

## SEPA ENVIRONMENTAL CHECKLIST

### ***Purpose of checklist:***

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

### ***Instructions for applicants:***

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### ***Instructions for Lead Agencies:***

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

### ***Use of checklist for nonproject proposals:***

For nonproject proposals (such as ordinances, regulations, plans, and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in **Part B – Environmental Elements** that do not contribute meaningfully to the analysis of the proposal.

## **A. Background**

### **1. Name of proposed project, if applicable:**

Amendments to Floodplain Development Regulations

### **2. Name of applicant:**

City of Seattle

### **3. Address and phone number of applicant and contact person:**

Department of Construction and Inspections

700 5th Avenue

Seattle, WA 98104

Mailing Address:

P.O. Box 34019

Seattle, Washington 98124-4019

Contact: Margaret Glowacki, Senior Land Use Planner

(206) 386-4036

**4. Date checklist prepared:**

May 26, 2021

**5. Agency requesting checklist:**

City of Seattle Department of Construction and Inspections

**6. Proposed timing or schedule (including phasing, if applicable):**

The proposed code changes may be considered by the City Council in Q3/Q4 2021 or Q1 2022.

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

No.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

The Flood Insurance Rate Maps and the Flood Insurance Study for King County, including the geographic area of the City of Seattle were updated and finalized in February 2020 by the Federal Emergency Management Agency (FEMA).

**9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

This is a non-project action that affects multiple parcels in the City of Seattle.

**10. List any government approvals or permits that will be needed for your proposal, if known.**

The proposed amendments will require approval by the Mayor, City Council, Department of Ecology, and FEMA.

**11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

The proposal is a response to the Federal Emergency Management Agency's (FEMA) adoption of new Flood Insurance Rate Maps (FIRMs) and a Flood Insurance Study (FIS) for all jurisdictions in King County, including Seattle. FEMA's adoption of the new FIRM and FIS requires that each jurisdiction update their floodplain maps and regulations with this new information in order to comply with the National Flood Insurance Program (NFIP). These requirements come from the NFIP regulations in Title 44 of the Code of Federal Regulations (CFR). For example, 44 CFR 60.3 (d & e) contains regulations for coastal high hazard flood zones, which were not identified on the 1995

maps. These coastal flood zones are designated as VE\* zones on the new FIRM. Local FEMA officials also completed an audit of Seattle’s floodplain regulations and issued a report that directs the minimum updates for Seattle. For the interim Floodplain Development Regulations Seattle made all the required changes, some of FEMA’s recommended changes, and changes to clarify the regulations and to align with the building and residential codes. For the permanent regulations, Seattle is proposing to include all the changes made in the interim regulations and FEMA’s additional optional and recommended changes. Additionally, for the permanent regulations Seattle is proposing a higher standard than FEMA for the elevation of structures above the base flood elevation to better account for sea level rise. Below are SDCI summary tables indicating the proposed changes with information regarding the reason for the proposed change and indicating whether the proposal was included in the interim regulations or is a new proposal for the permanent regulations.

For purposes of this SEPA checklist and SEPA Determination, the proposal includes the full range of regulatory changes that have already occurred in the interim Floodplain Development Regulations adopted in July 2020 and the additional regulatory changes that are proposed to be included in the permanent Floodplain Development Regulations.

Table 1 lists the proposed changes included in the permanent floodplain regulations. These changes include FEMA’s recommended and optional provisions and SDCI’s proposal to increase the elevation for development in order to accommodate the anticipated rise in sea level.

<b>Table 1. New Amendments Proposed for the Permanent Floodplain Development Regulations SMC Chapter 25.06</b>
<b>Amendments to address sea level rise – proposed by SDCI</b>
Increase the required elevation of new construction and substantially improved structures in flood risk areas. The FEMA standards require new or substantially improved buildings to be raised 1 or 2 feet above the base flood elevation, the expected water level during a 100-year flood event, depending on if the structure is non-residential or residential. Historically, Seattle has had slightly higher standards than FEMA, requiring all new buildings and substantially improved structures to be elevated 2 feet. SDCI recommends increasing the elevation for all new or substantially improved buildings to 3 feet above the base flood elevation, to better account for sea level rise. This same higher standard is included in King County’s new floodplain regulations, which apply to the area along the Duwamish River just south of Seattle.
<b>Amendments – suggested or optional FEMA provisions</b>
<b>Suggested additions</b> Statutory authorization Findings of fact Methods of reducing flood losses Storage of materials and equipment Accessory (Appurtenant) Structures
<b>Optional addition</b> General requirements for other development
<b>Optional addition</b> - Allow flexibility for residential buildings in the floodway to be replaced in very limited instances, with review and approval from the Department of Ecology. SDCI has identified just two residential buildings in the floodway, the area with the very highest flood risk. Currently SDCI only allows repair and maintenance of these structures. This change would allow the homeowner to get a permit from SDCI to replace or expand the structure only if Ecology reviewed the application and determined the replacement to be safe. This standard is also included in King

County's new floodplain regulations.

Tables 2 and 3 include the changes that were adopted as interim regulations and are included in the permanent regulations. Table 2 lists the amendments that are required by FEMA and the Code of Federal Regulations (CFR). Table 3 lists the amendments that are recommended by FEMA or by SDCI staff for clarity and to better align with the building codes.

**Table 2.  
Required by FEMA and Code of Federal Regulations (CFR)  
SMC Chapter 25.06**

**Section 25.06.030 New definitions - required by 44 CFR 59.1**

**The following are highlights of the definitions that were added. See the proposed permanent regulations for the full content.**

**Basement:** Any area of the building having its floor sub-grade (below ground level) on all sides.

**Coastal high hazard area:** An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-30, VE or V.

**Flood elevation study:** An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

**Floodplain or flood-prone area:** Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

**Floodplain administrator:** The community official designated by title to administer and enforce the floodplain management regulations.

**Floodplain variance:** A grant of relief by a community from the terms of a floodplain management regulation.

**Flood proofing:** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

**Functionally dependent use:** A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

**Highest adjacent grade:** The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**Historic structure:** Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

- a) By an approved state program as determined by the Secretary of the Interior, or
- b) Directly by the Secretary of the Interior in states without approved programs.

**Mean sea level:** For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

**Substantial damage:** Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

### Section 25.06.030 Amended definitions - required by 44 CFR 59.1

**Area of shallow flooding:** A designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.

**Area of special flood hazard:** The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

**Base flood elevation (BFE):** The elevation to which floodwater is anticipated to rise during the base flood.

**Critical Facility:** A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

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#### **Flood or Flooding:**

- 1) A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - a) The overflow of inland or tidal waters.
  - b) The unusual and rapid accumulation or runoff of surface waters from any source.
  - c) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- 2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

**Flood Insurance Rate Map (FIRM):** The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

**New construction:** For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or

after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**Start of construction:** Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**Structure:** For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**Substantial improvement:** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- 1) Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or
- 2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

### **New development standards - required by 44 CFR 60.3**

#### **25.06.044 Abrogation and greater restrictions**

This Chapter 25.06 is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter 25.06 and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

#### **25.06.045 Interpretation**

In the interpretation and application of this Chapter 25.06, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed to provide the maximum flood protection; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

#### **25.06.135 AE and A1-30 zones with base flood elevations but no floodways**

In AE and A1-30 FIRM designated zones with identified base flood elevations but no identified floodways, new construction, substantial improvements, or other development (including fill) is prohibited unless the applicant can demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 1 foot at any point within the community.

#### **25.06.136 Floodplain variances**

Includes the allowance and criteria for a variance from the floodplain regulations.

**Note: This is an administrative decision by the Director similar to a Type I decision**

<b>Amended standards - required by 44 CFR 60.3</b>
<b>25.06.050 Identification of special flood hazard areas</b> Replaces the 1995 Flood Insurance Rate Map and Flood Insurance Study reference in 25.06. with the 2020 Flood Insurance Rate Map and Flood Insurance Study.
<b>25.06.070 Application for floodplain development approval or license</b> Includes requirement for the new VE (coastal flood hazard areas).
<b>25.06.090 Functions of the administrators</b> Clearly state the responsibilities of floodplain administrator functions including not allowing development in the floodway, requiring development is safe from flooding, notifying when annexations occur in special flood hazard areas and obtain and maintain records for floodplain development permits.
<b>25.06.100 General standards</b> Include examples of anchoring methods that can be used and clearly states that wells cannot be located in floodways.
<b>25.06.110 Standards involving base flood elevations</b> Clearly state the development standards for residential structures and for non-residential structures in all flood zones (AE, A, AO, and VE); Clearly state that the building code provisions for flood protection apply to residential and non-residential development; Include specific standards for garages constructed below the base flood elevation allowing automatic entry and exit of floodwaters; and Include provisions on what is allowed in enclosed areas below the lowest floor of structures Include standards for changes to the base flood elevation or boundaries to a special flood hazard area, Include livestock sanctuary areas.
<b>Amend Floodplain Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) - required by FEMA's adoption of new FIRM and FIS on August 19, 2020</b>
Update current floodplain maps and flood insurance study that are based on FEMA's 1995 maps and study with FEMA's August 19, 2020, FIRM and FIS.
185 new parcels would be regulated with the majority of the new parcels near Harbor Island and the Duwamish River.

<b>Table 3. Amendments Recommended by FEMA or SDCI SMC Chapter 25.06</b>
<b>New definitions to add TO SECTION 25.06.030 for clarification as recommended by FEMA</b>
<b>ASCE 24: The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.</b> <b>Breakaway wall:</b> A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system. <b>Community</b> means any state, or area or political subdivision thereof, or any Indian tribe or authorized tribal organization or Alaska Native village or authorized native organization, that has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

<b>Standards to amend for clarification recommended by SDCI</b>
<b>25.06.080 Designation of administrators</b> Clearly state that the Directors' of SDCI and SDOT are the flood plain administrators.
<b>25.06.120 Standards for floodways</b> Clearly state that development in the floodway is extremely hazardous and that any improvement to existing structures is the minimum necessary to assure safe living conditions.
<b>Amendment to align with Seattle Building and Residential Codes recommended by SDCI</b>
<b>25.06.140 Penalties for noncompliance</b> Increase the civil penalty amount for violations from \$50/day to \$500/day.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

This is a non-project action that affects multiple parcels in the City of Seattle.

## **B. Environmental Elements**

### **1. Earth**

**a. General description of the site:**

This is a non-project action that affects multiple parcels in the City of Seattle. Refer to the Director's Report for more information about the specific location this action affects.

**b. What is the steepest slope on the site (approximate percent slope)?**

This is a non-project action that affects multiple parcels in the City of Seattle.

**c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

This is a non-project action that affects multiple parcels in the City of Seattle.

**d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

No. This is a non-project action that affects multiple parcels in the City of Seattle.

**e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

This is a non-project action that affects multiple parcels in the City of Seattle.

**f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

No. This is a non-project action that affects multiple parcels in the City of Seattle.

- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

This is a non-project action that affects multiple parcels in the City of Seattle.

- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**

None proposed.

## 2. Air

- a. **What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

None identified. This is a non-project action that affects multiple parcels in the City of Seattle.

- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

No. This is a non-project action that affects multiple parcels in the City of Seattle.

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

None proposed.

## 3. Water

- a. **Surface Water:**

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

This a non-project action that affects multiple parcels throughout the city. There are surface water bodies on or near those parcels. The proposed amendments address all areas identified as flood prone in the Environmentally Critical Areas regulations and as floodplain special hazard areas as mapped by the Federal Emergency Management Agency. Refer to the Director's Report for more information on the specific locations of surface water bodies.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No. This is a non-project action that affects multiple parcels in the City of Seattle. It will affect any future development over, in, or adjacent to the described waters.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None. The proposal is a non-project action that affects multiple parcels in the City of Seattle.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

This is a non-project action. However, the regulations would affect parcels according to their location in FEMA mapped floodplain hazard areas and areas mapped as flood-prone in the Environmentally Critical Areas Regulations.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

**b. Ground Water:**

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

**c. Water runoff (including stormwater):**

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

None. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

2) Could waste materials enter ground or surface waters? If so, generally describe.

No. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

**d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:**

None proposed.

**4. Plants**

**a. Check the types of vegetation found on the site:**

\_\_\_\_deciduous tree: alder, maple, aspen, other

- \_\_\_ evergreen tree: fir, cedar, pine, other
- \_\_\_ shrubs
- \_\_\_ grass
- \_\_\_ pasture
- \_\_\_ crop or grain
- \_\_\_ orchards, vineyards or other permanent crops.
- \_\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- \_\_\_ water plants: water lily, eelgrass, milfoil, other
- \_\_\_ other types of vegetation

A variety of vegetation can be found throughout Seattle and in the area to be affected by the proposed updated floodplain regulations.

**b. What kind and amount of vegetation will be removed or altered?**

None. The proposal is a non-project action affecting multiple parcels in the Seattle.

**c. List threatened and endangered species known to be on or near the site.**

None. However, sections of the proposed regulations address floodplains that may have threatened or endangered plant species present in Seattle. Additionally, there are other City codes including the Shoreline Master Program and the Environmentally Critical Areas Regulations that require preservation of vegetation.

**d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

None proposed. However, there are other City codes including the Shoreline Master Program and the Environmentally Critical Areas Regulations that address preservation of native vegetation on development sites and requirements to plant native vegetation.

**e. List all noxious weeds and invasive species known to be on or near the site.**

None. The proposal is a non-project action affecting multiple parcels in the City of Seattle.

**5. Animals**

**a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.**

A variety of birds and animals can be found throughout Seattle and in the area to be affected by the proposed updated floodplain regulations.

**b. List any threatened and endangered species known to be on or near the site.**

The proposal is a non-project action affecting multiple parcels throughout the City. However, the proposed regulations address floodplains and flood-prone areas as designated by the City's Environmentally Critical Areas Regulations, in which some of these areas include habitat for anadromous fish, including any threatened or endangered anadromous fish species present in Seattle and other Washington State Department of Fish and Wildlife Priority Species and Habitat.

**c. Is the site part of a migration route? If so, explain.**

This is a non-project action affecting multiple parcels throughout Seattle. Migration routes for certain anadromous fish and bird species exist within the city and the city's mapped floodplain and flood-prone areas.

**d. Proposed measures to preserve or enhance wildlife, if any:**

The proposed regulations do not have specific requirements to preserve habitat for wildlife, however, there are other City codes including the Shoreline Master Program and the Environmentally Critical Areas Regulations that address preserve habitat for fish and wildlife including threatened and/or endangered species.

**e. List any invasive animal species known to be on or near the site.**

This is a non-project action affecting multiple parcels throughout Seattle.

**6. Energy and Natural Resources**

**a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.**

This is a non-project action affecting multiple parcels throughout Seattle. The proposed regulations do not address energy or natural resources.

**b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.**

No. This is a non-project action affecting multiple parcels throughout Seattle.

**c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**

None. This is a non-project action affecting multiple parcels throughout Seattle.

**7. Environmental Health**

**a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.**

No. This is a non-project action affecting multiple parcels throughout Seattle.

1) Describe any known or possible contamination at the site from present or past uses.

None.

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None. This proposal is a non-project action affecting multiple parcels in Seattle.

3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None. This proposal is a non-project action affecting multiple parcels in Seattle.

- 4) Describe special emergency services that might be required.

None. This proposal is a non-project action affecting multiple parcels in Seattle.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

None proposed.

**b. Noise**

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None. This proposal is a non-project action affecting multiple parcels in Seattle.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

None. This proposal is a non-project action affecting multiple parcels in Seattle.

- 3) Proposed measures to reduce or control noise impacts, if any:

None proposed.

**8. Land and Shoreline Use**

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

This proposal is a non-project action affecting multiple parcels in Seattle within floodplains and flood-prone areas, which includes a wide variety of residential, port, industrial, commercial, transportation-related and trade-based uses.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

No. This proposal is a non-project action affecting multiple parcels in Seattle. Agriculture was a historic use of some parcels with the City of Seattle.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

No.

- c. **Describe any structures on the site.**

This proposal is a non-project action affecting multiple parcels in Seattle.

- d. **Will any structures be demolished? If so, what?**

No. This proposal is a non-project action affecting multiple parcels in Seattle.

e. **What is the current zoning classification of the site?**

Sites within Seattle that may be affected by the proposed amendments have different zoning designations, including overlays such as the Shoreline District.

f. **What is the current comprehensive plan designation of the site?**

The proposed amendments affect parcels throughout the City of Seattle, which are designated “urban.”

g. **If applicable, what is the current shoreline master program designation of the site?**

This proposal is a non-project action affecting multiple parcels in Seattle, many of which have shoreline designations.

h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**

This non-project action affecting multiple parcels in Seattle and some of these parcels are designated as environmentally critical areas.

i. **Approximately how many people would reside or work in the completed project?**

None identified because this proposal is a non-project action affecting multiple parcels in Seattle.

j. **Approximately how many people would the completed project displace?**

None identified because this proposal is a non-project action affecting multiple parcels in Seattle.

k. **Proposed measures to avoid or reduce displacement impacts, if any:**

None proposed.

l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**

None proposed, other than the contents of the proposal itself. The Director’s Report on file with this document provides information regarding the Federal Emergency Management Agency and the Washington State Department of Ecology’s requirements for these regulations. These regulations have been a part of the City’s code since 1989 and already affect new development and substantial improvement to existing development.

m. **Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:**

None proposed.

**9. Housing**

a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

None.

b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

None

**c. Proposed measures to reduce or control housing impacts, if any:**

None proposed.

**10. Aesthetics**

**a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

This is a non-project action; no structures are proposed.

**b. What views in the immediate vicinity would be altered or obstructed?**

This is a non-project action; no structures are proposed.

**c. Proposed measures to reduce or control aesthetic impacts, if any:**

None proposed.

**11. Light and Glare**

**a. What type of light or glare will the proposal produce? What time of day would it mainly occur?**

None.

**b. Could light or glare from the finished project be a safety hazard or interfere with views?**

No.

**c. What existing off-site sources of light or glare may affect your proposal?**

None.

**d. Proposed measures to reduce or control light and glare impacts, if any:**

None proposed.

**12. Recreation**

**a. What designated and informal recreational opportunities are in the immediate vicinity?**

Parks and other places with informal recreation opportunities are likely present in the affected area. However, no probable impacts are identified from this non-project proposal.

**b. Would the proposed project displace any existing recreational uses? If so, describe.**

No.

**c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

None proposed.

**13. Historic and cultural preservation**

**a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.**

Historic resources, cultural resources, and potential candidate resources of this kind may be present in the affected area. However, no probable impacts are identified from this non-project proposal because it would update regulations and increase overall protectiveness of existing land uses and known or unknown resources that may be present.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

See the response to Question #B13a above.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

None. The proposal is a non-project action.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

None proposed.

#### 14. Transportation

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

Not described. This is a non-project action affecting multiple parcels throughout the City.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

Not described. This proposal is a non-project action affecting multiple parcels in Seattle.

- c. **How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

None. This proposal is a non-project action affecting multiple parcels in Seattle.

- d. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

No.

- e. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Not described. This proposal is a non-project action affecting multiple parcels in Seattle.

- f. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?**

None. This proposal is a non-project action affecting multiple parcels in Seattle.

- g. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No.

- h. **Proposed measures to reduce or control transportation impacts, if any:**

None proposed.

## 15. Public Services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

No. This proposal is a non-project action affecting multiple parcels throughout the City of Seattle and regulating development on those parcels within floodplain areas and designated flood-prone environmentally critical areas.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

None proposed.

## 16. Utilities

- a. **Circle utilities currently available at the site:**

Not described. This proposal is a non-project action affecting multiple parcels in Seattle.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Not described. This proposal is a non-project action affecting multiple parcels in Seattle. No utilities or construction activities are proposed.

## C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Margaret Glowacki  
Senior Land Use Planner  
City of Seattle Department of Construction and Inspections

Date Submitted:

JUNE 22, 2021

## D. Supplemental sheet for nonproject actions

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

### 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

#### **Background information about special flood hazard areas and flood prone environmentally critical areas**

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. FEMA uses letters and numbers to indicate the type of flood hazard.

SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30.

Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

Additionally, in 1990 the Washington State Legislature passed the Growth Management Act (GMA) requiring local governments to manage growth by designating urban growth areas, preparing comprehensive plans, and adopting development regulations, including regulations to protect environmentally critical areas (ECA). One of these defined critical areas is frequently flooded areas also known as flood-prone areas. Flood-prone areas are required to be identified and have the minimum standards that FEMA requires for special flood hazard areas. These flood prone areas can include sea-level rise, impacts of tsunamis, wave-run up, surface run-off, and future flow conditions. Seattle's flood-prone areas include the FEMA-mapped areas and areas identified by Seattle Public Utilities as having a risk of flooding based on known flooding in these identified areas.

In general, the Floodplain Development Regulations apply to any development carried out on a public or private parcel containing a FEMA floodplain or ECA flood-prone area. As defined in Section 25.06.020, "development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage equipment or materials.

No direct impacts would result from the proposed amendments. The floodplain development regulations address structures in floodplain areas and designated flood-prone environmentally critical areas. The proposal does not address polluting discharge and release of toxic or hazardous substances to water bodies or air emissions or noise; those elements are regulated by other laws. The non-project proposal itself likewise would not be likely to indirectly or cumulatively generate

adverse impacts of significant air emissions, noise emissions, polluting discharge to waters, or release of toxic or hazardous substances related impacts.

**Proposed measures to avoid or reduce such increases:**

None proposed.

**2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

The proposed amendments would result in no direct impacts, and are intended to protect fish and marine life in conjunction with the Shoreline Master Program and the Environmentally Critical Areas Regulations. They are not likely to indirectly or cumulatively generate adverse potential for significant impacts to these elements of the environment, due to the protective nature of the actions in relation to aquatic, marine, and upland environments.

**Proposed measures to protect or conserve plants, animals, fish, or marine life:**

None proposed.

**3. How would the proposal be likely to deplete energy or natural resources?**

The proposal would result in no direct, indirect or cumulative adverse impacts relating to depletion of energy or natural resources, due the environmentally protective nature of the actions.

**Proposed measures to protect or conserve energy and natural resources:**

None proposed.

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The proposal addresses regulations for environments relating to sensitive areas including primarily floodplains as their main subject, but also including portions of areas that may include wetlands and parks. The proposal is a response to FEMA requirements in 44 CFR, which requires that jurisdictions with FEMA mapped floodplains have floodplain development regulations that include the FEMA requirements. The nature of the proposed changes would lead to maintained and increased protection of floodplain areas and their related environmental value, without a potential for adverse direct, indirect, or cumulative impacts.

**Proposed measures to protect such resources or to avoid or reduce impacts:**

None proposed.

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposal would not likely result in direct land use or shoreline use significant adverse impacts, given that it is a non-project proposal. The proposal addresses updates to regulations and maps for floodplain areas, in a manner that will comply with federal requirements for floodplain management protections, practices and regulations. These include updates to definitions, maps, codes, and regulations of the City of Seattle. The proposal would lead to maintaining and increasing the protections of floodplain areas and their related environmental value.

With regard to the built environment and land uses, the proposal would not entirely prohibit new development in floodplains but would update what regulations apply to review of future development. These would generally favor ensuring increased protectiveness of floodplains in relation to existing land uses and future development. For example, standards were added for accessory structures in A

Zones that clearly state these structures can only be used for parking or limited storage and have to comply with a number of standards including being built with flood resistant material and to automatically allow entry and exit of floodwaters. Other details generally similar to this example also apply to areas mapped in other flood zone designations. The proposal would newly affect approximately 185 properties due to mapped flood areas extending onto parts of their properties. This includes many in the Duwamish River vicinity (W Marginal Way and E Marginal Way vicinities), but other affected locations include along parts of Longfellow Creek, near Brace Point in West Seattle, a limited number of other properties in Fauntleroy, Alki, Magnolia, and Ballard adjacent to Puget Sound, and two properties west of Haller Lake in a local depression near N 125<sup>th</sup> St.

In combination, the projected overall potential for indirect and cumulative adverse land use and shoreline use impacts due to the proposal is low. Many of the affected properties are widely scattered in limited locations where differences in flood-related regulations would not substantially impact the land use patterns of the larger community.

However, the proposed regulations could result in different treatment, evaluation, and permitting outcomes of individual properties, depending on site-specific fact patterns. This conclusion is made because certain regulations are updated to favor more stringent protective restrictions and maximum flood protectiveness, compared to today's City of Seattle regulations. Therefore, future instances of proposed land use development or alteration could face different permitting outcomes than under today's regulations; in a worst-case, certain of these outcomes might be affected in ways that applicants would perceive as adversely impacting land uses or land use allowances. Examples might include prohibiting certain substantial rebuilding or expansion of existing structures or land uses depending on their location in mapped flood-prone areas.

At the same time, the City's regulatory and policy positions will continue to agree with the purposes of floodplain protection as mandated by the federal and state government. So, the potential range of future development outcomes as they might be influenced by the proposal's updates, would remain compatible with the preferred directions and outcomes advanced by City plans, policies, and regulations. Therefore, no significant adverse land use or shoreline use impacts are identified in this checklist. (Annotation by G. Clowers, SDCI, June 2021).

**Proposed measures to avoid or reduce shoreline and land use impacts:**

None proposed.

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposed amendments would not increase demand on transportation or public services and utilities. The proposal is focused on floodplain areas, with regulatory updates that will provide increased environmental protection and protection against worst-case future damage to uses and features in floodplains. To the extent that transportation facilities and public utility infrastructure may be located in or near floodplains, the proposal could indirectly lead to reduced potential for adverse harms to these facilities, which is a positive impact.

**Proposed measures to reduce or respond to such demand(s):**

None proposed.

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

The proposal is part of the requirements to meet federal laws for FEMA mapped floodplains. There are no known conflicts between the proposal and any other local, state, or federal laws.