ATTACHMENT 1

CITY OF OLYMPIA HEARING EXAMINER STAFF REPORT April 28, 2014

Project Name/ Case Number: Applicant:	West Bay Drive Sidewalks, Case No. 13-0128 City of Olympia Public Works 601 4 th Avenue East Olympia, Washington 98501
Representative:	Jim Rioux, Project Manager
Type of Action Requested:	Approval of: 1) a Shoreline Substantial Development Permit for the construction of sidewalks, retaining walls, and associated stormwater improvements within the shoreline jurisdiction of Budd Inlet, and 2) construction of sidewalks, retaining walls, associated stormwater improvements, and slope stabilization measures within landslide hazard areas and associated buffers.
Project Location:	West side of West Bay Drive from 1515 to 1115 West Bay Drive NW
Legal Description:	On file with the City.
Shoreline Environment:	Urban
SEPA Determination:	A SEPA Determination of Nonsignificance was issued on March 21, 2014.
Public Notification:	Public notification for this hearing was mailed to property owners within 300 feet of the subject property, recognized neighborhood association(s), and posted on-site on March 21, 2014; and published in <i>The Olympian</i> on March 21, 2014, in conformance with Olympia Municipal Code (OMC) 18.78.
Staff Recommendation:	Approval, subject to conditions.
Lead Planner:	Cari Hornbein, Senior Planner Phone: 360.753.8048 E-Mail: <u>chornbei@ci.olympia.wa.us</u>

I. BACKGROUND INFORMATION

A. Application and Review Process

Application for a Shoreline Substantial Development Permit and Critical Area review was submitted on September 18, 2013 (see Attachment 2 and Attachment 3). Under OMC 18.72.100, Shoreline Permits fall under the purview of the Hearing Examiner. Under OMC 18.32.625, the proposed sidewalk improvements and slope stabilization measures also fall under the purview of the Hearing Examiner.

B. Existing Conditions

Detailed descriptions of existing critical area, geotechnical, hydraulic, and environmental, conditions can be found in the following exhibits and reports:

- Critical Area and Shoreline Map Attachment 4
- Wetland Report Attachment 5
- Wetland, Stream, and Buffer Mitigation Plan Attachment 6
- Letter of No Effect Attachment 7
- Geotechnical Report Attachment 8
- Level V Tree Plan Attachment 9
- Focused Environmental Investigation Attachment 10

The project area is located on the west side of West Bay Drive. The west shoulder of the road is generally paved for 2-3 feet beyond the fog line, with a drainage ditch approximately 6 to 8 feet west of the fog line. The northern and southern portions of the project area fall within the shoreline jurisdiction of Budd Inlet (see Critical Area and Shoreline Map).

The project area sits at the base of a hillside, with the majority of the slopes ranging from 60-80 percent gradient. The few level areas are associated with existing development, which consists primarily of residential and commercial buildings, driveways, and parking lots. Other than West Bay Park to the south of the project area, there are no active land uses on the east side of West Bay Drive; the only buildings standing are abandoned industrial buildings.

Outside of the developed sites, vegetation consists primarily of red alder with a dense understory dominated by invasive species such as Himalayan blackberry and English Ivy. Some sword fern, which is native to the Northwest, is present. Due to the steep slopes, many of the alders are slanted and leaning over or toward West Bay Drive. Most are thickly covered with English ivy, and some trees have snag tops.

Soils along the slopes are mapped as dystric xerochrepts, which are formed from colluviums and glacial till, and consist of gravelly loam. These soils are generally moist, and seeps were observed in the field. Soils along the flatter sections of the project area are mapped as xerorthents, which are formed on tide flats and consist of sandy and loamy cut and fill material. Additional detail regarding soil conditions can be found in the Geotechnical Report.

A focused environmental investigation was conducted near areas with confirmed or suspected hazardous materials (see Attachment 10). Based on samples taken during the investigation, contamination is not anticipated; however, procedures should be in place should they be encountered during construction.

Critical areas include landslide hazard areas and two category III wetlands, each less than 4,000 square feet in size. Both wetlands were assigned 80-foot buffer based on their habitat scores. The location of the landslide hazard areas are shown in Figures 2B - 2E in the Geotechnical Report. Wetlands are shown on Figures 3A and 3B of the Wetland Report.

The Wetland Report, prepared almost a year ago, identified a Type 5 unnamed stream within 300 feet of the project area, therefore subject to critical area regulations. It has since been clarified in the Mitigation Plan that because the stream is piped through the study area, there are no buffer requirements. Staff concurred with this assessment.

The Geotechnical Report provides detailed descriptions of landslide hazard areas above each of retaining walls; a summary is provided below:

- <u>Wall 1</u>: The slope is approximately 24 feet tall with an average grade of 65 -75 percent. There were signs of slope instability.
- <u>Wall 2</u>: The slope is approximately 36 feet tall with an average grade of 60 70 percent. The upper portion of the slope has a 100 percent grade for 6 10 vertical feet before leveling off. A scarp was observed at the top of the slope during one of the geotechnical engineer's site visits, an indicator of unstable slopes. The engineer estimates that the unstable slope mass extends from the scarp to near the existing roadway surface and is between 7 and 10 feet thick. The location of this scarp in shown in the Geotechnical Report, with the potential failure plane shown on Sheet 21 of the plans (Attachment 11).
- <u>Wall 3</u>: The slope is approximately 36 feet tall with an average grade of 70 to 80 percent. No signs of slope instability were observed.
- <u>Wall 4</u>: The slope is approximately 16 feet tall with an average grade of 70 to 80 percent. No signs of slope instability were observed.

C. Project Description

Approximately 1500 linear feet of new sidewalk will be constructed on the west side of West Bay Drive NW, starting approximately 185 feet north of the unopened Langridge Avenue right-of-way and terminating at Smyth Landing. In addition to new sidewalks, associated improvements include curb, gutter, ADA ramps, stormwater facilities, and planter strips (see Attachment 11 for detailed plans). Due to the steep slopes, retaining walls will be required.

Impacts to landslide hazard areas are unavoidable and were carefully evaluated during project design (see Geotechnical Report for detailed analysis). Where used, retaining walls will be integral with the sidewalk to better withstand uphill loads. In these areas, planter strips will be eliminated so that sidewalks/retaining walls can be located as far from the toe of the slope as possible. Above Wall 2, where the scarp is located, soil nails driven through wire mesh will be used to stabilize the slope prior to construction of Wall 2.

Impacts to Wetland A, Wetland B, and Wetland B buffers will be avoided. Within the Wetland A buffer, the sidewalk will be constructed in existing disturbed areas along the shoulder of the roadway. Because there area is already disturbed, no mitigation is required under OMC 18.37.070.

There will be temporary impacts to the outer buffer areas of Wetland A during construction of retaining walls (see Figure 3A, Attachment 6). The total area impacted is approximately 732 square feet and is dominated by invasive species including English ivy and Himalayan blackberry. These species will be removed during construction and replanted with native species.

D. Public Comment

The City received one comment letter from the Department of Ecology during the public comment period (see Attachment 12).

II. REGULATORY FRAMEWORK

The proposal is subject to the following regulations:

1) **Shoreline Master Program for the Thurston Region (SMP)** – Portions of the project are located within the shoreline jurisdiction of Budd Inlet and requires a shoreline substantial development permit.

The project must be in compliance with the policies and regulations for road design and construction in Section XVII and utilities, Section XX of the SMP. Shoreline permits require a public hearing and decision by the Olympia Hearing Examiner. If approved, there is a 21 - day waiting period after the Hearing Examiner's decision is filed with the Department of Ecology.

2) Unified Development Code, Title 18

- a. <u>Critical Areas, OMC 18.32</u> Hearing Examiner role, mitigation priorities, wetlands, and landslide hazard areas.
- b. <u>Hearing Examiner, OMC 18.82</u> Hearing Examiner authority to review Shoreline Substantial Development Permits.
- 3) **Tree Protection and Replacement Standards. OMC 16.60** The proposed project is subject to the city's tree protection and replacement standards. Compliance with these standards is determined by the Urban Forester.
- 4) **Engineering Design and Development Standards. Chapter 4** The proposed project is subject to the engineering design standards for West Bay Drive. Compliance with these standards is determined by the Public Works Department.

Unless otherwise noted, compliance with city standards is determined by the Site Plan Review Committee (SPRC) with a recommendation to the Hearing Examiner for purposes of rendering a single decision.

III. SHORELINE MASTER PROGRAM

Shoreline substantial development permits are required for "substantial development" as defined in the Shoreline Management Act (SMA), except those developments exempt pursuant to Washington Administrative Code (WAC) 173-27-040. Because the proposed project is not within the scope of any of these exemptions, a shoreline permit is required prior to approval of construction permits. Pursuant to Olympia's SMP, a public hearing is required prior to approval of any such development that is not SEPA-exempt. The proposal is subject to SEPA because the amount of fill and excavation exceeds 500 cubic yards (Olympia's threshold). Thus, a hearing is required.

Pursuant to WAC 173-27-150, substantial development permits can be granted only when the proposal is consistent with the policies and procedures of the Shoreline Management Act, provisions of the WAC, and the local adopted Master Program.

A. Shoreline Development Permit, Section 1-II.A

State law requires that no "substantial development" be undertaken within shorelines of the state without first obtaining a Shoreline Substantial Development Permit. "Substantial development" is defined as any development of which the total cost or fair market value exceeds \$6,416.00, or any development which materially interferes with the normal public use of the water or shorelines of the state.

<u>Staff Response and Recommended Findings</u> – The proposed project exceeds the dollar threshold and there is deemed a "substantial development" and subject to a permit under WAC 173-27-040. Application for a shoreline substantial development permit was submitted and deemed complete on September 18, 2013.

B. Applicability, Section 1-IV.C.3

If "part of the property is in shoreline, part lies outside, and all or part of the 'development' is proposed within the shoreline", a permit is required for the portion within the shoreline only. Uses and other actions within the shoreline must comply with the master program regulations. When the development consists of a single, integrated project and a shoreline permit is required due to development within the shorelines, review and approval of development outside the shoreline pursuant to other laws may be postponed until the shoreline permit review is accomplished if the public interest would be served by such review sequence.

<u>Staff Response and Recommended Findings</u> – The northern and southern portions of the project area are within shoreline jurisdiction; only these portions require a shoreline permit. Given the integrated nature and complexity of the project, postponing construction of any part of the project is not practical and does not serve the public interest.

C. Administrative Procedures, Section 1-V

Administration of the Master Program is governed the Shoreline Management Act, the Washington Administrative Code, the Shoreline Master Program for the Thurston Region, and city ordinances (see Attachment 13 for complete text).

<u>Staff Response and Recommended Findings</u> – All administrative rules and policies have been, or will be met. Following issuance of a decision by the Hearing Examiner, the City will file the permit with the Department of Ecology in accordance with procedures outlined in WAC 173-27-130.</u>

D. Regional Criteria, Section 2-V

All development with the jurisdiction of the SMP must demonstrate compliance with policies regarding public access; habitat protection; water quality; water-dependent and related uses; residential developments; preservation of aesthetic, scenic, historic or ecological qualities; and public health. (see Attachment 14 for complete text).

<u>Staff Response and Recommended Findings</u> – The project is consistent with regional criteria as follows:

- The construction of sidewalks will enhance access to the shoreline;
- The project includes stormwater facilities which will protect water quality, and in turn, aquatic habitat;
- The applicant is complying with policies and regulations in the SMP in the same manner as private interests;
- The project will not impact aesthetic, scenic, or historic quality. Ecological conditions (stormwater, wetland buffers) will be enhanced; and
- The project improves public health be creating a safer environment for pedestrians.

E. Road and Railroad Design and Construction, Section 3-XVII

Subsection B, Policies

<u>Policy B.1</u> – Road and railroad locations should be planned to fit the topography and utilize existing corridors so that minimum alterations of natural conditions will be necessary. This is especially important on flood plains.

<u>Policy B.2</u> – Roads and railroads should be designed, constructed, and maintained to minimize erosion and to permit natural movement of ground water and flood waters to the extend practical.

<u>Policy B.3</u> – All debris, overburden, and other waste materials from construction should be disposed of in such a way as to prevent their entry by erosion from drainage, high water, or other means into any surface water body.

<u>Policy B.4</u> – Scenic corridors containing public roadways should have provision for safe pedestrian and other non-motorized travel. Also, provisions should be made for viewpoints, rest areas, and picnic facilities in appropriate areas.

General Regulations, Subsection C

<u>Regulation C.1</u> – Excess construction materials shall be removed from the shoreline area.

<u>Regulation C.4</u> – All excavation and materials and soils exposed to erosion by all phases of road, bridge and culvert work shall be stabilized and protect by seeding, mulching or other effective means, both during and after construction.

<u>Regulation C.5</u> – All debris, overburden and other waste materials from road and railroad construction, if permitted on shorelines, shall be disposed of in such a way as to minimize their entry be erosion from drainage into any water body.

<u>Regulation C.8</u> – Stormwater runoff shall be controlled to reduce suspended solids before entering any surface water body.

Environmental Designations and Regulations. Subsection D

<u>Regulation D.1</u> – Local public roads serving uses allowed in the Urban Environment are permitted (paraphrased from original text).

<u>Staff Response and Recommended Findings</u> – The project complies with these policies and regulations as follows:

- The proposed improvements are designed to minimize impacts to natural conditions (landslide hazard areas, wetlands) and in some areas, improve vegetative cover by replacing invasive plants with native plants.
- Erosion control measures will be implemented during construction. Surface and groundwater will be directed to a stormwater conveyance system (see Attachment 15, Stormwater Site Plan and Attachment 16, Stormwater Pollutions Prevention Plan).
- Overburden and debris will be removed for the project area; and
- Construction of the sidewalks will provide for safe pedestrian access.

F. Utilities, Section 3-XX

Policies, Subsection B

<u>Policy B.1</u> – Wherever utilities must be placed in a shoreline area, the locations should be chosen so as not to obstruct or destroy scenic views. Utilities should be placed underground, or designed to do minimal damage to the aesthetic qualities of the shoreline area.

<u>Policy B.2</u> – Where construction connected with utility placement occurs on shorelines banks should be restored to their pre-project configuration, replaced with native species and maintained until the new vegetation is established.

General Regulations, Subsection C

<u>Regulation C.1</u> – Applicants for permits to locate utility lines in the shoreline jurisdictional area shall submit a location plan with their application which shows existing utility routes in the vicinity of the proposed utility line. The proposed utility lines shall follow existing utility, natural drainage or transportation routes where feasible.

<u>Regulation C.2</u> – All utility facilities shall be located on lots our routes no larger than necessary.

<u>Regulation C.4</u> – Utility services accessory to individual projects shall be regulated by the specific use regulations for the activity in addition to the standards of this section and shall not require separate Substantial Development Permits for utility service installations.

<u>Regulation C.6</u> – Utility facilities shall be designed for minimal environmental and aesthetic impact and shall be coordinated with local comprehensive plans.

<u>Regulation C.8</u> – All utility facilities must provide safeguards to ensure than no long-term damage will be caused to the adjacent or downstream environment should an accident occur involving the utility.

Environmental Designations and Regulations, Subsection D

<u>Regulation D.1</u> – The following utility facilities are allowed in the Urban and Rural Environments:

- a. Utility lines.
- b. Control, collection or distribution facilities including, but not limited to, telephone exchanges, sewage treatment plants, water reservoirs, electrical substations and gas metering stations.
- c. Power generating facilities except on the Nisqually River and transmission lines.

<u>Staff Response and Recommended Findings</u> – Utilities associated with the project include improvements to the existing stormwater system to collect and convey stormwater from the new sidewalk, and installation of underground electrical conduit for future streetlights. These improvements are consistent with applicable policies and regulations as follows:

- Stormwater and electric utilities are allowed in the Urban Environment;
- Utility improvements are located at pavement level or underground and will not impact aesthetic qualities of the shoreline area;
- No environmental impacts are anticipated; areas disturbed during construction will be restored; and
- The location of stormwater facilities are shown on the construction plans; they are in close proximity to existing facilities.

IV. OLYMPIA UNIFIED DEVELOPMENT CODE, OMC TITLE 18

A. OMC 18.32.130 – Hearing Examiner Role

Under this provision, the Hearing Examiner is given authority to review uses and activities as listed under specific critical area categories. Hearing Examiner approval may be conditioned upon the implementation of mitigating measures determined necessary to ensure adequate protection of the public, critical area category, and purpose and intent of Chapter 18.32.

<u>Staff Response and Recommended Findings</u> – The proposed project crosses landslide hazard areas and requires Hearing Examiner approval under OMC 18.32.625. See subsection C below for staff's analysis.

B. Mitigation Priorities, OMC 18.32.135

This section establishes an order of preference for impacting critical areas:

- 1. Avoid the impact altogether by not taking certain action or parts of an action;
- 2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
- 3. Rectifying the impact by repairing, rehabilitating or restoring the affected environment;
- 4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
- 5. Compensating for the impact by replacing, enhancing or providing substitute resources or environments; and
- 6. Monitoring the impact and taking appropriate corrective measures.

Mitigation for individual actions may include a combination of the above measures.

<u>Staff Response and Recommended Findings</u> – A combination of measures are proposed to minimize impacts:

- Planter strips are either reduced in width or eliminated to avoid disturbance to landslide hazards areas. In some areas, sidewalks are reduced in width for the same purpose;
- The location of the sidewalk near Wetland A was adjusted to avoid direct wetland impacts. Buffer impacts will be mitigated with the removal of invasive plants and replaced with native plants;
- The use of soil nails and wire mesh are proposed to stabilize the slope above Wall 2. An earlier plan proposed the removal of all vegetation, regrading the slope, and installation of geo-grid fabric which would have caused greater slope disturbance than the use of soil nails and wire mesh.

C. Wetlands, OMC 18.32.525, 535, 580 – 590 (see Attachment 17 for complete text)

<u>OMC 18.32.525</u> – This section identifies projects subject to administrative (staff level) review.

<u>OMC 18.32.535</u> – This section establishes buffer widths and methods for reducing buffers.

<u>OMC 18.32.575 – 590</u> – These sections set forth reporting requirement, methodologies for delineating and rating wetlands, and content of mitigation reports.

<u>Staff Response and Recommended Findings</u> – The proposed project is considered an expansion within an existing corridor, and subject to administrative review under subsection J. Wetlands were delineated and rated, and a mitigation report prepared in accordance with OMC 18.32.580 - 590.</u>

Because the project is also subject to tree preservation standards under OMC 16.60, the planting plan will include native trees and shrubs to satisfy both mitigation and tree replacement requirements. The urban forester and lead planner concur with this approach.

Planting areas and plant lists are shown on Sheets 28 and 33 of the plan set. The planting plan does not provide sufficient detail for the city's urban forester and lead planner to determine if proposed quantities will provide adequate coverage. Therefore, staff recommends that a more detailed plan be submitted to the urban forester and lead planner for review and approval, and that additional quantity may be required.

D. Landslide Hazard Areas, OMC 18.32.620 - 640 (see Attachment 18 for full text)

<u>OMC 18.32.625</u> – This section identifies uses and activities subject to Hearing Examiner review and approval. Subsection D establishes criteria for "other uses and activities" which are allowed on a case-by-case basis if a geotechnical report, prepared in accordance with OMC 18.640, is provided, and if the applicant demonstrates to the Examiner's satisfaction that legally enforceable commitments will guarantee the use of construction practices to render the project as safe as if it were not located in a landslide hazard area.

<u>OMC 18.32.630</u> – This section establishes buffers for landslide hazard areas.

<u>OMC 18.32.635 - 40</u> – These sections set forth reporting requirements and content of geotechnical reports.

<u>Staff Response and Recommended Findings</u> – All required reports and plans have been provided. The Geotechnical Report provides a detailed analysis of the project, including stability and seismic considerations for the proposed retaining walls. The report acknowledges that exposed soils along West Bay Drive are susceptible to downslope movement during static or seismic loading. As such, the geotechnical engineer did not conclude that the project would be as safe as if it were located outside of the landslide hazard area. Rather, the engineer focused on showing that the proposed retaining walls will not negatively impact slope stability with recommended mitigation measures.

The engineer found that Walls 1, 3, and 4 would not decrease the stability of adjacent slopes provided the walls are constructed and backfilled in a short time period, but that additional measures were needed above Wall 2, where the scarp is located.

Mitigation measures are discussed in Section 3.1.5 of the Geotechnical Report, and summarized below:

- 1. Establish test cuts and monitor slope creep prior to wall installation;
- 2. Continuously monitor slopes during construction; establish monitoring points on the slopes above the walls. If there are other signs of instability, shore up the toe of the slope;
- 3. If downslope movement is observed, construct the walls in short lengths;
- 4. Use soil nails and wire mesh to stabilize the slope above Wall 2 prior to construction; and
- 5. Re-vegetate the slope above Wall 2 after the soils nails and mesh have been installed.

Staff is of the opinion that all recommended mitigation measures in the Geotechnical Report be used. In addition, staff recommends that the slopes be monitored following construction to measure to track downslope movement, in particular above Wall 2 where the scarp is located.

V. TREE PRESERVATION, OMC 16.60

The proposed project is subject to tree preservation requirements in OMC 16.60. The applicant submitted a Level V Tree Plan.

<u>Staff Response and Recommended Findings</u> – The Urban Forester reviewed the Tree Plan and made the following comments:

- Additional planting detail is needed to determine if proposed plant quantities will provide adequate coverage;
- Symbols and call-outs to planting areas on the planting plan need to be confirmed for accuracy;
- Where wire mesh is proposed, additional plant species should be added for increased diversity;
- Big Leaf Maple should be planted away from sidewalks, retaining walls, buildings and steep slopes to avoid future hazards.
- A monitoring and maintenance plan for the area above Wall 2 should be prepared to ensure successful plant establishment.

These comments have been incorporated into the recommended conditions of approval listed in Section VII of this report.

VI. ENGINEERING DESIGN AND DEVELOPMENT STANDARDS

The proposed project is subject to engineering design standards developed for West Bay Drive (see Attachment 19, Standard Plan No. 4-2G5. Due to topographic conditions along West Bay Drive, a deviation to these standards was granted by the City Engineer for narrower planter strips and sidewalks (see Attachment 20 for approval letter).

VII. RECOMMENDATION

Pursuant to OMC 18.72.100, the Site Plan Review Committee recommends approval of the Substantial Development Shoreline Permit and construction of the proposed sidewalks, retaining walls, and associated improvements within a landslide hazard to the following conditions of approval

- 1. Construction shall not begin until twenty one days from the date of filing the Hearing Examiner's decision with the Department of Ecology, or until all review proceedings initiated within 21 days from the date of filing have been terminated (WAC 173-27-190).
- 2. Should contaminated soils be encountered during construction all of the following shall apply:
 - a. Construction activity shall be immediately suspended;
 - b. The contractor shall immediately notify the Washington State Department of Ecology; and
 - c. Contaminated materials shall be properly handled, characterized, and disposed of consistent with applicable regulations.

- 3. Should historic and/or archaeological materials be encountered during construction all of the following shall apply:
 - a. Construction shall be immediately suspended;
 - b. The contractor shall immediately contact the City of Olympia Historic Preservation Officer;
 - c. A qualified professional archaeologist shall be retained by the applicant to document and assess the discovery;
 - d. If the discovery involves potential Native American resources, the applicant shall contact the Washington State Department of Archaeology and Historic Preservation (DHAP) and the affected tribe for additional consultation; and
 - e. In no case shall additional excavation be undertaken until a protocol has been agreed upon by the above-mentioned parties.
- 4. The applicant shall submit a final planting plan to the Urban Forester and Senior Planner for review and approval prior to construction:
 - a. The plan shall show detailed locations of plant materials. Additional plant materials may be required to ensure adequate coverage;
 - b. The planting location for Big Leaf Maples shall avoid close proximity to sidewalks, buildings and steep slopes;
 - c. If feasible increase the variety of plant materials where soil nails and wire mesh is proposed above Wall 2 instead of just using a grass seed mix; and
 - d. Confirm that symbols and callouts on the planting plan are accurate.
- 5. The applicant shall prepare a monitoring and maintenance plan for the area above Wall 2 to ensure successful plant establishment.
 - a. The plan shall be prepared in accordance with OMC 18.32.595.C.8;
 - b. The monitoring and maintenance period shall be for five years;
 - c. The plan shall include minimum coverage to be achieved during each year of the five-year period; and
 - d. The plan shall include a contingency plan should the yearly coverage not be met.
- 6. The recommended mitigation measures in the March 21, 2014 Geotechnical Report shall be used prior to, and during construction. In addition, the slopes above all retaining walls shall be monitored for downslope movement for a minimum period of five years. The frequency of inspections for each wall shall be recommended by a geotechnical engineer.
- 7. The Level V Tree Plan dated March 21, 2014 shall be reviewed and approved by the Urban Forester prior to construction.
- 8. Because of the proximity of nearby residences, construction activity shall be limited to the hours between 7 a.m. and 6 p.m., Monday Friday. These hours may be shortened to 8 a.m. 5 p.m., Monday Friday if complaints of noise impacts are received from adjacent residences.

Submitted by/	
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Date Issued: April 21, 2014

Attachments:

- 2. General Land Use Application
- 3. Joint Aquatic Resource Permit Application (JARPA)
- 4. Critical Area and Shoreline Map
- 5. Wetland Report, May 31, 2014
- 6. Wetland, Stream, and Buffer Mitigation Plan, March 20, 2014
- 7. Letter of No Effect, August 23, 2013
- 8 Geotechnical Report, March 22, 2014
- 9. Level V Tree Plan, March 21, 2014
- 10. Focused Environmental Investigation, March 21, 2014
- 11. Plan Set
- 12. Letter from Department of Ecology, April 4, 2014
- 13. Section 1-V, Administrative Procedures, Shoreline Master Program for the Thurston Region
- 14. Section 2-V, Regional Criteria, Shoreline Master Program for the Thurston Region
- 15. Stormwater Site Plan, April 2014
- 16. Stormwater Pollution Prevention Plan, April 2014
- 17. OMC 18.32.525, 535, 580-590, Wetlands
- 18. OMC 18.620 645, Landslide Hazard Areas
- 19. Standard Plan No. 4-2G5
- 20. EDDS Deviation Approval Letter, August 27, 2013
- 21. Determination of Nonsignificance and Public Hearing Notice