

**CITY OF BURIEN, WASHINGTON
MEMORANDUM**

DATE: January 4, 2010

TO: Recipients of Emerald Pointe on the Sound Final Environmental Impact Statement (FEIS)

FROM: Scott Greenberg, AICP, Community Development Director *SG*

SUBJECT: Addendum to Emerald Pointe on the Sound FEIS

In June 2008, the City of Burien issued a Final Environmental Impact Statement (FEIS) for the proposed Emerald Pointe Project. Access to the project analyzed in the FEIS was from SW 136th Street north across the adjacent Highline School District property to the site ("the 2008 plan" see Attachment 1). Subsequently, the applicant withdrew a request to obtain access rights across the School District property.

On May 21, 2009, the applicant submitted a revised access plan for the project ("the 2009 plan" see Attachment 2). Instead of entering through the School District property, the project access would be moved farther west along SW 136th Street, then directly north into the site. The purpose of this memo is to determine the appropriate environmental review needed for this proposed access revision.

Washington Administrative Code (WAC) Section 197-11-600 addresses when to use existing environmental documents. WAC 197-11-600(3)(b) states:

(b) For DNSs and EISs, preparation of a new threshold determination or supplemental EIS is required if there are:

(i) Substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts (or lack of significant adverse impacts, if a DS is being withdrawn); or

(ii) New information indicating a proposal's probable significant adverse environmental impacts. (This includes discovery of misrepresentation or lack of material disclosure.) A new threshold determination or SEIS is not required if probable significant adverse environmental impacts are covered by the range of alternatives and impacts analyzed in the existing environmental documents.

As discussed below, the 2009 plan is not a substantial change to the 2008 plan analyzed in the EIS, nor will the 2009 plan have significant adverse environmental impacts not already addressed in the EIS. **Therefore, a new threshold determination or Supplemental EIS is not required and an "addendum" to the existing FEIS is appropriate.** An "addendum" provides additional information and analysis that does not substantially change the analysis of significant impacts and alternatives in the existing environmental document (WAC 197-11-706).

Discussion

On May 22, 2009, I requested additional information from R.W. Thorpe & Associates to help determine how the proposed access changes related to WAC 197-11-600(3)(b). The requested information is in numbers 1-7 below, followed by my analysis of the information submitted by the

applicant. On July 23, 2009, the applicant submitted a plan (“the comparison plan” see Attachment 3) comparing the differences between the 2008 and 2009 plans. I subsequently requested additional information regarding the two areas I circled on the comparison plan. These areas would also change purpose as part of the 2009 plan—the northern circled area would become landscaping instead of road, and the southern circled area would be new road instead of landscaping.

The following information was used to inform my decision that an “addendum” is the appropriate environmental review needed for this proposed access revision:

1. Length of access starting from the current end of the improvement in SW 136th Street to the point at which the access connects with your internal road system.

The road alignment on the 2009 plan will be about 12' shorter than the 2008 plan. The 2008 road alignment is about 411' in length from a beginning point on SW 136th Street. The 411' is the total of the 396' written on the comparison plan and an estimated 15' of additional length in the northern circled area on the same plan. The 2009 road alignment is about 398' in length from the same beginning point on SW 136th Street. The 398' is the total of the 318' written on the comparison plan and an estimated 80' of additional length in the southern circled area on the same plan.

2. Amount of impervious surface

The 2009 plan will have 796 square feet less impervious surface than the 2008 plan. The comparison plan indicates that the 2009 plan will have approximately 3,612 square feet less impervious surface than the 2008 plan. These numbers were an estimate prepared by RW Thorpe & Associates. Subsequently, Touma Engineers submitted a more accurate calculation showing that the 2009 plan would have approximately 796 square feet less impervious surface than the 2008 plan.

3. Drainage flow and location

The proposed drainage flow and location will not change. Drainage from the southern portion of the site (which would include the areas drained by either access proposal) would continue to flow into the vault and dispenser west of Building G. The amount of runoff generated by the 2009 plan would be less than the 2008 plan due to reduced impervious surface.

4. Amount of grading required

The 2009 plan will involve less overall grading than the 2008 plan. The 2009 plan would require approximately 1,640 cubic yards of fill with little or no excavation. The 2008 plan would require approximately 1,833 cubic yards of excavation. Hillside stability was an impact addressed in the EIS. A December 16, 2009 letter from the City's geotechnical consultant on the project's EIS (PanGeo, see Attachment 4) concluded that the impacts of the 2009 plan would be less than the impacts of the 2008 plan since the new alignment would not require ground anchors to support cuts along the eastern property line and would be located in an area with more favorable ground conditions.

5. Height and location of required retaining walls

The 2009 plan will have shorter retaining walls than the 2008 plan both in height and in length. According to Touma Engineers (see Attachment 5), the 2009 plan will have walls of 2' to 8' high, with lengths of 110 feet along the north side and 120 feet along the south side of the road. The 2008 plan would have walls between 2' and 16' high, with lengths of 128 feet along the east side and 340 feet along the west side of the road.

6. Lighting of access road

Proposed lighting would be from low-wash light standards mounted at approximately 20' height, spaced about 50' apart. This level of detail was not provided in the EIS, however, there are general mitigating measures in the EIS to address any lighting impacts. These include: 1) Retention and/or planting of perimeter vegetation in appropriate locations to provide visual screening and reduce light trespass; and 2) Design and installation of exterior lighting so as to minimize excessive lighting levels, glare and light trespass onto adjacent properties (see Draft EIS Page 3-97).

7. Noise related to construction and operation of the access road—focusing on any noise impacts on the adjacent apartments to the south and single-family neighborhood to the southwest.

The 2009 plan could have slightly higher noise impacts on the apartments to the south since the new access alignment is closer to the apartments. There could be slightly higher noise impacts on the Hurstwood neighborhood to the southwest due to access road construction. This is because the proposed access is closer to Hurstwood than the 2008 plan. There are general mitigating measures in the EIS to address any noise impacts. These include: 1) Compliance with State and City noise regulations; 2) Use of best practices specific to noise-producing activities related to construction and forest harvesting activities; and 3) Limitation of construction hours to between 7:00 am-7:00 pm and never on Sundays (see Draft EIS Page 3-103).

ATTACHMENTS

Attachment 1: Proposed Access--June 2008

Attachment 2: Proposed Access—May 2009

Attachment 3: July 23, 2009 Comparison Plan

Attachment 4: Letter from PanGeo, December 16, 2009

Attachment 5: E-mail from Lindsay Diallo, September 8, 2009



Emerald Pointe EIS - Burien, WA
Figure 2.3-1 Site Plan: Alternative 2 - 178 unit

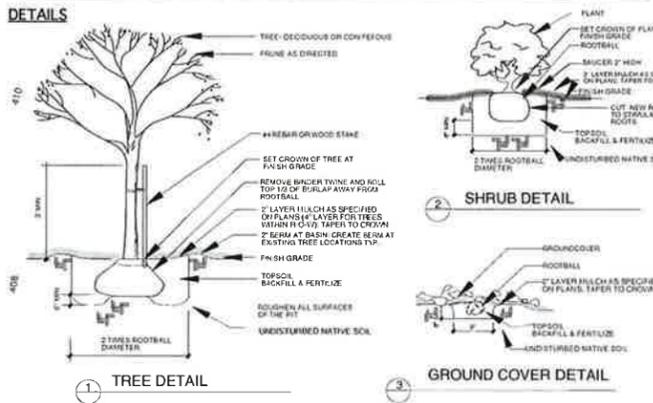
Revised per RW Thorpe & Associates 9/24/2007

Source: Richert & Associates 1/31/07



PROPOS. PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	COMMENTS
TREES					
	<i>Pseudotsuga menziesii</i>	Douglas fir	6' HT	Per Plan	Evergreen tree (Native)
	<i>Quercus palustris</i> 'Sovereign'	Pin Oak	3" CAL.	Per Plan	Deciduous (Street Tree)
	<i>Cercis canadensis</i>	Eastern Redbud	1.75" CAL.	Per Plan	Upright, spreading branches, spring flowering, yellow-orange fall color
	<i>Prunus x blireana</i>	Purple Flowering Plum	1.75" CAL.	Per Plan	Pink flowers with purple summer foliage, drought tolerant, Non-fluting
	<i>Prunus serotina</i> 'Amanogawa'	Flowering Cherry	1.75" CAL.	Per Plan	Pink flowers in April and May, columnar
	<i>Acer ornatum</i>	Vine Maple	8' HT, multi-trunk	Per Plan	Red-orange-yellow foliage in fall, 3 cane min.
	<i>Rhus typhina</i>	Staghorn Sumac	8' HT, multi-trunk	Per Plan	Scarlet fall color, 3 cane min.
MIXED EVERGREEN TREES TO AUGMENT EXISTING VEGETATION					
	<i>Taxus baccata</i>	Ingh Yew	6'	3' o.c.	Screening tree, 20' tall
	<i>Thuja plicata</i>	Western Red Cedar	6'	8' o.c.	Evergreen tree
	<i>Pseudotsuga menziesii</i>	Douglas fir	6'	Per Plan	Evergreen tree
	<i>Abies grandis</i>	Grand fir	6'	Per Plan	Evergreen tree
SHRUBS					
DECIDUOUS SHRUBS					
	<i>Cornus alba</i> 'Elegans' or 'Ivory Halo'	Dogwood	2 gal.	5' o.c.	Variiegated green/white/red stem
	<i>Eurythmus alata</i> 'compacta'	Eurythmus	2 gal.	5' o.c.	Red fall color
	<i>Spiraea bumalda</i> 'Anthony Waterer'	Spiraea	2 gal.	3' o.c.	Bright carmine flower June-fall, maroon-tinge foliage
	<i>Viburnum plicatum</i> 'Watanabe'	Watanabe Viburnum	2 gal.	5' o.c.	Dwarf, nearly everblooming
	<i>Holodiscus discolor</i>	Oceanspray	2 gal.	5' o.c.	White blossoms
	<i>Weigelia japonica</i> 'Lutea Princess' or 'Florida Minuet'	Weigelia	2 gal.	3' o.c.	Blurgandy color
EVERGREEN SHRUBS					
	<i>Azalea</i> Kurume 'Nino-crimson' or 'Sherwood Orchid'	Azalea	2 gal.	3' o.c.	Blooms in profusion, fairly, dense foliage
	<i>Ilex crenata</i> 'convexa'	Japanese Ilex	5 gal.	5' o.c.	Handsome clipped or unclipped compact and round
	<i>Pieris japonica</i> 'variegata'	Pieris	5 gal.	5' o.c.	Bright shade resistant to sun damage; and most cold hardy peris
	<i>Prunus laurocerasus</i> 'Otto Luyken' laurel	'Otto Luyken' laurel	5 gal.	5' o.c.	Best as unclipped screen maintenance of hedge not a problem because of fast growth
	<i>Rhodo macrophyllum</i>	Pacific Rhododendron	15-18" spread	5' o.c.	Puget Sound Basin Native
	<i>Rhodo Dora Amateis'</i>	Rhododendron	15-18" spread	5' o.c.	Small compact semi-dwarf foreground early midseason
	<i>Taxus cuspidata</i> 'compacta Nana'	Compact Yew	2 gal.	3' o.c.	Foundations, compact low growing form
	<i>Vaccinium ovatum</i>	Evergreen Huckleberry	2 gal.	3' o.c.	Compact best in partial shade
	<i>Polystichum munium</i>	Sword Fern	2 gal.	3' o.c.	Puget Sound Basin Native
	<i>Myrica californica</i>	Wax myrtle	2 gal.	3' o.c.	Screening shrub
GROUND COVER					
	<i>Gaultheria shallon</i>	Saltb	1 gal.	2' o.c.	Needs little water, direct habitat
	<i>Mahonia aquifolium</i>	Oregon Grape	1 gal.	2' o.c.	Puget Sound Basin Native
	<i>Viburnum davidis</i>	David Viburnum	1 gal.	2' o.c.	Spreading foreground planing
	<i>Cotoneaster dammeri</i>	Bearberry cotoneaster	1 gal.	2' o.c.	Spreading foreground planing



EMERALD POINTE ON THE SOUND

BURIEN, WA

FOR WESTMARK DEVELOPMENT CORPORATION
32124 25TH AVE. SOUTH FEDERAL WAY, WA 98008

R.W. Thorpe & Associates, Inc.

Seattle • Anchorage • Denver

Planning & Landscape Architecture
Environmental & Economics
Project Management

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Seattle Washington 98104

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E-Mail: planning@rwtia.com

RECEIVED
MAY 21 2009
CITY OF BURIEN

SOURCE: TOUMA ENGINEERS & LAND SURVEYORS: emerald pointe-178.dwg



ISSUED

No.	Description	Rev.	Chk.	App'd.	Date
1	Landscape plan		KBI	RUT	3/13/07

REVISIONS

No.	Description	Rev.	Chk.	App'd.	Date
1	Landscape plan	LD	RUT		05/20/09

RWTA JOB NO. **0808070**

SHEET TITLE
CONCEPTUAL LANDSCAPE PLAN
New Road Alignment



ROAD AREA DIFFERENCES

ORIGINAL ALIGNMENT (ACROSS HIGHLINE PROPERTY):
 LINEAR FEET: +/-396'
 AREA: +/-11,880 SQUARE-FEET (ESTIMATED IMPERVIOUS SURFACE)

PROPOSED ALIGNMENT:
 LINEAR FEET: +/-318'
 AREA: +/-8,268 SQUARE-FEET (ESTIMATED IMPERVIOUS SURFACE)

DIFFERENCE:
 LINEAR FEET: -78'
 AREA: -3,612 SQUARE-FEET (ESTIMATED IMPERVIOUS SURFACE)

DIFFERENCES IN ENVIRONMENTAL IMPACT (PROPOSED ALIGNMENT):

- ~ LESS EXISTING VEGETATION TO BE REMOVED
- ~ LESS STEEP SLOPE AREA IMPACTED
- ~ LESS IMPERVIOUS SURFACE
- ~ USES EXISTING RIGHT-OF-WAY
- ~ LESS IMPACT TO NEIGHBORING USE
- ~ REQUIRES FEWER RETAINING WALLS

RECEIVED
 JUL 23 2009
 CITY OF BURIEN

EMERALD POINTE
 ON THE SOUND

BURIEN, WA

FOR:
 WESTMARK DEVELOPMENT CORPORATION
 12124 25TH AVE. SOUTH FEDERAL WAY, WA 98003

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 & Associates, Inc.**

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SOURCE: TOUMA ENGINEERS &
 LAND SURVEYORS: emerald
 pointe-178.dwg



ISSUED			
No.	Description	By	Date
1	Landscape plan	KB	3/13/07

REVISIONS			
No.	Description	By	Date
1	Landscape plan	LD	05/20/08

RWTA JOB NO. **0808070**

HEET TITLE
**CONCEPTUAL
 LANDSCAPE PLAN**

1332.39'
 N 89°33'12" W

ATTACHMENT 3

December 16, 2009
File No. 06-166-200

Mr. Robert W. Thorpe, AICP
R.W. Thorpe & Associates, Inc.
705 Second Avenue, Suite 710
Seattle, WA 98104

**Re: FEIS Addendum Geotechnical Assessment Revised
Emerald Pointe on the Sound
Burien, Washington**

Dear Bob,

The following contains the results of our assessment of earth (geotechnical) impacts related to the proposed change in roadway access configuration. Our assessment is specifically related to addressing the following question:

“Will there be any significant change in terms of SEPA, or impacts concerning the road location running east-west along the southerly boundary, vs. a road coming in along the top of the bank, and then to the North property line near [SW] 134th [Street], and heading west over a curved, serpentine road down into the property?”

Our assessment is based on a review of the revised Conceptual Landscape Plan for the New Road Alignment prepared by R.W. Thorpe & Associates, dated May 20, 2009, and a visual site reconnaissance to observe the site conditions within the area of the New Road Alignment relative to earth (geotechnical) considerations under SEPA. In addition to the site reconnaissance, we also performed an office review of existing geotechnical information available in our files from prior studies, as well as the Earth section of the DEIS, the preparation of which was primarily PanGEO's responsibility.

Our assessment concludes that there would be less impacts from a geologic standpoint with the proposed New Road Alignment extending westerly on SW 136th Street, rather than running to the northeast corner and then into the site. The impacts are expected to be less relative to the previous access alignment due to a) the lack of need for permanent subterranean easement for ground anchors to support cuts along the eastern property line, and b) favorable existing ground conditions in terms of topography and stability for support of the fill embankment required for the New Road Alignment.

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(206) 262-0370
FAX (206) 262-0374

We trust that this assessment is adequate to support the FEIS Addendum, or Supplement, as necessary for the SEPA Official to make his determination. Please call with any questions.

Sincerely,



Robert E. Kimmerling, P.E., L.E.G.
Principal Geotechnical Engineer

REK/WPG/rek

Scott Greenberg

From: Lindsay L. Diallo [ldiallo@rwta.com]
Sent: Tuesday, September 08, 2009 3:51 PM
To: Scott Greenberg; Robert W. Thorpe
Cc: Nizar Sayani; Mounir Touma
Subject: FW: Emerald Pointe Revised Access and SEPA

----- Forwarded Message

From: <Mhtouma@aol.com>
Date: Tue, 8 Sep 2009 18:22:26 EDT
To: <ldiallo@rwta.com>
Cc: <SAYANI3@aol.com>
Subject: Re: Emerald Pointe Revised Access and SEPA

Lindsay,

It is difficult to define the circled areas. I had to make assumptions as to the extent of area coverage. I thought we were to compare the construction activities between the School property and that of the portion of the proposed road to be constructed within public right of way. Good portion of the circled areas fall within the project site. The area studied within the original alignment included approximately 15 feet of additional roadway to be extended from the property line and the proposed east-west road within the site. Likewise, I have only considered approximately fifty feet into the site area (approximatel Station 6+00). Based on these assumptions, we submit the following quantities:

Original Alignment:

Impervious Surfaces (asphalt and CW) - circled area = 383 S.F.
Total Impervious surfaces = 8165 + 383 = 8548 S.F.

Grading
Excavated Material within the circled area is estimated at 28 C.Y.
Total Excavation = 1805 + 28 = 1833 C.Y.

Proposed Alignment

Impervious Surfaces (asphalt and CW) - circled area = 1493 S.F.
Total Impervious surfaces = 6259 + 1493 = 7752 S.F.

Grading
No excavation is estimated within the circled area, because the entire roadway section is in fill, and little if any excavation will be involved in this area.
Fill Material within the circled area is estimated at 1140 C.Y.
Total Fill = 500 + 1140 = 1640 C.Y.

I hope this information respond to your request. Call me if you need to discuss any portion of this message.

Tom

----- End of Forwarded Message