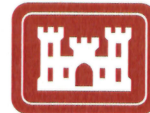




®

Regulatory Program



®

INTERIM APPROVED JURISDICTIONAL DETERMINATION FORM

U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in the Interim Approved Jurisdictional Determination Form User Manual.

SECTION I: BACKGROUND INFORMATION

A. COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (AJD): 6/20/2019

B. ORM NUMBER IN APPROPRIATE FORMAT (e.g., HQ-2015-00001-SMJ): NWS-2018-730

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: WA County/parish/borough: King County City: Sammamish

Center coordinates of site (lat/long in degree decimal format): Lat. 47.604393, Long. -122.042478.

Map(s)/diagram(s) of review area (including map identifying single point of entry (SPOE) watershed and/or potential jurisdictional areas where applicable) is/are: ☒ attached ☐ in report/map titled

☐ Other sites (e.g., offsite mitigation sites, disposal sites, etc.) are associated with this action and are recorded on a different jurisdictional determination (JD) form. List JD form ID numbers (e.g., HQ-2015-00001-SMJ-1):

D. REVIEW PERFORMED FOR SITE EVALUATION:

☒ Office (Desk) Determination Only. Date: 19 June 2019.

☐ Office (Desk) and Field Determination. Office/Desk Dates: Field Date(s):

SECTION II: DATA SOURCES

Check all that were used to aid in the determination and attach data/maps to this AJD form and/or references/citations in the administrative record, as appropriate.

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant. Title/Date: STCA SW-36 Project Drawings; May 8, 2018.

☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.

☒ Data sheets/delineation report are sufficient for purposes of AJD form. Title/Date: Wetland Delineation Report for STCA-SW36; May 18, 2017.

☐ Data sheets/delineation report are not sufficient for purposes of AJD form. Summarize rationale and include information on revised data sheets/delineation report that this AJD form has relied upon:

Revised Title/Date:

☐ Data sheets prepared by the Corps. Title/Date:

☐ Corps navigable waters study. Title/Date:

☒ CorpsMap ORM map layers. Title/Date: ORM JD Viewer SPOE; 6/10/2019.

☐ USGS Hydrologic Atlas. Title/Date:

☒ USGS, NHD, or WBD data/maps. Title/Date: The National Map - Advanced Viewer; 6/10/2019.

☐ USGS 8, 10 and/or 12 digit HUC maps. HUC number:

☐ USGS maps. Scale & quad name and date:

☒ USDA NRCS Soil Survey. Citation: NWS-2018-730 NRCS Soil Map; 2/4/2019.

☒ USFWS National Wetlands Inventory maps. Citation: NWS-2018-730 NWI Map.

☒ State/Local wetland inventory maps. Citation: King County Wetland Map; 2/4/2019.

☐ FEMA/FIRM maps. Citation:

☐ Photographs: ☐ Aerial. Citation: or ☐ Other. Citation:

☒ LiDAR data/maps. Citation: NWS-2018-730 LiDAR; 2/4/2019.

☐ Previous JDs. File no. and date of JD letter:

☐ Applicable/supporting case law:

☐ Applicable/supporting scientific literature:

☐ Other information (please specify):

SECTION III: SUMMARY OF FINDINGS

Complete ORM "Aquatic Resource Upload Sheet" or Export and Print the Aquatic Resource Screen from ORM for All Waters and Features, Regardless of Jurisdictional Status – Required

A. RIVERS AND HARBORS ACT (RHA) SECTION 10 DETERMINATION OF JURISDICTION:

☐ "navigable waters of the U.S." within RHA jurisdiction (as defined by 33 CFR part 329) in the review area.

• **Complete Table 1 - Required**

NOTE: If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Section 10 navigable waters list, **DO NOT USE THIS FORM TO MAKE THE DETERMINATION.** The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Section 10 RHA navigability determination.

B. CLEAN WATER ACT (CWA) SECTION 404 DETERMINATION OF JURISDICTION: "waters of the U.S." within CWA jurisdiction (as defined by 33 CFR part 328.3) in the review area. Check all that apply.

☐ (a)(1): All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (Traditional Navigable Waters (TNWs))

• **Complete Table 1 - Required**

☐ This AJD includes a case-specific (a)(1) TNW (Section 404 navigable-in-fact) determination on a water that has not previously been designated as such. Documentation required for this case-specific (a)(1) TNW determination is attached.

☐ (a)(2): All interstate waters, including interstate wetlands.

• **Complete Table 2 - Required**

☐ (a)(3): The territorial seas.

• **Complete Table 3 - Required**

☐ (a)(4): All impoundments of waters otherwise identified as waters of the U.S. under 33 CFR part 328.3.

• **Complete Table 4 - Required**

☐ (a)(5): All tributaries, as defined in 33 CFR part 328.3, of waters identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 5 - Required**

☐ (a)(6): All waters adjacent to a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3, including wetlands, ponds, lakes, oxbows, impoundments, and similar waters.

• **Complete Table 6 - Required**

☐ Bordering/Contiguous.

Neighboring:

☐ (c)(2)(i): All waters located within 100 feet of the ordinary high water mark (OHWM) of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3.

☐ (c)(2)(ii): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 and not more than 1,500 feet of the OHWM of such water.

☐ (c)(2)(iii): All waters located within 1,500 feet of the high tide line of a water identified in paragraphs (a)(1) or (a)(3) of 33 CFR part 328.3, and all waters within 1,500 feet of the OHWM of the Great Lakes.

☐ (a)(7): All waters identified in 33 CFR 328.3(a)(7)(i)-(v) where they are determined, on a case-specific basis, to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 7 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(7) waters identified in the similarly situated analysis. - Required**

☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

☐ (a)(8): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3 not covered by (c)(2)(ii) above and all waters located within 4,000 feet of the high tide line or OHWM of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 where they are determined on a case-specific basis to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 8 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(8) waters identified in the similarly situated analysis. - Required**

☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

C. NON-WATERS OF THE U.S. FINDINGS:

Check all that apply.

- ☐ The review area is comprised entirely of dry land.
- ☐ Potential-(a)(7) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(7) waters identified in the similarly situated analysis. - Required**
- ☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.
- ☒ Potential-(a)(8) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(8) waters identified in the similarly situated analysis. - Required**
- ☐ Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.
- ☐ Excluded Waters (Non-Waters of U.S.), even where they otherwise meet the terms of paragraphs (a)(4)-(a)(8):
- **Complete Table 10 - Required**
- ☐ (b)(1): Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA.
- ☐ (b)(2): Prior converted cropland.
- ☐ (b)(3)(i): Ditches with ephemeral flow that are not a relocated tributary or excavated in a tributary.
- ☐ (b)(3)(ii): Ditches with intermittent flow that are not a relocated tributary, excavated in a tributary, or drain wetlands.
- ☐ (b)(3)(iii): Ditches that do not flow, either directly or through another water, into a water identified in paragraphs (a)(1)-(a)(3).
- ☐ (b)(4)(i): Artificially irrigated areas that would revert to dry land should application of water to that area cease.
- ☐ (b)(4)(ii): Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds.
- ☐ (b)(4)(iii): Artificial reflecting pools or swimming pools created in dry land.¹
- ☐ (b)(4)(iv): Small ornamental waters created in dry land.¹
- ☐ (b)(4)(v): Water-filled depressions created in dry land incidental to mining or construction activity, including pits excavated for obtaining fill, sand, or gravel that fill with water.
- ☐ (b)(4)(vi): Erosional features, including gullies, rills, and other ephemeral features that do not meet the definition of tributary, non-wetland swales, and lawfully constructed grassed waterways.¹
- ☐ (b)(4)(vii): Puddles.¹
- ☐ (b)(5): Groundwater, including groundwater drained through subsurface drainage systems.¹
- ☐ (b)(6): Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land.¹
- ☐ (b)(7): Wastewater recycling structures created in dry land; detention and retention basins built for wastewater recycling; groundwater recharge basins; percolation ponds built for wastewater recycling; and water distributary structures built for wastewater recycling.
- ☐ Other non-jurisdictional waters/features within review area that do not meet the definitions in 33 CFR 328.3 of (a)(1)-(a)(8) waters and are not excluded waters identified in (b)(1)-(b)(7).
- **Complete Table 11 - Required.**

D. ADDITIONAL COMMENTS TO SUPPORT AJD:

¹ In many cases these excluded features will not be specifically identified on the AJD form, unless specifically requested. Corps Districts may, in case-by-case instances, choose to identify some or all of these features within the review area.

Jurisdictional Waters of the U.S.

Default field entry is "N/A". Delete "N/A" and fill out all fields in the table where applicable for waters/features present in the review area.

Table 1. (a)(1) Traditional Navigable Waters

(a)(1) Waters Name	(a)(1) Criteria	Rationale to Support (a)(1) Designation Include High Tide Line or Ordinary High Water Mark indicators, when applicable.
N/A	Choose an item.	N/A

Table 2. (a)(2) Interstate Waters

(a)(2) Waters Name	Rationale to Support (a)(2) Designation
N/A	N/A

Table 3. (a)(3) Territorial Seas

(a)(3) Waters Name	Rationale to Support (a)(3) Designation
N/A	N/A

Table 4. (a)(4) Impoundments

(a)(4) Waters Name	Rationale to Support (a)(4) Designation
N/A	N/A
N/A	N/A

Table 5. (a)(5) Tributaries

(a)(5) Waters Name	Flow Regime	(a)(1)-(a)(3) Water Name to which this (a)(5) Tributary Flows	Tributary Breaks	Rationale for (a)(5) Designation and Additional Discussion. Identify flowpath to (a)(1)-(a)(3) water or attach map identifying the flowpath; explain any breaks or flow through excluded/non-jurisdictional features, etc.
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A

Table 6. (a)(6) Adjacent Waters

(a)(6) Waters Name	(a)(1)-(a)(5) Water Name to which this Water is Adjacent	Rationale for (a)(6) Designation and Additional Discussion. Identify the type of water and how the limits of jurisdiction were established (e.g., wetland, 87 Manual/Regional Supplement); explain how the 100-year floodplain and/or the distance threshold was determined; whether this water extends beyond a threshold; explain if the water is part of a mosaic, etc.
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A

Table 7. (a)(7) Waters

SPOE Name	(a)(7) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; discuss whether any similarly situated waters were present and aggregated for SND; discuss data, provide analysis, and summarize how the waters have more than speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 8. (a)(8) Waters

SPOE Name	(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to subject water and aggregated for SND; discuss data, provide analysis, and then summarize how the waters have more than speculative or insubstantial effect the on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Non-Jurisdictional Waters

Default field entry is "N/A". Delete "N/A" and fill out all fields in the table where applicable for waters/features present in the review area.

Table 9. Non-Waters/No Significant Nexus

SPOE Name	Non-(a)(7)/(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water DOES NOT have a Significant Nexus	Basis for Determination that the Functions DO NOT Contribute Significantly to the Chemical, Physical, or Biological Integrity of the (a)(1)-(a)(3) Water. Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to the subject water; discuss data, provide analysis, and summarize how the waters did not have more than a speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water.
NWS-2018-730 SPOE	Wetland 1	Lake Sammamish	See MFR in the administrative record for this project for Similarly Situated Waters and Significant Nexus Determination dated 19 June 2019, for rationale to support a finding of no significant nexus.
NWS-2018-730 SPOE	Wetland 2	Lake Sammamish	See MFR in the administrative record for this project for Similarly Situated Waters and Significant Nexus Determination dated 19 June 2019, for rationale to support a finding of no significant nexus.

Table 10. Non-Waters/Excluded Waters and Features

Paragraph (b) Excluded Feature/Water Name	Rationale for Paragraph (b) Excluded Feature/Water and Additional Discussion.
N/A	N/A
N/A	N/A

Table 11. Non-Waters/Other

Other Non-Waters of U.S. Feature/Water Name	Rationale for Non-Waters of U.S. Feature/Water and Additional Discussion.
N/A	N/A

King County Wetland Map



The information included on this map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

Date: 2/4/2019

Notes:



Subject Property



King County



Pictometry, King County, King County

NWS-2018-730



U.S. Fish and Wildlife Service

National Wetlands Inventory

NWS-2018-730 NWI Map

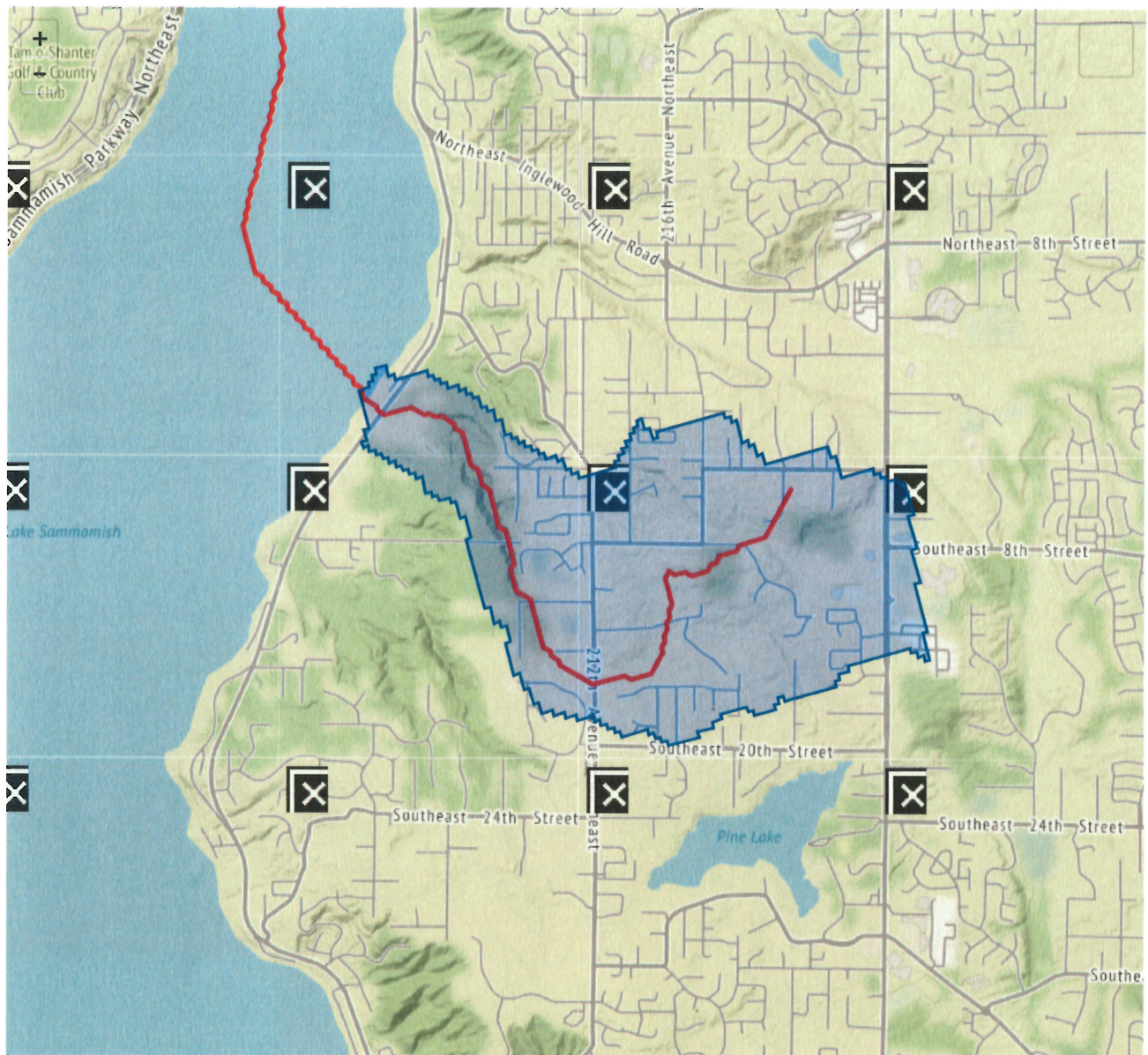


February 4, 2019

Wetlands

- | | | | | | |
|--|--------------------------------|--|-----------------------------------|--|----------|
| | Estuarine and Marine Deepwater | | Freshwater Emergent Wetland | | Lake |
| | Estuarine and Marine Wetland | | Freshwater Forested/Shrub Wetland | | Other |
| | Subject Wetlands | | Freshwater Pond | | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



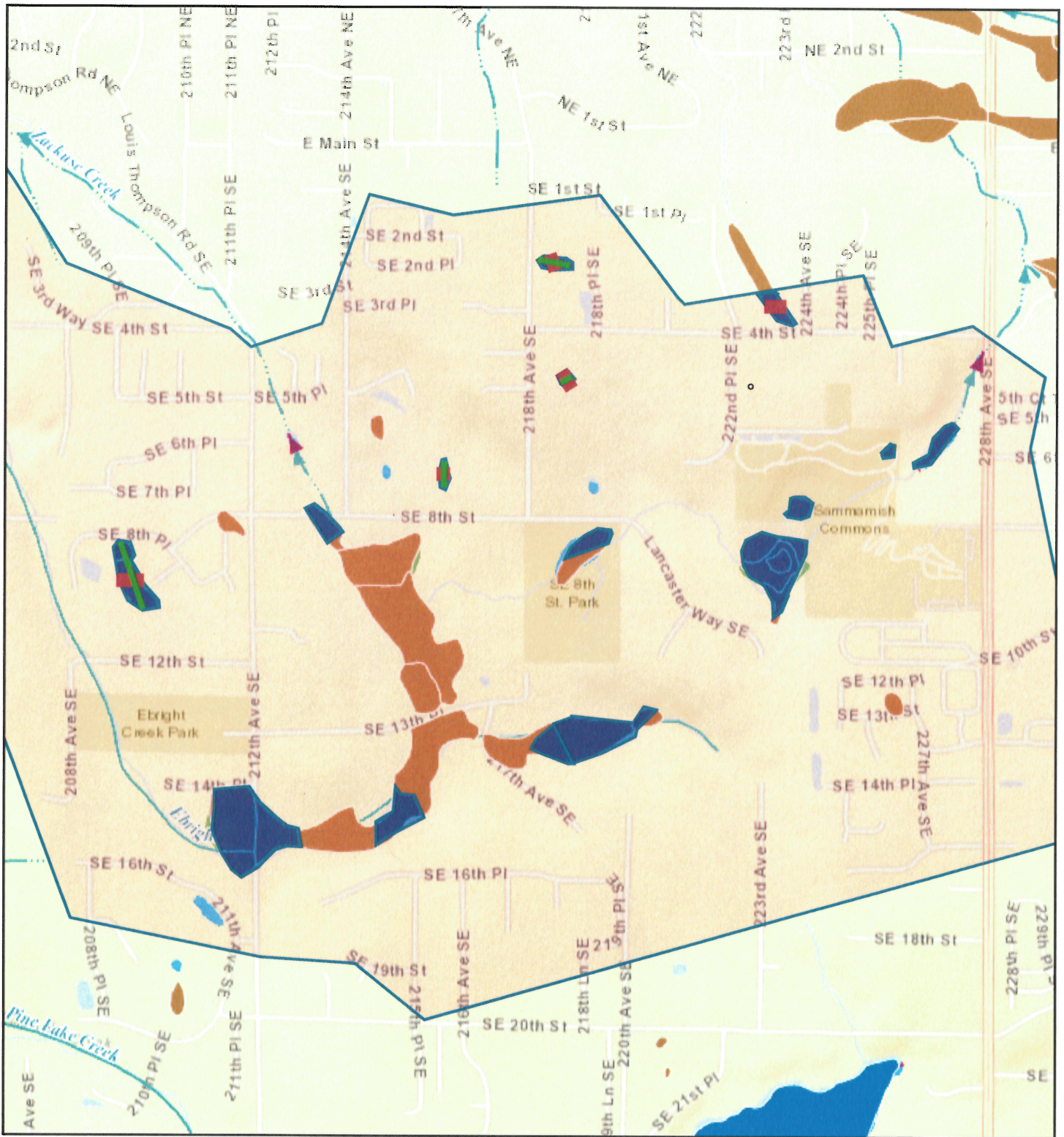
NWS-2018-730
SPOE Catchment
6/10/2019

Legend



500 m
2000 ft

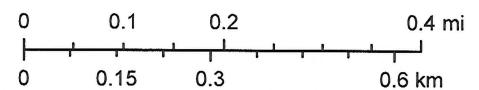
NS-2018-730 SPOE Map



May 23, 2019

1:12,197

Lines	Wetlands 2015	Waterbody - Large Scale	SwampMarsh
Override 1	Marine	Estuary	
Override 2	Estuarine	Ice Mass	
	Palustrine	LakePond	
Override 1	Riverine	Playa	
Override 2	Lacustrine	Reservoir	
Override 3			



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Source: USFWS, USGS TNM - National Hydrography Dataset. Data Refreshed April, 2019.

Clean Waters Rule

[Help](#) [Data Downloads](#)

Scale: 1:9,028
Zoom Level: 16

600ft

122.021 47.604 Degrees

NWS-2018-730

NWS-2018-730 NRCS Soil Map

Soil Map—King County Area, Washington
(NWS-2018-730)





































Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

2/4/2019
Page 1 of 3

MAP LEGEND

Area of Interest (AOI)	 Area of Interest (AOI)	 Spoil Area
Soils	 Soil Map Unit Polygons	 Stony Spot
	 Soil Map Unit Lines	 Very Stony Spot
	 Soil Map Unit Points	 Wet Spot
Special Point Features	 Blowout	 Other
	 Borrow Pit	 Special Line Features
	 Clay Spot	Water Features
	 Closed Depression	 Streams and Canals
	 Gravel Pit	Transportation
	 Gravelly Spot	 Rails
	 Landfill	 Interstate Highways
	 Lava Flow	 US Routes
	 Marsh or swamp	 Major Roads
	 Mine or Quarry	 Local Roads
	 Miscellaneous Water	Background
	 Perennial Water	 Aerial Photography
	 Rock Outcrop	
	 Saline Spot	
	 Sandy Spot	
	 Severely Eroded Spot	
	 Sinkhole	
	Slide or Slip	
	Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: King County Area, Washington
Survey Area Data: Version 14, Sep 10, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 8, 2014—Jul 15, 2014

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AgC	Alderwood gravelly sandy loam, 8 to 15 percent slopes	23.3	97.2%
AgD	Alderwood gravelly sandy loam, 15 to 30 percent slopes	0.1	0.3%
No	Norma sandy loam	0.6	2.4%
Totals for Area of Interest		23.9	100.0%

CENWS-ODR

Reference: NWS-2018-730; Wetland Resources, Inc (STCA SW-36 JD Request)

MEMORANDUM FOR RECORD

SUBJECT: **Similarly Situated Waters and Significant Nexus Determination**

The waters specified at paragraph (a)(8) of the 2015 Clean Water Rule (CWR) require a determination whether they are similarly situated. Under this step, the agencies apply factors in the determination of when waters evaluated under paragraph (a)(8) should be considered either individually or in combination for purposes of a significant nexus analysis. A determination of “similarly situated” requires an evaluation of whether a group of waters in the region that meet the distance thresholds set out under paragraph (a)(8) can reasonably be expected to function together in their effect on the chemical, physical, or biological integrity of downstream traditional navigable waters, interstate waters, or the territorial seas. Similarly situated waters can be identified as sufficiently close together for purposes of this paragraph of the regulation when they are within a contiguous area of land with relatively homogeneous soils, vegetation, and landform (e.g., plain, mountain, valley, etc.).

A water has a significant nexus when any single function or combination of functions performed by the water, alone or together with similarly situated waters in the region, contributes significantly to the chemical, physical, or biological integrity of the nearest water identified in paragraphs (a)(1) through (3) of the CWR.

1. Subject Wetland

- a. Soils: Soils at the project site are mapped as 100.0% Alderwood gravelly sandy loam, 8 to 15 percent slopes (non-hydric)
- b. Vegetation:
 - Wetland 1 is a 240 square foot (sf) category III palustrine emergent wetland located approximately 1,160 aerial feet from the ordinary high water mark (OHWM) of an unnamed tributary to George Davis Creek, to the southeast of the project site. Vegetation in Wetland 1 is dominated by *Phalaris arundinacea*, *Ranunculus repens*, and *Lotus corniculatus*.
 - Wetland 2 is a 472 sf category III palustrine emergent wetland located approximately 1,080 aerial feet from the OHWM of an unnamed tributary to George Davis Creek, to the southeast of the project site. Vegetation in Wetland 2 is dominated by *Phalaris arundinacea*, *Ranunculus repens*, and *Lotus corniculatus*.
 - National Land Cover Database mapping in the vicinity of Wetlands 1 and 2 is classified as Developed Open Space and Developed Low Intensity.
- c. Landform: Wetlands 1 and 2 are located in the central portion of the subject property and are immediately adjacent to each other. Hydrology is supplied to the area by a combination of groundwater discharge and surface water runoff. Both wetlands are

CENWS-ODR

SUBJECT: NWS-2018-730; Wetland Resources, Inc. (STCA-SW-36 JD Request)

hydrogeomorphically classified as depressional and have been rated as Category III with moderate habitat scores. The land surface form in the vicinity of the subject wetlands is mapped as Irregular Plains, with Drainage Channels approximately 670 feet to the southeast in the direction of the nearest (a)(5) water, the tributary to George Davis Creek. d. Proximity: Wetland 1 is situated approximately 1,160 aerial feet northwest of the tributary to George Davis Creek. Wetland 2 is situated approximately 1,080 aerial feet northwest of the tributary to George Davis Creek.

2. Similarly Situated Characteristics

- a. The NWS-2018-730 Single Point of Entry (SPOE) basin is delineated in the attached figure. The SPOE basin extends north about 500 feet, just north of SE 4th Street, east approximately 2,000 feet just east of 228th Avenue SE, south approximately 4,500 feet to SE 20th Street, and west to Lake Sammamish.
- b. Similarly situated waters would be palustrine, emergent wetlands on irregular plains in Developed Open Space, with moderately well drained soil, between 1,000 and 2,000 aerial feet from the OHWM of the unnamed tributary to George Davis Creek.

3. Similarly Situated Waters Identified

- a. Using the Wetland Delineation Report for STCA SW-36, NWI maps, King County parcel map, and ORM maps, four similarly situated wetlands were identified.
- b. All other wetlands in the SPOE were excluded because they did not meet all of the required parameters for being similarly situated (HGM class, land surface form, land cover, and soil drainage class). Fourteen palustrine, emergent wetlands were identified that occur in Developed Open Space within the SPOE. Five of those fourteen wetlands also occur on Irregular Plains. Four of those five wetlands that occur in Developed Open Space and on Irregular Plains are also located in moderately well drained soils. Three of those four wetlands are located between 1,000 and 2,000 feet from an (a)(5) tributary to Lake Sammamish within the subject SPOE, and are considered similarly situated for the purpose of this significant nexus determination.

4. Significant Nexus Determination

The subject waters either alone or in combination with other similarly situated waters in the region, do not significantly affect the chemical, physical, or biological integrity of Lake Sammamish based on the discussion below:

Wetlands 1 and 2 (Wetlands) are located near the northeast edge of the catchment identified by the ORM SPOE tool. The Wetlands are situated at the center of the project site where the natural topographic relief is very slight, resulting in a hydrology in which water likely infiltrates rather than running off. The project site has a 1.7% grade sloping to the south towards an approximately 6.5 acre wetland complex associated with the George Davis Creek tributary system. The landscape at the project site around the Wetlands is dominated by mixed grasses,

CENWS-ODR

SUBJECT: NWS-2018-730; Wetland Resources, Inc. (STCA-SW-36 JD Request)

with clusters of young and mature native trees, including Douglas Fir, Western Red Cedar, Sitka Spruce, Big Leaf Maple, and Western Hemlock. Subsurface groundwater flow from the project site would likely flow into the wetland complex to the south during the wet season.

The Wetlands are situated at an elevation of +475 feet above sea level. The wetland complex around George Davis Creek, which is 815 aerial feet to the southeast of Wetland 2, is at an elevation of +390 to +400 feet. The upper elevation at the northeastern limit of the catchment is at an elevation of +502 feet. Lake Sammamish, an (a)(3) water into which George Davis Creek drains, is at an elevation of +0 feet. In their landscape setting the Wetlands likely perform some flood reduction, runoff storage, and sediment trapping functions during heavy rain events.

Considering similarly situated waters in the SPOE, the aforementioned functions of these wetlands would be moderately increased. However, these functions are not anticipated to have a significant effect on the chemical, biological, or physical integrity of Lake Sammamish for the following reasons: the shallow grade and distance between the Wetlands and the tributary to George Davis Creek would likely result in most stormwater infiltrating into the moderately well drained soils in the area without the Wetlands providing much functional effect; the presence of several large (6.0 – 52.0 acre), intact, high functioning, wetland complexes on George Davis Creek, Zackuse Creek, and Ebright Creek (the three (a)(5) tributaries to Lake Sammamish in the SPOE) that are responsible for virtually all potentially significant impacts from waters within the SPOE on the chemical, physical, or biological integrity of Lake Sammamish; .

George Davis Creek is one of three tributaries to Lake Sammamish within the SPOE, along with Ebright Creek and Zackuse Creek. These creeks support runs of coho, steelhead, sockeye, and Kokanee salmon. Precipitation that infiltrates in the Wetlands may reach the tributary to George Davis Creek as ground water. However, contribution of the wetlands to flows in the tributary and George Davis Creek would be negligible.

Lake Sammamish is an approximately 6,800 acre freshwater lake, with its fresh water input provided by several dozen streams around the lake. As water makes its way into Lake Sammamish from the three creeks in the subject SPOE, it passes through long, contiguous reaches of wetland and intact riparian buffer composed of palustrine emergent (PEM1R/A) and forested (PFOC/A) wetland complexes. George Davis Creek flows through two wetland complexes, first at the Sammamish Commons Park, and again in a large, forested, undeveloped area south of NE 2nd Street, before it enters Lake Sammamish.

Considering the limited number and extent of functions provided by the Wetlands and similarly situated waters in the context of the Lake Sammamish basin, and in relation to the chemical, physical, and biological integrity of Lake Sammamish, the Corps has determined that the Wetlands do not have a significant nexus to Lake Sammamish.

CENWS-ODR

SUBJECT: NWS-2018-730; Wetland Resources, Inc. (STCA-SW-36 JD Request)

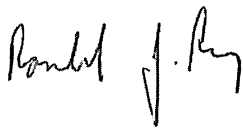
Because there is not a significant nexus, Wetland 1 and Wetland 2 are not waters of the U.S.



Brandon Clinton
Project Manager

19 June 2019

Date



Randel Perry
Senior Project Manager

20 June 2019

Date

Attachments:

Vicinity map

Site map (delineation)

SPOE Map

Landform Map

National Wetland Inventory Map

Soil Survey

USGS Topographic Map