



## COMMUNICATION MATRIX

Project Number: 2020104385

Date: February 13, 2023

Project Name: Inspiring Kids SUP, RUE, FLC, OAC, SEPA

Tax Parcel: there are 8 tax parcels

Subject: Communications Matrix

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### Directions:

- Each department's reviewer comments are summarized within their own section below.
- Use the APPLICANT RESPONSE column on the far right column of the matrix to provide the following:
  - A complete and clear response to each comment. Avoid writing "noted, or acknowledged" without providing an explanation.
  - When applicable, include reference to a page number and/or where an item can be found on the map or in a submittal document.
- The reviewer's contact information can be found in the green heading above the comment. Please contact the reviewer directly for questions related to a specific comment.
- After all items outlined in the matrix have been addressed:
  1. Submit all requested items and copies to the Building Development Center. Incomplete submittals will not be accepted
  2. Include one (1) copy of this Communication Matrix with your Applicant Response column completed

### Additional Information

- All requested information and number of copies must be submitted as one submittal within 180 days from the date of this matrix or the application will lapse.
- An extension of time may be requested in writing prior to the expiration.
- Additional information may be requested through further review of the project

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**Department:** Community Planning and Economic Development (CPED)  
**Reviewer:**

ITEM	REVISION / NOTE / COMMENT	DETAILS	APPLICANT RESPONSE
1) Master Application		Applicant needs to submit a new Master Application with updated contact information.	The Master application has been updated and resubmitted.

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2) Project Narrative		
	<p>The project narrative needs to be revised to clearly explain what each application (SUP, RUE, FCL) is requesting. For example:</p> <p>The applicant requests a Special Use Permit to construct a nature preserve with trails, resting benches, natural play areas, learning spaces, and wildlife viewing areas, parking lot with 24 spaces, restrooms, open air pavilion, and storage space on eight parcels totaling 108 acres. The nature preserve will be open from 8:00 am to dusk, seven days a week. Up to ten employees will be employed on-site.</p> <p>The applicant also requests a Reasonable Use Exception (RUE) to construct a hub for buses, restroom facilities, open air pavilion, storage space and additional parking on which parcel #s???. Please split this out what is being requested on each parcel number. The reason for the Reasonable Use Exception is because the proposed development cuts through wetland buffers on which parcel, stream on which parcel, slopes on which parcel, (please specify which critical areas are on which parcel).</p> <p>The applicant also requests a Forest Land Conversion Permit to remove 31,000 board feet of timber from which parcel numbers? is it only parcel 11929230200? in an area measuring 1.7 acres total. Six hundred feet of new road construction is proposed on this parcel through an off-site wetland buffer?</p> <p>The project consists of eight parcels totaling 108 acres, and is encumbered by multiple critical areas, namely xx (list which critical areas are on which parcel numbers) Fourteen wetland areas are mapped within 500 ft of Johnson Pt Rd. There is a small pond near the inlet shoreline and a salt marsh on parcel #??. Dobbs Creek flows south and southeast on parcel #?. There are steep slopes on parcel #?.</p> <p>The parcels are located in the Rural Residential Resource (RRR 1/5) and the Conservancy shoreline designation of Henderson Inlet (Puget Sound) in rural Thurston County.</p>	<p>The RUE project narrative has been updated and critical areas by parcel number has been added to the updated RUE application. The SUP project narrative was also updated. The FCL will be submitted later.</p>

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<p>3) Site plan revisions. Mitigation plan revisions, questions to be addressed</p>		<p>For the critical areas on site- the following are mapped:</p> <ul style="list-style-type: none"> <li>• CARA 1, 2, and 3</li> <li>• Landslide hazards- sporadically in small areas</li> <li>• Wetlands</li> <li>• Conservancy shoreline- 100 ft buffer per SMP               <ul style="list-style-type: none"> <li>• 200 ft Shoreline Jurisdiction</li> <li>• 250 ft buffer per CAO</li> </ul> </li> <li>• One stream on site (not mapped but listed in the critical area report)</li> </ul> <p>1) The proposed development does not appear to be near any potential slopes, but the applicant needs to confirm this, since it was not addressed directly in the critical area report.</p> <p>2) The proposal is not showing any development in the Conservancy shoreline setbacks, or floodzone, but all these critical areas and buffers need to be added to a site plan with the development areas, as a standard item to take to Hearing, including the stream they documented in the wetland report.</p> <p>3) Please provide a clear list of impacts to wetlands and wetland buffers. That way we can determine what exactly is triggering the RUE, because it looks like it is more than just the driveway access, as parking and possibly some structures are being shown within the inner 75% of some wetland buffer areas. What is remaining would be reviewed in the CARP, such as the proposed access trails, viewing decks, and bird blind.</p> <p>4) The applicant did not specifically address these passive recreation impacts (access trails, viewing decks, and bird blind) within the current mitigation plan, and they need to show they are meeting all the criteria per TCC 24.30.260. I believe they probably are, but it needs to be</p>
		<p>1. There are no Landslide Hazard Slopes and slopes greater than 40% in grade on the property. The project site plan (Exhibit 1 -Site Map, at the end of this document) has been revised to reflect Program Elements that have been removed from the Project and to show requested items.</p> <p>2. The shoreline is approximately 700 feet west of the project area. These features can only be estimated based on available GIS data and field mapping. Stream A has been added to the project site plans (Exhibit 1 -Site Map, at the end of this document.)</p> <p>3. See Exhibit 2 - Project Impacts &amp; Mitigation, at the end of document. The viewing decks, bird blinds, and most of the access trails have been eliminated.</p> <p>4. See Exhibit 3 - Passive Recreation, Criteria, at the end of document.</p>

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		<p>demonstrated by the applicant completely and mitigated for. Please revise the mitigation report to explain this.</p> <p><b>Note:</b> Environmental Health also requested revisions to the site plan, so the revised site plan needs to show all info requested by all departments. If you need to submit multiple site plans that is ok, but best if it can be all on one site plan that is legible.</p>	<p>See previous page for response.</p> <p>See responses to Environmental Health questions on Page 7 below.</p>
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4) The RUE criteria in code has been updated		<p>Chapter 24.45.030 provides eight criteria that must be met in order to approve a use within a critical area or its buffer.</p> <p>Please provide a response to this criteria:</p> <p>The reasonable use shall not result in the unmitigated adverse impacts to species of concern.</p>	<p>The RUE application has been updated and includes this information.</p>
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5) Forest Land Conversion Permit		Forest Land Conversion Permit is only valid for one year, unless it is tied the SUP, which is valid for three years, and building permits are in process.  The applicant can choose to bundle the FLC permit review into the same hearing as the SUP/RUE, or the applicant can request the FLC permit to be reviewed by staff as an administrative decision at any time before or after the SUP/RUE hearing.	The applicant will request the FLC permit be reviewed by staff as an administrative decision after the SUP/RUE hearing.
Department: Thurston Environmental Health Reviewer: Dawn Peebles			
ITEM	REVISION / NOTE / COMMENT	DETAILS	APPLICANT RESPONSE
1)		November 13, 2020 <b>TO:</b> Ron Buckholt, Thurston County Community Planning & Economic Development <b>FROM:</b> Dawn Peebles, Thurston County Environmental Health Division <b>SUBJECT:</b> Project 2020104385, Folder Sequences 20-111033 ZM, 20-111036 XB, 20-111037 XA, Tax Parcels 11928220800, 11928230100, 11928230200, 11928320000, 11928320500, 11929110500, 11929140000, 11929440200, Inspiring Kids Preserve Special Use Permit Application, Forest Land Conversion and Environmental Checklist	<b>Note:</b> Environmental Health comment # 2 was addressed in the email below.  <b>From:</b> Laurence Reeves <laurence@capitolandtrust.org> <b>Sent:</b> Friday, June 3, 2022 9:37 AM <b>To:</b> Dawn Peebles

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	<p>The above-referenced project has been routed to this agency for review and comment. This project is proposing a 108-acre preserve area with nature trails with resting benches, natural play areas, learning spaces and wildlife viewing areas. The hub of the preserve will include an area for buses to park and turn around, restroom facilities, an open-air pavilion, storage space, interpretive signs, and additional parking. The open-air pavilion will be used to gather students before they walk the trails and for other community meetings and workshops.</p> <p><b>Environmental Health's initial review of the application is complete and the following additional information is requested for our continued review:</b></p> <ol style="list-style-type: none"> <li>1. A revised project site plan must be submitted showing all existing wells within 200 feet of the project site with their associated 100-foot sanitary control radii. Records are attached for reference.</li> <li>2. The applicant must clarify if all three wells located on the property remain in beneficial use. Article III of the Thurston County Sanitary Code requires that any well that is abandoned, unusable, or not intended for future use shall be decommissioned in conformance with the requirements of chapter 173-160 WAC. Should any of the wells remain for irrigation purposes, they must have a pump installed, be wired for power, and will be required to have a protective covenant recorded with the Thurston County Auditor's Office.</li> <li>3. The project is proposing to develop a public water system. The first step in the public water system approval process is submitting a complete well site inspection application with the current application fee. The well site must be approved before our department can recommend approval of this application. The well site inspection application can be found online at <a href="http://www.co.thurston.wa.us/health/ehadm/fees_permits.html">http://www.co.thurston.wa.us/health/ehadm/fees_permits.html</a>, listed under <i>Drinking Water &amp; Wells, Well Site Inspection</i>.</li> </ol>	<p>&lt;<a href="mailto:dawn.peebles@co.thurston.wa.us">dawn.peebles@co.thurston.wa.us</a>&gt;  <b>Subject:</b> Project 2020104385</p> <p>Greetings Dawn, this message is in reference to Project 2020104385, Capitol Land Trust's Inspiring Kids Preserve. You had asked about drinking water wells located on the property. At this time, there is only one functioning well on the property on PN 11928320500. This is a modern, metal-pipe encased well with a submersible electric pump that serves the duplex to the south (PN 11928320200). It is shown on attached survey map.</p> <p>The other two water supplies are springs have some old, non-functional piping scattered around them. Neither is currently used, nor are they in a condition that they could be used as a water supply. PN 11928320000: This is a spring that has some old concrete piping laying around it, but it hasn't functioned as a drinking water source for years prior to our purchase of the property. It is shown on attached survey map. PN 11928220800: This is the spring that provided water to the old mobile home that we removed 5 or so years ago. It is no longer functional as a drinking water source.</p> <p>Let me know if you have any further questions about the wells/water supplies on the property. Best regards, Laurence</p>
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	<p>2000 Lakeridge Dr. SW, Building One Olympia, Washington 98502 (360) 867-2500 FAX (360) 867-2660 TTY/TDD 711 or 1-800-833-6388  <a href="http://www.co.thurston.wa.us/health">www.co.thurston.wa.us/health</a></p> <p>4. Wastewater generated from the restroom facilities is proposed to be handled by an on-site septic system. Environmental Health must confirm there is evidence of suitable soil and site conditions to support an on-site septic system. Therefore, a minimum of two test pits must be excavated on the site in the proposed drainfield area. The test pit locations must be shown on a project site plan and must be clearly flagged and labeled on the site. Guidelines for test pit construction are attached for reference.</p> <p>5. The applicant must clarify if any restroom facilities are proposed outside of the hub area. The project map, Figure 2, identifies “restroom or port-o-potty enclosure” in the map legend. However, the icon representing this description is shown on the map and labeled as “Viewing Platform, typical”.</p> <p>6. The applicant must describe how any minor equipment leaks or accidental spills from vehicles or equipment will be handled on the site during construction activities and restoration work.</p> <p>7. The application must submit a description of the solid waste handling, storage, and disposal plan for the site.</p> <p>Environmental Health’s review will be placed <b>on hold</b> at this time. Our review will continue once all of the requested information has been submitted. <b>Please note, additional items may be requested upon review of revised materials.</b> If you have any questions regarding Environmental Health’s review, I can be reached at <a href="mailto:dawn.peebles@co.thurston.wa.us">dawn.peebles@co.thurston.wa.us</a> or (360) 867-2650.</p> <p><b>See three attachments for reference (test pit and two records)</b></p>	<p>Laurence Reeves  Conservation Director  Capitol Land Trust  4405 7th Ave SE Ste 306   Lacey, WA 98503  360.943.3012 x 3   <a href="http://CapitolLandTrust.org">CapitolLandTrust.org</a>  Pronouns: <i>he/him/his</i></p> <p><b>Environmental Health’s Comments 1 and 3-7 still need to be addressed.</b></p> <p>Item 1 (from previous page): The site plan has been updated to show wells. See Exhibit 1 - Site Map.</p> <p>Item 3 (from previous page): Development of a public water system has been removed from the project.</p> <p>Items 4 &amp; 5: Construction of restroom facilities has been removed from the project. Port-o-potties will be used instead.</p> <p>Item 6 &amp; 7 - see responses on following page.</p>
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**Response to Communication Matrix page 9, item 6:** The Contractor will be required to prepare an Environmental Pollution Control Plan. No Hazardous Materials will be stored on site during construction or when project is complete. Refueling of construction equipment will only occur in upland environments and in a responsible manner. The Environmental Pollution Control Plan shall include:

- 1) Water quality
- 2) Air quality, including dust control
- 3) Noise pollution
- 4) Temporary water pollution/erosion control
- 5) Oil, Fuel, and Chemical Storage, Handling, Spill Prevention, and Control Plan.

**Response to Communication Matrix page 9, item 7:** Capitol Land Trust Staff and their guests will be required to handle solid waste in a "pack-it-in/pack-it-out" manner. No trash or solid waste storage will occur on site. Capitol Land Trust Staff will remove miscellaneous litter from the property on an ongoing basis. Litter removed from the property will be disposed of off-site in a legal manner.



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Wetland comments		<p><b>Note: Please ignore the first bullet below which has strikethrough as this was addressed in the applicant's response dated July 7, 2022. All other bullets still need to be addressed.</b></p> <p><b>From:</b> Heather Tschaekofske  <b>Sent:</b> Monday, April 25, 2022 1:37 PM  <b>To:</b> Rich Felsing &lt;<a href="mailto:rich.felsing@co.thurston.wa.us">rich.felsing@co.thurston.wa.us</a>&gt;  <b>Subject:</b> wetland review for the Inspiring Kids Preserve</p> <p>Hello Rich,</p> <p>After discussing the above project a bit last week, I took a look at their submitted wetland report and have the following comments:</p> <ul style="list-style-type: none"> <li>- The submitted wetland delineations and ratings appear to be correct.</li> <li>- While the submitted mitigation plan appears to be feasible, there are a couple issues that will require revision. Please note the following: <ul style="list-style-type: none"> <li>○ <del>The proposed access area is impacting two wetlands directly, Wetland M and Wetland P. However, there appears to be space to shift this access slightly north, to completely avoid the direct impacts to Wetland M. This should be considered for avoidance, and minimization purposes.</del></li> <li>○ The consultant is counting portions of the impacted wetland buffer as a "temporary" impact, however these impacts are to be considered at a <u>full mitigation ratio</u>. Conversion of established forest to an herbaceous ground cover does not qualify as a short-duration "temporary" impact. This will change the total mitigation area required to meet no net loss.</li> <li>○ Per TCC 24.30.080(C) <u>enhancement is not eligible as the sole mitigation method</u>, and enhancement does not result in a gain in wetland acres. The direct impacts to the wetlands must be mitigated for in a manner that compensates for that loss of wetland acreage. Please also review TCC 24.30.075 which rates and describes the different mitigation types in order of preference.</li> </ul> </li> </ul>	<p>See following pages for responses.</p>
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**Response to Communication Matrix page 10 – Wetland comments (not numbered)**

The revised Critical Areas Report, which has been submitted with the updated RUE application, has been updated to address Ecology's comments. See Section 7, starting on page 21, of the revised Critical Areas Report. It also now specifies 10 years of monitoring.

A JARPA has been submitted to the U.S. Army Corps of Engineers (Corps). All necessary permits from the Corps and Ecology will be obtained.

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	<ul style="list-style-type: none"><li>○ Per Table 24.30-3, wetland and wetland buffer impacts must be calculated separately.</li><li>○ Per TCC 24.35.017(B. 6.a) monitoring reports shall be for <u>ten</u> years for forested and scrub-shrub communities, not five years.</li><li>○ Filling of wetlands typically requires permits from Department of Ecology, and possibly the Army Corp.</li><li>○ Please revise the report accordingly.</li></ul>	See previous page for response.
	<p>Let me know if you have any questions.</p> <p>Thanks so much,</p> <p>Heather Tschaekofske Associate Planner/Biologist, MES Community Planning and Economic Development Department Development Services 360-786-5553 <a href="mailto:heather.tschaekofske@co.thurston.wa.us">heather.tschaekofske@co.thurston.wa.us</a></p>	
1) Dept of Ecology	<p><b>From:</b> Carp, Lizzie (ECY) &lt;lcar461@ECY.WA.GOV&gt; <b>Sent:</b> Monday, October 3, 2022 9:42 AM <b>To:</b> Heather Tschaekofske &lt;heather.tschaekofske@co.thurston.wa.us&gt;; Rothwell, Rebecca (ECY) &lt;rebs461@ECY.WA.GOV&gt; <b>Subject:</b> RE: Project #2020104385 - Revised/Additional Information</p> <p>Thanks for catching that! Here is the whole thing again with references to Title 17 replaced with references to Chapter 24.</p> <p>The purpose of this comment letter is to provide Ecology's review of the proposal based on both the county code and Ecology's regulatory authority under Chapter 90.48 RCW. These comments are based on our review of the "Capitol Land Trust Inspiring Kids Preserve Reasonable Use Critical Areas Report," dated August 21, 2020.</p>	See response following page 13.

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		<p>1. Buffer reduction is allowed only if "the proposed reduction in buffer width, coupled with the mitigation plan, would result in better protection of the wetland or buffer functions than the standard buffer" (TCC 24.30.050). Per the critical areas report, the area within the current buffer has low to moderate function, with areas of weeds and sparse vegetation. The mitigation plan proposes removing invasives and planting dense native vegetation. However, the scale of the proposed impacts and inadequate buffer compensation ratios (addressed below) outweigh these benefits, as several established trees are proposed to be removed from the buffer. These trees provide valuable buffer functions that would be lost if they were removed. The proposal therefore does not provide adequate justification for reducing the buffers.</p> <p>2. TCC 24.01.035 requires adherence to mitigation sequencing. Impacts to critical areas and their buffers must be avoided "unless the applicant demonstrates an inability to avoid impacts and that there will be no net loss of critical area functions." Approximately an acre and a half of impacts to wetland buffers are proposed (what is labeled as a temporary impact is in fact a permanent impact). It appears that much of the proposed impact can be avoided by redesigning the project or by using the property in a different manner.</p> <p>3. It is unclear whether there is community demand for the type of facility the proponents propose to provide. If the applicants wish to proceed in applying for permits based on the proposed layout, they should provide a demonstration of need based on communications with schools, summer camps, and others who might use the facility to determine actual demand. For example, the proposed facility is meant to accommodate several buses. If the need does not actually exist to accommodate a large number of vehicles and participants, the facility size can be reduced. This is discussed further in #6 below.</p> <p>4. Tree protection areas need to be identified on site plans. TCC 24.30.065 requires that "Trees within wetland buffers with driplines that extend beyond the upland edge (furthest from the wetland) of buffers with a wildlife habitat rating of five points or more shall be protected" from disturbance including clearing, grading, filling, and vehicle travel. According to the critical areas report, all of the wetlands identified on this site have a habitat score of five or greater. The applicant needs to account for impacts to the tree protection areas in addition to the standard buffers.</p>	<p>See response following page 13.</p>
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	<p>5. The critical areas report proposes compensating for buffer impacts by providing wetland buffer enhancement and also compensating at a reduced ratio for a portion of the impacts because the impacts will be “temporary.” Removing forested buffer is in fact a permanent impact, as mentioned above. If this impact were to be authorized, compensation must be provided at a 1:1 replacement ratio, per TCC Table 24.30-3, which states that “The ratio for buffer mitigation is 1:1.” and TCC 24.30.080.A, which states that “Buffer mitigation shall occur at a 1:1 ratio of buffer impact to mitigation impact.”</p> <p>5. Only wetland habitat enhancement is proposed to compensate for direct wetland impacts. Per TCC 24.30.075.C, “Habitat enhancement is not eligible as a sole method of mitigation.” Table 24.30-3 shows several other types of compensatory mitigation options.</p> <p>6. The proposal does not adequately address criteria in 24.45.030.B (No reasonable use with less impact on the critical area or buffer is possible) and 24.45.030.E (The proposed reasonable use shall result in minimal alteration of the critical area). A smaller development on this property can provide reasonable use. Even with the proposed type of facility, the footprint can be reduced and still provide an educational opportunity. Using wood chips rather than gravel for walking paths would also minimize impacts.</p> <p>7. A Corps or Ecology permit will be required for the wetland fill. If the Corps does not take jurisdiction, Ecology will review the proposal under RCW 90.48, and we will require an Approved Jurisdictional Determination from the Corps. We will review the proposal against the recommendations for mitigation sequencing and compensatory measures in <a href="#">Wetland Mitigation in Washington State: Part 1 - Agency Policies and Guidance (Version 2)</a>. Note that page 116 of this guidance states: “The agencies determine the amount of compensation necessary to offset wetland impacts on a case-by-case basis to ensure that the loss of wetland area and functions is adequately addressed. In general, compensatory mitigation proposals should:</p> <ul style="list-style-type: none"> <li>• Compensate for wetland impacts with the same or higher category of wetland</li> <li>• Provide equal or greater area of wetlands through re-establishment or creation (i.e., <b>provide minimum 1:1 wetland area replacement</b>)” (emphasis added).</li> </ul>	<p>See response following page 13.</p>
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## **Response to Communication Matrix pages 12 & 13, items 1-7**

1. The Critical Areas Report has been revised and the Applicant is not proposing to reduce buffers.
2. Mitigation sequencing is addressed in the updated Critical Areas Report which has been submitted with the updated RUE application, and is shown in Exhibit 5 – Mitigation Sequencing, at the end of this document.
3. Capitol Land Trust and North Thurston Public Schools are in a growing partnership with the goal of having all 13 elementary schools (about 1,200 third grade students) visit Inspiring Kids Preserve for outdoor learning. This field experience is part of a district-wide initiative to provide every student, preK- 8th grade, with an outdoor learning experience. The school district would like to provide this third grade experience to all 1,200 students at Inspiring Kids Preserve as soon as possible, but is limited by bus entrance, exit, and parking. Currently, third graders from three schools have visited the preserve and had to be dropped off and picked up on Johnson Point Road at an existing entrance that is below the crest of a hill with a speed limit of 50 miles per hour. This presents a high public safety hazard. With the proposed development, the new entrance will meet county site distance safety standards, students will be able to safely offload and load the bus and the bus will be able to remain on site. Additionally, Capitol Land Trust has interviewed over 20 community organizations that have expressed a high level of interest in using the preserve for their outdoor programming should the planned development be implemented. Organizations include Olympia Mountaineers, Arbutus Folk School, Exceptional Families Network, Wa-Ya Outdoor School, Black Hills Audubon Society, Puget Sound Estuarium, and school groups for other school districts. Over 700 youth have visited the preserve during the last five years despite the pandemic and site limitations. However, this is only a fraction of the number of students who would visit the preserve if there was safe access and adequate parking. With adequate facilities, the average number of youth served per year is expected to increase by 900% or more per year.
4. Exhibit 6 - Hub Site Map, at the end of this document, shows where Tree Protection Fencing will be installed at the edge of the clearing/grading limits. More detailed maps showing the location of Tree Protection Fencing will be included in the Construction Documents when they are submitted.



## **Response to Communication Matrix pages 12 & 13, items 1-7 (CONTINUED FROM PREVIOUS PAGE)**

(Note: the Communication Matrix has two items shown as #5)

5. The revised Critical Areas Report provides mitigation for buffer impacts at a ration of 1:1.
5. A mitigation ratio of 8:1, which includes wildlife habitat and water quality functions, is proposed for direct wetland impacts. See revised Critical Areas Report, Section 7, starting on page 21.
6. Regulatorily required sight distance is a major limiting factor for siting the property entrance. There are existing entrances on the northern and southern ends of the property on Johnson Point Road that do not meet the county's site distance requirement, and they too are inside wetland buffers. CLT evaluated all entrance location alternatives that met the county's site distance requirement and found the entrance location proposed under this permit to have the least impact to wetlands – requiring 707 sq. ft. of wetland impact and 50,856 sq. ft. of wetland buffer impact.

The dimensions of the driveway and bus turn-around are the minimum that will accommodate the turning radius of a school bus, and, with the exception of the entrance directly off Johnson Point Road, the driveway is reduced to a single lane. With two school buses and cars carrying staff and chaperons, we expect the parking area will be fully utilized during each event. While creating impervious surfaces to accommodate school buses requires a large footprint, if students were transported by cars, the parking needs and associated wetland impacts would far exceed those of the proposed design.

The Americans with Disabilities Act (ADA) requires "...tread surface, including resting intervals and passing spaces, shall be both firm and stable." According to the advocacy group Disabled Hikers, only boardwalks, pavement and gravel are suitable surfaces for individuals using wheels or other mobility aids: <https://www.disabledhikers.com/2022/01/18/accessible-trail-surface-types>.


Wood chips or natural surfaces do not meet the ADA's definition of "both firm and stable." This is especially true in a rainy climate during the rainy season, which is when most school groups will be onsite. The project proposes using a gravel surface on the ADA-compliant trail as a means of mitigating the impact of paving the trail - which would require far more impact because of paving equipment access and the need to excavate the trail bed before paving. A gravel tread is the least impactful surface, proposed on only a single trail, that will allow a group historically marginalized from outdoor activities – the disabled community – an opportunity to visit the preserve and appreciate nature.

Finally, since first submitting this project for county review over two years ago, it has been scaled back to further minimize impacts to critical areas, buffers and wildlife habitat. Permanent restroom facilities, a water well and septic system have been removed from the project in favor of temporary port-o-potties; viewing platforms and the storage shed at the northern property entrance have also been removed. Now, all development and wetland impacts will be concentrated within the 1-acre Hub, with the exception of the ADA-compliant trail which only impacts wetland buffers. And all unavoidable wetland and buffer impacts will be mitigated as outlined in the Mitigation Plan of the updated Critical Areas Report which has been submitted with the updated RUE application.

**Response to Communication Matrix pages 12 & 13, items 1-7 (CONTINUED FROM PREVIOUS PAGE)**

7. We have applied for a JARPA through the Army Corps. As for the mitigation of the impacts to Wetland M, we have incorporated that into the updated Critical Areas Report (submitted with the updated RUE application.) Impacts to these wetlands are being mitigated by enhancing degraded wetlands in accordance with Ecology guidance and TCC.

**Communication Matrix**  
**Project #2020104385 Inspiring Kids**  
**Page 14 of 15**

	<p>We will also require compensation for indirect impacts to wetlands that would occur from buffer encroachment.</p> <p>Lizzie Carp  Wetland/Shoreland Specialist  WA Department of Ecology   Southwest Regional Office   Shorelands &amp; Environmental Assistance Program  (564) 200-4184   <a href="mailto:lcarr461@ecy.wa.gov">lcarr461@ecy.wa.gov</a></p> <p>March 30, 2022</p>	<p>See previous page for response.</p>
2) Cultural resource survey	<p>Hello Mr. Felsing,</p> <p>Thank you for contacting the Squaxin Island Tribe Cultural Resources Department regarding the above listed project for our review and comment. After reviewing the project, we have one comment/question, why did Caldera Archaeology terminate their shovel probes at their depths?</p>  <p>Shaun Dinubilo  Archaeologist  Cultural Resource Department  Squaxin Island Tribe  200 S.E. Billy Frank Jr. Way  Shelton, WA 98584  Office Phone: 360-432-3998  Cell Phone: 360-870-6324  Email: <a href="mailto:sdinubilo@squaxin.us">sdinubilo@squaxin.us</a></p>	<p>See following page for response.</p>



## Response to Communication Matrix page 14, item 2

From: Camille Mather <camille@calderaarchaeology.com>  
Sent: Wednesday, February 15, 2023 10:04 AM  
To: Laurence Reeves  
Subject: Re: Squaxin Island Tribe CRA question

Hi Laurence-

My apologies for the delay, I was out in the field. All shovel probes were excavated to hardpan glacial sediments, as discussed in the methodology on pg. 25; "The terminal depth of the probes is dependent upon the geologic conditions encountered during excavation; excavation typically continues until sediments that predate human occupation of the area are encountered. The wide-spread glacial till sediments deposited across the project area during the Vashon Stade of the Fraser Glaciation provide a suitable temporal marker for termination of excavation." The depths that the glacial sediments were encountered across the APE varied due to the amounts of surface disturbances, but a light yellowish brown to pale brown compact glacial stratum present at the base of the probes was excavated into, in most cases, at least two sterile levels (10 cm) into sediments that predate human occupation of the landform. Please let me know if you need additional information.

Thanks, Camille

Camille A. Mather, M.A.,  
RPA Principal Archaeologist  
Caldera Archaeology



## Communication Matrix

Project #2020104385 Inspiring Kids

Page 15 of 15

<b>PROJECT NAME:</b> Inspiring Kids Preserve - 4849 Johnson Point Rd NE <b>PROJECT NUMBER:</b> 2020104385 <b>CONTACT:</b> Mark Biever L.G., L.E.G. Mark.Biever@co.thurston.wa.us			
ITEM	REVISION / NOTE / COMMENT	DETAILS	APPLICANT RESPONSE:
1) Stormwater disposal and sanitary drainfield infiltration	Stormwater likely will not infiltrate ML silt soils and Glacial till	Stormwater disposal via infiltration is likely not feasible nor is septic drainfield infiltration due to ML silts overlying Glacial Till. The project outlines both of these as part of the proposed construction. Are there recommendations as to how these effluent sources will be accommodated?	The Stormwater Plan and Report prepared by KPFF has been submitted to and has been granted preliminary approved by Thurston County Public Works (11/24/2020 memo from Arthur Saint, PE). This Stormwater Plan and Report identifies Dispersion as a preferred and accepted stormwater treatment best management practice; Dispersion is the stormwater BMP deployed.
	Drainfield likely will not infiltrate in ML silt soils and Glacial till	I have reviewed the Geotechnical Engineering Services Technical Memorandum submitted for the proposed Inspiring Kids Preserve by Landau Associates Inc (Lance Levine, P.E. and Calvin McCaughan, P.E. July 28, 2020). The report is complete and covers all areas requiring geotechnical analysis with the exception of infiltration and disposal of stormwater and wastewater. The report indicates that both will be generated buildings, including a restroom. Infiltration or other means of s and wastewater disposal will be required.	The Applicant has withdrawn their request for an on-site septic system and drainfield opting to deploy an ADA compliant Sanican system instead. Wastewater from the Sanicans will be removed on a scheduled basis via a licensed and bonded pumper truck and disposed of to a licensed wastewater treatment provider such as LOTTT Cleanwater Alliance.
2) Flood Plain		The proposal will have no effect within the Special Flood Hazard Area. Tim Rubert, Thurston County Flood Plain Manager	No response required.

Thurston County Community Planning and Economic Development (CPED)

3000 Pacific Ave SE, Suite 100, Olympia, Washington 98502 (360) 786-5490/FAX (360) 754-2939

TDD (360) 754-2933 Website: [www.thurstoncountybdc.com](http://www.thurstoncountybdc.com)

## **Communication Matrix Response Exhibits Table of Contents**

**Exhibit 1 - Site Map. One page.**

**Exhibit 2 - Project Impacts and Proposed Mitigation. One page. From updated Critical Areas Report, submitted with RUE application**

**Exhibit 3 - Passive Recreation Criteria. Two pages. From updated Critical Areas Report, submitted with RUE application**

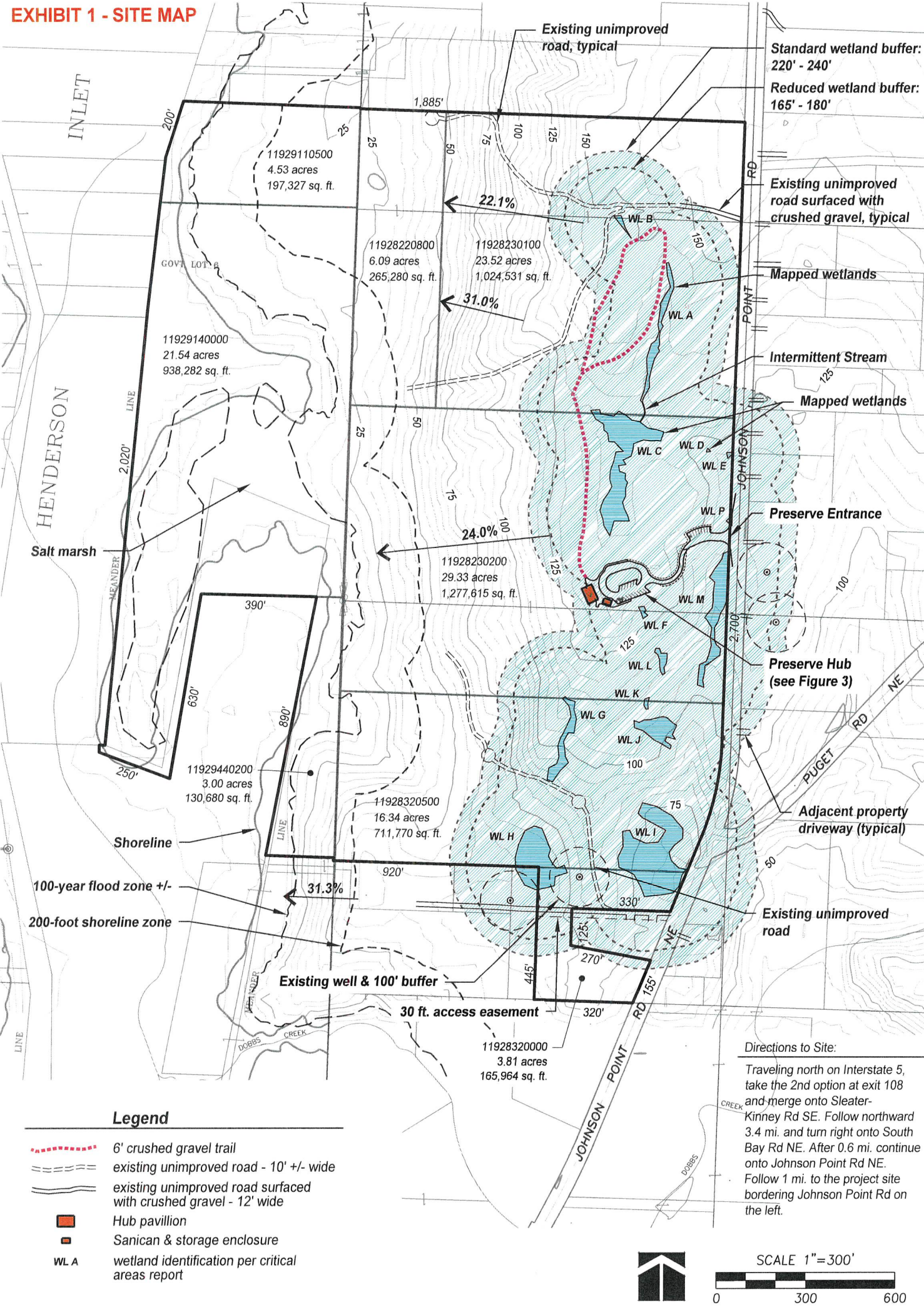
**Exhibit 4 - Summary of Project Impact Assessment. One page. From updated Critical Areas Report, submitted with RUE application**

**Exhibit 5 - Mitigation Sequencing. Two pages. From updated Critical Areas Report, submitted with RUE application**

**Exhibit 6 - Hub Site Map showing tree protection fencing. One page.**



EXHIBIT 1 - SITE MAP



# Inspiring Kids Preserve

## Capitol Land Trust

Robert W. Droll Landscape Architect, PS (360) 456-3813 April 6, 2023

THURSTON COUNTY  
RECEIVED  
OCT 09 2023  
BUILDING DEVELOPMENT CENTER

Exhibit 2 - Project impacts and proposed mitigation.

Impact	Mitigation	Mitigation Ratio
707 SF of permanent wetland impact	5,656 SF of wetland enhancement in Wetland I.	8:1 enhancement
38,998 SF of permanent buffer impact for driveway and parking lot	43,482 SF of wetland and buffer enhancement. Enhancement will occur in Wetland I and its buffer. Wetland I is both wetland and buffer for adjacent Wetlands H, J, and M.	1.11:1 enhancement
11,499 SF of permanent buffer impacts for ADU trail	11,499 SF of wetland and buffer enhancement. Enhancement will occur in Wetland I and its buffer. Wetland I is both wetland and buffer for adjacent Wetlands H, J, and M.	1:1 enhancement
17,256 SF of temporary buffer impact/buffer conversion	Restore 17,256 SF of temporary impacts with native pollinator mix; Enhance 9,310 SF of Wetland I buffer.	Restore temporary impacts in place. 0.54:1 enhancement for buffer conversion.



### Exhibit 3 - Passive Recreation Criteria

The project includes an 11,499-square-foot, six-foot-wide, crushed gravel, ADU-accessible trail. Given the existing wetland and buffer encumbrances, the entire trail will be located in wetland buffer. Trails and trail-related facilities may be allowed in wetland buffers under TCC

#### 24.30.260.A:

##### 1. Location

- a. *Trails and related facilities shall, to the extent feasible, be placed on existing levees, road grades, abandoned railroad lines, utility corridors, or other previously disturbed areas.*

There are no existing levees, abandoned railroad lines, utility corridors, or other previously disturbed areas on which the trail can be constructed.

- b. *When trails cannot be located outside of the wetland buffers or on existing disturbed corridors within the buffers, they shall be located as far from the wetland as possible, except for access points for wildlife viewing, fishing, and recreational use authorized pursuant to this chapter.*

The trail is located away from the wetland areas, except where necessary to avoid steeper grades, access the pavilion hub, and provide for the trail loop.

- c. *Trails and related facilities (e.g., viewing platforms and benches) allowed in wetland buffers shall be located, aligned and constructed to minimize disturbance to wetland functions, avoid the most sensitive and productive wildlife habitat (e.g., documented breeding, nesting, and rearing areas), and minimize removal of trees, shrubs, snags, and other significant wildlife habitat.*

Trail-related facilities (viewing decks, bird blinds, etc.,) have been removed from the revised plans.

- d. *Parking areas and other facilities associated with these trails, not specifically provided for in this section and Table 24.30-4, shall be located outside of the wetland and/or wetland buffer.*

The entire eastern half of the property is encumbered by wetlands and buffers. It is not feasible to construct the parking areas and other facilities outside the buffer areas.

2. *Stair Tower, Stairway, and Mechanical Lift. See Chapter 24.25 TCC, Fish and Wildlife Conservation Areas; and Chapter 24.15 TCC, Geologic Hazards and the Shoreline Master Program, as amended.*

There are no stairs or mechanical lift associated with the proposed trail.

### Exhibit 3 - Passive Recreation Criteria (CONTINUED)

3. *Protect Water Quality. Trails and related facilities shall incorporate measures (e.g., check dams or devices to induce sheet flow of stormwater runoff) as needed to assure that runoff from such trails/facilities does not create channels in the buffer or directly discharge to wetlands or streams.*

Grading of the site breaks up the runoff areas into multiple small areas to eliminate sizable, concentrated flow volumes, minimizing if not eliminating the possibility of erosion-causing volumes of stormwater. The Drainage Plan incorporates quarry spall splash pads and collects runoff into swales at culvert outfalls and areas where runoff cannot sheet flow off the impervious surface edge.

4. *Trail Width. The width of trails extending through a wetland buffer shall be minimized consistent with any applicable state or federal standards. Access paths extending through the wetland buffer to the water's edge shall be no more than three feet in width unless they are designated for public access and designed to accommodate handicapped persons. In that case, the trail and associated clearing shall be the minimum width that complies with the Americans with Disabilities Act (ADA). Clearing shall be done with hand tools unless the approval authority determines that the scale of the project necessitates mechanized equipment, and its use will not harm the wetland or buffer beyond the trail corridor.*

The proposed trail width is six feet. This is necessary to comply with ADA requirements.

5. *Impervious Surfaces. Trails shall not be paved unless they are specifically designed to be accessible by handicapped persons. Trails shall be designed for nonmotorized use, with the exception of motorized wheelchairs. The approval authority may allow regional trails on former road or railroad beds to be paved when they extend through wetland buffers. Where impervious surfaces are used, they shall be minimized consistent with applicable standards (e.g., ADA and Washington Department of Transportation standards.)*

The trail is not paved but is compact gravel, as necessary to provide ADA access. The trail is designed for pedestrian use only.

#### Exhibit 4. Summary of Project Impact Assessment

Critical Area Buffer Function	Existing Conditions	Proposed Conditions	Determination
<b>Water Quality</b>	The potential for project area current water quality function of the critical area buffers is limited by sparsely vegetated buffer areas.	Vegetative density to be substantially increased in critical area buffers through planting of native trees, shrubs, and groundcovers.	Increasing amount of dense, rigid vegetation to slow surface water flowing towards wetlands will help filter and capture nutrients and sediments that might otherwise enter the waterbody.
<b>Hydrology</b>	The current hydrologic function of the critical area buffers is limited by sparsely vegetated areas.	Vegetative density to be substantially increased in critical area buffers through planting of native trees, shrubs, and groundcovers.	The addition of trees, shrubs, groundcover plants will help attenuate flood flows during heavy rain events.
<b>Habitat</b>	The function of the wetland/stream buffer is limited by a lack of structural diversity, prevalence of non-native plant species.	Non-native plant species to be removed. Vegetative density to be substantially increased in wetland/stream buffer through planting of native trees, shrubs, and groundcovers.	Installation of a native plant community composed of trees, shrubs, and groundcovers will increase vegetative density and structural diversity, improving cover and forage opportunities for wildlife. Non-native plant species removed or significantly reduced.
<b>Overall</b>	Moderate to low functioning critical area buffers in the Project area. Existing vegetated areas have significant amounts non-native plant species and are characterized by relatively open or sparsely vegetated areas.	Removal of non-native plant species structures. Planting of trees, shrubs, and groundcovers in existing vegetated wetland/stream buffer areas.	The proposed Project is expected to improve ecological functions over existing conditions. This includes habitat, hydrology, and water quality functions of the critical area buffers. Overall, no net loss of functions is expected.

## Exhibit 5 - Mitigation Sequencing

This section describes relevant avoidance, minimization, and mitigation sequencing in accordance with TCC 24.35.014:

*A. Avoiding the impact altogether by not taking a certain action or parts of an action;*

The project has been designed to avoid direct wetland impacts to the greatest extent feasible by selecting an entrance location between two wetland units. By selecting the proposed access drive location, the project avoids bisecting a wetland, which could potentially lead to unanticipated hydrology impacts that might dewater wetland areas away from the proposed crossing. Buffer impacts have been avoided to the extent feasible by eliminating certain project elements that were previously proposed. These include removal of the proposed well, septic field, bird blind, viewing platforms, and the shed at the northern entrance. However, given the extent of wetland and buffer encumbrance on the property, sight line limitations, and topography, it is not feasible to avoid all wetland and buffer impacts.

*B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;*

The location chosen for the access drive minimizes wetland impacts by crossing between two wetlands. Due to the required grading activities, direct wetland impacts are unavoidable. The proposed impacts will occur to a small, isolated Category IV wetland, Wetland P, and a small portion of Wetland M (See Exhibit 1 for wetland locations). There is no other feasible location for the access that could avoid wetland impacts while achieving the necessary dimensions and sight lines required for ingress/egress of buses. The chosen location avoids bisecting Wetland M, which could otherwise lead to unanticipated hydrology impacts. Buffer impacts have been minimized by removing the proposed well, septic field, bird blind, viewing platforms, and the shed at the northern entrance.

*C. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;*

Project grading activities will result in permanent and temporary wetland buffer impacts. All temporary buffer impacts will be restored in place, thus repairing and rehabilitating much of the project impacts. Additional compensatory mitigation for conversion of the buffer from forest and shrub communities to an herbaceous community through additional buffer enhancement at a ratio of 0.54:1. All permanent impacts will be mitigated through wetland/buffer enhancement.

*D. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;*

Areas where temporary impacts will be restored shall be monitored for ten years to ensure successful establishment of the restoration plantings. Beyond the immediate project area, the site is a nature preserve that will be preserved in perpetuity. Future restoration of degraded habitats is likely to occur over time, although they are not part of the current proposal.



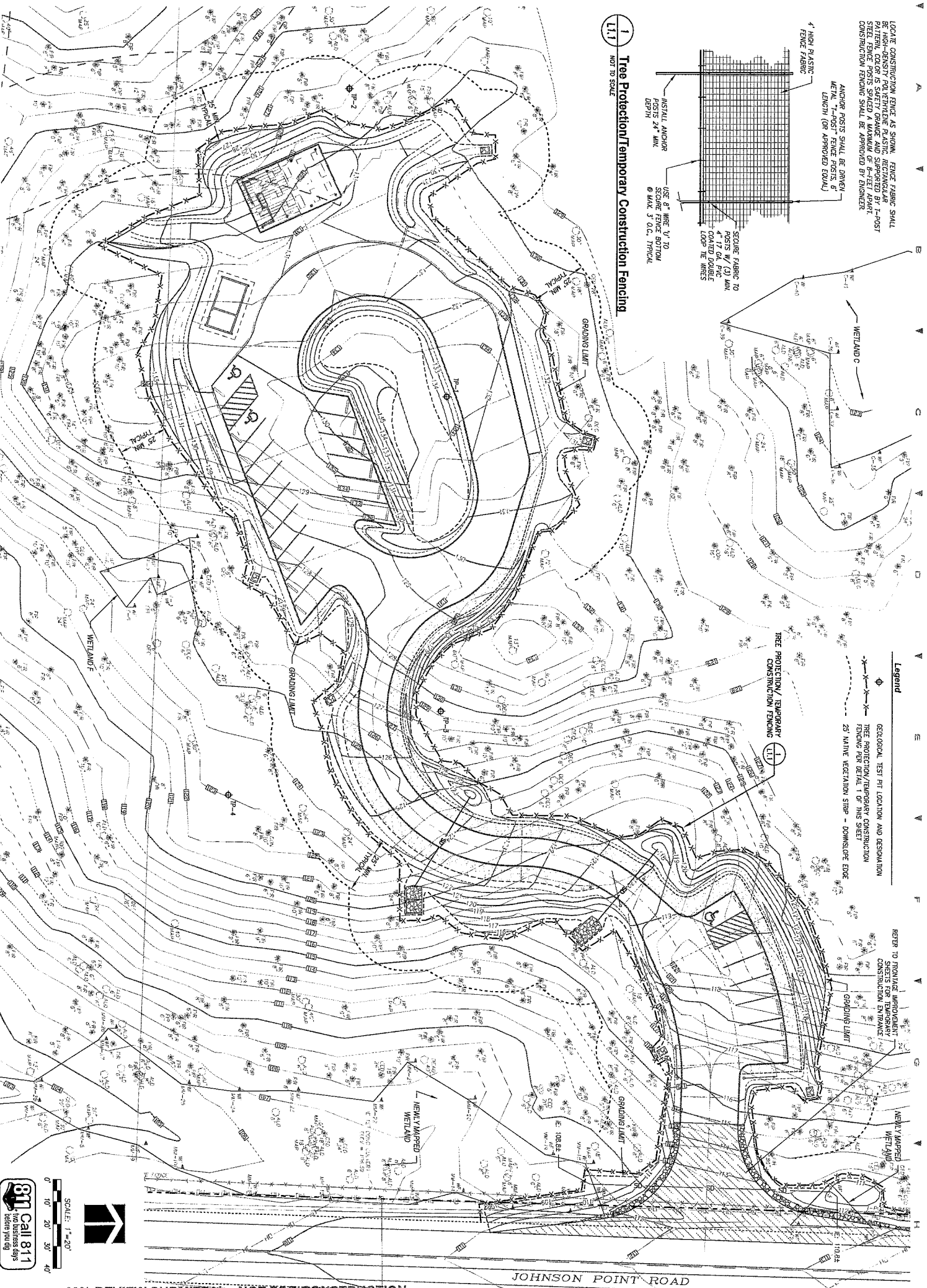
## **Exhibit 5 - Mitigation Sequencing (CONTINUED)**

### *E. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments;*

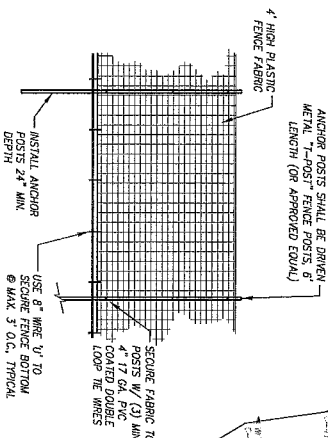
All unavoidable wetland and buffer impacts will be mitigated through enhancement of degraded wetland and buffer areas elsewhere on site, including Wetlands G and I and their associated buffers. Impacts to Wetlands M and P will be mitigated through enhancement of degraded wetland areas at a ratio of 8:1, in accordance with the requirements of TCC 24.30.080. Permanent impacts to buffer areas will be mitigated at a minimum ratio of 1:1. Per the recommendations in the Ecology Mitigation Guidance, conversion of a forested or shrub community to an herbaceous community should be mitigated at one-half the standard mitigation ratios. Therefore, the temporary buffer impacts along the proposed roadway will be restored with a native pollinator mix and additional compensatory mitigation will be provided as buffer enhancement at a ratio of 0.54:1.

### *F. Monitoring the impact and taking appropriate corrective measures.*

Compensatory mitigation areas will be monitored for ten years or until performance standards are satisfied. The proposed mitigation plan includes a ten-year monitoring and maintenance plan and a contingency plan.



1  
L1.1  
Tree Protection/Temporary Construction Fencing  
NOT TO SCALE



LOCATE CONSTRUCTION FENCE AS SHOWN. FENCE FABRIC SHALL BE 4\"/>

Legend  
-X-X-X- GEOLOGICAL TEST PIT LOCATION AND DESIGNATION  
-X-X-X- TREE PROTECTION/TEMPORARY CONSTRUCTION FENCING PER DETAIL 1 OF THIS SHEET  
--- 25' NATIVE VEGETATION STRIP - DOWNSLOPE EDGE

REFER TO FRONTING ADJACENT SITES FOR TEMPORARY CONSTRUCTION ENTRANCE

SCALE: 1"=20'  
0' 10' 20' 30' 40'  
811 Call 811  
Two business days  
before you dig

60% REVIEW SUBMITTAL - NOT FOR CONSTRUCTION

EXHIBIT 6  
Hub Site Map  
Inspiring Kids  
Preserve

RECEIVED  
OCT 10 2023  
Capitol Land Trust/Eddy, WA

Robert W. Drail  
Landscape Architect, P.E.

4402 7th Avenue SE, Ste. 303  
Everett, WA 98203  
TEL: 425.339.4343-4343  
E-MAIL: bob@rwdraill.com  
Landscape Architecture  
Affiliate: Eddy Group  
Urban Design  
and Planning  
Project Management

PROJECT NO. 18054  
DRAWING  
DESIGNED BY BD, PM  
DRAWN BY PVL  
CHECKED BY BD  
REVISION  
DATE CHANGE  
DATE MAY 25, 2023

TESC Plan  
L1.1  
Sheet \_\_\_ of \_\_\_

