

June 26, 2024
Project No. 24023

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Sergiu Portaru
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Regarding: **Critical Area Report – Portaru Stream and Buffer Restoration**
29928 Upper Dorre Don Way SE – Maple Valley, Washington
King County Code Enforcement Case #ENFR22-1136

1.0 INTRODUCTION

This critical area report has been prepared for your proposed stream and buffer restoration project located at 29928 Upper Dorre Don Way SE in unincorporated King County near Maple Valley, Washington. On October 7, 2022, King County opened a code enforcement case under #ENFR22-1136 for the unpermitted construction of a stone wall within a Type F aquatic area (stream) and the unpermitted removal of vegetation from a Type F aquatic area buffer. On January 25, 2024 a mandatory already built construction (ABC) pre-application meeting was held under #PREA23-0125 for the code enforcement case. During the meeting, instructions for resolving the code enforcement case were discussed and ecological critical area review comments were distributed. This report provides an opinion of ecological critical area impacts and includes a summary of the restoration proposed to resolve the code enforcement case. This report should be reviewed in combination with the restoration plan entitled “Portaru Stream and Buffer Restoration Plan” and the related critical area mitigation bond quantity worksheet, both of which are dated June 26, 2024.

2.0 PROJECT SITE

The project site is a 29,324 sf (0.67 acre) irregularly shaped residential property located east of Upper Dorre Don Way SE in the northwest quarter of Section 15, Township 22 North, Range 6 East, W.M. The King County parcel number for the site is 208520-0890 and the site is commonly referred to as 29928 Upper Dorre Don Way SE. A legal description for the site is “Lot B of King County boundary line adjustment #BLAD18-0013”. The site measures roughly 130 feet wide (north to south) by 172 feet deep (west to east). Existing site improvements include a one-story single-family residence, several small accessory structures, a gravel surfaced driveway, and an on-site septic system.

3.0 CRITICAL AREAS

Critical area designations for the project site are on-file with King County under #CADS15-0413 and #CADS17-0135. Both designations identify that a Type F aquatic area (stream) exists along the southern property line. The stream originates east of the project site and is an unnamed tributary to the Cedar River. The stream exists within a well-defined channel. The ordinary high water mark (OHWM) of the

portion of the stream located along the project site ranges from 7 to 14 feet wide. The average channel gradient is less than 5 percent and channel substrate comprises mainly cobble and gravel, with occasional boulders and infrequent patches of sand. The stream is conveyed under Upper Dorre Don Way SE via a large diameter concrete culvert. The culvert is mapped by the Washington State Department of Fish and Wildlife (WDFW) as a partial fish passage blockage.

Fish use within the segment of the stream located adjacent to the project site is described by WDFW as “documented presence” for cutthroat trout (*Oncorhynchus clarkii*) and winter steelhead (*O. mykiss*), “presumed presence” for coho salmon (*O. kisutch*), and “gradient accessible” for Chinook salmon (*O. tshawytscha*). Sockeye salmon (*O. nerka*) use ends at Upper Dorre Don Way SE. The stream and the broader project site is not mapped as critical habitat for any federally listed species. The closest designated critical habitat for the Puget Sound evolutionary significant unit (ESU) of Chinook salmon exists within the Cedar River approximately 600 feet east of the site. The closest designated critical habitat for the Coastal-Puget Sound distinct population segment (DPS) of bull trout is in Lake Washington approximately 11 miles northwest of the project site

Prior to critical area designation approval, the ordinary high water mark (OHWM) of the stream was marked using sequentially numbered flagging labeled “OHWM1” through “OHWM14”. Each flag was then surveyed and mapped. King County staff reviewed the flagging prior to approving the critical area designations and maps incorporating the OHWM were used to approved the designations. A 165 foot standard width buffer is required from the OHWM of the stream and an additional 15 foot setback is required from the outer limits of the buffer for buildings and other structures. The flagged OHWM limits and required aquatic area buffer are shown on the restoration plans prepared for the project.

4.0 IMPACT ANALYSIS

In 2022, the landowner constructed a stone wall along a portion of the northern limits of the Type F stream and removed vegetation from the adjacent stream buffer. Impacts related to this work are described below:

Stone Wall:

A stone wall was constructed along a portion of the northern bank of the Type F stream. The wall measures roughly 115 feet long by 24 inches tall by 12 inches wide and is constructed of streambed cobble and coarse gravel bonded together with cement. The base of the wall is undercut in some locations and native soil was used to backfill behind the wall in some areas, particularly towards the north end of the wall. The wall was constructed roughly along the OHWM and has reduced the stream width by 18 inches in some locations. Prior to construction, the stream bank maintained a general linear natural configuration comprising eroded streambed substrate transitioning to a well-defined vegetated bank. Photographs of existing conditions and a typical stream channel profile are included with the restoration plan prepared for this project.

Buffer Vegetation Removal:

Vegetation was removed from 9,885 sf (0.23 acres) of aquatic area buffer located in the southern portion of the project site. This work included the complete removal of 9 trees as well as all

understory vegetation. Vegetation within the buffer prior to the work included black cottonwood (*Populus balsamifera*), Douglas-fir (*Pseudotsuga menziesii*), and Sitka spruce (*Picea sitchensis*) over beaked hazelnut (*Corylus cornuta*), English ivy (*Hedera helix*), English laurel, western swordfern (*Polystichum munitum*, FACU), common snowberry (*Symphoricarpos albus*), trailing blackberry (*Rubus ursinus*), orchardgrass (*Dactylis glomerata*), bedstraw (*Galium* sp.), western brackenfern (*Pteridium aquilinum*), and creeping buttercup (*Ranunculus repens*). Current vegetation within the affected area includes scattered western swordfern and common snowberry with various grasses, herbaceous weeds, and occasional Himalayan blackberry (*Rubus aremeniacus*). There exists no evidence of grading, excessive soil compaction, or other related work that changed topography or otherwise significantly altered soil conditions within the buffer.

5.0 PROPOSED RESTORATION

A detailed restoration plan has been prepared to address the unpermitted stream and buffer impacts. The purpose of the plan is to specify the work necessary to restore unpermitted buffer impacts. The broad goal of the restoration is to re-establish the conditions that existed prior to the unpermitted work. Included with the plan is a scaled site map showing the location of the unpermitted impacts as well as notes and details related to the proposed restoration, maintenance, and monitoring actions. The restoration includes the removal of the stone wall, re-construction of the affected stream channel, and the installation of native trees and shrubs within adjacent buffer areas. The restoration will be completed by the landowner and will be subject to standard King County bonding and monitoring requirements.

6.0 CLOSURE

Based on my review of the stream and buffer impacts at 29928 Upper Dorre Sone Way SE, I determined that a stone wall was constructed along a portion the OHWM of a Type F stream and vegetation removal had occurred within 9,885 sf (0.23 acres) of adjacent wetland buffer. Proposed restoration includes the removal of the stone wall, re-construction of the affected stream channel, and the installation of native trees and shrubs within adjacent buffer areas.

Within the limitations of scope, schedule, and budget, this critical area report conforms to the generally accepted standard of care in effect at the time the work was conducted. No other warranty, express or implied, is made. The purpose of the work summarized in this report is to describe wetland buffer impacts, mitigation, and restoration per King County critical area regulations. All opinions presented in this report should be considered preliminary until reviewed and confirmed by King County.

I trust that this report meets your present needs. If you have any questions regarding the information presented in this report or require additional assistance with this project, please do not hesitate to call me at (425) 864-3244 or email me at psuper@evergreenarc.com.

Sincerely,

EVERGREEN AQUATIC RESOURCE CONSULTANTS, LLC
Issaquah, Washington



Peter P. Super
Professional Wetland Scientist

