



**City of Seattle**  
Edward B. Murray, Mayor

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**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:** 3020852  
**Applicant Name:** Heather Page  
**Address of Proposal:** 5900 West Marginal Way SW

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow 12,400 cu. yds. of maintenance dredging within the lower Duwamish Waterway

The following approval is required:

**SEPA** – Chapter 25.05 Seattle Municipal Code for excavation and construction in an Environmentally Critical Area.

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

**BACKGROUND DATA**

Project Description

Glacier Northwest is proposing a maintenance dredging project at their facility located on the Lower Duwamish Waterway (LDW) at 5900 West Marginal Way Southwest in Seattle. In 2005, Glacier conducted a maintenance dredging effort within the berth area to a final elevation of -35 feet mean lower low water (MLLW) (U.S. Army Corps of Engineers [USACE] Reference No. 200400167). Due to increased sedimentation experienced in this reach of the LDW (approximately 4 inches per year on average), a portion of the existing berth at the Glacier dock no longer achieves authorized depths of -35 feet MLLW. Therefore, dredging is required to maintain safe depths for berthing and access to the terminal.

The project includes removing up to 12,400 cubic yards (cy) of sediment within the approximately 2.2- acre berth area. Maintenance dredging is proposed to a depth of -34 feet MLLW, with an additional 0.5 foot of overdredge allowance, to a total of -34.5 feet MLLW. Dredge controls will be in place during maintenance dredging to tolerate a maximum depth of -34.5 feet to avoid disturbance to the existing clean sand cover that was placed as part of the 2005 maintenance dredging effort. Maintenance dredging activities will occur entirely within the previously maintained berth area.

Conservation measures and best management practices (BMPs) will be implemented to avoid and minimize environmental and the exposure of sensitive species to potential effects from maintenance dredging during the project, as described in the Biological Evaluation (dated June 10, 2015).

No vegetation will be disturbed during site preparation activities. The barge will be managed such that the dredged sediment load does not exceed the capacity of the barge. The load will be placed in the barge to maintain an even keel and avoid listing. The sideboards and scuppers of the barge will be covered by a filter media, such as straw bales and/or geotextile fabric, to filter and retain suspended sediment while allowing the filtered water to drain back into the LDW. The dredge material will be transferred by barge to an appropriate upland off-site facility designated for this purpose.

The project received a shoreline exemption approval (DPD project number 6479573) as consistent with SMC 23.60A.020.C.1 on August 31, 2015. The applicant has supplied information demonstrating the project will be implemented consistent with Shoreline Master Program development standards for dredging in SMC 23.60A.182.

### Public Comments

The application was deemed complete on August 3, 2015. The public comment period ended on August 23, 2015. No comments were received.

### ANALYSIS – SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and dated June 5, 2015. The information in that checklist, associated plans and reports, public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The project site is located in an environmentally critical area (fish and wildlife habitat conservation area-shoreline habitat). 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 evaluating the need for additional for mitigation measures to protect the ECA in order to achieve consistency with SEPA and applicable environmental laws.

The Department of Planning and Development has reviewed and analyzed the environmental checklist submitted by the project applicant and the accompanying project plans and determined that this action will not result in significant adverse impacts to the environment. Codes and development regulations applicable to this proposed project will provide sufficient mitigation and no further conditioning or mitigation is warranted pursuant to the SEPA Overview Policy (SMC 25.05.665).

### Short -Term Impacts

The following potential temporary impacts to the environment from the proposed dredging may occur: limited localized erosion of the bottom sediments, removal of benthic organisms in project area, degraded water quality from increased turbidity or contamination from fuel or lubricant spillage, physical disturbance of the aquatic environment, which may displace some fish and wildlife, and construction noise, which also may disturb or displace aquatic or terrestrial animals. While these impacts are adverse, they are not expected to be significant.

Best management practices to minimize or eliminate short-term impacts of this project are incorporated into this project and conditioned below. These include:

- Work will be completed during regulatory approved work windows, anticipated to be October 1 to February 15 of each year, or an approved extension.
- Turbidity and other water quality parameters will be monitored to ensure that construction activities are in compliance with Washington State Surface Water Quality Standards (173-201AWAC).
- Appropriate BMPs will be employed to minimize sediment loss and turbidity generation during dredging. BMPs may include, but are not limited to, the following:
  - Eliminating multiple bites while the bucket is on the bottom;
  - No stockpiling of dredged material on the sea bed;
  - The barge will be managed such that the dredged sediment load does not exceed the capacity of the barge. The load will be placed in the barge to maintain an even keel and avoid listing;
  - No overtopping of the barge sideboards will be allowed during placement of dredged sediment, and no free water from the dredged sediment will be directly discharged back into the surface waters without passing through the filter media to prevent release of suspended sediments.
- The contractor shall be responsible for the preparation of a Spill Prevention, Control and Countermeasure (SPCC) Plan to be used for the duration of the Project to safeguard against an unintentional release of fuel, lubricants, or hydraulic fluid from construction equipment.

The proposal is also subject to the City of Seattle noise, grading, stormwater, shoreline and ECA regulations, as well as air quality regulations administered by the Puget Sound Clean Air Agency. Compliance with applicable provisions of these regulations is expected to minimize or eliminate short-term impacts to the environment. Therefore, no further conditioning pursuant to SEPA policies is warranted.

Long-term Impacts

Long-term impacts from the dredging are not expected. The project will result in removal of benthic organisms, but this effect is expected to be short-term and temporary due to expected rapid recovery of the benthic community following this work, and no long-term modifications of salmonid prey species habitats are expected, as discussed in more detail in Biological Evaluation submitted by the applicant.

While it is understood that that dredging may need to occur in the future due to resedimentation, impacts from this future dredging will be addressed by future environmental reviews and permitting through the City of Seattle, Washington Department of Fish and Wildlife and Army Corps of Engineers. No further conditioning is warranted based on long-term impacts.

**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.

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

**CONDITIONS – SEPA**

*During Construction:*

- 1) Applicant shall conduct dredging operations consistent with Best Management Practices described in application material and standards for dredging in SMC 23.60A.182.

Signature: Denise R. Minnerly for Date: October 15, 2015  
Ben Perkowski, Senior Land Use Planner  
Department of Planning and Development

BP:drm

**IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled. (SMC 23-76-028) (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.