instream habitat is also present, or if the entire Deepwater feature is included in the wetland unit being rated (such as a pond with a vegetated fringe).
- **Herbaceous Balds:** Variable size patches of grass and forbs on shallow soils over bedrock.
- ✓ **Instream:** The combination of physical, biological, and chemical processes and conditions that interact to provide functional life history requirements for instream fish and wildlife resources. Do not select if Fresh Deepwater habitat is also present.
- **Nearshore:** Relatively undisturbed nearshore habitats. These include Coastal Nearshore, Open Coast Nearshore, and Puget Sound Nearshore.
- **Old-growth/Mature forests:** Old-growth west of Cascade crest – Stands of at least 2 tree species, forming a multi-layered canopy with occasional small openings; with at least 8 trees/ac (20 trees/ha) > 32 in. (81 cm) diameter at breast height (dbh) or > 200 years of age. Mature forests – Stands with average diameters exceeding 21 in. (53 cm) dbh; crown cover may be less than 100%; decay, decadence, numbers of snags, and quantity of large downed material is generally less than that found in old-growth; 80-200 years old west of the Cascade crest.

Wetland name or number Wetland A

- **Oregon White Oak:** Woodland stands of pure oak or oak/conifer associations where canopy coverage of the oak component is important. For single oaks or oak stands <0.4 ha in urban areas, [WDFW's Management Recommendations for Oregon White Oak](#)<sup>134</sup> provides more detail for determining if they are Priority Habitats
- ✓ **Riparian:** The area adjacent to freshwater aquatic systems with flowing or standing water that contains elements of both aquatic and terrestrial ecosystems which mutually influence each other.
- ✓ **Snags and Logs:** Trees are considered snags if they are dead or dying and exhibit sufficient decay characteristics to enable cavity excavation/use by wildlife. Priority snags have a diameter at breast height of > 20 in. (51 cm) in western Washington and are > 6.5 ft (2 m) in height. Priority logs are > 12 in. (30 cm) in diameter at the largest end, and > 20 ft (6 m) long.
- **Talus:** Homogenous areas of rock rubble ranging in average size 0.5 - 6.5 ft (0.15 - 2.0 m), composed of basalt, andesite, and/or sedimentary rock, including riprap slides and mine tailings. May be associated with cliffs.
- **Westside Prairies:** Herbaceous, non-forested plant communities that can either take the form of a dry prairie or a wet prairie.

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<sup>134</sup> <https://wdfw.wa.gov/publications/00030/wdfw00030.pdf>  
Wetland Rating System for Western WA: 2014 Update  
Rating Form – Version 2, July 2023



LEGEND	
	WETLAND
	STREAM AND FLOW DIRECTION
	BOUNDARY OF AREA WITHIN 150 FEET
	EMERGENT COWARDIN CLASS
	SCRUB/SHRUB COWARDIN CLASS

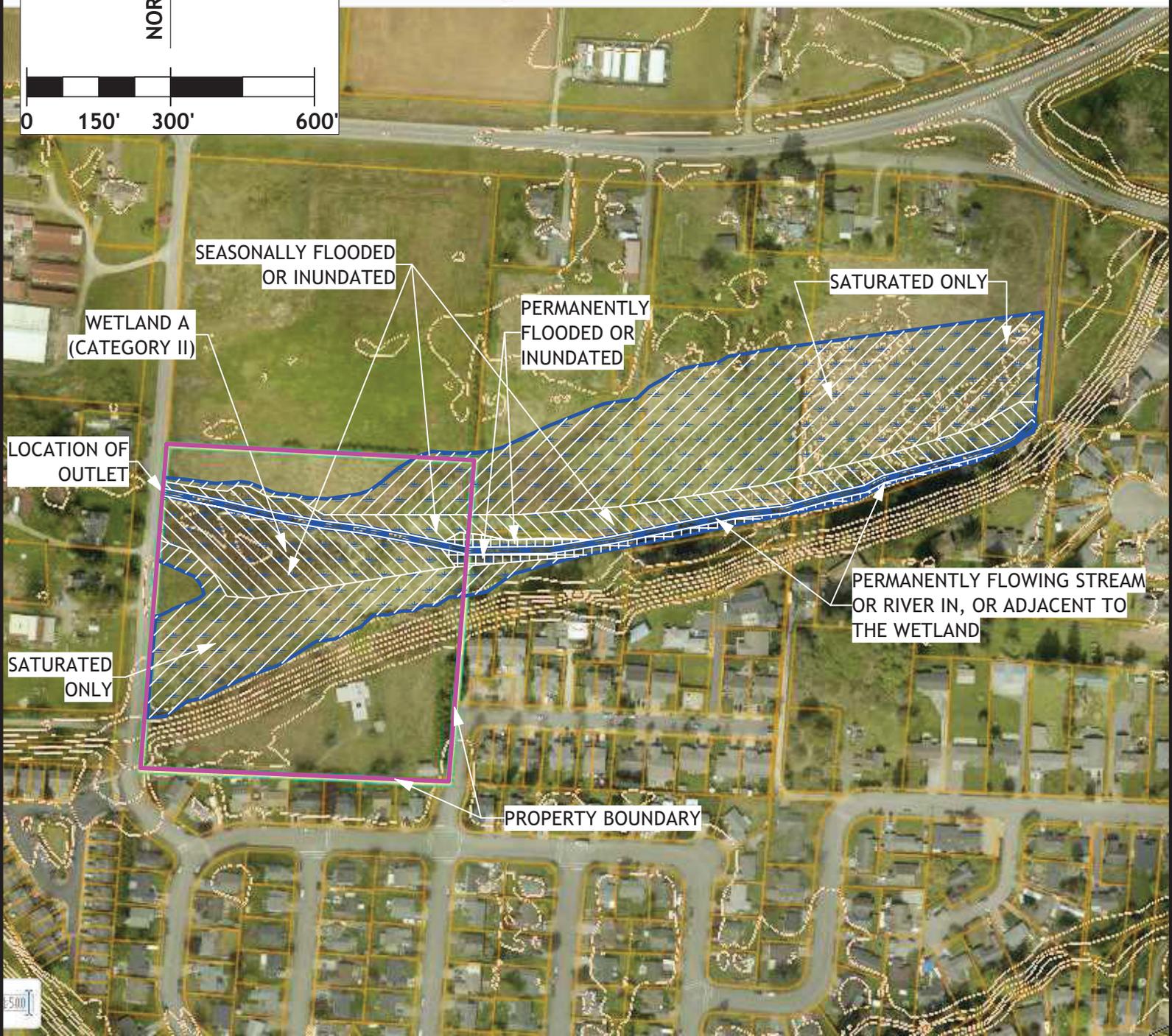
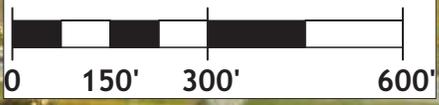


**PREPARED FOR:**  
Mr. Reidar Thompson  
(Property Owner)  
20825 59th Avenue NE  
Arlington, WA 98223

**WETLAND RATING FORM--FIGURE 1**  
COWARDIN PLANT CLASSES AMONG WETLAND  
UNINCORPORATED SNOHOMISH COUNTY  
TAX PARCEL NUMBER 31051000402600

W&W Job: N24100  
Drawn By:  
Ben McGraner  
Date: 1/28/2025  
Revision #: N/A

**MAP SHEET:**  
**WR1.00**



**LEGEND**

-  WETLAND
-  STREAM AND FLOW DIRECTION
-  SATURATED ONLY
-  SEASONALLY FLOODED OR INUNDATED
-  PERMANENTLY FLOODED OR INUNDATED



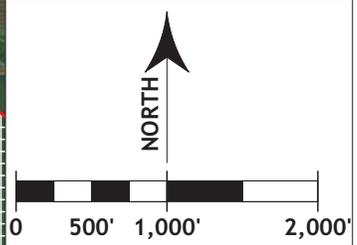
**PREPARED FOR:**  
Mr. Reidar Thompson  
(Property Owner)  
20825 59th Avenue NE  
Arlington, WA 98223

**WETLAND RATING FORM--FIGURE 2**  
HYDROPERIODS AMONG WETLAND  
UNINCORPORATED SNOHOMISH COUNTY  
TAX PARCEL NUMBER 31051000402600

W&W Job: N24100  
Drawn By:  
Ben McGraner  
Date: 1/28/2025  
Revision #: N/A

**MAP SHEET:**  
**WR2.00**

THIS DASHED CIRCLE REPRESENTS -1 KM FROM WETLAND A UNIT BOUNDARY (QUESTION H2 ON RATING FORM)



LOW/MODERATE INTENSITY LAND USE

WETLAND A (CATEGORY II)

SUBJECT PROPERTY

RELATIVELY UNDISTURBED HABITAT

NOTE: ALL UNHATCHED AREAS REPRESENT AREAS WHICH ARE HIGH-INTENSITY LAND USE

**LEGEND**

- WETLAND
- RELATIVELY UNDISTURBED HABITAT
- LOW/MODERATE LAND USE INTENSITY
- ACCESSIBLE RELATIVELY UNDISTURBED HABITAT
- ACCESSIBLE LOW/MODERATE LAND USE HABITAT

**MAP SHEET: WR3.00**

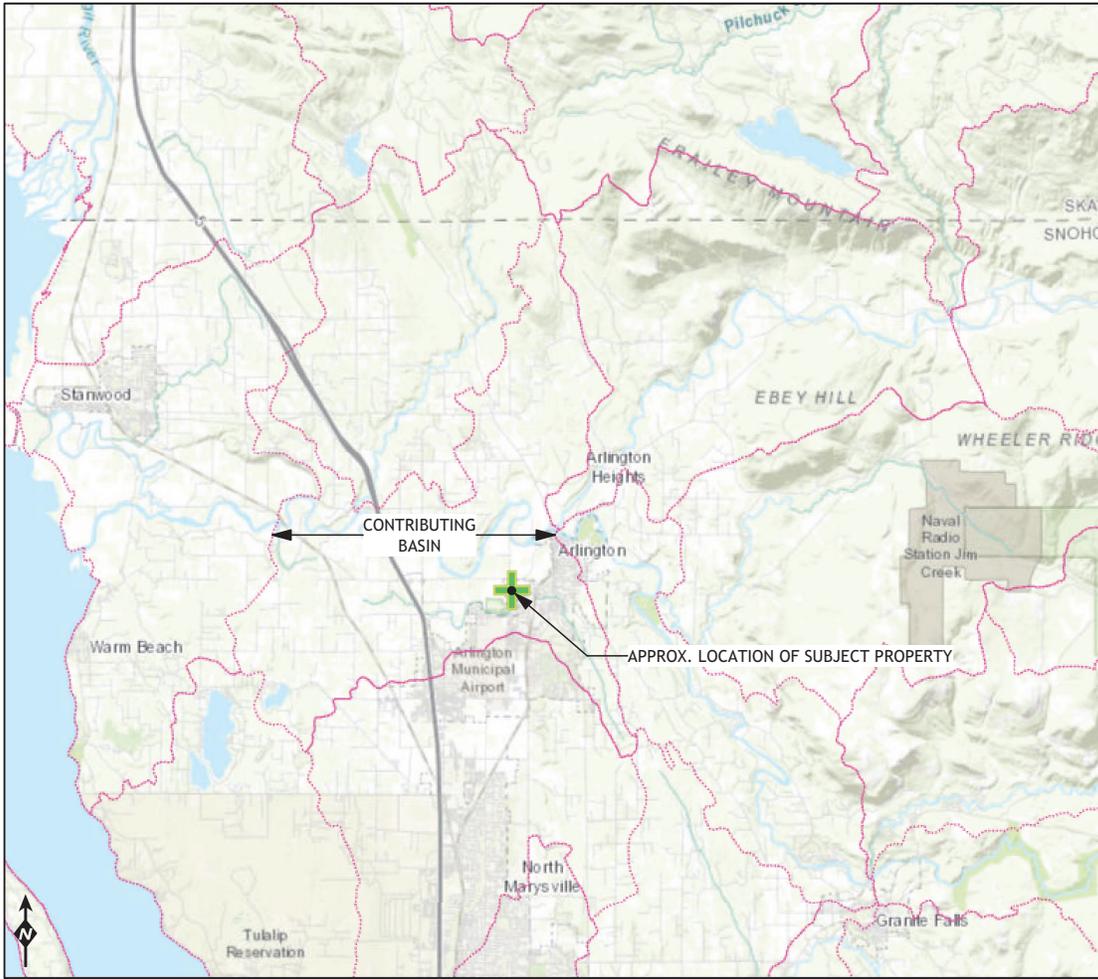
WGW Job: NZ4100  
 Drawn By: Tarek Akkari  
 Date: 1/28/2025  
 Revision #: N/A

**WETLAND RATING FORM--FIGURE 3**  
 HABITAT QUALITY WITHIN 1KM OF WETLAND A  
 UNINCORPORATED SNOHOMISH COUNTY  
 TAX PARCEL # 31051000402600

**PREPARED FOR:**  
 Mr. Reidar Thompson  
 (Property Owner)  
 2085 59th Avenue NE  
 Arlington, WA 98223



# Water Quality Atlas



**Subbasins (12 digit HUCs)**  
 HUC boundary

**MAP SHEET: WR4.00**

W&W Job: N24100  
 Drawn By: Tarek Akkari  
 Date: 1/28/2025  
 Revision #: N/A

**WETLAND RATING FORM--FIGURE 4**  
 MAP OF THE CONTRIBUTING BASIN  
 UNINCORPORATED SNOHOMISH COUNTY  
 TAX PARCEL NUMBER 31051000402600

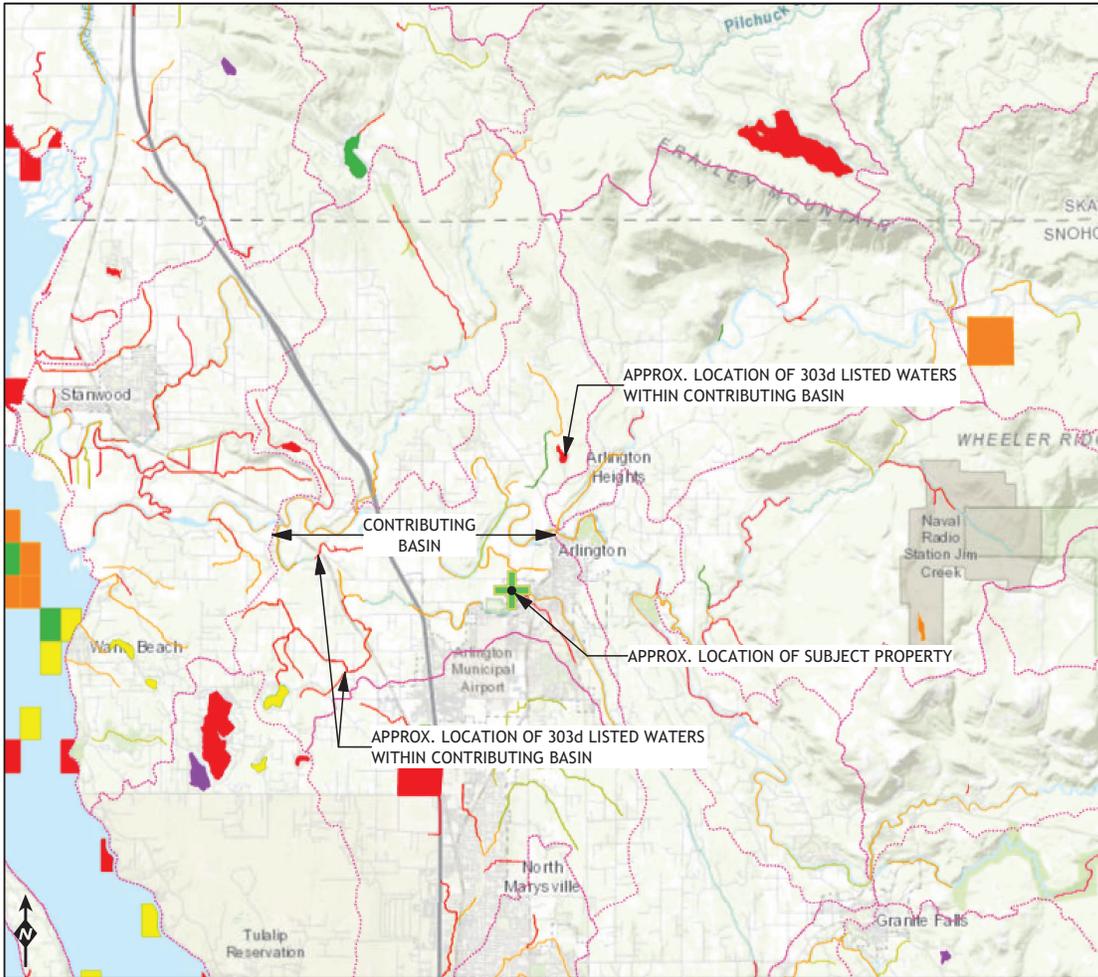
**PREPARED FOR:**  
 Mr. Reidar Thompson  
 (Property Owner)  
 20825 59th Avenue NE  
 Arlington, WA 98223



Esri, NASA, NGA, USGS  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri

Miles 0 2 4 8

# Water Quality Atlas



## Assessed Water/Sediment

- Water**
- █ Category 5 - 303d
  - █ Category 4C
  - █ Category 4B
  - █ Category 4A
  - █ Category 2
  - █ Category 1

- Sediment**
- Category 5 - 303d
  - Category 4C
  - Category 4B
  - Category 4A
  - Category 2
  - Category 1

- Subbasins (12 digit HUCs)**
- HUC boundary

Esri, NASA, NGA, USGS  
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri



**MAP SHEET: WR5.00**

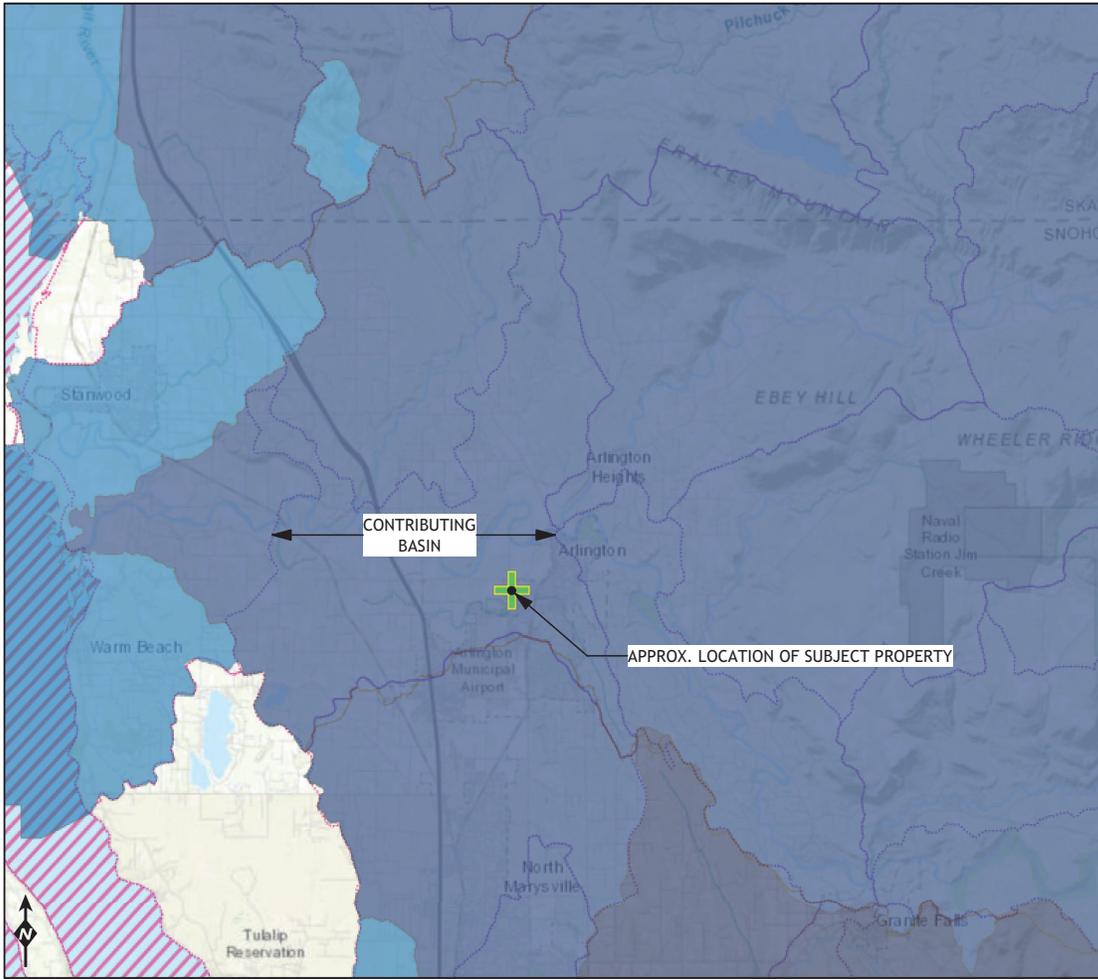
W/E/W Job: N24100  
Drawn By: Tarek Akkari  
Date: 1/28/2025  
Revision #: N/A

**WETLAND RATING FORM--FIGURE 5**  
SCREEN SHOT OF 303(d) LISTED WATERS  
UNINCORPORATED SNOHOMISH COUNTY  
TAX PARCEL NUMBER 31051000402600

**PREPARED FOR:**  
Mr. Reidar Thompson  
(Property Owner)  
20825 59th Avenue NE  
Arlington, WA 98223



# Water Quality Atlas



## WQ Improvement Projects

- TMDL - Approved
- 4B - Approved
- STI - Approved
- ARP - Approved
- TMDL - In Development
- STI - In Development
- ARP - In Development

## Subbasins (12 digit HUCs)

- HUC boundary

Esri, NASA, NGA, USGS  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS,  
 FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri



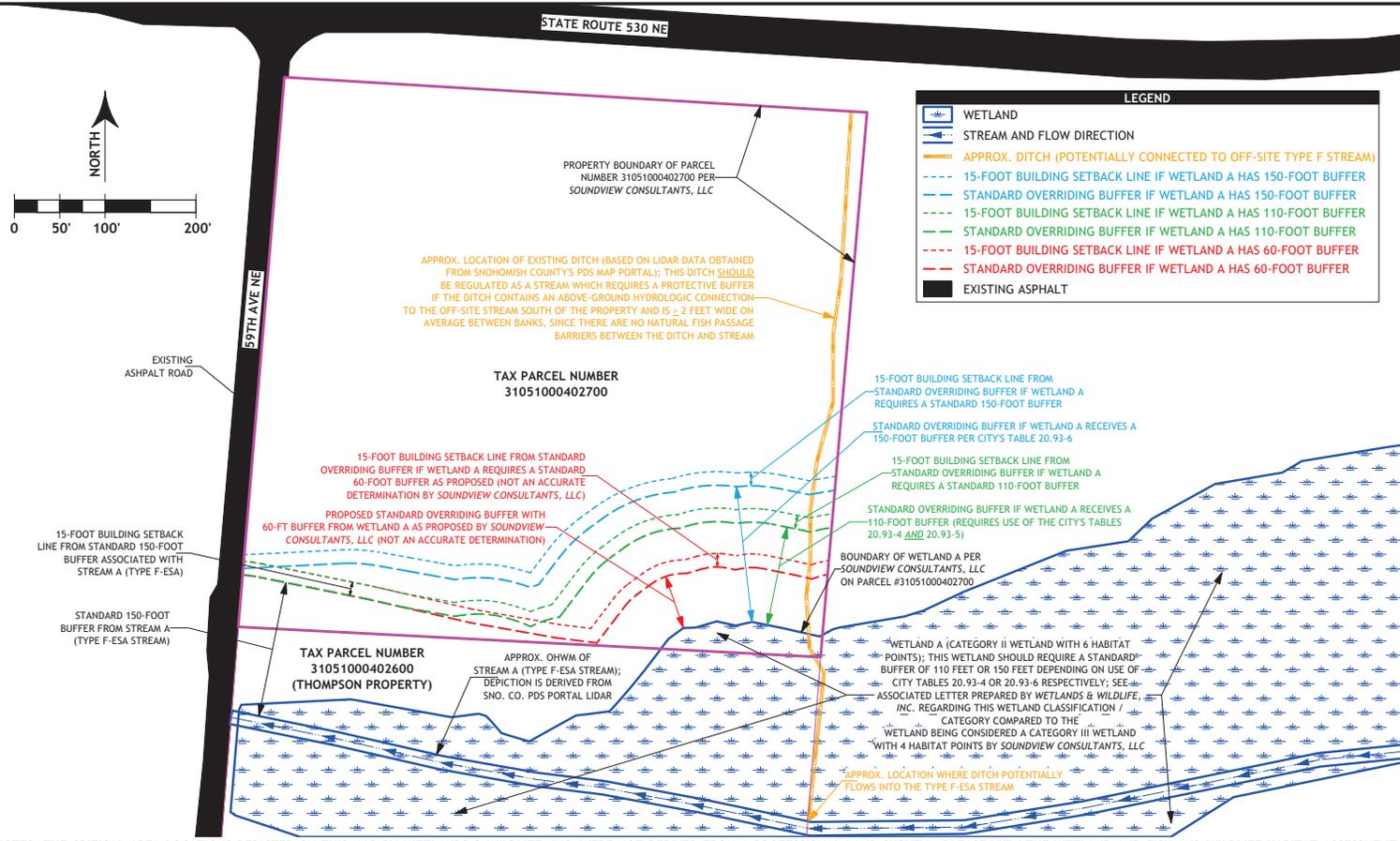
**MAP SHEET: WR6.00**

W/EW Job: N24100  
 Drawn By: Tarek Akkari  
 Date: 1/28/2025  
 Revision #: N/A

**WETLAND RATING FORM--FIGURE 6**  
 SCREEN SHOT OF TMDLS IN PROJECT VICINITY  
 UNINCORPORATED SNOHOMISH COUNTY  
 TAX PARCEL NUMBER 31051000402600

**PREPARED FOR:**  
 Mr. Reidar Thompson  
 (Property Owner)  
 20825 59th Avenue NE  
 Arlington, WA 98223





**NOTES:** THE CRITICAL AREA LOCATIONS DEPICTED ON THIS MAP BY WETLANDS & WILDLIFE, INC. WERE NOT DERIVED FROM A PROFESSIONAL LAND SURVEY. PLEASE VIEW THE WETLAND AND FISH AND WILDLIFE HABITAT ASSESSMENT REPORT PREPARED BY SOUNDVIEW CONSULTANTS, LLC WHICH IS DATED JULY 2024. THE WETLAND BOUNDARY DEPICTED IN THE SOUTHEASTERN PORTION OF TAX PARCEL 31051000402700 ARE TRACED FROM THE PDF VERSION OF THE MAP CREATED BY SOUNDVIEW CONSULTANTS, LLC FOR THE PROPOSED PROJECT ON TAX PARCEL 31051000402700. THE REMAINDER OF THE CRITICAL AREAS SHOWN ON THIS MAP ARE APPROXIMATED, BASED ON VISUAL OBSERVATIONS, AND REVIEW OF AERIAL PHOTOGRAPHS AND LIDAR IMAGERY OBTAINED FROM SNOHOMISH COUNTY'S PDS MAP PORTAL. THIS MAP IS INTENDED TO BE INCLUDED WITH A LETTER PREPARED BY WETLANDS & WILDLIFE, INC. DATED 2/23/25 WHICH OUTLINES KEY DIFFERENCES IN OUR WETLAND AND STREAM EVALUATIONS IN ACCORDANCE WITH CHAPTER 20.93 OF THE CITY OF ARLINGTON'S CODE (CRITICAL AREA ORDINANCE). NO OTHER USE IS INTENDED AT THIS TIME. WHILE WETLANDS & WILDLIFE, INC. UPHELD PROFESSIONAL ECOLOGICAL INDUSTRY STANDARDS AND RELIED ON MANY YEARS OF SUCCESSFUL PROFESSIONAL CONSULTING EFFORTS WHEN CONDUCTING OUR EVALUATIONS, OUR DETERMINATIONS AND THE INFORMATION DEPICTED ON THIS MAP ARE NOT GUARANTEED TO GAIN APPROVAL / AGREEMENT BY ALL APPLICABLE FEDERAL, STATE, AND / OR LOCAL REGULATORY AND / OR PERMITTING AGENCIES.

**MAP SHEET: CA 1.00**

NEW JOB: N24100

Drawn By: Ben McGranter

Date: 2/23/2025

Revision #: N/A

**CRITICAL AREAS OVERVIEW MAP**

UNINCORPORATED SNOHOMISH COUNTY

TAX PARCEL NUMBER 31051000402700

PREPARED FOR:  
Mr. Reidar Thompson  
(Property Owner)  
20825 59th Avenue NE  
Arlington, WA 98223

PREPARED BY:  
Wetlands & Wildlife, Inc.  
1540 10th Avenue NE  
Seattle, WA 98107  
Phone: (425) 337-6490  
Email: scott@wetlands-wildlife.com

**WETLANDS & WILDLIFE**



December 18, 2024

City of Arlington  
Community & Economic Development Department  
c/o Amy Rusko, Deputy Director  
arusko@arlingtonwa.gov

Re: Proposed Land Use: Arlington Garden Apartments; 21117 59th Avenue NE, Arlington WA 98223  
(parcel #31051000402700)

To whom it may concern:

We are writing as part of a request for public comment regarding the application for proposed development of the Arlington Garden Apartments. We own the property immediately adjacent to the proposed development.

As City of Arlington community members, we ask the city to consider the impacts to traffic, to public services & infrastructure, and the environmental impacts:

**Traffic Impact:** From the supplied traffic report, the project is expected to generate 1,781 daily trips, including 150 trips during the PM peak hour, placing further strain on the local transportation network. This year, the intersection of 59<sup>th</sup> Ave NE and Hwy 530 has already seen a 4x increase in accidents compared to last year. The lack of nearby public transportation and limited pedestrian infrastructure exacerbates dependency on private vehicles, further compounding the potential for increased accidents. Relying solely on impact fees without addressing cumulative regional effects is insufficient to mitigate these concerns.

**Public Services and infrastructure strain:** Not sufficiently addressed in the development plan, the city must consider the increases in population density and how this will impact fire, police, and medical resources. The Arlington School District has already had multiple failures to proposed levies to replace Post Middle School, which amplifies concerns for school overcrowding.

**Stormwater Management and Flooding Risks:** In an area already susceptible to flood, with the addition of impervious surfaces (buildings, parking lots, and roads), stormwater runoff will increase, potentially overwhelming existing stormwater systems. Insufficient handling could lead to localized flooding and water quality degradation in nearby streams and wetlands. Runoff from parking lots and roads often contains pollutants like oil, grease, heavy metals, and sediment, which could degrade downstream ecosystems, including the Portage Creek Wildlife Reserve. The city must further assess whether the stormwater

infiltration systems proposed are adequately sized and properly designed to handle the volume and contaminants generated by the development.

As neighbors to the proposed development, we ask the city to consider the light and noise impacts to the supporting areas:

**Light Pollution Mitigation:** The proposed development, with the commercial buildings and a density of residential buildings, will introduce substantial artificial lighting into the area. The application fails to provide adequate details and mitigation efforts on how light pollution will be minimized to protect neighboring residences and sensitive ecosystems, including the adjacent wetland and Portage Creek Wildlife Reserve. Without stringent measures such as light shielding, reduced lumens, and operational restrictions, the project risks disrupting existing residential areas, nocturnal wildlife and degrading the overall habitat quality.

**Noise Pollution:** The proposed development will significantly increase noise levels due to the size and density of overall complex, including traffic, outdoor activities, and the operation of mechanical systems such as HVAC units and the position of the garbage areas. The noise generated by the complex and the increased vehicle traffic associated with it, will disrupt the surrounding residential areas and sensitive ecosystems.

As an impacted property owner, we are preparing additional actions to protect our property, its existing wetlands, and to ensure consistent application of wetland setbacks. Independent of the proposed development, as we have not been involved in the planning activity, we have had our own Wetlands Survey and Critical Areas evaluation conducted to determine the potential use and required setbacks for our property. Our survey presents a materially different view of the wetlands, its classifications and the required setbacks to ensure its protection. We additionally commissioned a comparison between our report and the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by Soundview Consultants, which is being used as part of this application.

As part of their analysis, within their professional opinion, they have concluded:

- Code section 20.93.800(a) of the City of Arlington’s Critical Areas Regulations states that “Wetlands shall be rated according to the Washington State Wetland Rating System for Western Washington, Ecology Publication #14-06-029 or as revised by ecology.” The Wetland Rating Form attached to the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by Soundview Consultants is the 2015 version of the Wetland Rating Form, but the most current version of the Wetland Rating Form produced by Ecology is 2023.
- The city must confirm whether the ditch referenced on Page 9 of the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by Soundview Consultants has an above-ground hydrological connection to the known fish-bearing stream (Type F

stream) located on your property. If that ditch maintains an above-ground hydrologic connection to the Type F stream and is 2-3 feet wide as noted in the report prepared by Soundview Consultants, then the ditch would likely be regulated as a stream due to its connection to the Type F stream (even if the ditch is man-made). Washington Administrative Code (WAC) section 222-16-031 provides criteria for presumed fish-bearing waters. If the ditch is regulated as a stream per the City's Critical Areas Regulations, then a buffer would likely be required to extend from the Ordinary High Water Mark (OHWM) of that ditch as well. Most other regulatory jurisdictions could regulate ditches as Type F streams if the ditch meets the presumption criteria in WAC section 222-16-031 and therefore the overriding Critical Area buffer would need to change accordingly.

- Based on their determinations, the subject wetland is a Category II wetland with 6 habitat points, and this is the same wetland as the wetland that is located partially on the subject proposed project site (parcel number 31051000402700). The differences between the Wetland Rating Form prepared by our consultant and the Wetland Rating Form prepared by Soundview Consultants which is attached to their report, are included in the chart below:

**OVERALL WETLAND CATEGORY** II (based on functions  or special characteristics )

**1. Category of wetland based on FUNCTIONS**

**Category I** – Total score = 23 - 27

**Category II** – Total score = 20 - 22

**Category III** – Total score = 16 - 19

**Category IV** – Total score = 9 - 15

FUNCTION	Improving Water Quality			Hydrologic			Habitat			
	<i>Circle the appropriate ratings</i>									
Site Potential	H	(M)	L	H	(M)	L	H	(M)	L	
Landscape Potential	H	(M)	L	H	(M)	L	H	M	(L)	
Value	(H)	M	L	(H)	M	L	(H)	M	L	<b>TOTAL</b>
<b>Score Based on Ratings</b>	7			7			6			<b>20</b>

**Score for each function based on three ratings**  
(order of ratings is not important)

9 = H, H, H  
 8 = H, H, M  
 7 = H, H, L  
 7 = H, M, M  
 6 = H, M, L  
 6 = M, M, M  
 5 = H, L, L  
 5 = M, M, L  
 4 = M, L, L  
 3 = L, L, L

- In their professional opinion, the Wetland Rating Form prepared by Soundview Consultants is not accurate for several reasons:
  - Question D6.1 on their Wetland Rating Form is not accurate, because flooding occurs in a sub-basin immediately down-gradient of the unit. That would increase the score on the rating form from moderate to high in that section. It should be noted that no assessment was taken during the period of October thru April, which would give a more accurate and realistic assessment of the water hold and flooding based on out typical weather patterns.

- Question H1.1 on their Wetland Rating Form is not accurate, because the subject wetland includes emergent and scrub-shrub Cowardin vegetation classes. The rating form figure attached to the report to demonstrate accuracy of their answers differs from how they scored this question...the wetland rating unit contains a forested class across 15% of the wetland, there is definitely a scrub-shrub class that exceeds the thresholds listed in questions H1.1. That would increase the number points on that question from 0 to 1. The number of points assigned on their rating form does not match their own figure which is Figure No. 1 of 5.
- Question H1.4 on their Wetland Rating Form is not accurate. Based on the comment above, the wetland contains either low habitat interspersion (at a minimum) due to the presence of emergent and scrub-shrub vegetation or moderate habitat interspersion... when comparing the Wetland Rating Form, that question response indicated moderate habitat interspersion due to the presence of emergent and scrub-shrub vegetation classes PLUS an open-water component (per standards for completing the Wetland Rating Form).
- Question H1.5 on their Wetland Rating Form is not accurate. Between the rating forms, the subject wetland contains all of the special habitat features in Question H1.5, except that the wetland contains more than 25% invasive vegetation (primarily reed canarygrass). Based on the assessments, Question H1.5 should receive 5 points, significantly more than what is shown on their Wetland Rating Form.

The Site Potential Section for Habitat Functions should be moderate (12 points), whereas their form states it should be low (6 points).

- Question H3.1 on their Wetland Rating Form is not accurate. Due to the forested slopes located south of the wetland rating unit, there are Priority Snags and Logs (as defined by the Washington Department of Fish and Wildlife as a Priority Habitat) located within 330 feet of the wetland rating unit. The Wetland Rating Form prepared by Soundview states that no Priority Snags and Logs are present within 330 feet of the wetland, so they gave the Value portion of the Habitat section a score of 1 point (Moderate), while that should be accurately rated as 2 points (High) due to Priority Snags and Logs being present within 330 feet of the wetland.

When the statements above are taken into account for the Wetland Rating Form produced by Soundview Consultants for the proposed project on project site (parcel number 31051000402700), the wetland would become a Category II wetland with a total Habitat Functions Score of 6.

- Per the City of Arlington's code section 20.93.830, the standard buffer for a Category II wetland with 6 habitat points would be either 110 feet or 150 feet depending on the City's interpretations of the vegetated conditions among the wetland buffer. Either one of those buffers are different than the standard 60-foot buffer that is depicted and described in the Wetland and Fish and Wildlife Habitat Assessment Report dated July 2024 prepared by Soundview Consultants.

It should be noted that our surveyor has never been on the property where the project is proposed. Conversely, Soundview Consultants has not had, or ever requested, permission to access our property.

This inconsistency and use of an outdated wetlands review form by Soundview Consulting in their wetland categorization calls into question the validity of the applicant's assessment and highlights the need for a revised project plan that requires increased setbacks, and an increased mitigation plan that aligns with the neighboring study's findings and regulatory standards.

Lastly, Tom Lane of Lane Properties, LLC., who is listed as the property owner of parcel #31051000402700, contacted us directly several times between August and December 2023 regarding the wetlands on our property. Mr. Lane offered us a non-cash incentive in exchange for mitigation on our property to meet some of the requirements for development. We did not accept his offer, nor have been contacted by him since.

In the current proposed form, the Arlington Garden Apartments project is not compliant with the minimum protections for a Category II wetlands and poses substantial risks to the community and environment. It requires revisions to the size, design and mitigation measures.

The additional areas that we have highlighted within require additional study and scrutiny, with a consideration for sustainable growth. At a minimum, we are asking specifically:

1. **Revised Wetland Protections:** Incorporate the neighboring wetlands study's Category II classification and increase the buffer zone to align with higher regulatory standards, supported by a robust mitigation plan to address indirect impacts like runoff.
2. **Light Pollution Controls:** Develop a comprehensive lighting plan, including shielding, reduced lumens, and nighttime operational restrictions, to minimize adverse impacts on nearby wildlife and residential quality of life.
3. **Noise Mitigation:** Conduct a detailed noise impact analysis and implement effective noise reduction measures such as sound barriers, increased landscape buffers, and building designs that minimize noise transmission. Ensure compliance with local noise ordinances and consider cumulative noise impacts on neighboring areas. cumulative noise impacts on the community
4. **Traffic Mitigation:** Require detailed off-site traffic improvements and ensure pedestrian and transit infrastructure enhancements to reduce vehicle dependency. Insert a "Slow: Hidden Driveway" sign on the South side of our driveway (20825 59<sup>th</sup> Ave NE).

We have chosen to provide only a summary of our Wetlands and Critical Areas report and our consultant's comparison with the applicant's proposal. We are open to a conversation with the city ahead of any further steps, including sharing additional details of the report.

As community members and neighbors, we ask the city to consider the impact to the community and environment, and to take an approach that positions the long-term sustainability of growth in

the city. This proposed development will set precedent for future growth and development along Hwy 530.

As impacted property owners, we are prepared to take escalated actions to ensure compliance with Washington State Wetland Rating System for Western Washington and associated setbacks and protections, and to ensure consistency in the application of those for the two properties.

Respectfully,

Reidar and Nellie Thompson

20825 59<sup>th</sup> Ave NE

Arlington, WA 98223

Parcel: 31051000402600

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