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Cc: [Morman, Josh \(ECY\)](#); [Edwards, Susannah \(ECY\)](#); [Hardwick, Ryan \(ECY\)](#)
Subject: Jeld Wen - Need for Habitat Mitigation and Monitoring Plan
Date: Monday, May 4, 2026 4:24:36 PM

Dear Jeld Wen Marine Cleanup Team,

As discussed in our comments on the “March 2026 Final Draft Marine EDR – Revision 1” and 60% design, Ecology has determined that a stand-alone Habitat Mitigation and Monitoring Plan will be necessary to demonstrate compliance with ARARs - in particular, the Shoreline Management Act and Washington Hydraulic Code. This email is providing additional clarifications on the need for and contents of that plan.

Based on the 60% engineering design, the following impacts to critical habitats are anticipated in order to stabilize the shoreline and prevent contaminated soil from eroding into the marine environment:

- ~800 sq ft of estuarine wetland will be permanently removed and covered by rip-rap
- ~0.5 acres of intertidal habitat will be permanently covered by rip-rap
- ~0.3 acres of a thin riparian buffer (poplar trees, Himalayan blackberry, and herbaceous veg) along the Logway will be permanently removed and covered with rip-rap

Within the Marine EDR, Jeld Wen proposes to offset these impacts through the removal of shoreline debris/asphalt, pilings and a derelict barge, but additional mitigation actions may be needed to meet the ‘no net loss of ecological function’ standard of multiple state and local laws. The Tulalip Tribes have expressed concerns about permanent impacts to treaty resources, such as shellfish beds and juvenile salmon habitat.

The following is an example outline for the mitigation and monitoring plan:

1. Purpose of the plan (identify anticipated impacts and describe process and measures to avoid, minimize, and compensate for adverse impacts)
2. Project description
 - Location
 - City of Everett Shoreline Master Program designations (e.g. “Aquatic Conservancy”) and purpose
 - Cleanup actions
 - Target species and habitats at or in the vicinity of the project area
ESA-listed species, Washington state priority habitats, and species

- Focus should be intertidal habitat, wetland habitat, riparian habitat, birds and fish)
- 3. Baseline conditions
- 4. Process for evaluating shoreline design
 - Wind/wave analysis
 - Shoreline soil sampling
 - Visual observations
- 5. Measures to avoid and minimize impacts
- 6. Compensatory mitigation, monitoring, and contingencies

Now that the 60% design is available, we anticipate additional input from the WDFW, Ecology SEA Program, City of Everett, and Tulalip Tribes. That feedback should inform the mitigation and monitoring plan as well as the 90% design.

Thanks, Frank

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