



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Northwest Region Office  
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

March 8, 2023

Ryan Harriman, Planning Manager  
Community Planning & Development  
City of Mercer Island  
9611 SE 36th St  
Mercer Island, WA 98040

**Re: Sub-Basin 25b Watercourse Mitigation and Restoration Project**  
**File# SEP23-005, Ecology SEPA# 202300535**

Dear Ryan Harriman:

Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) notice of application utilizing the optional determination of nonsignificance (ODNS/NOA) process for the Sub-Basin 25b Watercourse Mitigation and Restoration Project. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The wetlands delineated on this property would be waters of the state subject to the applicable requirements of state law (see RCW 90.48 and WAC 173.201A) and Section 401 of the Clean Water Act (33 USC §1341) and 40 CFR Section 121.2. If direct impacts to Wetlands A and B are proposed, the applicant shall obtain all necessary state and federal authorizations prior to beginning any ground-disturbing activities or vegetation removal. To obtain state and federal authorization, you should provide:

- A jurisdictional determination from the U.S. Army Corps of Engineers stating which delineated wetlands on the property are under federal jurisdiction.
- A Joint Aquatic Resource Permit Application form for impacts to jurisdictional wetlands submitted to Ecology at [ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov).
- A mitigation plan for unavoidable wetland impacts following the standards in Wetland Mitigation in Washington State – Part 1: Agency Policies and Guidance (Ecology Publication #[21-06-003](#)).

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Thank you for considering these comments from Ecology. If you have any questions or would like to respond to these comments, please contact Doug Gresham from the Shorelands and Environmental Assistance Program at (425) 429-1846 or by email at [doug.gresham@ecy.wa.gov](mailto:doug.gresham@ecy.wa.gov).

Sincerely,



Kelli Price  
SEPA Coordinator

Sent by email: Ryan Harriman, [ryan.harriman@mercerisland.gov](mailto:ryan.harriman@mercerisland.gov)

ecc: Doug Gresham, Ecology