

Oliver Assoc. September 22, 2010); revised stream monitoring letter (Altmann Oliver Assoc. October 28, 2010); stream channel monitoring results letter (Altmann Oliver Assoc. March 30, 2011); and other documents in the file.

2. Issuance of this threshold determination does not constitute approval of the permit. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Codes, Subdivision Regulations, Road Standards, Surface Water Design Manual, and the Critical Areas Regulations.
3. Short plats are categorically exempt from SEPA review, except where located in an environmentally sensitive area (IMC 18.10.300.A). The subject parcel includes a wetlands, steep slopes greater than 40%, and landslide hazard areas. If a project is not categorically exempt because it is located within a critical area, environmental review is limited to: 1) Documenting whether the proposal is consistent with the requirements of the critical areas ordinance; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed by GMA planning documents and development regulations [WAC 197-11-908(1)].
4. SEPA rules direct a lead agency to not impose additional mitigation measures if during project review a lead agency determines that proposed mitigation measures, or requirements for mitigation measures under existing regulations and laws, provide adequate analysis and mitigation for specific adverse environmental impacts of a project action [WAC197-11-660 (1)(g)].

Findings:

1. The applicant proposes to create 3 single family residential lots concentrated on the east portion of the site toward Issaquah-Renton Road/SR-900. A large tract (Tract 'A', 86,785 SF) located to the west and upslope of the lots is reserved for future development. Tract 'A' has wetlands, steep slopes and landslide hazard areas, and future proposals to create additional lots would require new environmental review and land use permits.
2. The proposed lots would be accessed off NW James Bush Road and half-street frontage improvements will be required for Lots 1-3. These improvements would not impact critical areas or encroach into buffers. However, extending access improvements further west and up NW James Bush Road for the future development of Tract 'A' may impact critical areas and would require additional environmental review.
3. There is a drainage channel which bisects the subject property. The drainage has been classified as a Class 3 intermittent stream. During a stream reconnaissance, the applicant's consultant noted that upstream hydrologic changes may have occurred with construction of the Talus development that modified or removed flows from the on-site stream and thereby the drainage doesn't meet the definition of an intermittent stream in the City's Critical Area Regulations.

The applicant monitored the drainage between November 2010 and February 2011 for both hydrologic and biological indicators (Altmann Oliver Associates, March 30, 2011). Six site visits were conducted during or immediately following heavy precipitation events. Observations of hydrologic indicators included: 1) surface flow in the channel above and below James Bush Road, 2) potential flow within the hyporheic zone, 3) leaf litter accumulation, and 4) sediment sorting. Biological indicators included the presence of fibrous roots or rooted plants in and adjacent to the channel.

The monitoring report concluded surface flows were observed within the channel upstream of the site across James Bush Road during every monitoring visit, but no flows were ever observed entering the site via the culvert under the roadway. Upstream flows were observed either infiltrating into a French drain adjacent to the roadway, or flowing down the center of the road and entering catch basins in the road during periods of heavy precipitation, thereby bypassing the historic stream channel on the site.

Surface flows observed within the drainage channel on site were limited to small segments originating downstream of a natural topographic fall, and the minor surface flows infiltrated and re-emerged further downstream. Test pits dug in and immediately adjacent to the channel revealed some subsurface flows, which appear to be a result of high groundwater discharging into the

channel and then conveyed downstream. In addition, abundant leaf litter was observed throughout the majority of the on-site channel during all site visits. While some minor sorting of sediment was observed in places, the abundance of leaf litter indicates stable, low-velocity seasonal flows associated with collected groundwater discharge. Biological observation of rooting groundcover vegetation within the channel also indicate small, low velocity flows versus the 'flashier' flows observed above James Bush Road.

The report concludes that hydrologic support of the on-site stream channel has been modified or removed due to upstream modifications related to the Talus development and therefore the drainage no longer has flow to be considered an intermittent stream and therefore is not regulated as a critical area.

The applicant has proposed to preserve the existing drainage channel, with a 25-foot "buffer" on each side as a low impact development feature. The drainage is identified as Tract 'B' and is protected from future development by easement.

4. Due to the presence of landslide hazards on the subject site, soil reports will be required with building permit applications on all the proposed lots to assess specific site conditions and building plans.
5. The subject site is forested and development of Lots 1-3 would result in the removal of existing vegetation. The City's tree retention standards require preserving 30% of the total caliper of significant trees outside of critical areas. The applicant proposes to retain 56% of the total caliper of trees on site, including some large conifers on the development lots. Tree protection measures shall be implemented during construction to preserve the trees identified for retention.
6. The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 18.18, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with project impacts. Applicant objections to the voluntary payment must be made during the SEPA comment period.

Mitigation Measures: The Mitigated Determination of Nonsignificance is based on the checklist of December 15, 2011, and the following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. Soil reports shall be required with building permit applications on all the proposed development lots (Lots 1-3) to assess landslide hazards and evaluate site specific conditions and building plans.
2. Tree protection measures shall be installed prior to construction activity to preserve the trees identified on the plans for retention.
3. The applicant shall mitigate for potential impacts on public services. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings have determined fees in the amounts of \$133.78 per new lot for General Government Buildings and \$171.24 per new lot for Police Services are adequate to address project impacts. The voluntary contribution should be paid with issuance of building permits.

cc: Washington State Department of Ecology
Washington State Department of Fish and Wildlife
Muckleshoot Indian Tribe
U.S. Army Corps of Engineers
Issaquah School District
Issaquah Development Services Department
Issaquah Parks and Public Works Department

