

# **Amendment to the March 11, 2008 Scoping Summary for the Fairhaven Highlands Environmental Impact Statement (EIS) August 11, 2008**

This document amends the scope of the EIS to be prepared for the Fairhaven Highlands project in Bellingham, Washington as described in the Scoping Summary prepared March 11, 2008. The Director of the Bellingham Planning and Community Development Department (Director) has reviewed responses from the applicant with regard to the alternatives to be evaluated in the EIS and has concluded that the list of alternatives should be modified as described below.

## ***Background***

The applicant developed two alternatives: the “2005 Application”, and the “Enhanced Buffer Alternative”, which formed the basis for the two primary alternatives identified in the March 11, 2008 Scoping Summary. The 2005 Application is represented in the original application materials submitted to the Department in 2005 and was identified in the Scoping Summary as Alternative 1A. The Enhanced Buffer Alternative is described and shown in the 2007 Stormwater Site Plan, Transportation Impact Analysis, and Flora and Fauna Assessment and was identified in the Scoping Summary as Alternative 2A.

In addition to these two alternatives, the Director determined in the March 11, 2008 Scoping Summary 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 was referred to as the Split Site Alternative (Alternative 3A). The applicant responded in a letter from Robert M. Tull to the Director dated July 1, 2008 that examination of this alternative by a civil engineer found that the offset intersection at Viewcrest Road that was anticipated for the Split Site Alternative was likely to require an unacceptable level of regrading of Chuckanut Drive, and could also result in unsafe conditions due to sight lines. The Director of the Public Works Department agreed with this assessment of the offset intersection.

The applicant also suggested in the July 1, 2008 letter that the Split Site Alternative is inconsistent with the objectives of the project because it would inhibit utilization of common facilities by all members of the community occupying the development. The Director has determined that requiring the Split Site alternative to be evaluated is consistent with the requirement under the State Environmental Policy Act (SEPA) (WAC 197-11-440-(5)d) that alternatives be reasonable and meet the objectives of the proposal. While the residents of the two parts of the development may not have equal access to common facilities, they could still be accessible via pedestrian paths to roughly the same degree as they would be in other alternatives proposed by the applicant. Further, of the

amenities cited in the applicant's letter, two are open space amenities which could be increased by this alternative, and the other two are facilities that have not been specifically identified on the plans, thus it would be premature to determine that there was an adverse affect on access to these amenities. The Director has determined that the Split Site Alternative will be included in the scope of the EIS but that it should not include the offset intersection. The applicant has responded with a request that slightly different road plan be utilized for analysis of the Split Site Alternative, specifically the road plan shown on Alternative 3D, dated March 18, 2008, that was prepared and submitted by the applicant's representatives. The Director has determined that this site plan will be adequate for the EIS with the modification to the offset intersection described above.

The Director also determined in the March 11, 2008 Scoping Summary that the primary alternatives should 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 Director determined that the EIS should address these prerequisite considerations 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 applicant has asserted that this sub-option is no longer feasible or reasonable for the types of impacts that can be expected from the Fairhaven Highlands project. The Director has subsequently consulted with the Director of the Public Works Department and acknowledges that there may be changed conditions that would warrant elimination of this alternative. However, the Director has determined that the best forum for establishing the facts that are necessary to make a finding regarding the elimination of this alternative is through the EIS process. The Director has also determined that this sub-option can be evaluated for one alternative only (Alternative 1B) because the impacts are expected to be similar under any of the alternatives.

The Chuckanut Valley Parkway collector sub-option would include an arterial connection from Chuckanut Drive through the site to Old Fairhaven Parkway via 24<sup>th</sup> Street. This alternative is also expected to have similar impacts under each primary alternative and will therefore be evaluated for one alternative only (Alternative 1C).

The applicant will not be required to produce fully engineered plans for these transportation improvement sub-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.

The applicant generated and submitted drawings for 30 various alternatives in response to the alternatives described in the March 11, 2008 Scoping Summary. In addition to the requests to eliminate the alternatives described above, the applicant requested review in the EIS of two additional alternatives. One of these alternatives, labeled 2F, is similar to

the Enhanced Buffer Alternative, except that instead of emergency access roads, it includes full road development for the "16<sup>th</sup> Street Connector" at the southwestern edge of the project, and at the road running between Wetland KK and Wetland JJ. The other alternative proposed by the developer, labeled 4F, is similar to alternative 2F except that it has exclusively single-family development in the southern portion of the site.

### **Amended alternatives**

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 sq.ft.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 sq.ft. clubhouse and apartment buildings to 5 stories in height.
Alternative 2F-Enhanced Buffer Plan with Additional Road	16	723	Site plan 2F submitted by the applicant; same as 2A except that 16 <sup>th</sup> Street Connector and Wetland JJ connector are fully accessible roads, rather than emergency access only. .
Alternative 3D- Split site alternative	17	706	No road between wetlands CC and KK; Access to southern portion via intersection with Chuckanut aligned with Viewcrest Road; Access to northern portion via connection to 24 <sup>th</sup> Street and 16 <sup>th</sup> Street Connector. Access between north and south sections of the development via a connector road labeled "Wetland JJ Connector". Includes a 4,000 sq.ft.clubhouse and apartment buildings to 5 stories in height.
Alternative 4F-Enhanced Buffer Plan with single-family development in southern portion	51	688	Same as 2F except that the southern portion of the site is all single family units, with a larger number of multifamily units clustered in the northern portion.

## ***Impact Analysis***

The scope of the impact analysis described in the March 11, 2008 Scoping Summary is not modified by this amended scope.

## ***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

8-11-08

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Date