



*Planning & Community Development*

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**ADMINISTRATIVE ORDER#17-0119-102417**  
**SITE – SPECIFIC DETERMINATION**

**SITE:** Shoreline & WSDOT ROW on NE 200<sup>th</sup> St. from 6<sup>th</sup> – 12<sup>th</sup> Ave. NE

**CODE SECTION:** 20.20.046

**I. ISSUE**

This request is to consider whether an existing watercourse meets the definition of a “stream” as defined under SMC 20.20.046. The proponent has provided a report supporting a position that the City not regulate the ditched/piped portion of this watercourse as a stream.

**II. FINDINGS**

ADDRESS: Shoreline & WSDOT ROW on NE 200<sup>th</sup> Street from 6<sup>th</sup> through 12<sup>th</sup> Ave. NE

ZONE: N/A (ROW)

LOT SIZE: N/A (ROW)

PROPOSED USE: Sound Transit light rail.

NEIGHBORHOOD: An unopened ROW that is intersected by I-5. The surrounding neighborhood consists mainly of single-family dwellings within the R-6 zone.

- SMC 20.20.046 defines “Streams” as: Those areas where surface waters produce a defined channel or bed, not including irrigation ditches, canals, storm or surface water runoff devices or other entirely artificial watercourses, unless they are used by fish or are used to convey streams naturally occurring prior to construction. A channel or bed need not contain water year-round; provided, that there is evidence of at least intermittent flow during years of normal rainfall.
- The subject watercourse is identified as “SSH2.”
- The applicant’s supporting report prepared by HNTB Jacobs is attached as Exhibit A.
- A peer review, on behalf of the City, has been performed by The Watershed Company. It is attached as Exhibit B.

### **III. CONCLUSION:**

Analysis performed by The Watershed Company includes the following:

- The supporting report prepared by HNTB Jacobs reviewed several on-line inventories, including historic aerial photographs, the 2004 Shoreline and Wetland Inventory, and the 2015 McAleer Basin Plan. Based on a review of these materials, the Jacobs report concludes that the feature, identified as Stream SSH2, is a man-made drainage ditch that does not support fish.
- In addition to the on-line inventories researched by Jacobs, The Watershed Company reviewed the BLM Land Status and Cadastral Survey Records from 1859. This initial survey of the territory shows McAleer Creek and several tributaries but does not show this stream.
- Existing downstream blockages preclude fish access, and the characteristics of the stream channel do not meet the requirements for fish habitat; the highly ephemeral stream is less than two feet wide.
- Based on both Jacob's assessment and previous assessments conducted by staff from The Watershed Company, Stream SSH2 only flows during and immediately following substantial rain events.
- There is no apparent natural source of flow for the stream, and the current configuration, bank, and bed all appear artificially constructed.
- It is the opinion of The Watershed Company that SSH2 is an artificially created drainage feature that does not provide fish habitat.
- Based on these characteristics, The Watershed Company agrees that the feature does not satisfy the definition of a regulated stream under SMC 20.20.046.

### **IV. DECISION:**

All supporting maps and reports prepared by qualified professionals, as required by SMC 20.80, has been satisfactorily submitted for review. Third party review of these documents by qualified professionals under contract with the City has been completed. It is the belief of the City that a valid scientific process has been applied in reviewing this request and that the opinion provided by the pccr review is sound. Stream SSH2 does not meet the definition of a "stream" as defined under SMC 20.20.046.



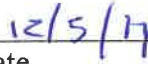
Director's Signature, Planning & Community Development



Date



Director's Signature, Public Works



Date

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