



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 31, 2012

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S.J.C. COMMUNITY

AUG 23 2012

DEVELOPMENT & PLANNING

Dear Ms. Johnson O'Day:

RE: Eastsound Wetland Category

Thank you for contacting me about the rating of the wetland found to the east and south of the driveway on the Gerard property at 393 Nina Lane (Tax Parcel No. 271124001000). This wetland, identified as Wetland "B" on the June 2012 drawing for Gerard Shores (Islands Surveying, Inc.), is the northern lobe of a large, contiguous wetland extending on to the neighboring parcels to the east (Eastsound Water Users Association [EWUA]; Tax Parcel No. 271124010000) and south (Lantec, Inc.; Tax Parcel No. 271131001000). Thank you also for taking time to meet with me in the field and for providing copies of the Islands Surveying, Inc. drawing and the July 9, 2012 letter from Earthworks Environmental, Inc. (Earthworks). The primary purpose of my site visit was to assist San Juan County (County) staff in determining the category of Wetland B. While onsite, I also wanted to verify the ordinary high water mark (OHWM) determination for Shoreline Management Act (SMA) (RCW 90.58) compliance and the wetland boundary on the EWUA parcel.

I understand that the Gerard's wish to subdivide their property, creating three lots, and that the applicable wetland buffer is one factor the County considers in reviewing the proposed subdivision. There are currently two houses on the western two-thirds of the property that comprise subdivision Lots 1 and 2 with a third lot proposed for the eastern third of the existing parcel (Lot 3). The central portion of Lot 3 includes a garden, two outbuildings and currently maintained lawn and landscaping situated between Wetland B to the south and southeast and Strait of Georgia to the north. No direct wetland impacts (i.e., excavation, grading, filling) are described as part of the subdivision; impacts are limited to the wetland buffer.

Depending on the wetland rating used (see following section) and interpretation, Wetland B rates as either a Category I or Category II wetland per three different wetland consultants. The standard wetland buffers under the adopted County Unified Development Code (UDC), (§ 18.30.150 E.1 Table 3.4) are 150 feet for Category I wetlands and 75 feet for Category II wetlands.

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Wetland B consists of a variety of plant communities that include freshwater emergent, scrub-shrub, forest and estuarine (salt tolerant). The principal Wetland B plant community visible on aerial photographs and examined in the field is the estuarine community, comprising the northern part of the wetland that includes the Gerard and EWUA properties. In their July 9, 2012 letter, Earthworks concluded that Wetland B is a Category II wetland under both the County and state rating systems but do not provide the specific criteria to support this determination relative to the County rating system (UDC Appendix A).

Wetland Rating

The County and state wetland rating systems classify wetlands based on the functions they perform and their relative rarity or sensitivity to disturbance. Estuarine, or tidal fringe, wetlands are defined as wetlands subject to tidal influence with salinities higher than 0.5 parts per thousand (ppt) (Cowardin 1979, Hraby 2004) that are typically rated as high quality (Category I or II) in the County and state rating systems. The distinctive plant communities in estuarine wetlands, often described as salt tolerant, are adapted to growing in substrates with salinities greater than 0.5 ppt.

The two criteria for a Category I estuarine wetland under the County rating system are listing as a park or research site (Appendix A, Question Q3.c.1) or the wetland is greater than 5 acres in size (Appendix A, Question Q3.c.2). Wetland B, an estuarine wetland, is not designated as a park or research site, but is larger than 5 acres. Under the state rating system, the distinction between a Category I and Category II estuarine wetland is size (≥ 1 acre) and the degree of disturbance within the wetland and adjoining buffer (Question SC 1.2).

The estimated extent of the Wetland B estuarine community is outlined on Figure 1. Common salt tolerant species seen in the field included saltgrass (*Distichlis spicata*), bird's-foot trefoil (*Lotus corniculatus*), spike bentgrass (*Agrostis exarata*), common silverweed (*Argentina anserina*) and pickleweed (*Salicornia depressa*). To assist in determining the wetland category and shoreline jurisdiction, I traversed the extent of the Wetland B salt tolerant community, measuring salinity at six locations in the ditches and one soil pit during my July 24, 2012 site visit (Figure 1). Measured salinities that day ranged from 1.1 to 23.1 ppt. The salinity was 5.2 ppt for a water sample collected by Mr. Ted Tidrington from a soil pit within Wetland B on the EWUA parcel during his investigation.

Using a geographic information system and an orthophotograph, the estimated size of the estuarine community within Wetland B is 11+ acres. The measured salinities at all of the locations shown in Figure 1 exceed 0.5 ppt. Therefore, Wetland B meets the criteria for a Category I estuarine wetland under the adopted County wetland rating system (i.e., an estuarine wetland > than 5 acres). I agree with the previous determinations that under the state rating system Wetland B is a Category II wetland.

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OHWL Determination

The Gerard parcel is bounded by the Strait of Georgia to the north and Wetland B to the south and southeast. Nina Lane separates Wetland A and the western third of the Gerard property from Wetland B. A series of ditches excavated in Wetland B, connect to the strait via culverts in the main north-south ditch at the north end (North Culvert) and east to Brandt's Landing Eastsound Marina (East Culvert) (Figure 1). The Strait of Georgia shoreline at the north end of the Gerard property is a high-energy marine shoreline composed of a cobble-dominated beach fronted by a vegetated, eroded embankment (Photo 1). The OHWM on high-energy tidal shorelines is the line of persistent vegetation (see WAC 173-22-030(5)(a)(i)). The readily identifiable topographic break and abrupt transition from the cobble beach to the vegetated berm are clear indicators of the OHWM along the Strait of Georgia shoreline. The OHWM is the toe of the eroded embankment (Photo 1).

Due to the surface water connection with the Strait of Georgia through the North and East culverts, the OHWM extends into the ditches within Wetland B, an associated wetland. Measured salinities within the ditches were all higher than 0.5 ppt and wetted, exposed ditch banks with fresh wrack due to the falling tide confirm that incoming tides flood the ditch system and serve as the primary hydrology source to the estuarine portion of Wetland B. SMA jurisdiction, or shorelands, extends 200 feet landward of the OHWM and also includes shoreline associated wetlands such as Wetland B (WAC 173-22-030(7)). Most of the Gerard's property is within the Strait of Georgia shorelands based on the July 24, 2012 OHWM field verification.

Eastsound Salt Marsh



Figure 1. Measured salinities and estimated extent of salt tolerant vegetation, Wetland B.



Photo 1. OHWM at line of persistent vegetation on north end of EWUA parcel, July 24, 2012, facing west.

Conclusions

A portion of Wetland B, a large wetland complex that includes an approximately 11 acre estuarine community, occurs on the portion of the Gerard property south of their driveway/Nina Lane as shown on the June 2012 drawing for Gerard Shores. I would recommend that project drawings show that Wetland B extends offsite to the east. Wetland B is a Category I estuarine wetland under the adopted County rating system and a Category II estuarine wetland under the state rating system.


The OHWM on the Gerard property is the toe of the eroded embankment on the Strait of Georgia. Much of the property lies within shorelands and the Wetland B buffer. The proposed subdivision building envelope shown on the June 2012 drawing will only impact the currently maintained Wetland B buffer and will not require any direct wetland impacts (i.e., mechanized clearing, excavating, grading or filling).

The County will handle subdivision permitting. As no wetland impacts are proposed, no wetland approval is required from Ecology. Subsequent development may require state authorization in addition to local permitting. Should changes to project design or construction require work within wetlands or other waters of the state, including temporary impacts, please notify Ecology before beginning work.

Thank you again for contacting me about this project. If you have any questions about my findings, please give me a call at (425) 649-7148 or send an email to paan461@ecy.wa.gov.

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Sincerely,



Paul S. Anderson, PWS
Wetland Specialist
Shorelands and Environmental Assistance Program

PSA: ca

cc: Erik Stockdale, Ecology Shorelands & Environmental Assistance Program
Bob Fritzen, Ecology Shorelands & Environmental Assistance Program
Rene Beliveau, San Juan County Community Development & Planning
Susan Powell, U.S. Army Corps of Engineers

References

- Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of Wetlands and Deepwater Habitats of the United States. Washington, DC: U.S. Fish and Wildlife Service.
- Hruby, T. 2004. Washington State Wetland Rating System for Western Washington – Revised. Washington State Department of Ecology Publication #04-06-025. Olympia, WA.