



## Soundview Consultants LLC

Environmental Assessment • Planning • Land Use Solutions

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# Technical Memorandum

**To:** Lisa Klein, AHBL

**File Number:** 1703.0007

**From:** Matt DeCaro, Soundview Consultants LLC  
Laura Livingston, Soundview Consultants LLC

**Date:** July 14, 2022

**Re:** Response to Third-Party Comments  
Founder's Ridge – Dupont, Washington

Dear Ms. Klein,

Soundview Consultants LLC (SVC) has been assisting NorthPoint Development (Applicant) with critical areas compliance and permitting for the proposed Founder's Ridge development project in Dupont, Washington (Pierce County Tax Parcel Number 0119272005). This Technical Memorandum has been prepared in response to review comments (Attachment A) provided on April 22, 2022, by the City of Dupont's third-party reviewer (Stantec) regarding SVC's *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Restoration Plan* dated November 3, 2021. The third-party review comments are summarized below in italics, followed by SVC's responses.

1. *DuPont Municipal Code 25.105.050.1 states wetlands and lakes are considered critical areas. There are existing mapped United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) features within the project area and near the project area noted below.*

*a. Within the project area:*

*i. Freshwater emergent wetland within in the narrow finger of the project area north of the existing asphalt road.*

The “freshwater emergent wetland” is incorrectly mapped by NWI, which identifies the “wetland” atop Civic Drive, the fire department building, and parking lot. Google Earth aerial imagery shows that the area was entirely cleared and graded between 2002 and 2005. Between 2007 and 2009, the area was graded again, presumably by the City of Dupont during construction of the civic center.

No wetlands are present at this location, and formal data was not provided due to the existing developed condition of this area. Vegetation to the west of the road includes a mix of black cottonwood (*Populus balsamifera*), Douglas fir (*Pseudotsuga menziesii*), and Scotch broom (*Cytisus scoparius*), which are common to disturbed areas. SVC dug informal test pits along the site boundary early in the growing season in March 2021; no hydric soil or wetland hydrology indicators were identified.

*b. Near the project area:*

*i. Freshwater emergent wetland and riverine features that abut Old Fort Lake west of the project area;*

SVC investigated the NWI-mapped wetland at Old Fort Lake and verified wetland presence surrounding the open water of Old Fort Lake. While this wetland (Wetland A) contained indicators of hydrophytic vegetation, wetland hydrology, and hydric soils, no formal data plots were collected due to the location of the wetland offsite. Offsite wetland boundaries were determined based on topography and transitions to hydrophytic vegetation and wetland hydrology. Wetland A was rated and assessed according to the 2014 *Wetland Rating System for Western Washington* (Washington State Department of Ecology Publication No. 14-06-029). Wetland A is discussed in Chapter 5 of SVC's *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan*, a wetland rating form is provided in Appendix E, and wetland rating maps are provided in Appendix F. The 75-foot Category III wetland buffer does not extend onto the project area, so further evaluation is not necessary.

The mapped "riverine" feature south of Old Fort Lake is greater than 300 feet from the project area. SVC did investigate this area and no regulated streams or riverine wetlands were identified; regardless, due to the distance from the project area and since the maximum potential stream buffer of 100 feet per DMC 25.105.050(2)(g) would not extend into or adjacent to the project area, additional evaluation is not warranted.

*ii. Freshwater emergent wetland northwest of the project area; and*

This feature is mapped on the maintained golf course, 270 feet from the project area at its closest point. The area is separated from the project area by fairway and paved golf cart path. If this area is a wetland, its maximum potential (highly improbable) buffer would be 200 feet per DMC 25.105.050(1)(b), which would not extend on or adjacent to the project area; therefore, additional evaluation is not warranted.

*iii. Riverine feature north of the project area (Sequalitchew Creek).*

Sequalitchew Creek and any associated riverine wetlands are located greater than 450 feet from the project area at the closest point. Additional evaluation is not warranted as the maximum potential buffers for these features (100 feet for Sequalitchew Creek and 200 feet for any wetlands) would not extend onto or near the project area.

*c. According to DuPont Municipal Code 25.105.050.1.a.i, identification of wetlands and delineation of their boundaries shall be completed according to the federal wetland delineation manual and applicable regional supplement. The subject report does not provide sufficient data to determine presence or absence of these existing mapped USFWS NWI features within or near the project area.*

As described in Chapter 3 of SVC's November 2021 report, wetland presence and boundaries were assessed according to the USACE 1987 *Wetlands Delineation Manual* as modified according to the guidelines established in USACE's 2010 *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region, Version 2.0* and the NRCS 2018 *Field Indicators of Hydric Soils in the United States*.

2. *DuPont Municipal Code 25.105.050.1.a.ii states wetlands shall be rated according to the Washington State Department of Ecology wetland rating system. The Washington State Department of Ecology wetland rating system states wetland boundaries need to be verified by a field survey to accurately score the indicators. For those wetlands that are determined present within and near the project area by a field survey a Washington State Department of Ecology wetland rating system form should be completed for each.*
  - a. *Additionally, the wetland rating form provided for Old Fort Lake is insufficient according to the Washington State Department of Ecology wetland rating system guidance.*

Wetland A (Old Fort Lake) was rated according to the 2014 *Wetland Rating System for Western Washington* and guidelines established in DMC 25.105.050(1)(a)(ii). The offsite wetland boundaries and rating were based on field investigations of Wetland A and additional information from aerial imagery and topographic data. This methodology is consistent with the wetland rating system methodology, which describes identifying wetland boundaries for rating based on field surveys and aerial photographs or other additional information when access to the entire wetland is not feasible. Wetland A was identified as a Palustrine Emergent/Aquatic Bed, Seasonally Saturated/Seasonally Flooded/Permanently Flooded (PEM/ABBCH) depressional wetland. No outlet from the wetland was observed. The depressional wetland rating form for Wetland A was provided in Appendix E of SVC's assessment report. Wetland rating figures were provided in Appendix F. No additional documentation of Wetland A should be necessary for assessment under the 2014 *Wetland Rating System for Western Washington*.

3. *DuPont Municipal Code 25.105.050.1.b.i states buffers shall be established adjacent to designated wetland areas determined by the wetland category, as a result of the Washington State Department of Ecology wetland rating system form. As previously stated, a Washington State Department of Ecology wetland rating system form should be completed for each wetland as appropriate, and applicable buffer established for each.*

Wetland A (Old Fort Lake) is the only wetland identified within or near the project area. Wetland A (Old Fort Lake) was properly rated in SVC's report as a Category III wetland that requires a 75-foot buffer per DMC 25.105.050(1)(b). See Appendix E of SVC's November 2021 report for the wetland rating form.

4. *DuPont Municipal Code 25.105.020.5.b states development or alteration within or adjacent to critical areas should first avoid, reduce, then compensate (ARC approach). The subject report does not provide sufficient data to determine critical areas within and adjacent to the project area that could first be avoided.*

Wetland A was the only critical area identified within 200 feet of the proposed project area. No other potentially regulated wetlands, waterbodies, or fish and wildlife habitat conservation areas were identified on or within 200 feet of the proposed project area. Prior to the site investigations, SVC performed background research on the project area and adjacent areas by reviewing background maps, including the NWI map, the WDFW priority habitats and species (PHS) map, and the DNR water typing map (as summarized in Chapter 4 of SVC's report) and aerial photographs. Field investigations collected 15 formal data plots throughout the project area to document the lack of onsite wetlands, verified the presence of and assessed Wetland A, and assessed other areas identified as potential wetlands adjacent to the proposed project area. SVC also conducted additional research with WDFW regarding mapped priority bat species within the township. The November 2021 report and further clarifications herein should provide sufficient data to evaluate critical area presence within and adjacent to the project area.

5. *DuPont Municipal Code 25.105.050.2 states fish and wildlife habitat conservation areas are considered critical areas, such as priority habitat identified by the Washington State Department of Fish and Wildlife (WDFW). The project area includes priority habitat for the big brown bat, little brown bat, and Yuma myotis according to the WDFW, Priority Habitats and Species Map. The subject report states the big brown bat, little brown bat, and Yuma myotis are not documented in the study area as confirmed by WDFW. The subject report does not adequately document the presence or absence of priority habitat for these species within the project area.*

The WDFW PHS map identifies the presence of big brown bat (*Eptesicus fuscus*), little brown bat (*Myotis lucifugus*), and Yuma myotis (*Myotis yumanensis*) as present within the township, an approximately 36-square-mile area. The WDFW Priority Habitats and Species List describes the priority species criteria for these species to be “vulnerable aggregations” and the priority area for these species to be “regular concentrations in naturally occurring breeding areas and other communal roosts.” Potentially regulated habitat for these priority species would therefore require occupation by regular concentrations of the priority bat species.

Section 5.2 of SVC’s November 2021 assessment report provided a detailed “Bat Habitat Evaluation”, and Chapter 7 outlines a “Voluntary Bat Habitat Restoration Plan” with additional details. To evaluate whether regular concentrations of the priority bat species occur onsite, SVC requested additional information from WDFW. The additional information revealed that no priority species are documented onsite by WDFW. SVC also evaluated the project area for potential bat foraging and roosting habitat; the site generally lacks suitable habitat as detailed in Section 5.2 “Bat Habitat Evaluation” of the November 2021 assessment report. No priority species, or associated potentially regulated habitat, is present onsite.

6. *If priority habitat exists within the project area the distribution of different vegetation communities needs to be adequately described and mapped. DuPont Municipal Code 25.105.050.2.e requires a habitat management plan for development in or adjacent to habitat for priority species and the plan should incorporate mitigation recommendations developed in consideration of WDFW habitat recommendations along with additional requirements described in that section.*

Not applicable. Priority species do not exist onsite; refer to SVC’s report for a detailed evaluation.

*Additional items of note:*

*The USACE National Wetland Plant List has a more recent version (Version 3.5) published in 2020 that should be referenced (in Chapter 9, References) to ensure current plant names and indicator statuses are used.*

Noted. This comment does not affect any of our determinations or conclusions.

### Conclusion

SVC’s evaluation of potentially regulated wetland and fish and wildlife habitat on and within 200 feet of the project area remains consistent with the results reported in the November 2021 *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan*. SVC’s assessment report and further clarifications provided herein should provide sufficient data for review according to the standards of DMC Chapter 25.105.

If Stantec has other comments, we request that the comments provide a higher level of detail and technical specificity so that the Applicant and SVC can understand their concerns and provide an adequate response(s). The Applicant and SVC would also be happy to facilitate a conference call and/or joint site visit with Stantec, if there are further questions or collaboration needs.

If you have any questions, feel free to contact us anytime (253) 514-8952.

Sincerely,



Matt DeCaro  
Associate Principal



Laura Livingston  
Senior Environmental Planner

## Attachment A — Third-Party Review Comments

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To: Lisa Klein, AICP, AHBL Inc. From: Kacy Hillman, PWS  
Tacoma, WA Bellingham, WA  
Project/File: Founder's Ridge - *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan* Date: April 22, 2022

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**Reference: Peer Review of *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan*. Founder's Ridge. November 2021.**

AHBL Inc. requested Stantec on March 22, 2022 to complete a peer review of the *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan, Founder's Ridge* (Soundview Consultants LLC, 2021) in accordance with the City of DuPont's Critical Areas Ordinance (DuPont Municipal Code, Chapter 25.105). This memo serves to provide peer review comments of the subject report.

The following are Stantec's peer review comments of the subject report that do not meet DuPont Municipal Code, Chapter 25.105:

- 1) DuPont Municipal Code 25.105.050.1 states wetlands and lakes are considered critical areas. There are existing mapped United States Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) features within the project area and near the project area noted below.
  - a. Within the project area:
    - i. Freshwater emergent wetland within in the narrow finger of the project area north of the existing asphalt road.
  - b. Near the project area:
    - i. Freshwater emergent wetland and riverine features that abut Old Fort Lake west of the project area;
    - ii. Freshwater emergent wetland northwest of the project area; and
    - iii. Riverine feature north of the project area (Sequalitchew Creek).
  - c. According to DuPont Municipal Code 25.105.050.1.a.i, identification of wetlands and delineation of their boundaries shall be completed according to the federal wetland delineation manual and applicable regional supplement. The subject report does not provide sufficient data to determine presence or absence of these existing mapped USFWS NWI features within or near the project area.

**Reference: Peer Review of *Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan*. Founder's Ridge. November 2021.**

- 2) DuPont Municipal Code 25.105.050.1.a.ii states wetlands shall be rated according to the Washington State Department of Ecology wetland rating system. The Washington State Department of Ecology wetland rating system states wetland boundaries need to be verified by a field survey to accurately score the indicators. For those wetlands that are determined present within and near the project area by a field survey a Washington State Department of Ecology wetland rating system form should be completed for each.
  - a. Additionally, the wetland rating form provided for Old Fort Lake is insufficient according to the Washington State Department of Ecology wetland rating system guidance.
- 3) DuPont Municipal Code 25.105.050.1.b.i states buffers shall be established adjacent to designated wetland areas determined by the wetland category, as a result of the Washington State Department of Ecology wetland rating system form. As previously stated, a Washington State Department of Ecology wetland rating system form should be completed for each wetland as appropriate, and applicable buffer established for each.
- 4) DuPont Municipal Code 25.105.020.5.b states development or alteration within or adjacent to critical areas should first avoid, reduce, then compensate (ARC approach). The subject report does not provide sufficient data to determine critical areas within and adjacent to the project area that could first be avoided.
- 5) DuPont Municipal Code 25.105.050.2 states fish and wildlife habitat conservation areas are considered critical areas, such as priority habitat identified by the Washington State Department of Fish and Wildlife (WDFW). The project area includes priority habitat for the big brown bat, little brown bat, and Yuma myotis according to the WDFW, Priority Habitats and Species Map. The subject report states the big brown bat, little brown bat, and Yuma myotis are not documented in the study area as confirmed by WDFW. The subject report does not adequately document the presence or absence of priority habitat for these species within the project area.
- 6) If priority habitat exists within the project area the distribution of different vegetation communities needs to be adequately described and mapped. DuPont Municipal Code 25.105.050.2.e requires a habitat management plan for development in or adjacent to habitat for priority species and the plan should incorporate mitigation recommendations developed in consideration of WDFW habitat recommendations along with additional requirements described in that section.

Additional items of note:

- 1) The USACE National Wetland Plant List has a more recent version (Version 3.5) published in 2020 that should be referenced (in Chapter 9, References) to ensure current plant names and indicator statuses are used.

This concludes the peer review of the subject report. If you have any questions on these comments, please feel free to contact me by phone or email (below).

Reference: **Peer Review of Wetland and Fish and Wildlife Habitat Assessment Report and Voluntary Bat Habitat Restoration Plan.**  
Founder's Ridge. November 2021.

Sincerely,

**STANTEC CONSULTING SERVICES INC.**

*Kacy D. Hillman*

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Environmental Scientist  
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