



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3009370
Applicant Name: Al Elliott
Address of Proposal: 5658 West Marginal Way SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow demolition of three existing structures totaling 14,186 sq. ft (Duwamish shipyard). No change in parking.

The following approval is required:

SEPA – Environmental Determination- Chapter 23.05 Seattle Municipal Code

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The subject site is located east of West Marginal Way SW and west of the Duwamish Waterway. The site is located within a designated Shoreline Area. It is zoned Industrial General1 Unlimited/85 (IG1U85). The surrounding zones are also zoned IG1U85. The site is mostly flat level in surface. The subject site is located in a Meander Line Buffer zone. However, the demolition proposed only partially in the Meander Line Buffer zone. Analyses of the proposed demolition are not found to be an adverse impact.

Proposal

The proposal consists of the building demolition, which would take place approximately 175’;-250’ from the shoreline. Bulldozers would be used to demolish buildings and trucks would haul away debris. The proposal also includes filling a portion of the crawl space which would take place approximately 250’ from the shoreline. Trucks will deliver approximately 88 cubic yards of fill material and a bulldozer is proposed to level and compact the fill. Proposal is exempt from the Shoreline Substantial Development permit, June 23, 2008.

Public Comment:

Date of Notice of Application:	September 4, 2008
Date End of Comment Period:	September 17, 2008
# Letters	0
Issues:	N/A

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated July 9, 2008) and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, and a small increase in traffic and parking impacts due to construction workers’ vehicles. Existing City codes and ordinances applicable to the project such as: The Noise Ordinance, the Storm-water Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several construction-related impacts. Following is an analysis of the air, water quality, streets, parking, and construction-related noise impacts as well as mitigation.

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

The following temporary or demolition-related impacts are expected: temporary soil erosion; decreased air quality due to increased dust and other suspended air particulates, such as asbestos, during demolition; increased noise and vibration from demolition operations and equipment; increased traffic and parking demand from demolition personnel; tracking of mud onto adjacent streets by demolition vehicles; and vehicle/pedestrian conflicts adjacent to the site. These impacts are not considered significant because they are temporary and/or minor in scope. Although not significant, some of the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide adequate mitigation for some of the identified impacts. Specifically these are: 1) Grading and Drainage Control Ordinance (storm water runoff, temporary soil erosion, and site excavation); and 2) Street Use Ordinance (tracking of mud onto public streets, and obstruction of right-of-way during demolition).

Long-term Impacts

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Air Quality

Demolition will create dust, leading to an increase in the level of suspended particulates in the air, which could be carried by winds out of the construction area. The Street Use Ordinance (SMC Chapter 15.22) requires watering the site, as necessary, to reduce dust. In addition, the Puget Sound Clean Air Agency (PSCAA regulation 9.15) requires that reasonable precautions be taken to avoid dust emissions. In addition to spraying water or chemical suppressants, this may require activities that produce air-borne materials or other pollutant elements to be contained within a temporary enclosure. Demolition could require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would contribute slightly to the degradation of local air quality. Since the demolition activity would be of short duration, the associated impact is anticipated to be minor, and does not warrant mitigation under SEPA.

PSCAA, Department of Labor and Industry, and EPA regulations provide for the safe removal and disposal of asbestos. However, no permit process exists that ensures that PSCAA has been notified of the proposed building demolition and that asbestos and lighting features has been removed from the site. A condition shall be added requiring the applicant to submit to DPD a copy of the PSCAA demolition permit prior to issuance of master use and/or demolition permit. This condition is imposed pursuant to SEPA authority to mitigate air quality, construction and environmental health impacts, SMC 25.05.675 A, B, and F.

Streets and Sidewalk

The Street Use Ordinance includes regulations that mitigate dust, mud, and circulation impacts. Any temporary closures of the sidewalk and/or traffic lane(s) would be controlled with a street use permit through the Seattle Department of Transportation.

The other impacts not noted here as mitigated by codes or conditions (e.g., increased traffic and parking demand from demolition personnel) are not sufficiently adverse to warrant further mitigation by conditioning.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposals which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

Prior to the Issuance of Construction and/or Demolition Permits

1. The owner(s) and/or responsible party(s) shall submit a copy to DPD of any required PSCAA Demolition Permit(s).

Signature: _____ (signature on file) Date: October 23, 2008
Laura Kim, Land Use Planner
Department of Planning and Development
Land Use Services

LK:bg

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