

# **Scoping Summary for the Fairhaven Highlands Environmental Impact Statement (EIS)**

This document summarizes the scope of the EIS to be prepared for the Fairhaven Highlands project in Bellingham, Washington. The Director of the Bellingham Planning and Community Development Department (Department) invited public comment on the scope of the EIS from December 9, 2007 through January 23, 2008, and held a public meeting on January 16, 2008. The Fairhaven Highlands EIS scoping process has attracted extensive public input. Approximately 128 individuals and organizations submitted comment letters during the comment period. The public meeting had approximately 117 attendees and 32 individuals provided oral comments at the meeting. These comments produced over 800 individual comments, most of which expressed high concern about the impacts of the project. The Department of Ecology also provided comments on permitting requirements related to water quality protection. The comments were tabulated and categorized by general subject area to assist in preparing this summary, and will continue to be used for reference while preparing the EIS.

This scoping summary identifies the alternatives that the EIS will cover and the elements of the environment that will be analyzed, including specific issues that must be addressed under each element. This summary does not address whether the information provided to date by the applicant is adequate for preparation of the EIS, but it is anticipated that some additional information will be required. The summary concludes with a brief description of alternatives and issues that the City has determined are inappropriate for consideration in the EIS.

## ***Alternatives***

Washington's State Environmental Policy Act (SEPA) requires that an EIS analyze alternatives: the proposal, at least one alternative with lesser environmental impacts, and a No Action Alternative. In addition to the No Action Alternative, this EIS will include three primary alternatives, each of which will have sub-options dealing with transportation improvements.

The applicant has developed two alternatives: the "2005 Application", and the "enhanced Buffer Alternative", which will form the basis for the two primary alternatives. The 2005 Application is represented in the original application materials submitted to the Department in 2005. The Enhanced Buffer Alternative has not been submitted as a full set of plans, but is described and shown in the 2007 Stormwater Site Plan, Transportation Impact Analysis, and Flora and Fauna Assessment. The Enhanced Buffer Alternative would require filling less wetland area and removing less wetland buffer vegetation. Both of the alternatives developed by the applicant include 739 residential units in a mix of single-family, townhouse, and multifamily structures, plus a 4,000-square foot clubhouse building. Both of the applicant's proposed site plans include one vehicular

access point to the site on Chuckanut Drive at the intersection of Viewcrest Road, plus two emergency access roads.

In addition to these two alternatives, the Director has determined that an alternative should be included that avoids placing a road in the wetland buffer between wetlands CC and KK, and that places the access road further from Wetland CC. This would result in the project having two parts that are not connected by a central road, and thus will be referred to as the Split Site Alternative. The southern portion would have access via a road that would be located somewhere south of Viewcrest Road intersection, providing at least 150 feet of separation between the road and Wetland CC. The northern portion of the site would have primary access to the east via 24<sup>th</sup> Street, with an emergency access to Chuckanut Drive on the southwest side of the site.

The Director has determined that the three primary alternatives must also include sub-options dealing with transportation improvements, based on prerequisite considerations described in the neighborhood plan for the South neighborhood. The adopted neighborhood plan identifies “construction of Chuckanut Valley Parkway collector or widening of Fairhaven Bridge” as prerequisite considerations for development of the Fairhaven Highlands site, in addition to development of sanitary sewer service (Bellingham Municipal Code [BMC] 20.00.19). The EIS will address these prerequisites by including bridge widening as one sub-option and the parkway collector as another sub-option for each of the primary alternatives. The bridge widening would entail adding two new traffic lanes to the Fairhaven Bridge (also known as 12th Street Bridge). The Chuckanut Valley Parkway collector would include a connection from the site to Old Fairhaven Road via 24<sup>th</sup> Street. It is expected that the development may be required to include one or the other of these transportation improvement options but would not be required to include both. Because the northern portion of the Split Site Alternative includes access to 24<sup>th</sup> Street, Chuckanut Valley Parkway collector option for this alternative would replace the emergency access with a fully developed collector road. The applicant will not be required to produce fully engineered plans for these transportation improvement options for the EIS; the EIS will use reasonable assumptions about the scale of the improvements, and evaluate their impacts at a concept level of design. All development alternatives would include development of sanitary sewer service.

Based on these considerations, the Director has determined that EIS shall include the alternatives summarized in Table 1.

**Table 1. Summary of alternatives**

Alternative	Single-family residences	Townhouse/condominium residences	Additional description
No Action Alternative	0	0	Site would remain as a privately owned, wooded lot.
Alternative 1A-2005 Application	228	511	Site plan as submitted with 2005 application materials, including a 4,000 s.f. clubhouse, and buildings to 10 stories in height.
Alternative 1B-2005 Application with widened Fairhaven Bridge	228	511	Site plan as submitted with 2005 application materials. This alternative would examine the impacts of adding two lanes to the existing Fairhaven Bridge.
Alternative 1C-2005 Application with Access to 24 <sup>th</sup> Street	228	511	Site plan as submitted with 2005 application materials, except that the eastern emergency access road would be replaced with a fully developed two-lane street connecting the project site to 24 <sup>th</sup> Street.
Alternative 2A-Enhanced Buffer Plan	16	723	Site plan as described in the reports submitted by the applicant in 2007. This site plan includes larger buffers around most wetland areas within the site than the 2005 Application. Includes a 4,000 s.f. clubhouse and apartment buildings to 5 stories in height.
Alternative 2B-Enhanced Buffer Plan with widened Fairhaven Bridge	16	723	Site plan as described in the reports submitted by the applicant in 2007. This alternative would examine the impacts of adding two lanes to Fairhaven Bridge.
Alternative 2C-Enhanced Buffer Plan with Access to 24 <sup>th</sup> Street	16	723	Site plan as described in the reports submitted by the applicant in 2007, except that the eastern emergency access road would be replaced with a fully developed two-lane street connecting the project site to 24 <sup>th</sup> Street.
Alternative 3A- Split site alternative	0	739	No road between wetlands CC and KK; Access to southern portion via intersection with Chuckanut located at least 150 feet from Viewcrest Road; Access to northern portion via connection to 24 <sup>th</sup> Street. Includes a 4,000 s.f. clubhouse and apartment buildings to 5 stories in height.
Alternative 3B- Split site alternative with widened Fairhaven Bridge	0	739	Same site plan as 3A; This alternative would examine the impacts of adding two lanes to Fairhaven Bridge.
Alternative 3C- Split site alternative with Chuckanut Valley Parkway collector	0	739	Same site plan as 3A except that the northern portion would have full access to Chuckanut Drive as well as to 24 <sup>th</sup> Street.

### ***Impact Analysis***

This section outlines the areas of impact that will be covered in the EIS. This outline is based on comments received during the scoping period and on the Department's knowledge of and experience with similar projects and settings. The analysis in the EIS will be based on existing studies and information where available. In some cases, a qualitative analysis is sufficient to identify the impacts, while in others, more detailed and quantitative analysis will be required.

## Earth

- On-site Impacts
  - Provide a qualitative assessment of:
    - Increased risk of slope instability from any anticipated high impact construction techniques, such as blasting, excavation, or pile driving
    - Increased risk of slope instability due to changes in hydraulic conditions, additional loading, and/or excavation in or near steep slopes
    - Potential risk due to seismic activity
    - Risk of increased flooding, erosion, or slope instability due to increases in winter precipitation and storm severity in the future due to climate change
- Off-site Impacts
  - Provide a qualitative assessment of:
    - Risk of erosion, siltation, and sedimentation downstream including potential impacts to off-site wetlands and streams
    - Potential impact of slope failure on adjacent properties

## Air

- Estimate the contribution to greenhouse gases (GHG) expected from each alternative (using the King County Department of Development and Environmental Services SEPA GHG Emissions Worksheet, or an equivalent tool for estimating lifetime emissions)
- Assess the potential for project-related airborne pollutants from automobiles and wood-burning devices to cause air quality standards to be exceeded on or near the site or within the Bellingham region

## Water

- On-site
  - Quantify changes to surface and subsurface flows on the site due to construction and occupancy of the project, including:
    - Effects of forest removal and new impervious surfaces on infiltration and runoff rates during both wet and dry seasons
    - Effectiveness of the proposed stormwater retention/detention systems in both dry and wet seasons, and during storm events that exceed the intensity of the design storm
    - Effects on perched and deep groundwater
    - Effects of excavation for wetland creation on stream flows during wet and dry seasons
  - Determine potential water quality impacts from development of the site, including:
    - Qualitative assessment of the efficacy of proposed wetland buffers in preventing pollutants from reaching wetlands and other surface waters
    - Qualitative assessment of potential turbidity impacts during construction and during major storm events
    - Quantitative assessment of the effects on water temperature in wetlands

- Quantitative assessment of the anticipated effectiveness of the proposed stormwater treatment systems in removing pollutants in both dry and wet seasons, and during storm events that exceed the intensity of the design storm
- Qualitative assessment of need for and impacts of long term maintenance necessary for effective operation of the stormwater facilities
- Off-site
  - Provide a qualitative assessment of surface water quality and quantity changes in Chuckanut and Padden Creeks, their tributaries, and associated off-site wetlands that would result from construction or long-term impacts of the project
  - Provide a qualitative assessment of potential surface water quality impacts on Chuckanut Bay from surface water runoff originating on the project site
  - Provide a qualitative assessment of any increased risk of off-site flooding due to increased impervious surfaces on the project site

## **Plants and Animals**

- On-site
  - Provide a qualitative assessment of general habitat conditions, diversity of plant and animal species, and importance of the site to wildlife in the city and region
  - Document any species known or likely to be present on or near the site that are listed on federal threatened or endangered lists, and any species of concern included on Washington Department of Fish and Wildlife's priority species list, including any candidate species (e.g. Pileated Woodpecker said to nest on the site)
  - Provide a qualitative assessment of impacts on ecological functions including migratory corridors, food chains, and nutrient cycling due to construction and occupancy of the development, including impacts from:
    - Construction noise
    - Vegetation removal
    - Increased lighting
    - Changes to water quality
    - Changes to surface and subsurface water flow rates
    - Habitat fragmentation
    - Introduction of non-native plant species and artificial habitat types such as lawns
    - Potential effects of imported soil on native plants
    - Increased vulnerability of remaining large trees to windthrow
    - Introduction of domestic animals (cats and dogs)

## **Noise**

- Assess potential construction noise impacts taking into consideration:
  - Blasting or other high level noise anticipated

- Construction duration
- Proximity to adjacent residences
- Efficacy of remaining vegetation to reduce noise levels off-site
- Assess potential post-development noise impacts taking into consideration:
  - Increased traffic noise
  - Efficacy of remaining vegetation to reduce noise levels on adjacent properties

## **Recreation**

- Assess impacts on the level of service for public recreational facilities in the Southside Neighborhoods, relative to goals established in the Comprehensive Plan
- Provide a qualitative assessment of potential impacts on the enjoyment of adjacent public recreation lands, including aesthetics and noise impacts from the project

## **Transportation**

- Analyze impacts on the following streets and locations:
  - 12<sup>th</sup> Street Bridge
  - 16<sup>th</sup> Street
  - 18<sup>th</sup> Street
  - 24<sup>th</sup> Street
  - 30<sup>th</sup> Street
  - Chuckanut Drive
  - Cowgill Avenue
  - Hawthorn Street
  - Old Fairhaven Parkway
  - Old Samish Road
  - Viewcrest Road
- Evaluate traffic safety issues including:
  - Fairhaven Middle School student crossing
  - Interurban Trail crossing
  - 30<sup>th</sup> Street as a short cut route
  - Sight lines at access points
  - Pedestrian and bicycle safety on Chuckanut Drive and other access points
  - 12<sup>th</sup> Street Bridge structural capabilities and vulnerability to earthquakes
  - Adverse effects on emergency response times
- Assess potential transit ridership, specifically whether there are any impediments to transit use presented by the site design

Note: The Director, in consultation with City transportation staff, will refine the scope of work for the transportation analysis to define detailed assumptions regarding trip generation rates, trip distribution, and other issues.

## **Land Use**

- Evaluate consistency with state and local land use polices and regulations in force on the date of application, including the Growth Management Act, the 1995 Bellingham Comprehensive Plan, and the Bellingham Municipal Code.

## **Aesthetics**

- Provide a qualitative assessment of visual and aesthetic impacts of site development on the immediate neighborhood and the Chuckanut Drive scenic route
- Provide a qualitative assessment of potential light and glare impacts from vehicles, parking areas, and housing development on adjacent uses

## **Cultural and Historic Resources**

- Review data available at the Washington State Department of Archaeology and Historic Preservation to determine whether there are any known historic or cultural resources on or near the site
- Determine whether the alternatives would have any impacts on any historic and cultural resources

## **Public Services and Utilities**

Provide an assessment of the following services and utilities

- Firefighting and emergency medical aid
  - Adequacy of access
  - Need for special equipment, such as for reaching high-rise buildings
  - Estimate additional demand for personnel
- Police
  - Estimate additional demand for personnel
  - Evaluate whether design supports or inhibits crime prevention
- Schools
  - Estimate the number of new students anticipated
  - Determine whether school system has will have adequate capacity for the additional students from the Fairhaven Highland development
- Utilities
  - Identify public utility systems that would be utilized by the project
  - Determine whether there is adequate capacity to accommodate the increased load on the utilities

For all elements listed the EIS will describe the existing conditions, the potential impacts from each of the alternatives, and mitigation measures that could be implemented if the project were to be approved.

### ***Elements considered but determined to be inappropriate for inclusion in the EIS***

Several alternatives were suggested in the scoping comments that include public purchase of the property for park and habitat preservation purposes, and examining an alternative location for the same number of housing units elsewhere in Bellingham. SEPA requires

that an EIS consider reasonable alternatives "that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation". Since the objective of the proposal is to develop this particular property, these suggested alternatives are not appropriate for this EIS. The Director does recognize that development of the site would foreclose the opportunity for public to purchase the site and the EIS will acknowledge this fact. There was also a suggestion that affordable housing be included in one of the alternatives. While the applicant could add this as an objective of the proposal, the City will not require the applicant to add this objective to the proposal or one of the alternatives.

Energy and natural resource consumption was not raised except in regard to scenic resources, which will be discussed under aesthetic impacts. There were no environmental health issues pertaining to possible human exposure to hazardous materials or risk of explosion raised that suggested these issues should be addressed. Noise impacts, which fall under the general category of environmental health, will be discussed under the Noise heading, and air quality impacts will be discussed under the Air heading. Housing will not be discussed because the project would increase the overall housing supply and would not result in the loss of any existing housing. Parking also was not identified as an issue of concern. Although the project may have impacts in these areas, they are not likely to be significant impacts and therefore will be excluded or will not be discussed in detail in the EIS.

A cost-benefit analysis is not a required element of an EIS (WAC 197-11-450). In this instance, the Director is aware that housing generally does not increase tax revenues as much as it increases demand for services. This is taken into account in the citywide planning process because housing is necessary for economic development, and commercial and industrial uses generally generate more tax revenues than the demands for services, thus providing an adequate tax base. As such the Director has determined that a cost-benefit analysis of this particular project will not be required. This Director retains the authority to require the applicant to pay a proportional share of the cost of any required mitigation.

### ***Director's Authority to Revise the Scope***

The scope that has been summarized above outlines the issues that will be investigated in the Draft EIS. This scope may be modified if the Director determines at any time that additional elements need to be investigated, for example if new information has come to light or if a change is proposed to one of the alternatives.



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Tim Stewart, SEPA Official

3-11-08  
Date