



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: 3010434
Applicant Name: Chad Wichers for Michael Rojas
Address of Proposal: 8746 Fauntlee Crest SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow removal of approximately 2,846 square feet of vegetation and 13 evergreen trees in an environmentally critical area. Project includes a revegetation management plan.

The following approval is required:

SEPA – Environmental Determination
(Seattle Municipal Code Chapter 25.05. and 25.09.320)

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

The lot is zoned SF 7200. The site is developed with a single family home. The property is in a steep slope environmentally critical area. Landscaping is primarily ornamental shrubs and small stands of trees to the rear and uphill from the house. Other properties in the area are single family residential.

Proposal Description

The applicant proposes a habitat restoration effort of a vegetated hillside slope in the rear yard. Invasive species are proposed to be removed along with most of the trees. Many of the trees were topped. The trees to be removed will be those that are recommended for removal by an arborist and agreed upon by the city. Also proposed is a restoration planting plan of native plants; shrubs and trees.

Public Comments

No comment letters were received during the official comment period which ended on August 19, 2009.

ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist prepared on May 15, 2009 and supplemental information in the project file submitted by the applicant. The information in the checklist, the supplemental information, and the experience of the lead agency with the review of similar projects forms the basis for this analysis and decision. Review is limited to issues pertinent to steep slope ECA impacts and mitigation.

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, and 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 or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.

Short-term Impacts

Temporary or construction-related impacts are expected. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794). City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Building Code (construction measures in general) and 2) Stormwater, Drainage and Grading Code (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. However, the proposal site is located in environmentally critical areas. Therefore, additional discussion of earth impacts is warranted.

Earth / Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a geotechnical engineering study. The study has been reviewed and approved by DPD's geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties, and ensure that the proposal complies with the Stormwater, Grading and Drainage Control Code. No additional conditioning is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves 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 due to the relatively minor contribution of greenhouse gas emissions from this project.

Long-term Impacts

The long-term impacts are expected to be very minimal due to the restoration of native plants. Any long term impacts will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff). The other impacts not noted here as mitigated by codes or conditions are not sufficiently adverse to warrant further mitigation by condition.

Plants and Animals

As per SMC 25.05.675 N, many species of birds, mammals, fish, and other classes of animals and plants living in the urban environments are of aesthetic, educational, ecological and in some cases economic value. Local wildlife populations are threatened by habitat loss through destruction and fragmentation of living and breeding areas and travel ways, and by the reduction of habitat diversity. It is the City's policy to minimize or prevent the loss of wildlife habitat and other vegetation which have substantial aesthetic, educational, ecological, and/or economic value. A high priority shall be given to the preservation and protection of special habitat types. This project was reviewed under SMC 25.09.320 Trees and vegetation. This section states that removing, clearing or any action detrimental to habitat, vegetation or trees is prohibited, with exceptions, in an environmentally critical area. Normal and routine pruning and maintenance is allowed with some restrictions. Restoring or improving vegetation and trees, including removing non-native vegetation or invasive plants and noxious weeds by hand, to promote maintenance or creation of a naturally functioning condition that prevents erosion, protects water quality, or provides diverse habitat is allowed with restrictions. This project has been reviewed and corrected to meet the standards of this chapter as shown on the approved plans.

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 due to the relatively minor contribution of greenhouse gas emissions from this project.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a 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.

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. An EIS is required under RCW 43.21C.030 (2) (C).

CONDITIONS – SEPA

For Life of the project

1. The landscaping should be maintained as per plans.

Signature: _____ (signature on file) Date: November 5, 2009

Holly J. Godard,
Land Use Planner
Department of Planning and Development

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