

**THE WOODS AT VIEWCREST**  
**A 38-LOT PRELIMINARY PLAT**  
**RFI#3 RESPONSE LETTER**

On August 7<sup>th</sup>, 2023, the Applicant received a Request for Information (RFI) on The Woods at Viewcrest Preliminary Plat and associated applications (SUB2022-0011). This RFI was a single issue RFI, requesting additional information related to the proposed storm water management approach for the project, specifically, the proposed revised conveyance system connecting to the existing public storm water system and outfall situated in Sea Pines Road. This RFI Response Letter provides a response to each of the action items for which staff are requesting additional information. In addition to this Letter, please find attached supplemental information, including updated plans and reports, which support these responses.

RFI Comments and Action Items\*:

\*please note that City comments from the RFI are identified in *italics*, and Applicant responses are identified in standard text.

*CRITICAL AREAS/PUBLIC INFRASTRUCTURE*

*The revised Preliminary Stormwater Management Report (PSE, June 16, 2023) (Revised Report) proposes a conveyance system that discharges treated stormwater from a portion of the site to the existing public stormwater infrastructure in Sea Pines Road and its associated outfall. The Revised Report does not include sufficient information to determine if the conveyance system will be modified to direct stormwater discharge to Chuckanut Bay or will be maintained in its current configuration and discharge to the wetland (Chuckanut Bay marsh).*

*ACTION ITEM: Under either conveyance scenario, the Revised Report will need to request an exception allowing a drainage basin diversion.*

*Discharge to Chuckanut Bay Marsh*

*A direct discharge to a wetland does not exempt the proposal from flow control. Chuckanut Bay Marsh (the wetland) is regulated by City's Shoreline Master Program pursuant to BMC 22.03.010 C. As such the regulations pertaining to wetlands in BMC 22.08.060 apply, specifically subsection I.*

*ACTION ITEM: The following information is needed to evaluate the feasibility of a direct conveyance to a regulated wetland:*

- *Wetland delineation of “Chuckanut Bay Marsh” is required and shall also include a demonstration of consistency with BMC 22.08.060 I pertaining to pre-development and post-development hydrology.*

- *Addendum to the Revised Report demonstrating how the proposal will comply with WDOE SWMMWW Minimum Requirement Nos. 1-9.*

*A revision to the existing shoreline CUP and shoreline permit application may be necessary.*

*Direct Discharge to Chuckanut Bay*

*A direct discharge to Chuckanut Bay would exempt the proposal from flow control and likely require modifications to the existing outfall.*

*ACTION ITEM: The following information is needed to evaluate a discharge utilizing the Sea Pines conveyance infrastructure:*

- *Addendum to the Revised Report to demonstrating direct discharge is feasible with a revised outfall while still maintaining wetland hydrology.*

Applicant Response: There are three action items identified in the RFI, all related to further evaluation of the Sea Pines Road outfall system, which was proposed for storm water management conveyance in the RFI#2 submission to the City. After receiving the RFI#3 comments from the City the Applicant team engaged in further evaluation of the proposed Sea Pines Road outfall. This evaluation included site visits by the project civil engineer and biologist to evaluate the outfall infrastructure and surrounding critical areas, including the Chuckanut Bay Marsh. During these site visits and subsequent office analysis it was determined that the current system discharges storm water to the Chuckanut Bay Marsh, which is a regulated wetland, not to Chuckanut Bay itself, which is a flow control exempt waterbody. Based on this conclusion and other factors it was determined that a connection of the project storm water management system to the existing infrastructure in Sea Pines Road was not viable. This approach to managing storm water would require a basin diversion, which is not in compliance with applicable Department of Ecology storm water manual requirements and would generate the need for a variance from these standards. In addition, due to the discharge to a regulated wetland (the Marsh) there were concerns regarding the ability to maintain appropriate hydroperiods for these wetlands due to the increase in the volume of storm water discharge at the existing outfall. It was also determined that it was not feasible to extend the existing storm water conveyance pipe and construct a new outfall at this general location, with a direct discharge to the Bay, without generating direct wetland and buffer impacts, and creating a visually impactful outfall. For these reasons (basin diversion, wetland impacts and aesthetic concerns) the Applicant design team determined this outfall approach was not viable. This decision makes the three action items identified in RFI#3 moot, as they all request edits and revisions to the project plans and reports related to utilizing the existing Sea Pines Road outfall.

The original application for The Woods at Viewcrest proposed a new storm water conveyance system and outfall that extended down the on-site slopes, with direct discharge to Chuckanut Bay. During review of the application, City staff encouraged the Applicant team to explore connection to the Sea Pines Road system. This request resulted in the re-design that was presented in response to RFI#2. Now that the Sea Pines Road connection has been evaluated in greater detail and determined to be infeasible, the Applicant team has returned to the original storm water design concept, which incorporates a storm conveyance system that tight lines down the slopes on-site, with an outfall to Chuckanut Bay. The revised design is similar to the original design in that it collects runoff from a portion of the project and conveys this runoff to a modular wetland treatment facility (providing enhanced treatment) located on the downslope shoulder of the “east road”, and then after treatment conveys this runoff in a tight line through a 12” HDPE pipe, anchored to the surface of the existing ground, down the slopes of the Property to an outfall with energy dissipater situated just above the beach. The new design incorporates additional site-specific data collected over the summer and fall of 2023 that results in a more appropriate pipe and outfall location, and outfall design, all of which are located further west along the shoreline when compared to the original design.

The proposed conveyance pipe traverses the site from east to west, following existing contour lines to reduce steep sections and to extend west of a large, exposed rock face that runs along a section of the shoreline area. Once west of the exposed rock face, the pipe wraps around and below the face, and then tracks back east along the toe of these steep slopes, following existing contours until it reaches the shoreline. At the terminus of the pipe a 20’ dispersion tee is proposed, which will slow and disperse the volume of water exiting the pipe. This dispersion tee has been sited on a level rocky bench directly above the High Tide Line (HTL) of the Bay, in a location where native rocks and vegetation can be installed for screening purposes, and that allows dispersed water to flow over the existing sandstone rocks before reaching the beach proper. This design reduces the risk of erosion or beach scouring while also appropriately screening the outfall and dispersion tee, limiting aesthetic impacts. The design has been incorporated into the project plan set on Sheets 7 and 8 (See Exhibit A), and also into an updated Storm Report (See Exhibit F). In addition, the Applicant team took drone photographs of the beach area where the outfall is proposed and then used these photos to produce a rendering of the proposed design showing the location of the pipe and dispersion tee as well as proposed sandstone rocks and plants intended for screening. The rendering appears on Sheet 8 of the project plan set, as well as in a new “before and after” outfall rendering Exhibit (See Exhibit W).

This design approach eliminates the basin diversion that would be required with a Sea Pines Road connection and allows the system to be designed to be entirely in compliance with applicable DOE storm water manual requirements. This design approach also eliminates the potential for any additional critical areas impacts; the conveyance lines and outfall avoid all wetlands and buffers on-site and any improvements on the beach. The pipe is designed to sit on the surface of the ground, with anchors holding it in place (this design has been evaluated by the project geotechnical consultant), allowing it to be installed without

removal of any significant trees or significant clearing or grading on steep slopes. This design approach also limits the potential for aesthetic impacts from the system when viewed from the shoreline of Chuckanut Bay. The entire system is proposed to be publicly owned and maintained in compliance with current City of Bellingham policy regarding single family plats. Because the pipe follows existing contour lines and includes limited infrastructure (one catch basin and a 20' dispersion tee) it can be accessed easily and will have limited maintenance needs. This design is similar to other City owned and maintained storm water outfalls in the vicinity including the outfall between 834 and 838 Briar Road in the Madrona Pointe subdivision, the outfall between 412 and 414 Arbutus Place (discharging to Chuckanut Bay directly west of the project site) and the three outfalls on Sea Pines Road in the Briza subdivision (discharging to the Chuckanut Bay Marsh directly east of the project site). The Applicant requests that the City review the updated plans, SSP and storm conveyance design.

Driveway to Lot 38: In addition to the changes in storm water design one additional change was made to the overall project design related to access to proposed Lot 38. In prior iterations of the design, a private driveway was proposed to connect from Viewcrest Road to the building envelope for Lot 38 within the pipestem that parallels the east side of the retained 10<sup>th</sup> Street right of way. The Applicant completed a detailed tree survey for the response to RFI #2, and after reviewing this survey, and consulting with the owner of the property at 354 Viewcrest Road, which sits immediately adjacent to the pipestem, it was determined that shifting the proposed private driveway into the 10<sup>th</sup> Street right of way would allow the driveway to follow a historic road grade, resulting in a reduction in clearing and grading necessary for the driveway, and the preservation of a small stand of mature evergreen trees that sit in the pipestem. This design change would also increase privacy for 354 Viewcrest Road by moving the driveway west away from the existing residence on that lot. Private driveways are permitted in unopened public rights of way when serving one single family residence. The project includes a request for a variance in order not to improve the 10<sup>th</sup> Street right of way with a public road. This variance request is supported by City staff and remains a part of the application. In the future, when Lot 38 is developed, a private driveway would be constructed in the right of way generally in the location shown on the updated project plans (See Exhibit A).