

WHATCOM COUNTY
Planning & Development Services
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Mark Personius, AICP
Director

May 22, 2023

Siper Ag, LLC. et al
c/o Jaime White
2215 Midway Lane, Ste 203
Bellingham, WA 98226

RE: Notice of Additional Requirements (NOAR)
Conditional Use Permit – CUP2023-00001 & SEP2023-0005

To Whom It May Concern:

This letter is to inform you that your applications under case number CUP2023-00001 and SEPA2023-00005, have received a **Notice of Additional Requirements (NOAR)** pursuant to Whatcom County Code ([WCC](#)) [22.05.100\(3\)](#).

The Technical Review Committee (TRC) requires the following items to be completed and submitted in order to continue review of the Conditional Use application and SEPA checklist; please review the attached memos for the complete analysis and list of requirements.

A. Planning & Development Services: - Sam McDaniel -
Smcdanie@co.whatcom.wa.us

1. Utilizing the information obtained from the requested studies/reports requested in the NOAR, revise the SEPA Checklist accordingly.
2. Utilizing the information obtained from the requested studies/reports requested in the NOAR, update the response to the approval criteria outlined in 22.05.026(3).
3. Provide a narrative describing the proposed phasing of the mining area and activities.
4. Demonstrate that the existing access road is subject to Washington State's Surface Mining Act (Chapter 78.44 RCW).
5. Add Parcel numbers 400517220470 and 400517200503 to all application materials, all studies, and reports.

B. Critical Areas (Habitat Conservation Areas) - Amy Dearborn -
Adearbor@co.whatcom.wa.us

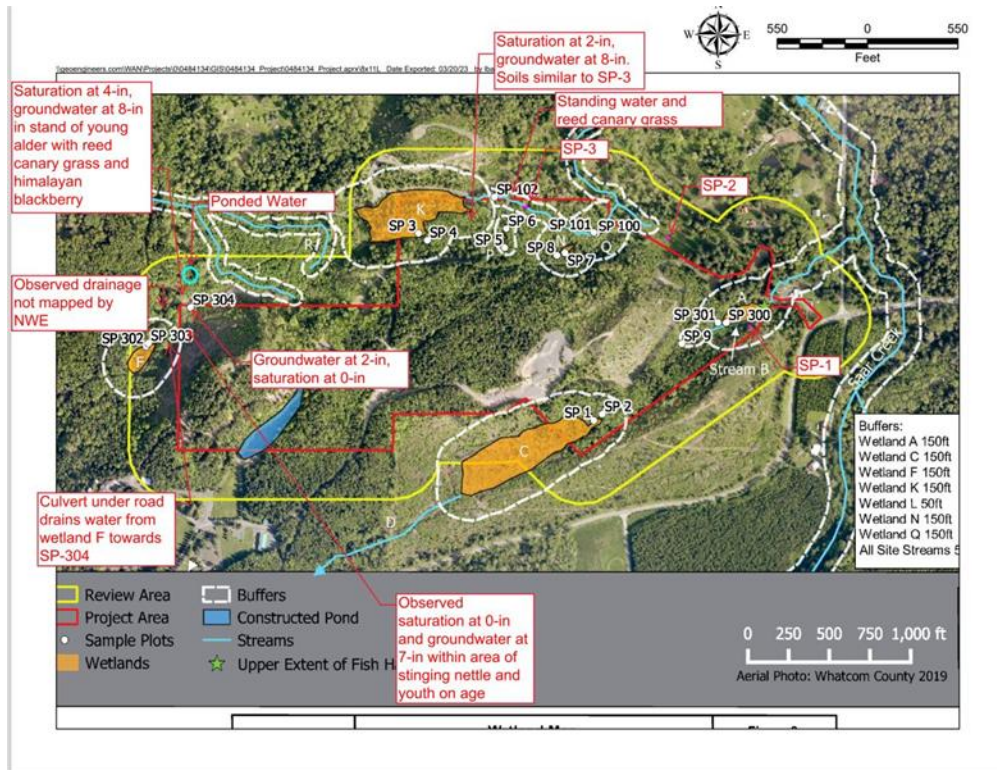


Figure 1: Wetland Map, Figure 3 from Critical Areas Report (December 2022), with 3rd party review comments.

The following items are required for further review of your permit:

1. *Critical Areas Report (Wetland Delineation and HCA Assessment):*
 - a. The Natural Resource Consultant shall re-evaluate the wetland delineation boundaries, specifically the Data Plots evaluated in 3rd party documentation in red on the map in Figure 1 (See Figure 1 above and attached document).
 - b. The Natural Resource Consultant shall re-evaluate wetland ratings based on 3rd party review documentation.
 - c. WCC 16.16.710.C.7 refers to ponds that are regulated. Provide clarity on how the pond is not a regulated Habitat Conservation Area (HCA) feature under this code section.
 - d. Address Species of Local Importance for the review area. These include Western Toad, Coastal Tailed Frog, and Townsend’s Big Ear Bat (WCC 16.16.730).
 - e. Address DNR Natural Heritage plant species listed for review area.
 - f. Page 20 of report refers to COB. This likely should be changed to Whatcom County.

2. *Critical Areas Impact Assessment:*
 - a. Please title this report Draft or conceptual until final impacts can be identified and quantified with final design.
 - b. Adjust impact findings to match any changes in Wetland Delineation and HCA Assessment (see 1.a – 1.c above).
 - c. Access road should be included in impacts analysis. The stream/wetland crossing contains a culvert that was not reviewed through a County permit.

- d. Table 4 on page 9 refers to Proposed Critical Area Impacts. Provide clarity on how these impacts cannot be avoided or minimized.
 - e. Address temporary, indirect, and cumulative impacts in regards to temporal loss, shift, or change in function of regulated wetlands and HCAs. This should include both the subject property, and all potential secondary use areas.
 - f. Address indirect and cumulative impacts for transportation corridors and material distribution. This should include Oregon Spotted Frog, and SRKW.
 - g. Impacts to regulated areas are proposed. Provide a site plan that combines the regulated wetlands, streams, and buffers with the proposed development to show location of proposed impacts.
 - h. Off site mitigation may be considered when mitigation sequencing is completed on site, and if warranted (WCC 16.16.680 and 760). A baseline review for alternative site consideration would be reviewed under a separate permit.
3. *Preliminary Aquifer Recharge Area Evaluation: Ranch Quarry:*
- a. Page 13, Drainage Basin 3 Characterization, clarify the flow direction discussion. There is a reference to DB#4 which appears to drain to the northwest. However, it appears that most of DB#3 drains to a wetland complex that outlets to the east, with a defined stream channel with over-bank wetlands that eventually drain north.
 - b. Page 17, Stormwater Management Plan, clarify how many drainage basins are in the project area. This section of the report mentions 5 drainage basins. Figure 4 of the report identifies 4 Drainage Basins. All basins within the project area drain to regulated wetlands and/or HCA (streams).
 - c. Page 20 refers to direct impacts to regulated wetlands. Provide discussion on direct impacts to regulated HCA, cumulative and indirect impacts to all wetlands and HCA.
 - d. Page 20 refers to a limited effect on stream flow. Clarify the description “likely minor” effect, and “for the most part” when referring to reduction of drainage inputs to the surficial flows supporting regulated wetlands and HCA streams.
 - e. Page 22 and 23, Summary of Findings, provide clarification for analysis of all alterations in hydrology to regulated wetlands and HCA, indirect and cumulative. Baseline modeling (for example, piezometers) may be helpful for calculating impacts.
4. *Preliminary Stormwater Memo:*
- a. This document indicates no changes to existing stormwater within each basin. However, it bases the conclusion on projected further/future analysis and a reclamation plan that will be developed at a later date. Please clarify if this conclusion includes cumulative and temporary impacts, or only permanent impacts to regulated wetlands and FWHCA.
 - b. The Aquifer Recharge Area Evaluation describes some change to Drainage Basin 1 and 4 flow, which does contain regulated wetland/HCA. Direct, indirect, and cumulative changes in flow to regulated areas requires analysis (WCC 16.16.255 for reporting requirements and 16.16.620 and 720 for stormwater).

C. Critical Areas (GeoHazards) – Andy Wiser – Awiser@co.whatcom.wa.us

WCC, Chapter 16.16, Article 5. Critical Aquifer Recharge Area

1. All recommendations for the protection of surface and groundwater presented in the *Preliminary Aquifer Recharge Area Evaluation – Ranch Quarry*, prepared by Canyon Environmental, dated December 19, 2022, shall be incorporated in the project design. Canyon Environmental shall document the implementation of their recommendations by performing the following tasks:

- a. Review the final stormwater plan prepared by Pacific Surveying and Engineering to ensure adequate treatment and monitoring of stormwater at each respective detention basin. In addition to water quality and quantity, the stormwater plan shall demonstrate that the rate of stormwater discharge from each detention basin will mimic pre-development conditions. Furthermore, due to the duration of the proposed mining operation, the stormwater design shall address the evolution of the site and outline the phasing of stormwater facilities as necessary to avoid temporal impacts to surface and groundwater resources.
 - b. Implement a water sampling plan of newly installed observation wells, existing wells and adjacent surface waters adequate to establish baseline ground and surface water discharge rates from each drainage basin (to aid stormwater design) and background metal concentrations (for future monitoring).
 - c. Develop an operational plan for surface- and groundwater sampling at adjacent creeks, wetlands and observation wells proximal to the mine footprint at each detention basin. The intent of the plan shall be to monitor suspended metal concentrations in ground and surface water as necessary to ensure background levels remain unchanged, and shall include recommended actions if elevated metal concentrations are detected. The surface water sampling protocol shall also include surface water sampling directly from each detention basin, pre- and post-treatment.
 - d. Prepare a final report describing the above detailed items and providing confirmation that no adverse impacts to adjacent surface and groundwater resources will result from the proposed improvements.
2. While staff concurs with the interpretation put forth by Canyon Environmental that the Critical Aquifer Recharge Area within the mine footprint would be more accurately mapped as low susceptibility, the proposed development activity is located adjacent to, and contributes directly to the South Saar Creek and Saar Creek aquifers, both of which are mapped as moderate to high susceptibility. For this reason, all site operation plans shall be developed in adherence with the development standards of WCC 20.73.702, Surface Mines Located in a Critical Aquifer Recharge Area.

WCC, Chapter 20.73.703 Public safety

As indicated in the findings from pre2020-00055, a Site Management Plan shall be created that outlines the operational plan and mitigation measures intended to satisfy the requirements of WCC 20.73.703, Public Safety. In addition to outlining standard operating procedures at the mine site, the site management plan shall specifically address the following:

3. Asbestos - As outlined in the pre-application meeting (provided below), additional information is required regarding the potential presence of naturally-occurring asbestos in the ultramafic rocks mapped within the footprint of the proposed mine. Staff understands that the applicant has engaged Element Solutions to further explore the presence of naturally-occurring asbestos within the footprint of the mine perimeter. Pending the results of their assessment, it may be necessary to advance exploratory borings to confirm sub-surface lithology and structural relationships.

Pre-application Meeting Comments – pre2020-00055

The 'Preliminary Geological Review and Commentary' prepared by Element Solutions describes the potential for ultramafite rock units mapped in the area to contain asbestos-bearing rock. If encountered, excavation and processing of these rock types could present a hazardous condition for mine employees and neighboring residents. In the absence of a rock exploration program of sufficient density to conclusively rule out the presence of asbestos-bearing rocks, the applicant shall devise an asbestos-testing and mitigation program to be included in the projects' Site Management Plan. The program shall be prepared by a qualified professional and shall be reviewed and preliminarily approved by the WDRN Surface Mining Program and the Washington State Clean Air Agency prior to submittal to Whatcom County Planning.

4. Noise – Staff understands that the applicant has retained a consultant to perform a noise study. The Site Management Plan shall incorporate the recommendations prepared by the consultant, and, if necessary, site layout and phasing shall be modified to adhere to the recommendations prepared by the sound consultant.
5. Dust – The Site Management Plan shall include mitigation measures to be employed for dust suppression.
6. Phasing – Address mine sequencing as required to maintain public safety and collect and convey stormwater to engineered discharge locations.

D. Public Works Engineering Services – Michael Vaughan – Mvaughan@co.whatacom.wa.us

PWES staff has reviewed the proposal to establish an approximately 70-acre surface mine through the subject permit applications. At this time PWES requires additional information to be submitted for review prior to furnishing any recommended conditions of approval for hearing examiner review.

- 1.)The submitted stormwater memo stamped by David Galbraith 12-19-2022 does not demonstrate clarity on all applicable codes, design standards, or a proposed permit pathway that will be conformed to for the entire operating window and reclamation associated with the entire scope of the proposal. Please revise to clearly discuss a permit pathway with applicable performance criteria for each phase and area of proposed development. (Specifically discuss applicability of Whatcom County Development Standards and design criteria therein, the SWMMWW, physical limits of state permit coverages, physical limits of local permits etc.)
- 2.)Whatcom County shall require a copy of the approved Site Management Plan as submitted to department of Ecology for coverage under the Sand and Gravel General permit.
- 3.)The proposed SEPA checklist submit information in conflict with other application material.
 - a. Per section A item 8, no environmental information regarding stormwater or runoff impacts has been prepared or referenced to support the SEPA checklist. Is this correct?
 - b. Per section A item 7, uses (including crushing of aggregate) are being proposed aside from mining at this time. Please explain.

c. Per section A item 11, will are no access improvements necessary for mining operations? If improvements are necessary has it been determined that all of this work also is in the MRL overlay district?

d. Per section B item 3, it is not clear that all impacts from the proposed 70-acre mining operation are being considered. Please revisit this section in its entirety and provide additional clarity on how surface water from access routes will be managed, how erosion control from mining operations will be managed, how pollution prevention from mining activity will be managed in detail and by discussing all proposed discharge points from the entire site (including auxiliary uses and access improvements) during mining operation and in the permanent rehabilitated condition per the proposed reclamation plan.

e. It is unclear how the proposal can be stated to not alter surface water or rain water runoff on site given that the proposal includes excavation of millions of cubic yards of existing material. Please provide clarity on how alterations to the permanent topography is planned to be managed and what design criteria and applicable regulations this approach is conforming to.

f. Section 14 "transportation" provides no narrative of how traffic impacts from the proposal will impact any public facilities. Please revisit this section after preparing a full scope Traffic Impact Analysis report providing criteria outlined in Whatcom County Development Standards Chapter 5 and provide further clarification on traffic impacts. As submitted the information cannot be used for review as it is in conflict with other submittal documents (e.g. SEPA checklist states 25 ADT is anticipated which represents 12 round trips and a single one way trip. The project narrative submitted also states 3 employees will be on site – which at minimum would constitute 6 trips of the proposed 25 ADT. The submitted project narrative states that 12.743 million cubic yards of hauling is proposed. If only 12 round trips of haul out occur a day does not represent an accurate estimate of truck trips.

4.)The submitted encroachment application does not clearly identify what analysis has been performed for the proposed change in use at the existing site access to South Pass Road. At this time any access connection to a County road proposed to accommodate surface mine traffic, including the existing access connection serving APN 40051722047, shall require an analysis and proposal by a WA state licensed professional engineer experienced in traffic and transportation design. All applicable provisions of Whatcom County Development Standards Chapter 5 for access and specifically commercial access shall be required to be addressed in a submitted engineering analysis for county review. Analysis shall include sight distance, proposal of an appropriate paved apron structural section, driveway radii analysis, verification of public road pavement width for accommodating minimum required turning motions based on predicted truck-trailer vehicles, analysis for need of a right hand turn lane for entering the site.

5.)The project shall require a full scope Traffic Impact Analysis Report (TIAR) as outlined in WCDS chapter 5 appendix D. Additional details of contents needing analysis are included in items 3-(f) and 4 above. At this time the County Engineer will be requiring all hauling traffic associated with the proposal to travel North via Frost Rd to Reese Hill Rd (State Route 547) as the approved haul route. No project hauling shall be allowed west on South Pass Road from the proposed site access or east of Frost Road. Along with a full scope TIAR please also complete a County form Haul Route Questionnaire that can be used as a basis for determining conditions of any potentially required Haul Route Agreement between the County and the Project Hauler for maintaining pavement condition on any county impacted roads.

E. Health Department – Sarah Cierebiej – Scierebi@co.whatcom.wa.us

1. The WCHCS requires additional information from the applicant.

Water Supply

Whatcom County Building Services will require a restroom for this project. The applicant will need to demonstrate they have a restroom that is easily accessible for employees and truck drivers. The applicant must demonstrate an adequate potable water supply. Because the applicant states the project will have less than 25 people a day, the existing well can be developed as a Commercial Non-Group B well.

The applicant will be required to provide a WCHCS approved well site inspection prior to CUP approval. At the time of building permit, the applicant will be required to provide an approved Water Availability Form.

Sewage Disposal

Whatcom County Building Services will require a restroom for this project. The applicant will need to demonstrate they have a restroom that is easily accessible for employees and truck drivers. The applicant will be required to provide a narrative from a licensed on-site sewage system (OSS) designer specifying the location, size and type of OSS that will be required for the proposed project prior to CUP approval. Depending on the location of the OSS, the applicant may need to consider possible critical areas and their buffers.

The applicant will be required to provide a WCHD approved OSS design at the time of building permit application.

This Notice of Additional Requirements shall not preclude the County from requiring additional information or studies at any time during the permit approval process. Please be advised that there may be resubmittal and review fees required at the time of resubmittal. Please contact staff for a list of the applicable fees and a resubmittal appointment when ready to resubmit.

As required by WCC 22.05.130(1), the County shall issue a notice of final decision for all permit types, within 120 calendar days of the date the department determined the application complete, except as provided within WCC 22.05.130(1)(a). However, additional time is needed to issue a final determination on the applications referenced above per Whatcom County Code (WCC) section 22.05.130(1)(c).

This final decision extension is necessary due to the complexity of this application and the possible need for additional NOARs as well as staffing limitations.

We expect to issue a final decision on the above referenced application within a reasonable time following receipt complete and sufficient response to all the information requested in this NOAR, notwithstanding any additional information or documentation needed to demonstrate compliance with applicable county regulations per WCC 22.05.130(1)(a).

In summary, the review of your application is **on HOLD** until the additional information is provided. If after 180 days these requirements have not been satisfied and a written time extension has not been approved pursuant to 22.02.100(3), your application will expire pursuant to WCC 22.05.140(2). A notice of additional requirements is not a final administrative determination as outlined in WCC 22.05.100(3).

If you have any questions regarding this letter, do not hesitate to contact me or the applicable staff member.

Sincerely,

A handwritten signature in black ink, appearing to be 'SM', written over a horizontal line.

Sam McDaniel
Planner II – Current Planning
Whatcom County Planning & Development Services

Attachment:
CUP2023-00001 3rd Party Checklist



Third Party Wetland Delineation and Verification Review Checklist

Whatcom County Permit #: <u>CUP2023-00001</u>
County Project Coordinator: <u>Amy Dearborn</u>
Name of Reviewer(s): <u>Lydia Baldwin and Fiona McNair</u>

Date of Field Review: <u>3/29/23</u>

Review and reporting requirements requested to be reviewed pursuant to WCC 16.16.670.

Wetland verification: A verification of all wetlands (to the extent they can be legally accessed) including, at a minimum, the following information:

- Wetland boundary
- Determination of each wetland size.
- Description of each wetland class and category.
- Wetland rating forms and associated figures from the Ecology Wetland Rating System for Western Washington, as amended.

If a review identifies discrepancies in the reporting, please describe in comment section.

Comments:

- Observed areas with wetland hydrology and hydric soils
 - See attached marked up map
 - SP-1
 - Observed wetland hydrology, hydrophytic vegetation and hydric soils on right bank of seasonal stream across from Wetland A in area not delineated as wetland by NWE
 - SP-2
 - Observed ponding, hydrophytic vegetation, and hydric soils in area not delineated as wetland by NWE
 - SP-3
 - Observed wetland hydrology, hydrophytic vegetation and hydric soils in area shown as a stream, not wetland by NEW
 - Broad bottomed drainage dominated by FAC vegetation with silty soils

- Observed saturation at 2-in, groundwater at 8-in and soils similar to SP-3 in low lying area southeast of Wetland K
- Observed body of ponded water north of gravel road and west of Stream J
- Observed saturation at 0-in and groundwater at 7-in where NWE had SP-304
 - Area vegetated with willow, dense reed canary grass and Himalayan blackberry
- Observed saturation at 4-in and groundwater at 8-in within a stand of young alder with understory of reed canary grass and Himalayan blackberry north of and across the road from SP304
- Observed saturation at 0-in and groundwater at 7-in within an area vegetated with stinging nettle and youth on age southwest of SP-304
- Observed a culvert that drains Wetland F under a gravel road towards the area around SP-304
- Observed drainage not mapped by NWE north of Wetland F
- Rating form comments
 - Wetland A- incorrect HGM class rating form was used and multiple discrepancies identified that will be impactful regardless of HGM classification
 - Ponded water was observed in small depressions in portion of wetland. Depressions varied from approximately 3-5ft in diameter with ponding 3-6-in deep. Wetland has both slope and depressional HGM classes and should be rated as depressional, not slope
 - S 2.2 – other sources of pollutants include large native herbivores
 - S 3.3 – wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - S 6.1 – there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems
 - H 1.1 and H 1.4 – observed scrub shrub portion of wetland and would claim moderate amount of habitat interspersion
 - Without changing rating form, above edits bump wetland to Category II
 - Wetland C- rated as Category III depressional by NWE- likely Category II depressional
 - D 3.3- wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - D 6.1 - there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems
 - H1.1 – observed emergent portion of wetland just west of assessment area. Forested portions had canopy, shrubs and emergent or moss/ground cover
 - H1.3- observed more than 19 species within the wetland. Nurse logs and small hummocks support isolated patches of typically upland species
 - Acer circinatum
 - Acer macrophyllum
 - Tsuga heterophylla
 - Alnus rubra
 - Picea sitchensis
 - Thuja plicata
 - Betula occidentalis
 - Pseudotsuga menziesii

- Scirpus microcarpus
- Tolmeia menziesii
- Lysichiton americanus
- Veronica americanus
- Oenanthe sarmentosa
- Athyrium filix femina
- Polystichum munitum
- Urtica dioica
- Ribes bracteosum
- Rubus ursinus
- Vaccinium parvifolium
- Rubus spectabilis
- Cornus sericea
- Ribes lacustre
- Pteridium aquilinum
- H1.5- Although some reed canary grass and Himalayan blackberry were observed, they cover less than 25% of their respective strata. Snags observed within wetland
- **Uncertainty about D2.1 and D5.1**
 - **If stormwater discharges to wetland- then this would bump wetland to Category**
 - **There are gravel roads adjacent to portions of wetland**
 - **Quarry area is upslope of wetland and according to NEW, runoff from rock quarry enters Wetland C**
 - **Manual does not provide sufficient detail to determine if this scenario "counts" as stormwater discharge to wetland. Potentially recommend reaching out to Amy Yahnke for specific guidance**
- Wetland F- rated as Category III depressional by NWE- likely Category II depressional
 - D 2.1 – runoff from gravel road directly adjacent to wetland
 - D 2.4- other sources of pollutants include large native herbivores
 - D 3.3- wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - D 4.2 – water was observed ponding in wetland greater than .5-ft
 - D 5.1 - runoff from gravel road directly adjacent to wetland
 - D 6.1 - there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems
 - H1.1- scrub shrub portion of wetland observed and forested class has overstory, shrubs and herbaceous/moss/ground cover
 - H1.4- low habitat interspersions observed
 - H1.5- standing snags observed within wetland
- Wetland K- rated as Category III depressional by NWE- likely Category II depressional
 - D 2.1 – runoff from gravel roads directly adjacent to wetland
 - D 2.4- other sources of pollutants include large native herbivores
 - D 3.3- wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - D 4.2 – water was observed ponding in wetland greater than .5-ft
 - D 5.1 - runoff from gravel road directly adjacent to wetland
 - D 6.1 - there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as

- Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems
 - H 1.1- forested class has overstory, shrubs and herbaceous/moss/ground cover
 - H 1.5- snags observed within wetland
- Wetland L - incorrect HGM class rating form was used and multiple discrepancies identified that will be impactful regardless of HGM classification
 - Ponded water was observed in small depressions in portion of wetland. Depressions varied from approximately 5-10ft in diameter with ponding 3-6-in deep. Wetland has both slope and depressional HGM classes and should be rated as depressional, not slope
 - S 2.2 – other sources of pollutants include large native herbivores
 - S 3.3 – wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - S 6.1 – there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems
 - H 1.1 and H 1.4 – observed scrub shrub portion of wetland and would claim moderate amount of habitat interspersion
 - Without changing rating form, above edits bump wetland to Category III
- Wetland N – rated by NWE as Category III depressional- likely Category II depressional
 - D 2.4- other sources of pollutants include large native herbivores
 - D 3.3- wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - D 6.1 - there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems
 - H 1.1- forested class has overstory, shrubs and herbaceous/moss/ground cover
- Wetland Q - rated by NWE as Category III riverine- likely Category II riverine
 - R 1.1 – depressional observed that trap water, but less than ½ area of wetland
 - R 3.3- wetland eventually drains to Saar Creek which is located within the Sumas River basin. There is a TMDL for the Sumas River (Ammonia-N, BOD and Chlorine)
 - R 6.1 - there are multiple news articles citing flooding with Saar Creek. The wetland is located within the same 12-digit HUC watershed as Saar Creek; therefore the sub-basin immediately down-gradient has flooding problems