CITY OF ISSAQUAH
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

Description of Proposal: The City of Issaquah and Washington Department of Fish and Wildlife (WDFW) propose to demolish the existing Issaquah Creek Hatchery dam, located approximately 0.5 miles upstream of the Issaquah Salmon Hatchery, and replace it with a series of natural rock weirs and pools to improve fish passage and habitat conditions. The project would also construct a new concrete water intake structure to provide a new permanent water supply to the hatchery. Additional objectives include improving instream and riparian habitat in and adjacent to Issaquah Creek. Cabin Creek, a small tributary that enters Issaquah Creek approximately 135 feet upstream of the existing dam, would be also improved by removing an existing sediment trap, replacing a culvert and realigning the lower portion connecting to Issaquah Creek. The proposal incorporates measures to avoid, minimize and mitigate construction-related impacts.

Proponent: City of Issaquah

Contacts:

City of Issaquah Public Works Engineering
P.O. Box 1307
Issaquah, Washington 98027
Attn: Kerry Ritland

AMEC Earth & Environmental
11810 North Creek Parkway N
Bothell, WA. 98011
Attn: Melinda Gray

Permit Number: PLN12-00013 Issaquah Creek Fish Passage

Lead Agency: City of Issaquah and Washington Department of Fish and Wildlife (WDFW)

Location of Proposal: River Mile 3.5, located behind Wildwood Apartments at 660 Wildwood Blvd SW. SE ¼ Section of Section 33 Township 24N Range 6E. LAT/LONG: N 47.521802/W 122.037152

Determination: The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Comments: This MDNS is issued under WAC 197-11-340(2). The lead agency will not act on this proposal for 14 days. Written comments may be submitted between **June 28, 2012** and **July 11, 2012**. The Responsible Official will reconsider the MDNS based on timely comments and may retain, modify, or if significant adverse impacts are likely, withdraw the MDNS.

Appeals: You may appeal this determination by filing a Notice of Appeal with the Issaquah Permit Center located at 1775 12th Ave. NW, Issaquah between **July 12, 2012** and **July 25, 2012**. Appellants should prepare specific factual objections. Contact the SEPA Responsible Official to read or ask about the procedures for SEPA appeals.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

Notes:

1) This threshold determination is based on review of the following documents and plans: *Issaquah Creek Fish Passage Alternatives Analysis and Conceptual Design Report*, AMEC Earth & Environmental, March 30, 2009; *Issaquah Hatchery Intake Dam Modifications Physical Model Study Final Report*, Northwest Hydraulic Consultants, June 2009; *Issaquah Creek Fish Passage Project, Restoration Consultation*, to U.S. Army Corps of Engineers, AMEC, February 28, 2012;

Project Description Issaquah Creek Integrated Fish Passage Project, City of Issaquah, AMEC, Northwest Hydraulic consultants, February 27, 2012; JARPA received March 1, 2012; Environmental Checklist received March 1, 2012; 60% Design Drawings received March 1, 2012; 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 Code, Critical Area Regulations, Shoreline Master Program, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

Findings:

1. The proposal is a restoration project; with the primary objective of removing an existing dam which blocks fish passage and replacing it with a series of rock weirs which would greatly improve fish passage to access over 10 miles of high-quality salmon spawning habitat upstream of the dam in the Issaquah Creek basin. The project has been identified as a high priority by federal, state and local agencies; including the Puget Sound Partnership and the WRIA 8 Salmon Recovery Council. The proposal has been reviewed by multiple agencies and stakeholders from early feasibility through detailed design, and therefore environmental impacts have been largely considered and mitigated in the project design. The project application incorporates detailed measures to avoid, minimize and compensate for impacts; both related to construction of the project and for permanent, operational impacts. Attachment A provides detailed findings on the potential significant adverse environmental impacts of the project.
2. Native riparian plants will be planted in all areas disturbed by construction activity and in other selected areas. The planting plan includes approximately 519 conifer trees, 900 deciduous trees and 1,522 shrubs. The riparian plantings would prevent erosion, stabilize the streambanks, provide shade and overhead cover for the stream, and serve as source of organic material. The City's Critical Area Regulations require a 5-year maintenance/monitoring period to ensure successful establishment of the riparian plantings. The applicant shall provide an as-built of the planting plan, and a 5-year maintenance/monitoring plan with specific performance standards, to be approved by the Issaquah Development Services Department prior to finalization of construction permits.

Mitigation Measures:

The proposal incorporates detailed measures to avoid, minimize and compensate for project impacts; both related to construction of the project and for permanent, operational impacts. SEPA Rules encourage consideration of mitigation measures included in a project application, as well as protection and mitigation measures as required by applicable local, state and federal laws, and use of SEPA mitigation should only address potential significant adverse environmental impacts not already addressed by an applicant or applicable laws and standards.

The Mitigated Determination of Nonsignificance is based on the checklist received March 1, 2012 and supplemental information in the application. 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. The applicant shall provide an as-built of the planting plan, and a 5-year maintenance/monitoring plan with specific performance standards, to be approved by the Issaquah Development Services Department prior to finalization of construction permits.

Responsible Official: Peter Rosen

Position/Title: Environmental Planner

Address/Phone: P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

Date: 6/27/2012 **Signature:** _____

Attachments:
Attachment A – Findings on Environmental Impacts
Attachment B – Environmental Checklist
Attachment C – Plan Drawings

cc: Washington State Department of Ecology
U.S. Army Corps of Engineers
NOAA Fisheries
U.S. Fish and Wildlife Service, Western Washington Office
Washington Department of Fish and Wildlife, SEPA
Washington Department of Fish and Wildlife, Habitat Program
Washington Department of Fish and Wildlife, Issaquah Salmon Hatchery
Washington Department of Fish and Wildlife, Fish Program
Washington Department of Fish and Wildlife, Wildlife Program
Washington Department of Natural Resources, SEPA Center
Washington State Parks and Recreation Commission
Washington Department of Archaeology and Historic Preservation
Muckleshoot Indian Tribe
Puyallup Tribe
Snoqualmie Tribe
Suquamish Tribe
Tulalip Tribe
Northwest Indian Fish Commission
King County Department of Development and Environmental Services
City of Issaquah Development Services Department
City of Issaquah Public Works Engineering and Parks and Recreation Departments