



March 10, 2021

Jennifer Kester
Planning Manager
City of SeaTac
4800 South 188th Street
SeaTac, WA 98188-8605

Subject: Wetland buffer fill
Letter # 509-0035

Dear Ms. Kester,

On behalf of the Washington State Department of Transportation (WSDOT), I am writing to inform you that a lessee on WSDOT property has filled a wetland buffer within the right of way for the SR 509 Completion Project. The wetland buffer is located west of the intersection of 12th Ave S. and Des Moines Memorial Drive, just south of SeaTac International airport, in the City of SeaTac. The wetland was initially identified in 2003 as a Category II, 6.6 acre Palustrine forested, scrub-shrub and emergent wetland. A current wetland delineation has preliminarily rated the wetland as a Category III, 9.29 acre Palustrine forested, scrub-shrub wetland (see Figure 1).

Figure 1: Wetland 23.05 (2020 imagery)



WSDOT initially purchased the property in 1975 as part of the future SR 509 Project. WSDOT leased the property back to the original owner (Foreman's Welding) until that lease was terminated in September 2016. In January, 2018 a new lease was executed with the current tenant, A-1 Right Towing for storage of impounded vehicles and operation of a towing business..

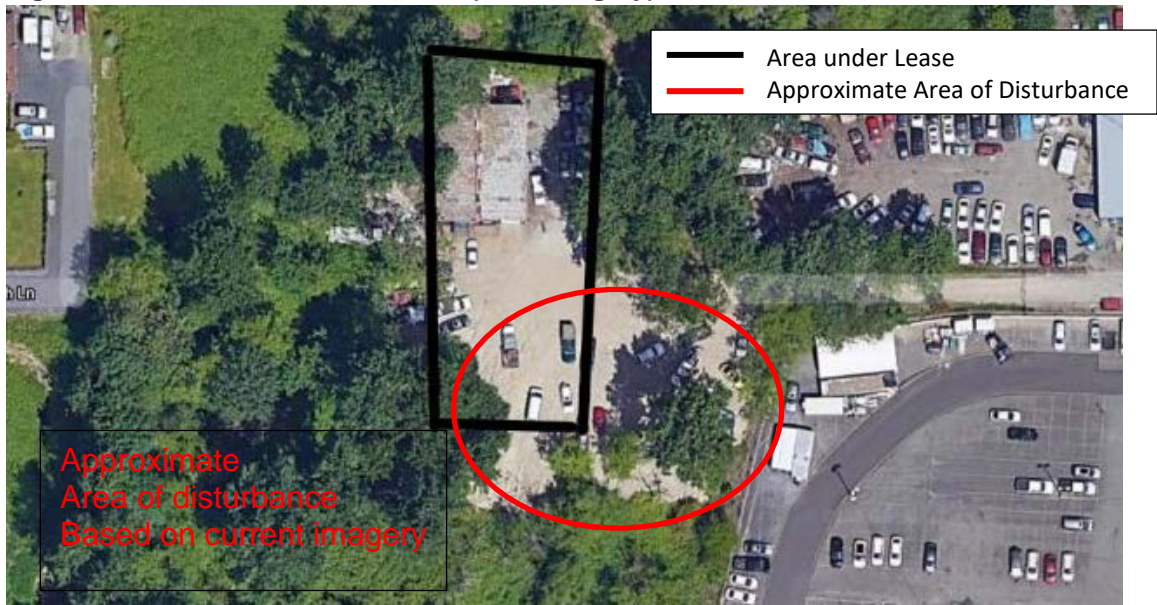
In January 2018 A-1 Right Towing, the lessee, graded and displaced site soils. The area under lease is shown in Figure 2 along with the boundary of disturbed buffer that was initially discovered during a site visit in 2018.

Figure 2: Buffer Disturbance initially observed (2018 imagery)



During the site visit WSDOT biologists observed mature deciduous trees had been knocked over and fill material had been spread across part of the property. Mature trees were also cut as biologists observed root stumps in the area of new fill. Wetland boundary flags from the past wetland delineation were observed bordering the edge of a new fill pad extension, tied to vegetation that had been pushed over and uprooted. Based on observations in 2018, we estimated that the lessee covered approximately 0.25 acres of buffer area. Figure 3 shows the area of disturbed buffer based on current 2020 imagery.

Figure 3: Buffer disturbance current (2020 imagery)



WSDOT is in the early permitting phase for the SR 509 Completion Project, Stage 2 and expects to apply for their Section 404 Permit in the Fall of 2021. We have determined that this 0.25 acre buffer area would have been impacted by the Project, regardless of the lessee's violation. As such, WSDOT's mitigation strategy will include compensatory mitigation for the 0.25 acre area as part of the Stage 2 permitting process.

WSDOT however will rely on the City of Sea Tac to initiate enforcement actions, if any, with regard to the lessee's placement of fill material within the wetland buffer. We will also inform the lessee that the material fill has been reported. Please let us if you require any further information from us. You may contact me by phone or email 206-999-1917 or everetts@wsdot.wa.gov

Sincerely,

Susan Everett, PE
SR 509 Project Manager

Attachment: A-1 Towing Lease Area

cc: Will Appleton, Public Works Director
SR 509 Gatekeeper
Ali Amiri, WSDOT
Karin Fusetti, WSDOT