



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: 3010997
Contact Person: Kathleen Day
Address of Proposal: 1954 NW Blue Ridge Dr

SUMMARY OF PROPOSED ACTION

Land Use Application to allow re-vegetation of a 5,200 sq. ft. area in an environmentally critical area. Project includes vegetation restoration plan.

The following approval is required:

SEPA - Environmental Determination – (Chapter 25.05, 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 INFORMATION

Site Location: The site is a residential property located along the west side of 1954 NW Blue Ridge Dr

Zoning: Single Family 7200 (SF 7200).

Parcel Size(s): The parcel size for this property is 11,388 square feet.

Existing Use: This property is currently developed with a single family residence.

Zoning in the Vicinity: The zoning in the vicinity is SF 7200.

Use in the Vicinity: The development in the vicinity consists of single family residences.

Proposal

Land Use Application to allow re-vegetation of a 5,200 sq. ft. area in an environmentally critical area. Project includes vegetation restoration plan.

Public Comments

Notice of application was sent on March 22, 2010. No public comments were received through the public notice process.

ANALYSIS - SEPA

The proposal site is located in landslide-prone critical area and therefore the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist dated February 15th, 2010. The information in the checklist and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has reviewed and analyzed the environmental checklist submitted by the project applicant, the accompanying project plans, and the geotechnical report submitted pursuant to SMC 25.09.320.B2, and determined that this action will not result in significant adverse impacts to the environment.

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 certain 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 considered.

Short-term Impacts

The following temporary impacts on the identified critical area are expected: site preparation for planting a small amount of vegetation may expose soil leading to increased soil erosion and sedimentation during planting activities and following plant installation until the new vegetation is adequately established on site. Due to the temporary nature and very limited scope of these impacts, they are not considered significant (SMC Section 25.05.794).

Several adopted codes and/or ordinances provide mitigation for the identified impacts. The Stormwater, Grading and Drainage Control Code (SMC Chapter 22.800) require that soil erosion control techniques be in place for the duration of the land disturbing activities. The Regulations for Environmentally Critical Areas (SMC Chapter 25.09) regulates activity within designated ECA areas. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

In order to mitigate for unauthorized tree removal in the landslide hazard area, the applicant has submitted an Environmentally Critical Area Restoration plan conforming to requirements in SMC 25.09.320. Pursuant to this section, the applicant also submitted a geotechnical report prepared by Otto Rosenau & Associates, Inc., dated March 15th, 2010. This report evaluates the current stability of the landslide-prone area, taking into consideration the unauthorized tree removal and natural vegetative regrowth that now exists in the disturbed area. The report also provides recommendations for minimizing surface erosion and maintaining long-term slope stability. This report and associated plans have been reviewed by a DPD staff geotechnical engineer and an ISA Certified Arborist who have concurred with the information and conclusions in the geotechnical report. The geotechnical report notes that the area in which the trees were initially cut without DPD approval is currently stable and has nearly completely revegetated by natural regrowth. The geotechnical report recommends adding native plants to two small areas (12 and 27 sq. ft) areas of bare soil identified on the submitted planting plan. The report also recommends removing several remnant big leaf maple stumps, which are within several feet of a retaining wall along the slope; these areas would also be replanted with native vegetation. No further revegetation is necessary due to the abundant natural plant regrowth which has occurred since the unauthorized tree-cutting took place. These actions conform to standards in SMC 25.09.320 for revegetation of Environmentally Critical Areas and no additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

A possible long-term impact anticipated as a result of this proposal would be adverse impacts from slope failure or soil erosion control if vegetative cover is not continually protected. SMC 25.09.080 B.3 prohibits removal of, clearing, or any action detrimental to trees or vegetation in landslide prone critical areas unless done in accordance with a revegetation plan, as provided in Section 25.09.320. Following the prescriptive best management practices and plant installation and maintenance techniques in DPD's standard Environmentally Critical Areas Standard Mitigation Plan is expected to ensure long-term plant survival and minimize the potential for any long-term impacts. Therefore, no additional conditioning is warranted pursuant to SEPA policies.

DECISION - SEPA

The responsible official on behalf of the lead agency made this decision after review of a completed environmental checklist and other information on file with the 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

None required.

Signature: _____ (signature on file) Date: May 24, 2010
Seth Amrhein, Senior Environmental Analyst
Department of Planning & Development

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