Widener & Associates
Transportation & Environmental Planning
1902 120th Place, Suite 202, Everett WA 98208
Tel (425) 332-3961

City of Sedro-Woolley
Planning Department
325 Metcalf Street
Sedro-Woolley, WA 98284

February 25, 2020

Exhibit O
to Hearing Examiner Staff Report

Riparian Buffer
Mitigation Bank Use Plan
SR20 Widening, Skagit Valley Stabilization Campus, and Phase 2A Path
City of Sedro-Woolley, WA

This letter has been prepared to provide the rationale for the use of the Skagit Environmental Bank for riparian buffer impacts associated with the SR20 West Lane Widening and Safety Improvements (2020-PW-01), Skagit Valley Stabilization Campus (2019-362), and associated trail for the Phase 2A Path (2023-PW-01) in Sedro-Woolley, Washington.

Project Description

The SR20 Lane Widening Project will widen SR 20 enough to add a two-way turn lane and construct a new access to Skagit County property across Brickyard Creek. Also included in the project is the installation of a storm pipe and structure to allow filling in the last section of roadside ditch on the north side of SR20 near the east end of the project. The roadway will be restriped to provide for two through lanes and a two-way left turn lane. Construction for new access to property owned by Skagit County will include the installation of a bottomless aluminum box culvert across Brickyard Creek. 250 linear feet of 48-inch diameter storm pipe will be installed and the existing ditch will be filled up to its connection point with the creek on the north side of SR20. An in-line check valve will be installed in the end of the 48" pipe to serve as a fish barrier. This project also includes the portion of a 10-foot wide trail in the Stabilization Campus, the Phase 2A Path, which will connect to future trail projects.

Existing Conditions of Creek and Buffers

Brickyard Creek, which is a Type 3 fish bearing water, flows in a straight ditch at the base of the SR 20 roadway fill within the project area. This creek eventually flows into the Skagit River. While some of the buffer is vegetated, no significant tree or shrub cover exists in the majority of the area and grasses on the ditch embankments are regularly mowed. The stream buffer is maintained in this condition due to the existing utility corridor and conveyance requirements in the ditch.

Per the Sedro-Woolley Municipal Code (SWMC) 17.65.530(B), the standard buffer width for Type 3 streams is 110 feet. A very narrow vegetated area exists between the pavement and Brickyard Creek on the roadway embankment. The buffer width is shown south of SR 20, no buffer function is provided beyond the roadway.

For the Stabilization Campus project, a buffer width reduction to 55 feet is proposed. Decreased buffer widths may be allowed per SWMC 17.65.530(B) if the required criteria are met. This reduction is required to provide access to the facility from SR 20 and sufficient parking and access around the proposed facilities. The decreased width will not be less than 50 percent of the standard buffer and will not adversely affect the habitat function. The outer portions of the buffer with trees have already been severed from the creek due to the utility corridor and provide no habitat function to the creek. The 55-foot buffer currently provides no significant function due to the existing use. The continued maintenance requirements make any enhancement of the remaining buffer inappropriate. A barrier fence will be provided to separate the trail from the remaining vegetated buffer on the ditch embankment.

Avoidance and Minimization of Buffer Impacts

The Stabilization Campus site plan was developed to avoid the majority of possible impacts, only impacting at the access points and the trail. The majority of the SR 20 project area is within the existing roadway or to the south which will limit buffer impacts. Any temporarily impacted areas for proposed utilities will be reseeded and restored to existing conditions. Best management practices such as silt fencing and straw wattles will be used during construction and vegetation removal will be flagged in the field.

Unavoidable Buffer Impact Acreage

Because the ditch is directly adjacent to SR 20, impacts to the buffer could not be entirely avoided. Access to the Skagit Stabilization Campus requires access across the ditch. Table 1 below summarizes the purpose of the buffer impacts and the associated permit. The areas are also shown on the attached Buffer Impacts Map.

Table 1. Summary of Brickyard Creek Buffer Impacts

Impact Type	Brickyard Creek Buffer Width (feet)	Buffer Impact (Square Feet)	Permit Number
Ditch Fill	110	1,810	2020-PW-01
Culvert Fill	110	3,197	2020-PW-01
Trail	110	6,058	2023-PW-01
Outfall Riprap	110	37	2020-PW-01
Stabilization Campus	55	664	2019-362
		11,766 square feet (0.27 acres)	

Impacted Buffer Functions

The impacted area within the Brickyard Creek buffer are routinely disturbed and provide no habitat function. Much of the area is directly adjacent to SR 20 which provides no habitat function. The buffer is regularly mowed and there is no vegetative diversity. Mowed grasses and weeds cover the steep slope which provides very little water quality improvement to runoff from SR 20.

Functions Provided at Skagit Environmental Bank

The Bank is located 1.5 miles northeast of Mount Vernon in Skagit County, Washington, bounded by State Route (SR) 538 on the south, SR 9 and Babcock Road on the east, and Swan Road on the north in Sections 10, 11, 15, and 14, Township 34 North, Range 4 East. The Bank lies adjacent to Nookachamps Creek within WRIA 3.

The 396-acre Bank is comprised of emergent, shrub-scrub and forested wetlands along with riparian habitat and upland buffers. The functions and values provided by the Bank are protected in perpetuity by a conservation easement. The Mitigation Banking Instrument for the Bank was certified on July 27, 2011. A detailed account of the functions provided at the Bank can be found in the *Skagit Environmental Bank, Mitigation Banking Instrument, April 2011*.

The project applicant proposes to purchase 0.054 credits from the Bank in order to mitigate for permanent impacts to 0.27 acres of riparian buffer. In order to determine the ratios used to determine the credits needed per impact acre (see Table 2 below), the *Mitigation Banking Instrument* was referenced. The banking instrument indicates that wetland credits may be used for buffer mitigation on a case-by-case basis. Riparian and wetland upland buffer earned 1 credit for every 5 acres included within the bank. Therefore, in order to mitigate for buffer impacts a ratio of 0.2:1 is used.

Table 2. Proposed Bank Credit Use

Impact Type	Buffer Width (feet)	Buffer Impact (acres)	Credit Needed per Impact Acre	Credit Proposed for Use
Riparian Buffer	55-110	0.27	0.2:1	0.054
Total		**0.27**		**0.054**

Mitigation Bank Selection Rationale

The purchase of 0.054 credit at the Skagit Environmental Bank will provide in-kind, in-watershed mitigation for the project's impact to 0.27 acre of riparian buffer. Both the project and the Bank occur within WRIA 3 and the project site is located within the Bank's pre-approved service area. The Bank provides appropriate mitigation for the project's impacts for the following reasons:

- Both the project impact and the Bank occur within WRIA 3
- The project is located within the Bank's service area (Figure 1)
- Mitigation would be in-kind (the project will impact riparian buffer and the Bank contains both enhanced riparian buffer habitat)
- Mitigation at the Bank will result in no-net-loss of functions within WRIA 3
- Purchase of credits from the Bank is consistent with the mitigation hierarchy established in the 2008 Final Rule on Compensatory Mitigation for Losses of Aquatic resources (The Rule)
- On-site mitigation is not feasible due to maintenance required around the ditch as well as the proximity of SR20. The location of the trail will divide any buffer to the north near the Stabilization Campus from Brickyard Creek. Any on-site planting would not provide ecological benefit to the creek. SWMC 17.65.240 (L) allows for wetland mitigation banks to be used to compensate for impacts located within the service area specified in the mitigation banking instrument.

The Rule creates a preference for the use of mitigation bank credits to compensate for permitted impacts to aquatic resources. The Rule states "when the permitted impacts are located within the service area of an approved mitigation bank, and the bank has the appropriate number and resource type of credits available, the permittee's compensatory mitigation requirements may be met by securing those credits from the sponsor" (33 CFR part 332.3b(2)). As stated previously in this plan, the project is within the Bank's service area, the Bank has an adequate amount of credits available for purchase, and the Bank will provide in-kind mitigation the riparian buffer. For these reasons, the purchase of 0.054 credit at the Bank is appropriate compensatory mitigation for the project's permanent impacts to 0.27 acres of riparian buffer.

Functions Not Mitigated at the Skagit Environmental Bank

It is expected that all functions provided by the impacted buffer will be replaced by the credits purchased at the Bank.

Credit Purchase or Transfer Timing

Credits are anticipated to be purchased following City approval. Proof of purchase will be submitted to the City and County after the transaction has been completed, prior to any ground disturbing activity.

If you have any questions, feel free to contact me at (425) 503-3629.

Sincerely,

Ross Widener
Widener & Associates

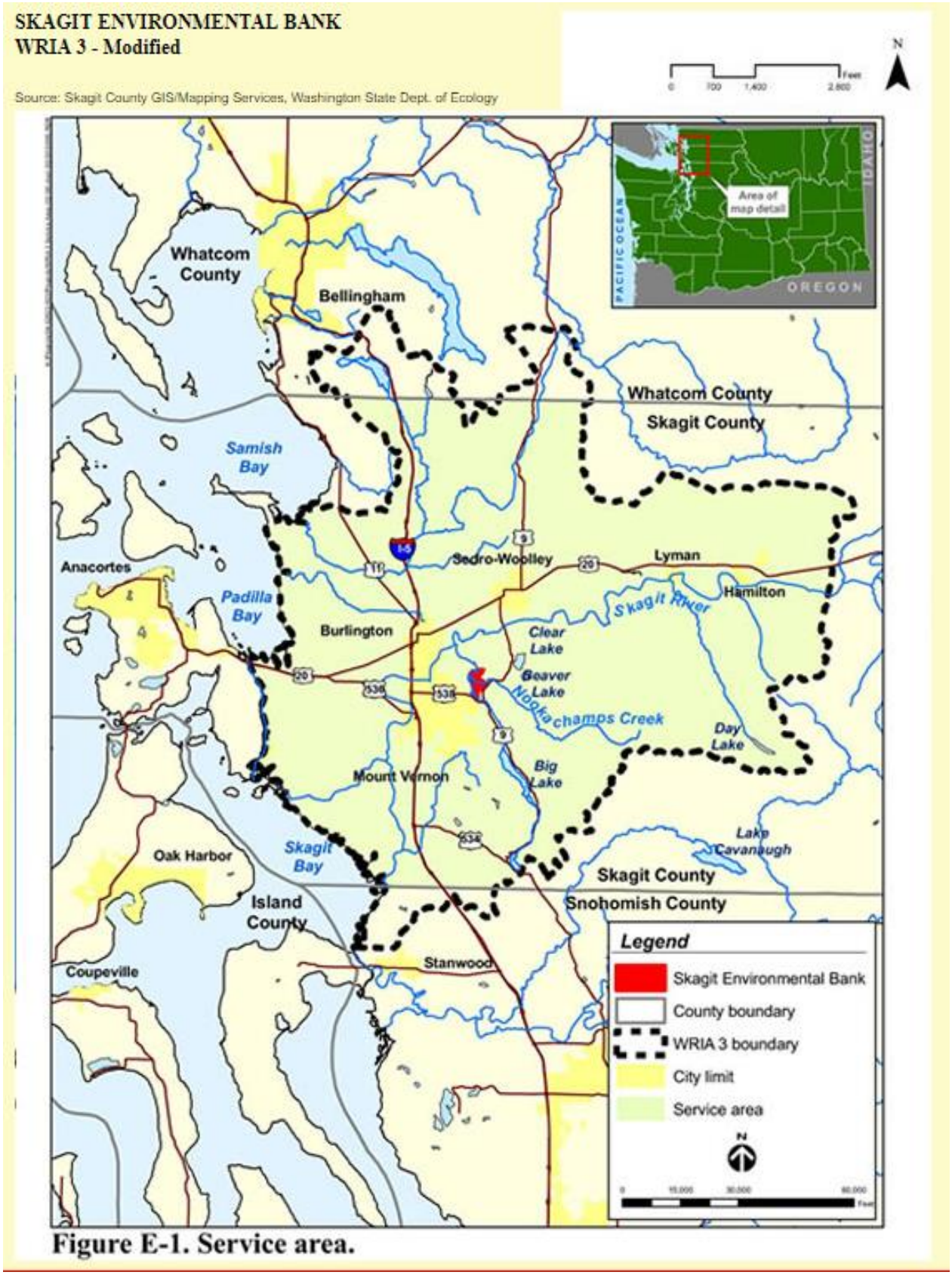

Figure 1: Bank Service Area


N
0
50
100
200
Feet
Total Impact Area: ~11,766 SF
Phase 2: Building B
Secure Detox
Phase 1: Building A
Evaluation and Treatment
Brickyard Creek
Brickyard Creek
20
Parcels
Stabilization Campus Parcels
OHWM
110-Foot Buffer
55-Foot Buffer
Ditch Fill Area Within Buffer (2020-PW-01) (~1,810 SF)
Culvert Fill Area (2020-PW-01) (~3,197 SF)
Phase 2A Path (2023-PW-01) (~6,058 SF)
Outfall Riprap (2020-PW-01) (~37 SF, ~18 SF Below OHW)
Stabilization Campus in Buffer (2019-362) (~664 SF)
Ditch Fill Area (2020-PW-01)
Stabilization Campus (2019-362)
SR20 Widening Limits (2020-PW-01)
Buffer Impacts Map
SR20 Widening
Sedro-Woolley
Skagit County, WA
Sections 23 and 26
Township 35N, Range 4E
February 20, 2019