DCLU

Director's Rule 20-90

Applicant City of Seattle Department of Construction and Land Use	**Page** 1 **of** 5	**Supersedes** NA
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	Code and Section Reference SMC 22.804.030, 23.60.020 and 23.60.062	
Subject Regulation and enforcement of Investigative Field Work performed in Environmentally Sensitive Areas and Shorelines	**Type of Rule** Code Interpretation	
	Ordinance Authority 3.06.040 SMC	
Index Environmental/Technical Requirements	**DCLU Approved** Dennis J. McLerran	**Date** 9/19/90

INTRODUCTION

In certain situations prior to submission of development applications to the Department of Construction and Land Use (DCLU), it may be necessary for an applicant to perform investigative field work on sites designated as Environmentally Sensitive, Shorelines or as may be required by other ordinances. In these cases, approval of the Director of DCLU shall be obtained prior to commencing operations. Investigative field work is meant to include, but is not limited to, soils exploration and/or surveying work, cross-hill grading, trenching, boring, and construction of temporary access roads proposed in sensitive areas, such as steep slope and unstable soil areas, marshlands, wetlands, tidal areas, and estuaries.

Investigative field work may cause environmental disruption on-site and to adjoining properties, possibly impacting the general public health, safety and welfare. Because the number of requests for investigative field work in Environmentally Sensitive, Shorelines and other sensitive areas is increasing, the addition of specified construction guidelines is necessary to control and limit the scope of work permitted without a permit.

The Grading and Drainage Ordinance allows the Director of DCLU to approve exploratory excavations under the direction of a civil engineer where no permanent stockpiling of material or excavation

will remain after exploration has been completed. The Seattle Shoreline Master Program requires the approval of the Director before any substantial development is performed in a shoreline area.

RULE

I. CATEGORIES OF INVESTIGATIVE FIELD WORK

There are three primary categories of investigative field work performed on Environmentally Sensitive, Shoreline and other sensitive sites. Based on the extent of the investigative field work proposed, the Director of DCLU shall determine the type of category and the review and analysis procedures which most thoroughly and adequately address the proposed work.

* The first category includes investigative work of such a minor magnitude that generally no review or approval is necessary from DCLU. This work is generally for a short duration and may include minor borings, cutting and/or filling (generally less than 10 cubic yards), with no construction of pioneer access roads and/or removal of significant ground cover or trees permitted. This category, however, shall comply with any applicable general development standards of the city's shoreline and grading codes.

* The second category includes investigative work of a moderate to significant magnitude that requires prior review and approval from DCLU through the requirements of this Director's Rule, as outlined in Sections II through VI. This work is generally for a longer duration and may include minor to moderate borings, trenching, and cutting and/or filling (generally 10 to 25 cubic yards), including site preparation for drilling pads and construction of pioneer access roads, and minor removal of non-significant ground cover and trees.

* The third category includes investigative work of such a significant magnitude that full grading or shoreline permits are required, complying with the complete technical requirements required by the grading and shoreline codes. This work may be for a longer duration and may include significant borings, trenching, and cutting and/or filling (generally more than 25 cubic yards), major site preparation and construction of access roads, and the removal of significant vegetation and trees.

The intent of this Director's Rule is to outline the application procedure, submittal requirements, and approval process for obtaining permission to conduct investigative field work on specified sensitive sites.

II. APPLICATION PROCEDURE:

Any time investigative field work is proposed, applicants start by calling the Quality Control Section of DCLU at 684-8472 to make an appointment with a Quality Control representative.

During this meeting, the Quality Control representative will review the applicant's investigative field work proposal to determine its scope. If the investigative field work proposal is determined to be of a "moderate to significant nature," the Quality Control representative will explain the application procedure, submittal requirements, and approval process contained in this Director's Rule. If appropriate, this initial information may be obtained by telephone.

For Shoreline areas and areas that may impact the Shorelines, the Quality Control Section shall refer the applicant to the Shoreline Enforcement Section for additional information and/or application requirements.

If the proposal includes investigative field work beyond the scope of this Director's Rule, the applicant shall comply with full grading and/or shoreline permit requirements.

All applications for permission to conduct investigative field work per the requirements of this Director's Rule shall be submitted directly to the Quality Control Section of DCLU. (Please see attached Investigative Field Work Application and Checklist)

III. MINIMUM SUBMITTAL REQUIREMENTS:

The following minimum submittal requirements are necessary to review an investigative field work application determined to have moderate to significant impacts on sensitive areas. The Director of DCLU may modify these minimum requirements and/or require additional information.

1. Vicinity map
2. Approximate topography
3. General plan of work
4. Location of proposed borings, cut and/or fill
5. Proposed route of access

6. Limits of access width, maximum cut, maximum fill required for any access road
7. If required, identification of licensed Civil Engineer supervising work
8. Name, phone number and address of contact person (Contractor)
9. Relevant Shoreline information as required
10. Proposed length of time to complete the work
11. Additional information as required by the Director

IV. REVIEW AND APPROVAL:

The Quality Control Section shall coordinate the review and approval of investigative field work applications in sensitive areas. When investigative field work is proposed in Shorelines, the Shoreline Enforcement Section shall also review and comment on the application. Review and analysis of an application may include site visits and consultations with other DCLU divisions and city departments.

Final decisions on investigative field work applications covered by the scope of this Director's Rule shall include the analysis and reasons for either approval or denial. Approved applications shall include the conditions placed on the applicant's proposal when conducting investigative field work. All conditions limiting and restricting activities to safeguard the site and surrounding properties shall be included on the final approval. The applicant shall be notified by the Quality Control Section once a decision on the application has been made.

V. CONSTRUCTION GUIDELINES:

The following list includes typical guidelines which may be used by DCLU to condition moderate to significant investigative field work applications. This list is not a complete inventory of guidelines and shall not be interpreted as such. Additional guidelines may be used by the Director of DCLU as determined necessary to protect the site and adjacent properties.

1. Conform all investigative field work to topography and/or shorelines to minimize alteration of natural features
2. Minimize cut and fill volumes
3. Minimize steepness of any pioneer access roads
4. Culvert existing drainage in advance of pioneer access road construction
5. Provide temporary cover if exposed greater than 15 days
6. Provide permanent cover if exposed greater than 60 days or at completion, whichever is sooner
7. Restore grade and topography at completion

8. Require measures for sediment retention, such as filter fabric fences and use of check dams
9. Deny use of imported fill for temporary access roads, however, under special circumstances, use of lightweight fill materials may be permitted
10. Minimize removal of and damage to vegetation - minimize or prohibit removal of trees greater than 4" caliper
11. Minimize or prohibit disruption and/or damage to wildlife habitats
12. Divert runoff from exposed areas: provide adequate cross-drains, ditches, water bars or diversion ditches
13. Minimize all access (including road) locations and site work in marshy, wet or drainage areas
14. Prohibit sediment and/or debris from entering any body of water or follow prescribed best management practices to mitigate or prevent water quality degradation

VI. INSPECTION AND ENFORCEMENT:

DCLU shall monitor and inspect sites where moderate to significant investigative field work applications subject to this Director's Rule have been approved to insure that approved procedures and conditions are being met. Violations of approved application conditions shall be grounds for revocation of the investigative field work approval, which may affect future development applications for the site, and will be subject to enforcement penalties.