SCIENCE & DESIGN

ATTACHMENT 7 SHR19-00096



March 30, 2018

Christian Geitz City of Kirkland Planning Department 123 5<sup>th</sup> Avenue Kirkland, WA 98033

#### Re: Juanita Beach Park Phase II Improvements Project Review

The Watershed Company Reference Number: 140622.56

Dear Christian:

This memorandum summarizes my review of the consistency of the Juanita Beach Park Phase II Improvements Project proposal with Critical Areas regulations under Chapter 83- Shoreline Management of the Kirkland Zoning Code (KZC). The City of Kirkland Parks Department (Applicant) proposes several improvements to Juanita Beach Park, including a new bathhouse with concessions and utility/storage spaces, relocated playground, and pavilion (picnic shelter). Stated project objectives are described as follows:

- Improve Site Functionality: This is described in relation to the active recreational uses in the two lawn wetlands (Wetlands C and D) and the location of the playground relative to the water.
- Improve Safety: This is described in relation to views for law enforcement and the installation of a lifeguard station.
- Provide Shade Trees: This is in specific reference to one weeping willow near Wetland D.

These objectives are summarized in the compliance analysis as, "maximizing the function of usable public access and public, water-oriented recreation space." While these objectives express the desires of the Applicant, they do not identify any minimum thresholds to meeting public demand for use of the park. It would be helpful for the Applicant to substantiate the need for improved configuration for police enforcement by documenting police records of criminal activity noted in Juanita Beach Park under the current park site configuration or other supporting documentation.

Proposed Phase II Juanita Beach Park improvements will impact wetlands and wetland and stream buffers. Wetland mitigation is proposed at the north end of Juanita Bay Park.

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The Applicant is requesting a shoreline variance to implement the proposed improvements. The variance request applies to relief from several critical area standards. The project is reviewed as a whole for compliance with critical area standards and intent.

# Wetland and Stream Determination, Delineation, Rating, Buffers, and Setbacks

Shannon and Wilson delineated streams and wetlands in January 2016. Ryan Kahlo, PWS, of The Watershed Company reviewed and generally concurred with the delineation and rating of the wetlands and the delineation and characterization of Juanita Creek. Applicable wetland and stream buffers, setbacks, and mitigation ratios, as well as past mitigation for "Paper fill" of Wetland C (previously named Wetland E), and a characterization of sensitive areas and their buffers are described in *The Final Wetland /Stream Delineation Report and Mitigation Plan*.

#### **Mitigation Sequencing**

Section 83.490 KZC describes mitigation sequencing guidelines. The Applicant's approach to mitigation sequencing criteria is described on Pages 19 through 22 of *The Final Wetland /Stream Delineation Report and Mitigation Plan* (Shannon and Wilson 2017).

I have the following concerns about avoidance and minimization elements of mitigation sequencing applied to the proposed project.

#### Avoidance-

It is clear that complete avoidance of critical areas and buffers is not compatible with the City's objectives. Yet, as indicated in the three alternatives included with the decisional criteria, some extent of avoidance of critical areas is possible.

From a City permitting perspective, Wetland C was theoretically eliminated and compensated in the past. Nevertheless, wetland functions (albeit degraded) have persisted while allowing public recreational uses to occur. Wetland D was not present prior to modifications associated with Phase I, including the concrete pedestrian walkways, which likely limit natural drainage of the area. Both of these wetlands lie within the center of an active use park area. The complete avoidance of these wetlands by recreational users is not feasible, and the restoration and application of functional buffers to these wetlands, which would accompany site redevelopment would preclude all active uses. While complete avoidance and protection of these wetlands is not feasible, it is not clear whether the retention of these two wetlands in their current degraded state may be feasible while still accommodating recreational uses, which occur predominantly in drier summer months, as occurs under the current condition.

Juanita Beach Park Phase II Improvements Review Christian Geitz, City of Kirkland Planning March30, 2018 Page 3

With regard to the proposed bathhouse location and orientation, The Final Wetland /Stream Delineation Report and Mitigation Plan (Shannon and Wilson 2017) describes how avoidance of wetland and stream buffers is not desirable. It is understandable that the lifeguard stand would necessarily be in close proximity to the water, and that would result in unavoidable impacts to buffers, and possibly Wetland D. Other avoidance arguments relate to concerns about potential views from adjacent properties, and the desire to have concessions near the lake. The Applicant should provide an analysis of views to substantiate the effects on other properties, with additional consideration to KZC 83.410.3.b, which indicates that shoreline view corridor requirements do not apply to public parks. With respect to concessions, the Applicant's argument seems to express a desire rather than unavoidable project needs. The alternatives presented in the compliance analysis memorandum (Shannon and Willson 2017) suggest that avoidance of buffer areas within the provisions of Chapter 83 is feasible, but not desirable. The argument that staff, elected officials, and citizens valued the benefits of the project objectives over the preservation of critical areas does not affect the interpretation of the City's critical area standards.

It is recognized that the reuse of playground equipment requires a specific footprint; however, the case that the playground must be in close proximity of the water for safety purposes is unconvincing. As noted above, alternative locations may not be desirable, but they appear to be feasible, while still supporting the planned use.

It is recognized that the location of accessory facilities, such as walkways and stormwater facilities will necessarily follow the location of proposed structures.

It is further recognized that temporary impacts associated with the new sewer connection are unavoidable.

The Applicant should reevaluate avoidance criteria to ensure that critical areas and their buffers are avoided to the maximum extent feasible.

#### Minimization

*The Final Wetland /Stream Delineation Report and Mitigation Plan* (Shannon and Wilson 2017) asserts that impacts to wetlands and streams have been minimized by restricting impacts to existing lawn areas and beach. As described above, more detail is needed on how the extent of impacts to wetlands and wetland buffers have been minimized to the maximum degree feasible. The Applicant should clearly document the effects of limited views for law enforcement, and the potential impacts to views of adjacent properties if those are critical factors shaping project design. For example, the existing bathhouse structure is approximately 120 feet wide and blocks views from the parking lot over that area. Documentation of past problems arising from the existing condition would help demonstrate need. In addition to supporting the specific position of the bathhouse

within the wetland buffer, the Applicant should address factors such as lighting, noise, low impact development, construction techniques to minimize short-term impacts, water quality, and measures to minimize disturbance of remaining and restored buffers, such as fencing, as required per 83.500.5.

#### **Project Impacts**

Proposed impact areas to wetlands and critical area buffers are enumerated in Figure 7 of *The Final Wetland /Stream Delineation Report and Mitigation Plan*. Impact areas include mown lawn, beach, a children's play area, and picnic facilities.

On pages 9 and 10 of *The Final Wetland /Stream Delineation Report and Mitigation Plan* (Shannon and Wilson 2017), Wetland C and D are described as having moderate to low water quality functions, moderate hydrologic functions, and moderate habitat functions. On page 22 of the same document, the wetlands are described as having "extremely limited hydrologic, water quality, and habitat function." This discrepancy should be resolved, and the specific impacts of filling Wetlands C and D warrants further discussion.

The discussion of wetland buffer impacts focuses on the limited function of the lawn condition. This discussion should also describe how the proposed project will impact buffer functions and associated measures to limit such impacts, particularly given the increasing focus of recreational usage in close proximity to the wetland and stream that would be expected to accompany the bathhouse relocation. Particular attention should be given to fish and wildlife habitat and the permanency of the bathhouse relative to existing facilities within the buffer.

#### **Compensatory Buffer Mitigation**

The project plans should include buffer enhancement and wetland mitigation planting plans. Presently, those plans are only found in the *The Final Wetland /Stream Delineation Report and Mitigation Plan* (Shannon and Wilson 2017). Additionally, the native planting plan plant schedule for the area within the stream buffer adjacent to the proposed bathhouse differs between the proposed plans and *The Final Wetland /Stream Delineation Report and Mitigation Plan* (Shannon and Wilson 2017). These plant schedules should align, and they should only include plant species native to the lowlands of Western Washington (i.e., no cultivars and no arctic willow). Finally, planting typicals and quantities are needed for the Native Plant Mix Planting Zone and the Woodland Area Native Mix.

The proposed buffer enhancement west of the volleyball courts appears to compensate for the area of permanent buffer impact depicted in Figure 7 of *The Final Wetland /Stream Delineation Report and Mitigation Plan* (Shannon and Wilson 2017) at a 1:1 ratio. However,

Juanita Beach Park Phase II Improvements Review Christian Geitz, City of Kirkland Planning March30, 2018 Page 5

all areas to the east of the proposed structure should also be considered permanent buffer impacts, since these areas will be functionally isolated from the wetland by the new structure. Proposed planting within the reduced buffer should help to improve wetland and stream buffer functions somewhat; however, additional activity could also be expected to become focused within the buffer as a result of the proposed bathhouse location. Recognizing that a fully functional buffer due west of the proposed bathhouse location may restrict recreational uses adjacent to the lakeshore, we would suggest that the Applicant consider additional buffer enhancement along the stream and wetland to the north of the proposed bathhouse location in order to ensure no net loss of functions. This area north of the proposed bathhouse and west of the parking lot does not appear to be used for significant active recreation. Its current use appears limited to storage of materials (wood chips) and it is already partially fenced.

In addition, "Buffer reductions of more than 25 percent approved through a shoreline variance will be assumed to have direct wetland impacts that must be compensated for as described in subsection (8) of this section." (KZC 83.500.9.d.1.b). In its Compliance Analysis Memorandum, Shannon and Wilson (2017) states, "At this site, the proposed buffer reduction will not harm Wetland A; the 'reduction' is essentially only on paper and is regulatory only, and not an actual reduction in function." Regardless of the condition of the existing buffer, the placement of a permanent structure within the buffer will preclude all future establishment of buffer functions, either naturally or through enhancement or restoration. In addition, the structure will be a central facility in the park, attracting more pedestrian traffic and use within close proximity of the stream and wetlands. The code standard in KZC 83.500.9.d.1.b should apply to portions of the proposed structure closer to the stream/wetland than the outer 25 percent of the buffer.

The species and densities of buffer planting appear to be generally appropriate. In addition to split-rail fencing, critical areas signs should also be specified and noted in the plans. Given the proposed proximity of the active-use bathhouse to Juanita Creek and Wetland A, a split rail fence should be installed to demarcate the edge of the functional buffer and control access from active park users and pets.

#### **Compensatory Wetland Mitigation**

In addition to the assumed direct wetland impacts from reducing the buffer below 25 percent, the Applicant proposes 8,180 square feet of direct wetland impact resulting from the proposed fill of Wetlands C and D. Previous mitigation for paper fill of Wetland C included 5,895 square feet of creation and 2,984 square feet of rehabilitation. In theory, those combine to arrive at a wetland creation figure of 7,368 square feet. The Applicant reasons that the fill of the Category III wetland should be credited at an advance mitigation ratio of 1:1, leaving 811 square feet of fill requiring mitigation. Typically, advance mitigation ratios apply so long as the mitigation project is

Juanita Beach Park Phase II Improvements Review Christian Geitz, City of Kirkland Planning March30, 2018 Page 6

maintained to meet performance standards. The Applicant notes that the past mitigation has been successful; however, as described in recent monitoring reports, there are several significant maintenance concerns with the past mitigation that need to be addressed (primarily related to invasive species control). Until these concerns are addressed, it is not appropriate for the past mitigation to be fully credited for advance mitigation. My understanding is that maintenance has not been conducted in large part because maintenance was not funded in association with the previous mitigation. In order for the project to claim advance mitigation credit, it should fund required maintenance of the past mitigation area. In addition, maintenance of the proposed buffer and wetland mitigation sites should be funded through the capital budget associated with the proposed park improvements.

KZC 83.500.9.c provides standards for establishing a new wetland buffer around compensatory mitigation sites. The Applicant notes that the proposed wetland enhancement area cannot be increased to the 125-foot required standard for Category II wetlands because of the close proximity of existing development (roads and other infrastructure) and private properties. As discussed above, the wetland enhancement area will need to be expanded beyond what is presently proposed. The restoration/enhancement of adjacent buffer should be incorporated to the maximum extent practical in the revised mitigation plan.

The mitigation plan should include goals and objectives. Proposed densities of trees and shrubs in the wetland mitigation area are generally appropriate. The density of willow stakes should be increased to a maximum spacing of 3 feet on-center to account for lower overall survival of stakes.

#### Summary of Decisional Criteria

Decisional criteria for wetland and wetland and stream buffer modifications are summarized together below.

#### Wetland (KZC 83.500.7.c, KZC 83.500.9.d.2) and Stream (83.510.7.d)

- 1. The project demonstrates consideration and implementation of appropriate mitigation sequencing as outlined in KZC 83.490(2)
  - The description of mitigation sequencing in insufficient, particularly with regard for justification for the filling of Wetlands C and D, the avoidance of the inner buffer area of Wetland A and Juanita Creek, and the minimization measures to protect remaining wetland and stream buffer functions.

2. It is consistent with Kirkland's Streams, Wetlands and Wildlife Study (The Watershed Company, 1998) and the Kirkland Sensitive Areas

Regulatory Recommendations Report (Adolfson Associates, Inc., 1998) or the Shoreline Restoration Plan (The Watershed Company, 2010);

- Although the proposal does not directly support projects identified in the above documents, the proposal is not inconsistent with the above documents.
- 3. It will not adversely affect water quality;
  - The project includes measures to protect water quality during construction. Avoidance and minimization measures should address measures to direct concentrated recreational use away from the buffer area, such as fencing.
- 4. It will not adversely affect fish, wildlife, or their habitat;
  - The proposal will focus recreational use within the stream buffer. Additional measures to offset the increase in recreational use within the stream buffer should be incorporated, such as measures to manage light, noise, or recreational activity within the buffer area.

5. It will not have an adverse effect on drainage and/or storm water detention capabilities;

• The proposal addresses drainage and stormwater measures, and it is recognized that drainage infrastructure will necessarily accompany new infrastructure features. The City's stormwater engineering staff should review compliance with this consideration.

6. It will not lead to unstable earth conditions or create an erosion hazard or contribute to scouring actions;

• The proposal is not expected to contribute to a stream erosion hazard.

7. It will not be materially detrimental to any other property or the City as a whole;

• The proposal would benefit public recreation. If views from adjacent properties were factored into the design, a more robust analysis of view corridors is needed to evaluate impacts.

8. Compensatory mitigation is provided in accordance with table in subsection (8) of this section

 Compensatory mitigation as proposed is insufficient to mitigate for impacts resulting from the filling of Wetland D and the permanent impacts closer than the outer 25 percent of the buffer area.

9. Fill material does not contain organic or inorganic material that would be detrimental to water quality or to fish, wildlife, or their habitat;

 All fill materials will meet standard specifications, be clean, and be stored and applied per plans to avoid adverse impacts.

10. All exposed areas are stabilized with vegetation normally associated with native wetlands and/or buffers, as appropriate; and

 The applicant proposes to replace several exposed areas within the reduced buffer with lawn grasses. Additional mitigation should be incorporated into the plans to support buffer functions.

11. There is no practicable or feasible alternative development proposal that results in less impact to the buffer.

• See #1 above.

# Shoreline Variance for Wetland Modification or Wetland Buffer Modification (KZC 83.500.12) and Stream Buffer Modification (KZC 83.510.8)

1. No other permitted type of land use for the property with less impact on the sensitive area and associated buffer is feasible

- See #1 above
- 2. The proposal has the minimum area of disturbance
  - It appears that the area of proposed disturbance within critical area buffers could be reduced by shifting the location of proposed structures. The proposed alignment represents the most desirable layout from a park-use perspective, but it does not present any significant compromise to minimize or avoid critical area buffers.

3. The proposal maximizes the amount of existing tree canopy that is retained

 The proposal does maintain the one tree that is present within the wetland buffer area. Despite recognition of the recreational value of shade trees, no additional trees are proposed within the wetland or stream buffer in the vicinity of the bathhouse.

4. The proposal utilizes to the maximum extent feasible innovative construction, design, and development techniques, including pervious surfaces, that minimize to the greatest extent feasible net loss of sensitive area functions and values

 The proposal integrates a vegetated drainage swale, which provides both water quality and some habitat functions, as well as a means to disperse stormwater from the proposed structure. Other measures to manage light, noise, or recreational activity within the buffer area should be incorporated into the design.

5. The proposed development does not pose an unacceptable threat to the public health, safety, or welfare on or off the property

• The proposed development does not pose any unacceptable threat to the public.

6. The proposal meets the mitigation, maintenance, and monitoring requirements of this chapter

- Impact areas that extend beyond the outer 25 percent of the buffer shall be treated as wetland impact and mitigated accordingly.
- The calculations of the application of past mitigation for paper fill assume full credit for past mitigation despite significant maintenance concerns with past mitigation progress. Until maintenance concerns relating to the past mitigation are addressed, additional mitigation is needed to offset the impacts of filling Wetland D. The proposed project should fund the maintenance needed for the existing mitigation areas, and maintenance of the proposed buffer and wetland mitigation sites should be funded through the capital budget associated with the proposed park improvements.

7. The granting of the shoreline variance will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures under similar circumstances

 Mitigation sequencing and mitigation need to be reevaluated and revised by the Applicant to ensure that the proposed project avoids, minimizes, and mitigates impacts to the maximum extent feasible. The proposal, as currently received, includes several measures that result in impacts which may not be strictly unavoidable. In addition, the mitigation proposed for impacts from wetland fill does not meet established mitigation ratios. The proposal requires significant revision to meet the decisional criteria of a shoreline variance for impacts to wetlands and streams. Please call if you have any questions or if we can provide you with any additional information.

Sincerely,

Seul Sandstrom

Sarah Sandstrom Senior Fisheries Biologist, CFP, PWS

From:	Sarah Sandstrom <ssandstrom@watershedco.com></ssandstrom@watershedco.com>
Sent:	Friday, April 20, 2018 3:47 PM
To:	Christian Geitz
Subject:	Juanita Beach Park Review
Follow Up Flag:	Follow up
Flag Status:	Completed

Hi Christian,

Thank you for providing the Applicant's consultant responses to the Juanita Beach Park Phase II Development comments. They helped clarify and address several of the issues that I raised. After reviewing the responses, and I have the following primary concerns. I understand that you are going to address issues relating to avoidance and minimization.

Buffer usage- My earlier comments recognized that a fully functional buffer between the building and the wetland/stream may not be feasible or consistent with the Park's recreational uses; however, I recommended additional buffer enhancement along the stream and wetland to the north of the proposed bathhouse location in order to ensure no net loss of functions. In light of the responses, this enhancement still seems appropriate in order to account for the continued use of the buffer area rather than the standard requirement to permanently fence and preclude activity within the buffer area.

Buffer Reductions of more than 25%- Response 20 does not describe the justification for the variance from KZC 83.500.9.d.1.b (wetland buffer impacts closer than the outer 25 percent of the buffer are considered wetland impacts and require mitigation as such). Such a variance should only be considered if strict adherence to the code is not feasible. In this case, it seems that additional wetland mitigation could be accommodated at the proposed wetland mitigation site. This was not addressed in the responses.

Maintenance of Existing Mitigation Area- The response document pointed to several volunteer efforts to support the maintenance of the existing mitigation areas. While these volunteer efforts are laudable, a consistent and dedicated effort is necessary to course-correct the existing mitigation. I am concerned that the response document did not identify planned or adequately funded maintenance by Parks staff to address the existing maintenance concerns. Without a funded maintenance commitment from Parks, I would recommend against granting the use of advance mitigation ratios.

Please let me know if you have any questions or would like to discuss any of these issues further.

Thanks, Sarah

SARAH SANDSTROM Senior Fisheries Biologist



(425) 822-5242 x209 watershedco.com

## **MEMORANDUM**

TO:	Anneke Davis, City of Kirkland Public Works Department
FROM:	Amy Summe
DATE:	June 13, 2018
RE:	RESPONSE TO HEARING EXAMINER REQUEST REGARDING JUANITA BEACH PARK HISTORY IN CONTEXT OF THE JUANITA BEACH PARK MASTER PLAN

During the May 30, 2018, public hearing, the Hearing Examiner was interesting in understanding the development of the site over time with respect to the Juanita Beach Park Master Plan. In partial response to that question, I have assembled the enclosed series of annotated aerial photographs provided by either the City of Kirkland or downloaded from Google Earth. The series of seven photographs starts in 2002, prior to development of the Juanita Beach Park Master Plan, and ends in 2017. Points of interest are noted on each of the photographs, and outlined below.

2002 Photo: In 2002, the City acquired Juanita Beach Park from King County and approved an ordinance that allowed for development, review, and approval of park master plans. The photo shows the park at the time of acquisition. The County's parks maintenance shop is visible at the north end of the park, just east of Juanita Creek. A picnic shelter is also present on the west side of Juanita Creek near the pedestrian stream crossing.

2004: Juanita Beach Park Master Plan development is initiated.

2005 Photo: The existing playground was expanded towards Juanita Creek.

2006: Juanita Beach Park Master Plan adopted.

2007 Photo: King County's maintenance shop has been removed from the site.

2009: City approves implementation of Phase I of the Juanita Beach Park Master Plan.

2012 Photo: Implementation of Phase I of the Juanita Beach Park Master Plan is nearly complete in this photo, with all elements of the site improvement clearly visible: construction of oxbow marsh restoration complex, the concrete promenade, amphitheater, and green stormwater facilities, as well as enhancement of Wetland E and the shoreline.

2014 and 2015 Photos: These photos show the development over time of lawn area upland of the concrete promenade at the west end of the site. New picnic benches are also added.

2017 Photo: This recent photo shows the maturation of the Phase I restoration and enhancements.

AJS/ajs

Enc: Aerial Photograph Series





### November 2007 (Phase 0 of Master Plan, removal of King County maintenance building)





2014



2015





### 2017 (Phase I complete and matured)

#### RESOLUTION R-4570

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND ADOPTING A MASTER PLAN FOR JUANITA BEACH PARK.

WHEREAS, the City of Kirkland is interested in creating a diverse system of parks, recreational facilities, and open spaces that is attractive, safe, functional, and available to all segments of the population; and

WHEREAS, the City Council passed Ordinance 3852 on August 6, 2002 which in part provides for the review and approval of park master plans; and

WHEREAS, the Park Board and Department of Parks and Community Services organized and completed an extensive planning process to create a vision for the future of Juanita Beach Park, involving important stakeholders and interested citizens; and

WHEREAS, the Department of Parks and Community Services has completed the Juanita Beach Park Master Plan; and

WHEREAS, pursuant to public notice, the Park Board on October 18, 2005 conducted a public hearing for the purposes of soliciting public comment on the Juanita Beach Park Master Plan; and

WHEREAS, the City Council has received from the Park Board a written report and recommendation on a proposed Juanita Beach Park Master Plan; and

WHEREAS, in regular public meeting the City Council considered the written report and recommendation of the Park Board.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Kirkland adopts the Juanita Beach Park Master Plan recommended by the Park Board and set forth in Exhibit A to this Resolution.

PASSED by majority vote of the Kirkland City Council on the 16th day of May, 2006.

SIGNED in authentication thereof on the 16th day of May, 2006.

Turn Klun Mayor

ATTEST:

) (Anderso

From:	Karen Walter <kwalter@muckleshoot.nsn.us></kwalter@muckleshoot.nsn.us>
Sent:	Monday, April 1, 2019 10:11 AM
То:	Christian Geitz
Subject:	RE: Juanita Beach Bathhouse Replacement Response- MITFD follow-up comments
Attachments:	Kirkland's Goat Hill Storm Drainage project

Christian,

Thank you again for the continued coordination and responses for this project. We inquired about the Jan 2019 mitigation plan. Is this merely the updated project drawings on the City's website or was the 2017 mitigation plan actually updated?

For the buffer contingency plan comments, there is a table in the Year-6 monitoring report that denotes the tree/plant species and quantities available. We'd like to know if the contingency plan was implemented (scheduled for Jan –March 2018) and "as-built" figures to show where these planted areas are.

With respect to the Goat Hill project, please see the attached emails.

Please accept this email as continued comments on this project.

Best regards, Karen Walter Watersheds and Land Use Team Leader

Muckleshoot Indian Tribe Fisheries Division Habitat Program 39015-A 172<sup>nd</sup> Ave SE Auburn, WA 98092 253-876-3116 From: Karen Walter <<u>KWalter@muckleshoot.nsn.us</u>> Sent: Wednesday, March 27, 2019 5:49 PM To: Christian Geitz <<u>CGeitz@kirklandwa.gov</u>>

Subject: RE: Juanita Beach Bathhouse Replacement Response- MITFD follow-up comments

#### Christian,

Upon closer review of your email and its purpose, the responses need to be modified in a couple of ways. First, they should be on letter head or some form to show they are from the City of Kirkland. Second, they should be sent to the Corps Project Manager with a cc to me, or the other way around. Both are fine as long as we both get them at the same time.

Are there updated project drawings to support the responses such as no impacts to previous mitigation areas?

Where is the Jan 2019 mitigation report?

We would like to see a detailed buffer contingency plan for those buffer mitigation areas that are not meeting the buffer performance standards.

Please note that we have asked Corps regulatory staff involved with compliance work to revisit the Goat Hill drainage project as we are still concerned that new stormwater discharged to the oxbow wetland and stream channel will reduce its mitigation benefits for salmon, including non-natal juvenile Chinook listed under the Endangered Species Act.

We will likely have further comments once we have received additional project information that reflects the new project.

Thank you! Karen Walter Watersheds and Land Use Team Leader

Muckleshoot Indian Tribe Fisheries Division Habitat Program 39015-A 172<sup>nd</sup> Ave SE Auburn, WA 98092 253-876-3116

From:	Susan Davis <susandavis@live.com></susandavis@live.com>
Sent:	Wednesday, March 13, 2019 12:28 PM
То:	Christian Geitz
Subject:	RE: JUANITA BEACH BATHHOUSE REPLACEMENT 2019, CASE NO. SHR19-00096

I am against any encroachment into the wetland for the design. There is plenty of space in the park to avoid the encroachment into wetland. Just because it is part of a 13 yr old master plan means nothing esp if the plan was not taking into consideration environmental impacts of our shore and wetlands. It is poor planning on the city's account to make a plan that is not environmental and just because the city would like to make the resident's think we need a securer and safer park. What safety issues have been actually logged at this site? Using fear to make a design go thru is really lame. I visit this park often and have never had sacety issues besides finding dog poop, glass and needles on the beach. Susan

From:	dwarren12 <dwarren12@frontier.com></dwarren12@frontier.com>
Sent:	Monday, April 1, 2019 3:15 PM
То:	Christian Geitz
Subject:	Permit number SHR19-00096 - Juanita Beach Bathhouse Replacement 2019

As long time residents of Finn Hill and more recently a close neighbor of Juanita Beach, we have always enjoyed visiting Juanita Beach Park and have benefited from the improvements made over the years by the City of Kirkland. Having acknowledged that, we would like to register our concerns about the most recent plans for changing the layout of the park as well as the design and placement of a new bathhouse.

Our primary concern is the height of the proposed new bathhouse. The peek roof design is certainly beautiful and we could see it as being appropriate in the mountains or other area with lots of open space but not for this wonderful and well loved beach which is surrounded by other buildings, businesses and busy streets. We have observed that many of the newer buildings being built in the Kirkland area for some time all seem to have a flat roof which we assume is to allow for maximum views and to keep building costs down, both of which would be beneficial in this situation. We are requesting the City of Kirkland restrict the building of any structure in this park, including the bathhouse, to one story with a flat roof to continue the unobstructed views enjoyed by visitors and surrounding property owners which will maintain existing property values and the resulting tax revenue and minimize building costs.

In addition, we understand that the purpose of repositioning the new bathhouse to run north and south is to allow for better patrolling by our Police Department as they ensure the park is safe. As we review the plans, we are wondering if this doesn't actually cause an even more closed off area created by the proposed south end of the bathhouse, the volleyball courts and the proposed expanded planting area on what would be the back or west side of the bathhouse. We can see that this new area could be very attractive to anyone wanting privacy and doesn't allow for any visibility coming from the west or the north. At least with the current building positioned east and west, the area on the beach side of the bathhouse is wide open and doesn't give any illusion of privacy.

The fact that this new building will be placed so close to Juanita Creek and on existing wetlands is a concern and seems to go against what we are all learning is best for our environment.

For all of these reasons, we would like to see the new bathhouse restricted to one floor and placed very close to where the existing one resides, or perhaps moved closer to the parking lot to create a larger play area. This may also reduce building expenses as the electrical, water and sewer lines are already there.

We are sending in this feedback realizing that although the City of Kirkland has worked for some time on these plans and is anxious to get them underway, we don't believe there has been any real effort made for the Public to express their views of the park layout, building design or structure placement. If that is not the case, we would be interested in knowing what specific requirements were given to the Design Consultants as a result of Public feedback.

We appreciate this opportunity to discuss our views and respectfully ask that they be considered by the City of Kirkland.

Thank you, Jim & Darlene Warren 9330 NE Juanita Dr, Unit 401 Kirkland, WA 98034 452.823.3002 dwarren12@frontier.com

From:	Holly Palfreyman <hollyandnico@yahoo.com></hollyandnico@yahoo.com>
Sent:	Friday, March 29, 2019 12:57 PM
To:	Christian Geitz
Subject:	Juanita Beach Bathhouse Replacement
Follow Up Flag:	Follow up
Flag Status:	Completed

Hello Mr. Geitz,

I live directly across from Juanita Beach at 9330

NE Juanita Dr. #201 Kirkland, WA 98034. I am concerned about the placement of the proposed bathhouse replacement (permit number SHR19-00096). The residences in our building, Inn on the Park, are the only residences directly across from Juanita Beach. My neighbors and I purchased these residences for the location and views of the lake. It is my understanding that the current proposal would tear down the existing bathhouse at Juanita Beach and build a new one near the stream, which would be directly across from our homes, effectively blocking our view of the lake and adversely effecting the enjoyment of our homes and our property values.

Additionally, I am concerned about the environmental impact of placing a bathhouse so close to the stream. It was my understanding that this area was a protected wetland.

I urge the City of Kirkland to consider the residences at Inn on the Park and the environmental impact of moving the bathhouse near the stream in their efforts to update the current bathhouse.

Thank you for your consideration.

Holly Palfreyman 9330 NE Juanita Dr. #201 Kirkland, WA 98034 310-663-2347 hollyandnico@yahoo.com

From:	Penrut Thenutai <pthenutai@gmail.com></pthenutai@gmail.com>
Sent:	Saturday, March 23, 2019 3:20 PM
То:	Carol Easterbrook
Cc:	Christian Geitz; dwarren12@frontier.com; saraeraker@aol.com
Subject:	Re: Juanita Beach Park Proposed renovation

Dear Christian Geitz and Park Board,

As per below email, my phone number is 818-268-2028. Please feel free to contact me should need arises. Thank you,

Penrut Thenutai 9330 Juanita Drive #303 Kirkland, WA 98034

Sent from my iPhone

On Mar 23, 2019, at 1:43 PM, Carol Easterbrook <<u>bbunny@msn.com</u>> wrote:

Dear Christian Geitz and Parks Board:

I would like to propose that the current bathhouse not be relocated. It needs renovation and improvements. The current location is central in the park and readily available from either side of the park.

Your new proposal for relocation is not central, is not cost effective, inconvenient location for children and adults on the eastern side of the park. The proposed height would block views of the lake which was a big part of our moving here. I am very disappointed that you would even consider the relocation and your plans for additional height for the bathhouse.

Sincerely,

Penrut Thenutai 9330 Juanita Drive N.E. #303 Kirkland, Wa. 98034

From:	Carol Easterbrook <bbunny@msn.com></bbunny@msn.com>
Sent:	Sunday, March 24, 2019 10:49 AM
То:	Christian Geitz
Subject:	Proposal for Juanita Park

Dear Mr. Geitz and Kirkland Park Board

It is with great interest, optimism and trepidation concerning the renovations that are being proposed for the Juanita Beach bathhouse, play area and Wildlife areas.

I believe it is fairly obvious that the bathhouse needs renovation, the children's playground is a wonderful place and new equipment for that area would be terrific. However, I am concerned that your Wildlife area not be diminished but extended if at all possible.

I do not believe that the addition of height to the bathhouse is advantageous to the public at large as the "well-being" of the public, the neighboring homes and additional costs are not a plus but a diminishment. Perhaps my favorite area is the Wildlife area and I spend a great deal of time enjoying the birds, streams and animals so am deeply concerned with any detrimental effect to them.

We are all fortunate to have such a wonderful park and commend you on your desire and ability to keep it a "treasure" not only for the neighborhood (which I am a part) but for greater Kirkland.

Thank you and I trust you will consider my concerns.

Sincerely,

Carol Easterbrook Phone; 425- 454 5865 email: bbunny@msn.com

Address: 9330 N.E. Juanita Drive #402 - Kirkland, Wa. 98034

From:	M Pan <mpan11@hotmail.com></mpan11@hotmail.com>
Sent:	Monday, March 4, 2019 4:31 PM
То:	Christian Geitz
Subject:	SHR19-00096 9703 NE Juanita Drive
Attachments:	Screen Shot 2019-03-04 at 4.04.32 PM.png; Screen Shot 2019-03-04 at 4.04.07 PM.png;
	Screen Shot 2019-03-04 at 4.02.05 PM.png; Screen Shot 2019-03-04 at 4.01.12 PM.png;
	Screen Shot 2019-03-04 at 4.00.59 PM.png; Screen Shot 2019-03-04 at 4.00.26 PM.png;
	Screen Shot 2019-03-04 at 3.59.32 PM.png; Screen Shot 2019-03-04 at 3.59.13 PM.png

Dear Christian,

Herewith please find some outdoor exercise equipment for seniors and family widely use China's housing and park communities. Each of them serve a specific purpose to promote overall well being. The first 2 pictures are from Spain. <u>https://seniorplanet.org/playgrounds-for-seniors/</u>



### Playgrounds for Seniors, Coming Your Way | Senior Planet

(Video link for mobile) While the U.S. definitely has some catching up to do, the idea is taking hold here. Some 15 cities, from New York to San Antonio and Miami, already have outdoor senior playgrounds and multigenerational fitness parks, and more are on the way, though not as quickly as proponents would like to see.

seniorplanet.org

Secondly, the Juanita Beach fecal contamination issue during peak summer season must be resolved before considering replacement bathhouses. No point in building replacement bathhouses when there is nobody in the water.

Thirdly, please put up more "leash your dog/pick up after or curb yr dog" signs across the street from Juanita Beach. There are safety and hygiene concerns. I saw more dogs relieving themselves around the new "tree house" than kids playing in the tree house.

Fourthly, part of the park sometimes turn into temporary parking spaces during summer. I saw cars making a right on the short pedestrian walkway to get to the parking space. Some safety measure must be in place to prevent that from happening.

Thank you for listening and your consideration.

Best regards, Mary

3/20/2019

Christian Geitz Planning and Building Department 123 Fifth Ave. Kirkland, WA 98033



RE: Juanita Beach Bath House Renovation Project

Dear Mr. Geitz,

The members of the City of Kirkland's Park Board would like to take this opportunity to express our support for the Juanita Beach Bathhouse Renovation Project and this most recent application.

Juanita Beach Park, with its sandy beaches on Lake Washington, has been a local and regional draw for shoreline recreation enthusiasts for over 100 years. Last year alone from July 1 through September 1, the beach and water area saw 26,000 visitors. Previously operated as a private beach, King County purchased the Park over 50 years ago, after which time the Park's existing bathhouse structure was constructed. The City of Kirkland purchased the property in 2002 and began comprehensively planning for the Park's future, with the City Council approving the Juanita Beach Park Master Plan in 2006. Redevelopment was set to occur in phases, and Phase I of the Park's redevelopment began in 2009. During Phase I, the City completed significant wetland enhancement and mitigation projects which unfortunately reduced the community's access to the recreational space, but created open space features and pedestrian trails. Now, the City seeks to complete Phase II of its Master Plan for the Park.

Phase II includes replacing the existing bathhouse, adding picnic pavilions, updating the playground, and installing new walkways and pedestrian trails. These changes reflect the Park's Master Plan and conform to the relevant Comprehensive Plan policies and the Kirkland Shoreline Management Program. Specifically, Phase II is consistent with Comprehensive Plan and SMP policies including:

- SA-7.4 (acknowledging that visual linkages to the lake in the Juanita Business District are limited, with existing development blocking most of the shoreline; future development should emphasize Juanita Bay as a key aspect of the district's identity, highlighting recreational opportunities);
- SA-18.1 (acquire, develop, and renovate shoreline parks, recreational facilities, and open spaces that are attractive, safe, functional, and respect or enhance the integrity and character of the shoreline);
- SA-19.1 (Manage natural areas within the shoreline parks to protect and restore ecological functions, values and features); and Juanita Neighborhood, Open Space and Parks, Section 6

Letter to Christian Geitz March 20, 2019 Page 2

(Continued implementation of the park master plan should occur, including new restrooms and concessions shelter near the shoreline);

 SMP (water-dependent recreational uses in both Park's shoreline environments--Urban Conservancy and Urban Mixed Shoreline Environment); water-dependent uses include wateroriented recreational uses, and public access to swimming beaches. The Phase II redevelopment is considered water-dependent.

Aside from complementing many comprehensive plan guidelines, the park is a long-time retreat and mainstay for the community throughout the year. With this project, visitors to Juanita Beach Park will soon have two new picnic pavilions from which to choose, a new bathhouse and a new play area—accessible to people of all physical abilities. One of the project's major achievements is to enhance protection of Juanita Creek and the wetlands that surrounds it as well as improved amenities for the community. It is an asset that is a prized jewel and the construction project will result in enhanced community access to healthy, recreational opportunities while respecting and the natural environment.

The City of Kirkland Park Board supports the approval of the three requested variances as outlined in the City's application and simultaneously ask for the Hearing Examiner's approval as well.

Sincerely,

City of Kirkland Park Board

Rosalie Wesseld

Rosalie Wessels, Chair

On behalf of fellow Park Board Members:

Susan Baird-Joshi Uzma Butte Jason Chinchilla Kobey Chew Richard Chung Kevin Quill

From:	saraeraker@aol.com
Sent:	Friday, March 29, 2019 10:33 AM
То:	Christian Geitz
Subject:	Juanita Beach Park
Follow Up Flag:	Follow up
Flag Status:	Completed

Dear Christian,

We have lived at Juanita Beach Shores Condos for over 6 years and walk in the park almost daily. We appreciate the work the Park District personal put into making it clean and attractive and now plans for a new bathhouse long over due.

Our first option would be to rebuild the bath house in its current location as it is central to the park and the bathrooms for parents of small children, actually everyone.

We understand the location is toward the wetlands and the addition of the picnic pavilions. Not the best location but we would support the move just to have a new bath house.

The community around the park is concerned about the height that will take their view away which is why they bought property in the area in the first place. We sincerely hope that a reduction in height to the height of the current buildings be seriously considered. These are the folks who support bond issues.

Juanita Beach is Kirkland's most attended park with the ambience of the water, the beach, summer concerts for children, and a great spot to be part of the local community.

As part of the "Friends of Juanita Beach Park" we hope you will quickly move ahead with the construction and improvements to the park.

We appreciate the City Council for providing the funding for new playground equipment !!!

Thank you, Sarah Eraker 9727 NE Juanita Dr. Unit 110 Kirkland, WA. 98034 503-680-6432

From:	Peter Horne <ptr.hrn@gmail.com></ptr.hrn@gmail.com>
Sent:	Tuesday, March 5, 2019 5:24 PM
То:	Christian Geitz
Subject:	Juanita Beach Bathhouse Replacement 2019, Case No SHR19-00096

Hello

I live in Bayview on the Lake condominiums directly overlooking the beach park and therefore will be affected by any change that takes place in the park.

I am pleased to hear that you propose tearing down the current bath house, as it is an eyesore, and a more modern building (not too large in scale), will be welcome.

If I may make a suggestion - I think it would be an increase in the park's amenities if a small cafe could be incorporated into the design. I am sure there would be all year demand for such a facility, as on any day of the year, rain or shine, there are always many walkers, with dogs or without, promenading around the park with cups of coffee purchased elsewhere. If they could buy a coffee and a cake in the park, that would be perfect.

Sincerely

Peter Horne

Address 9715 NE Juanita Drive #409, Kirkland 98034 e mail <a href="mailto:peter@ascot.be">peter@ascot.be</a>
From: Sent: To: Subject: George Herman <gherman43@gmail.com> Monday, March 4, 2019 1:57 PM Christian Geitz SHR19-00096

I am in favor of this planning process and would also like to see a snack shop and or coffee stand

George Herman 9715 ne Juanita Drive 208 Kirkland 98034 <u>Gherman43@gmail.com</u>

From:	Elena S <elena.salaks@gmail.com></elena.salaks@gmail.com>
Sent:	Monday, April 1, 2019 12:40 PM
То:	Christian Geitz
Subject:	Supporting Juanita Beach Park Improvements

Hi Christian,

I am a mom of 3 boys and live in Kirkland. We frequent the Juanita Beach frequency and were so excited to hear about all the planned updates to the playground and bathhouse. My family has remarked on the sub-par bathhouse on numerous occasions. I have also grown up to near this area and remember visiting Juanita Beach growing up. Our community is thriving because of all the innovations happening in other areas of the community and I would love to see the same happen with the bathhouse and playground that families such as mine, frequent. A few things to note:

- We are supportive of the placement of the bathhouse. It opens up views to park goers, provides a cohesive and large lawn area for park users, and protects Juanita Creek by creating both a man-made and natural barrier from park activities/ active space.
- We are happy/satisfied/impressed with the City's effort to balance the needs of the Park, including environmental enhancement to Juanita Creek's Buffer, public access to the shoreline, and water-oriented use. It is wonderful to have a place so close to home to access the lake for both swimming and for kayak/paddle board rentals.
- We appreciate that the City has respected the wishes of the public through keeping the design as close to the master plan as possible.
- The park can be very active at night, we are pleased that KPD's efforts at patrolling will be easier and more effective.
- Our children love this park we love to come in the summer time to play on the playground, enjoy the lake views, and splash on the shoreline.
- We enjoy this park year-around as a place to walk. We enjoy the shoreline and lake views. The addition of year-around restrooms will make our experience at the beach park even more pleasant.
- We appreciate that the design will enable better patrolling by KPD at night. We have heard stories of glass and needles being found on the beach and we believe enhanced patrolling will help.

Thanks! Elena Salaks

From:	Matt Baughman <baugh016@hotmail.com></baugh016@hotmail.com>
Sent:	Monday, March 18, 2019 12:21 PM
То:	Christian Geitz
Subject:	Fw: Parks Meeting

Hi Christian, I just wanted to write in to express my family's support of the Juanita Beach Bathhouse Replacement project and the new playground to go along with it. We live just up the street from the beach and take our daughters down there to play frequently. We love that it is an open green space that is walkable and has such a great beach for kids.

That said, the bathhouse is in pretty rough shape, so we're very much looking forward to the new one. The plans we've seen look great and we're glad it still implements all the same components (bathrooms, shower area, parks maintenance garage, and vendor space).

I was part of a group that helped put together a playground design and am very excited the City decided to include this component in the project. Juanita Beach Park is a very popular area and I think a new playground will reflect the importance of this park.

Thank you, Matt Baughman 9316 NE 123rd Ct

From:	Pam Hynes <pamhynes77@gmail.com></pamhynes77@gmail.com>
Sent:	Friday, March 29, 2019 2:09 PM
To:	Christian Geitz
Subject:	Juanita Beach Playground/Park
Follow Up Flag:	Follow up
Flag Status:	Completed

Dear Craig. I am a longtime Kirkland resident and live in Juanita Bay Condos. I take my grandchildren to the park frequently and am writing to encourage the City to approve the plans for improvements.

The bathhouse is in disrepair and with as many special needs children I see using the Park I think an All Inclusive Playground is a MUST. I can't see redoing the play space without accommodating these children.

Juanita Beach Park is always packed on a sunny day so these improvements would be enjoyed by so many.

Thank you for your consideration.

Pam Hynes 9201 NE Juanita Dr #202 Kirkland, Wa 98034 Dear\_\_\_\_\_

I am writing to encourage your approval of the plans for Juanita Beach Park improvements.

A lot of deliberations have gone into making this the right plan for the park. Environmental enhancements have been accomplished and will be beneficial now and in the future.

The new bathhouse, picnic shelters and inclusive playground will provide such enjoyment to the Kirkland community. This is our busiest park in the city and seeing this master plan come to fruition is very, very exciting.

Sincerely,

Sue Contreras, 44 year resident and community activist

6548-116<sup>th</sup> Place NE

Kirkland, Wa. 98033

From: Sent: To: Subject: karen <klightfeldt@comcast.net> Thursday, March 28, 2019 11:10 AM Christian Geitz Juanita Beach Park

Christian,

Juanita Beach Park is Kirkland's largest and most popular waterfront park. It is located in Kirkland's most populated neighborhood (Juanita) and also serves as the nearest swimming beach for Kirkland's biggest neighborhood (Finn Hill) in addition to being a destination park for all Kirkland residents.

When ownership of Juanita Beach moved from King County to the City of Kirkland, the community recognized its value and, in 2006, voted to fund creation of the master plan to upgrade the park and the implementation of the plan. Divided into two phases, Phase I was completed with many delays. The park was closed way too long.

Then, in 2014, the City tried to take the north section of the park for an aquatic center. Another battle spearheaded by residents who wanted to preserve the park open space. During this fight all emphasis by the City was moved away from Phase II improvements to the south side of the park focusing instead on trying to convince Kirkland residents they should give up this green space. The idea failed in a vote.

Now, 13 years later, the City is working to fulfill the promise of a Phase II remodel and more wetlands have appeared.

Again, the community is showing support for the new bathhouse location with hopes we can move forward with the rest of the project, making this a first class, year around park. It is my understanding that there are no other options for placing the bathhouse within the park. Without the Bathhouse approval we also lose two much needed picnic shelters and an expanded, all-inclusive playground, both of which have been funded.

The City has assured us that they have provided the mitigation needed to make approval a certainty. I hope the hearing examiner understands the need and will help the City move forward on this long overdue project. Historically the City has been a good steward of wetland preservation and will continue to be.

Karen Lightfeldt Friends of Juanita Beach

8930 NE 116<sup>th</sup> Pl. Kirkland 98034

Sent from Mail for Windows 10

## MONITORING REPORT - YEAR SEVEN Juanita Beach Park Mitigation Area

Prepared for:

Lynn Zwaagstra City of Kirkland Parks and Community Services 505 Market Street Kirkland, WA 98033

Prepared by:



750 Sixth Street South Kirkland . WA 98033

p 425.822.5242 f 425.827.8136 watershedco.com February 2019

The Watershed Company Reference Number: 080704.3

The Watershed Company Contact Person: Logan Dougherty

**Cite this document as:** The Watershed Company. February 2019. Monitoring Report- Yr 7: Juanita Beach Park Mitigation Area.

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## MONITORING REPORT, YEAR 7

JUANITA BEACH PARK MITIGATION AREA

# 1 PROJECT OVERVIEW

### **Project Permits and Reference Numbers**

City of Kirkland: LSM-09-00017 WDFW HPA Control No.: 115544-3 Corps reference: NWS-2008-1222 TWC Ref. No.: 080704.3

### **Contact Information**

The permittee is the City of Kirkland. The monitoring report author is Ecologist, Logan Dougherty, of The Watershed Company.

### **Project Summary**

The City of Kirkland Parks Department implemented several activities at Juanita Beach Park, including developing a community commons, concrete promenade and plaza, asphalt and crushed rock paths, stormwater improvements and seat walls. Critical area impacts were avoided and minimized, and unavoidable impacts were mitigated through creation of the oxbow channel and associated wetlands, as well as stream and wetland buffer enhancement.

Ecologists from The Watershed Company conducted the Year-7 vegetation monitoring on November 2, 2018. Monitoring of the hydraulic drop at the weirs and water depth at the outlet of the oxbow channel occurred periodically throughout the year.

### **Project Location / Driving Directions**

Juanita Beach Park is located off NE Juanita Drive at 97<sup>th</sup> Avenue NE. To access the site from I-405, take exit 20A for NE 116<sup>th</sup> Street. Follow NE 116<sup>th</sup> Street, which becomes NE Juanita Drive. Turn left at 97<sup>th</sup> Avenue NE into the park (see vicinity map, Figure 1).

## **Project History**

Project construction began in 2010 and mitigation installation was completed in 2011. As-built conditions were documented in the As-Built report (J.A. Brennan, October 2012). A Contingency Plan for management of the hydrology of the oxbow marsh and associated weirs was submitted in 2014. An additional contingency planting plan for the oxbow marsh was prepared and submitted in 2017. This planting plan was implemented in early 2018. All plants were installed in approximately half of the intended area.

#### Year-7 Monitoring Summary

Native woody cover, on average, meets the requirements for Year-7. Certain areas, including the Juanita Creek buffers, are lacking in native woody vegetation and are not meeting cover standards. Invasive species coverage exceeds performance standard throughout most of the site.

Because willow species were installed in Oxbow Marsh areas intended for emergent plantings (see Appendix A, photos 16 and 17), this location will likely become a scrubshrub dominated plant community in the future and emergent vegetation standards should no longer apply.

#### Recommendations

Weed maintenance should continue more aggressively throughout the site and additional plantings are still needed for the Oxbow Marsh, the area south of Juanita Creek adjacent to the volleyball courts, and north of the Oxbow Marsh.

The following monitoring activities should be undertaken in Year-8:

- Verify the adequacy of plant installation per contingency plan and maintenance recommendations
- Conduct a spring weed-check and provide maintenance recommendations (2019)- not yet started



Figure 1. Vicinity Map from Google Maps

## 2 MONITORING REQUIREMENTS

## 2.1 Goals and Performance Standards

The overall project goal, as stated in the approved mitigation plan, is "to replace any wetland functions lost as a result of grading and impervious surfaces in the Lake Washington shoreline; excavation in Juanita Creek and Wetlands B and C; fill in Wetland E; and encroachments in the creek and wetland buffers."

The Year-7 performance standards are as follows:

- At least three species of planted native trees and at least four species of planted native shrubs will survive after five and seven years after planting and will cover at least 35% of the areas in the Lake Washington shoreline designated for planting native species.
- At least three species of planted native trees and at least four species of planted native shrubs will survive after five years [sic] after planting and will cover at least 35% of the Oxbow Marsh, Wetlands B and C (palustrine forested and scrub-shrub [PFO/PSSC]), and the Juanita Creek/wetland buffer areas.

Year-5 performance standards, which the site is still expected to meet, include the following:

- At least four species of native emergent and grass species will survive after five years after planting and will cover at least 60% of the Oxbow Marsh, Wetlands B and C (palustrine forested and scrub-shrub [PFO/PSSC]), and the Juanita Creek/wetland buffer areas. \*\*\*
- At least four species of native emergent and grass species will survive after the [fifth] year following planting and will cover at least 80% of the restoration palustrine emergent (PEM) wetland meadow areas in Wetland E and the planted Wetland E buffers.
- Years 1, 3, and 5: During the January through June period, conduct juvenile fish monitoring by installing a fyke net or other methods to assess the extent and pattern of fish use of the marsh. Fyke net will be installed near [the] downstream end of marsh, and monitored during two discreet 24-hour periods each month.

These additional performance standards apply for every year of monitoring:

• Annually monitor the installation to ensure integrity of the weir structures and stream stabilization measures. Repair and/or replant marsh habitat and stream stabilization measures as necessary. Any woody debris that threatens the integrity of the weir structures or stream stabilization measures can be relocated downstream to an appropriate location

within the creek banks but shall not be removed from the creek. All woody debris shall be retained within the creek banks.\*

- Inspect annually to ensure that sediment accumulation downstream from the oxbow weir does not limit wetland establishment. Inspect after significant storm events (greater than 0.5 inches precipitation over 24 hours) and remove or modify any localized sedimentation that might disrupt fish passage or contribute to fish stranding.
- Manage the oxbow marsh as a backwater habitat during normal flows. During flood events, allow the oxbow marsh to function as a flow-through, off-channel habitat with a continuous hydraulic connection, including a stream path through the marsh from the diversion weir to mouth, with no pools disconnected from the marsh channel.\*
- Invasive weeds will not comprise more than 10 percent of the vegetation cover during any monitoring year, with the exception of purple loosestrife and Japanese knotweed, for which there is a zero tolerance standard (0% cover in any year). Reed canarygrass may exceed 10% cover but will not form monocultures that exclude all native species.\*\*
- Ensure that Weir A meets the passage standards for juvenile fish. If Weir A exceeds the juvenile fish passage criteria established by NMFS 2008 (hydraulic drop of >0.7 feet), particularly during the salmonid outmigration period of February through July, implement adjustments (e.g., widening the notch in Weir A) to improve fish passage in the area. Potential effects on fish passage at the rock weir upstream, as well as connection of the oxbow channel during flood events shall be evaluated prior to any modification of Weir A. Any weir modifications would occur during the established in-water work period (July 1-August 31).\*

\* These performance standards reflect modifications made through adaptive management in 2015 (See Year-3 Monitoring Report).

\*\* Performance standard reflects modifications made through adaptive management in 2017 (See Year-5 Monitoring Report).

\*\*\*Because the Oxbow Marsh (Transect 7) was planted with willow stakes, this area will no longer be measured against native emergent cover performance standards. Transect 7 will now be included in the native woody cover performance standards.

## 2.2 Monitoring Methods

## 2.2.1 Vegetation

Cover estimates were calculated using the line-intercept method, except in Wetland E, where plantings are dispersed in small clusters, and an overall estimate of cover was

used. Estimates of native and invasive coverage by area were also completed throughout the site to supplement the results of the line intercept method. The transects that were established in Year 1 were sampled in Years-3, -5, -6, and -7 to maintain continuity between years (Appendix C). Photos were taken at the end of each transect to document conditions. Emergent cover was only calculated in areas where emergent and grass species were planted. Woody cover was only counted where woody species were planted.

## 2.2.2 Weir Monitoring

The hydraulic drop at the wood weir was measured on a periodic basis through November 2018. The drop is measured using a stadia rod as the difference in the water surface elevation immediately above and below the weir.

## 3 RESULTS

## 3.1 Vegetation

Native woody vegetative cover and diversity on the site is adequate in some areas and falling behind performance standards in other areas. Native emergent cover is lower than Year-7 performance standards, and invasive cover still exceeds the allowed tolerance in the performance standard. It should be noted that transect data was recorded in November of 2018. Since that time, continued efforts have been made to remove invasive species, specifically Himalayan blackberry. Native plants have also been installed in select locations. Specific progress toward meeting project objectives is described in more detail below.

On average throughout the site, the native woody vegetation coverage and diversity meets the Year-7 performance standards (Tables 1 and 3). However, although native woody cover is met in the buffer areas when averaged, cover is still very low northeast of the Oxbow wetland (Transect 8: 15 percent cover) and between the oxbow channel and Juanita Creek (Transect 4: 29.8 percent.Cover was also low south of Juanita Creek (Transect 3: 23 percent), however, several new Sitka spruce plantings were observed during a January site visit.

Native emergent species cover is below the Year-5 standard (Tables 2 and 3). Most notably, native emergent cover is low (26 percent) in the Oxbow Marsh. The contingency plan proposed in the Year-5 monitoring report was intended to reduce the reed canarygrass monoculture and improve vegetative diversity within the oxbow marsh.

The planting plan was installed in spring of 2018. The installation differed from the planting plan. The northeastern portion of the Oxbow Marsh, which was formerly a Palustrine emergent planting area, was planted with willow stakes intended for the western portion of the planting area. The performance of this northeastern area will therefore be measured according to native woody performance standards moving forward.

Native emergent cover in Wetland E was visually estimated at 50 percent, which continues to be below the 80 percent cover target for Year-5 in this area. Birdsfoot trefoil and Himalayan blackberry are the dominant invasive species in Wetland E. The prevalence of reed canary grass has also increased since Year-6 in Wetland E, appearing in patches throughout the wetland and buffer.

Despite control efforts, invasive weed cover remains high throughout most of the site, averaging 40 percent in Wetland E, 76 percent in the Oxbow Marsh and Wetlands B and C, and 58 percent in buffer areas. Purple loosestrife appears to have been removed, however, a patch of Japanese knotweed (for which there is a zero tolerance requirement) is currently present within Transect 4. Reed canarygrass dominates the oxbow channel and buffer areas along Juanita Creek. In the upland buffer of the Oxbow Marsh and Wetlands B and C, Himalayan blackberry and Russian thistle locally predominate several areas.

Transect Number	Planting Area	Year-7 Cover Standard	Transect length (feet)	Native Cover	Invasive Cover
2	Lake Washington Shoreline	35%	30	74%	0%
3	Juanita Creek Buffer		100	23.9%	6.5% (Birdsfoot trefoil, Himalayan blackberry, Reed canarygrass)
4	Juanita Creek Buffer	35%	100	31.3%	66.3% (Bindweed, Himalayan blackberry, reed canarygrass)
5	Oxbow wetland buffer		50	59.2%	63.6% (Himalayan blackberry)
6	Oxbow wetland buffer		50	91.6%	18.4% (Himalayan blackberry)

 Table 1.
 Woody plant cover in transects throughout the planted area.

Transect Number	Planting Area	Year-7 Cover Standard	Transect length (feet)	Native Cover	Invasive Cover
7	Oxbow wetland*		100	19%	1.1% (Knotweed)
8	Oxbow wetland buffer		50	15%	67% (Himalayan blackberry, Reed canarygrass, Thistle)
9	Juanita Creek Buffer and Wetland C		50	46.2%	38.8% (Himalayan blackberry, Reed canarygrass)
Weighted a 4, 5, 6, 8, a	verage of Transects 3, nd 9	35%		38.2%	25.8%

Table 2.Emergent plant cover in transects throughout the planted area.

Transect Number	Planting Area	Year-5 Cover Standard	Transect length (feet)	Native Cover	Invasive Cover
					66.2%
					(Birdsfoot
1	Lakeshore	No standard	50	84%	trefoil)

Performance standards, Year-5 performance, and Year-7 performance are summarized in Table 2 below.

Table 3.	Performance	Standard	Summary,	Year-7	Findings.
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Area	Year 5 Performance Standard	Year 7 Performance Standard	Findings	Meets Performance Standards?
		At least three species of native planted trees	Six species	Yes
Lakeshore		At least four species of native planted shrubs	Six species	Yes
		35% woody cover	74%	Yes
		No standard for emergent vegetation	84%	NA
		<10% invasive vegetation	41.4%	No
Oxbow marsh, Wetland B and C, and Creek and Wetland Buffers		At least three species of native planted trees	Nine species	Yes

Area	Year 5 Performance Standard	Year 7 Performance Standard	Findings	Meets Performance Standards?
		At least four species of native planted shrubs	Eight species	Yes
		35% woody cover	36%	Yes
	At least four native emergent and grass species		Five species	
		<10% invasive vegetation	27.3%	No
		No reed canarygrass monocultures (oxbow marsh)	Nearing monoculture	No
	No standard for woody vegetation		70%	NA
Wetland E and Buffer	80% native emergent cover		50%	No
		<10% invasive vegetation	40%	No
Site-wide purple loosestrife and Japanese knotweed		Zero tolerance (0%)	Knotweed patch in Juanita Creek buffer; sprouts emerging in Oxbow Marsh	No

Existing mulch cover is sparse throughout most of the site.

In 2017, we observed several trees along the lakeshore and on the western side of the park where beaver fencing had begun to dig into the tree trunk. Maintenance staff addressed this concern for most trees following our visit, but tight fencing still surrounds at least one shore pine near Transect 3.

The split rail fencing along Juanita Drive north of the oxbow marsh is still absent. Based on aerial imagery, it was present as recently as May 2017.

## 3.2 Hydrology

Since early 2014, we have conducted regular monitoring of the height of the hydraulic drop at the two weirs in the mainstem of Juanita Creek. This monitoring was prompted by a concern regarding fish passage expressed by Karen Walter of the Muckleshoot Tribe on December 9, 2013. Because data collected in 2014 and 2015 indicated that the

hydraulic drop at the lower weir exceeded juvenile fish passage criteria (0.7 feet) in late fall, in October 2016, the City of Kirkland widened and deepened the notch in the weir to improve fish passage at the weir. Table 4 summarizes the height of the drop at each weir, along with the associated gauge height and discharge for the mouth of Juanita Creek, as reported by King County

(http://green2.kingcounty.gov/hydrology/DataDownload.aspx?G\_ID=34&Parameter=Str eam%20Flow).

Sampling Date	Juanita gauge level (ft)	Discharge at gauge (cfs)	Hydraulic drop at Weir A (ft)	Hydraulic drop at Weir B (ft)
Jan 24, 2018	4.29	44.37	0.40	
Feb 20, 2018	3.49	8.3	0.65	
Jun 1, 2018	3.23	3.98	Submerged	Roughened channel-no single
Aug 6, 2018	3.15	2.03	0.36	measurable drop
Aug 30, 2018	3.15	2.21	0.40	····
Nov 2, 2018	3.92	30.19	Submerged	

Table 4. Juanita gauge information and the hydraulic drop at each weir in 2018.

## 4 DISCUSSION

## 4.1 Vegetation

Planted vegetation is generally surviving; however, invasive vegetation has limited native plant growth and poses risks to continued survival of native plants in some areas. Continuing effort is needed to control these weeds. Per the approved monitoring standards, the next monitoring visit will take place

Average woody cover is slightly above Year-7 performance standard of 35 percent. Recent planting of Sitka spruce trees in the area north of the volleyball courts (transect 3) will likely increase the woody cover in coming years. The area north of the oxbow marsh (transect 8) would benefit from the addition of replacement plantings (see planting recommendations in Table 5).

Location	Scientific Name	Common Name	Qty to Replant
Oxbow Marsh Buffer (near T8)	Pseudotsuga menziesii	Douglas-fir	3
	Thuja plicata	Western red cedar	3
	Corylus cornuta	Beaked hazelnut	4
· · · · ·	Acer circinatum	Vine maple	4

Table 5.Recommended replacement plantings.

The northeastern extent of the oxbow marsh was replanted with native emergent plants and willow stakes in the spring of 2018. Because the willow stakes were installed throughout the area intended to be an emergent planting area, this area will likely become a scrub-shrub dominated plant community in the future and should no longer be measured against Palustrine emergent vegetation standards. The area will instead be measured against Palustrine scrub-shrub vegetation standards. As the stakes have not matured, it does not currently meet the 35 percent native woody cover standard. It is expected to meet this standard in coming years. Additionally, the approved planting plan should be installed in the areas where it was not planted initially. During the monitoring visit in November 2018, it appeared that the west side of the planting plan was not installed. During a January site visit, however, recently-installed willow, redosier dogwood, and slough sedge were observed along the western edge of the contingency planting area (see photo 2). There are still areas within the oxbow marsh that should be planted according to the contingency plan. The planting plan is attached as Appendix C, with updated planting area and plant quantities.

Native plantings in the area south of the oxbow marsh and north of Juanita Creek (T4) are suffering from intensive bindweed coverage. Several native shrubs have been overtaken by bindweed in this area, and as a result, native woody cover is low in this area. This area will require significant maintenance attention in 2019 and beyond to ensure the success of native vegetation.

On a site-wide basis, Himalayan blackberry, morning-glory bindweed, birdsfoot trefoil, and bull thistle are present and should be controlled through more aggressive maintenance, including grubbing out the roots. Himalayan blackberry and bull thistle are particularly prevalent west of Juanita Creek and north of the oxbow, near transects 8 and 9. Birdsfoot trefoil is significant in the lakeshore area near transect 1.

Mowing within Wetland E, which had taken place prior to our 2017 fall monitoring visit, appears to have been discontinued per our recommendations. Birdsfoot trefoil and Himalayan blackberry are prevalent in Wetland E, and require specific attention. Additionally, the extent of reed canarygrass in Wetland E has increased, and areas must be addressed now while colonies are relatively small to prevent it from becoming a monoculture.

Knotweed is present in the oxbow wetland and the southern buffer near the footpath to the oxbow wetland. This species needs to be controlled as it will aggressively outcompete the planted vegetation. The best approach to control knotweed is through a combination of cutting and herbicide application in the spring (see additional control information at <u>https://your.kingcounty.gov/dnrp/library/water-and-</u>land/weeds/Brochures/knotweed-brochure.pdf).

Mulch rings (4-inch deep, 18-inch diameter) should be replenished around existing woody plants to limit competition with weedy invasive species and improve survival and growth rates.

Tree protection should be assessed throughout the site, including west of the oxbow marsh. Fencing should continue to be periodically checked to ensure that it does not girdle the trees.

Split rail fending should be replaced or repaired where needed.

## 4.2 Hydrology

Since its modification, the hydraulic drop at Weir A exceeded the threshold for upstream juvenile fish passage only once (January of 2017). The weir did not exceed the threshold at any point in 2018. The recorded hydraulic drop at Weir B did not present a fish barrier at any time during the monitoring period. Based on this information, the weirs meet performance standards for juvenile salmonid fish passage during the period when juvenile salmonids have been observed in the oxbow channel (March through June, as described below). We recommend that weir monitoring be discontinued moving forward.

# 5 CONCLUSIONS

Native woody vegetation is continuing to grow and is, on average, meeting performance standards. Native emergent coverage is not meeting performance standards; invasive species should be removed in the oxbow marsh and Wetland E to meet this requirement. Invasive species coverage is exceeding performance standards site-wide and should be removed per recommendations below.

To summarize, the following maintenance actions are needed in 2019:

- Install remainder of contingency planting plan in Oxbow Marsh (see Appendix C).
- Site-wide invasive species control. Particular emphasis to:
  - Eliminate zero-tolerance species (i.e. knotweed) in and around the oxbow marsh.

- Control bindweed and Himalayan blackberry south of the oxbow marsh.
- Control Himalayan blackberry and bull thistle north of the oxbow marsh.
- Treat and control reed canarygrass and other invasive vegetation in Wetland E.
- Continue to not mow in Wetland E. Targeted use of a string trimmer for specific invasive species control is acceptable.
- Ensure that fencing surrounding trees is either removed or loose enough to allow for tree growth (specifically, check shore pine near transect 3).
- Replace split-rail fencing where it has been removed.
- Replenish mulch around native plants to reduce competition by weeds.
- Recommended: plant native vegetation north of Oxbow Marsh (January-March) (Table 5).

The Juanita Beach Park Mitigation Plan did not include monitoring for Year-8; however, given the extent of recommended maintenance, including the contingency planting in the Oxbow Marsh, invasive species removal, and buffer replanting, we recommend that the following monitoring activities occur in Year-8:

- Conduct a spring weed-check and verify the adequacy of plant installation per contingency plan; provide maintenance recommendations (early spring 2019)
- Conduct one late-summer vegetation monitoring and provide maintenance recommendations (2019)

APPENDIX A

## **Site Photos**



Photo 1. View from southeast overlook.



Photo 2. View from northwest overlook.

### ATTACHMENT 11 SHR19-00096



Photo 3. PP1 Transect 1 looking east.



Photo 4. Mowed wetland vegetation in Wetland E.



Photo 5. PP2 Transect 2 looking west.



Photo 6. PP3 Transect 2 looking east



Photo 7. PP5Transect 3 looking west.



Photo 8. PP6 Transect 3 looking east. Replanting is recommended here (see Table 5 and the attached figure).

No photo.

Photo 9. PP7 Transect 4 looking west.



Photo 11. PP9 Transect 5 looking east.



Photo 12. PP10 Transect 5 looking west.



Photo 13.

PP11Transect 6 looking south.



Photo 14. PP 12 Transect 6 looking north.



Photo 15. PP 13 Transect 7 looking west. Note area has been planted with willow stakes.



Photo 16. PP 14 Transect 7 looking east. Note reed canarygrass prevalence.



Photo 17.

PP 17 Transect 8 looking west.



Photo 18. PP 16 Transect 8 looking east.



Photo 19. PP 15 Transect 9 looking north.

APPENDIX B

## Monitoring Transect and Photo Point Locations





APPENDIX C

# Contingency Planting Plan

#### ATTACHMENT 11 SHR19-00096





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QA/QC REVIEWER

NO

**REVISION** 

603 STEWART ST. SUITE 500

SEATTLE, WA 98101

~

PAVING AND GRADING PLAN

SHINGTO PSHINGTO

BY REVIEW DATE

ATTACHMENT 12 SHR19-00096











**CITY OF KIRKLAND** 

Planning and Building Department 123 Fifth Avenue, Kirkland, WA 98033 www.kirklandwa.gov ~ 425.587.3600

## **DETERMINATION OF NON-SIGNIFICANCE (DNS)**

**Case No.:** SEP17-00776

DATE ISSUED: May 1, 2018

**Project Name:** Juanita Beach Park Bathhouse Replacement

**Project Location:** 9703 Juanita Drive NE

**Project Description:** The proposal includes the removal and replacement of the existing bathhouse and the addition of two new picnic pavilion structures. These improvements will impact onsite wetlands and associated wetland buffer through the construction and development of the structures. The application proposes to mitigate impacts through restoration and enhancement both onsite and offsite

Proponent: Anneke Davis, City of Kirkland CIP Engineer, for Kirkland Parks Department

**Project Planner:** Christian Geitz

Lead agency is the City of Kirkland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

This DNS is issued after using the Optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

#### **Responsible official:**

4/27/2018

Eric R. Shields, AICP, Planning Director Date City of Kirkland Planning & Building Department 123 Fifth Avenue, Kirkland, WA 98033 - (425) 587-3600

You may appeal this determination to the Planning & Building Department at City of Kirkland, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 PM on May 15, 2018 (date, 14 days from date issued) by a <u>Written Notice of Appeal</u>. You should be prepared to make specific factual objections and reference case number SEP17-00776. Contact Christian Geitz, project planner in the Planning & Building Department at (425) 587-3246 to ask about the procedures for SEPA appeals. See also KMC 24.02.230 Administrative Appeals.

#### Distribute this notice with a copy of the Environmental Checklist to:

GENERAL NOTICING Department of Ecology - Environmental Review

- Muckleshoot Tribal Council Environmental Division, Tribal Archeologist
- Muckleshoot Tribal Council Environmental Division, Fisheries Division Habitat
- Cascade Water Alliance Director of Planning
- Juanita Neighborhood Association
- Lake Washington School District No. 414: Budget Manager and Director of Support Services

#### AGENCIES WITH JURISDICTION, AFFECTED AGENCIES, AND/OR INTERESTED PARTIES

- Department of Ecology Environmental Review Department of Fish and Wildlife Olympia
- Department of Natural Resources SEPA Center
- Muckleshoot Tribal Council Environmental Division, Fisheries Division Habitat Program
- U.S. Army Corps of Engineers Seattle District
- Eastside Audubon Society
- Northshore Utility District Operations Department, Engineering Director, and Senior Civil Engineer
- King County Wastewater Treatment Division SEPA Lead and Property Agent
- Parties of Record
- Interested Citizens
- cc: Applicant

Planning Department File, Case No. SHR17-00775

Distributed by:

May 1, 2018

(Karin Bayes, Office Specialist)

Date





