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MEMORANDUM

DATE: September 25, 2024

TO: Chiara Maggiore
Pelletier & Schaar
Via Email: cmaggiore@pelletierscharr.com

c/o Jeffrey Rudd
Via Email: jeff@peakbuildersinc.com

FROM: Khaled M. Shawish, PE
Daniel J. O'Dell

RE: Mitigation Sequencing
Rudd Residential Addition
8032 SE 57th Street
Mercer Island, Washington
NGA File No. 1482723



9.25.2024

INTRODUCTION

This memo presents our response to review comments raised by the City of Mercer Island regarding the proposed residential addition project located at **8032 SE 57th Street on Mercer Island, Washington.**

We previously prepared a geotechnical report for the proposed development dated March 27, 2024. We understand that the City of Mercer Island has issued a comment review letter, dated September 6, 2024.

On the following pages, we address the relevant comment, followed by our response.

CITY OF MERCER ISLAND COMMENTS AND OUR RESPONSE

COMMENT 5:

“Have your Geotech update their report or provide a memo addressing mitigation sequencing. See MICC 19.07.100- Mitigation sequencing, address each measure listed specifically.”

RESPONSE 5:

19.07.100 – Mitigation Sequencing

Except as otherwise provided in this chapter, an applicant for a development proposal or activity shall implement the following sequential measures, listed below in order of preference, to avoid, minimize, and mitigate impacts to environmentally critical areas and associated buffers. Applicants shall document how each measure has been addressed before considering and incorporating the next measure in the sequence:

(A) Avoiding the impact altogether by not taking a certain action or parts of an action. The applicant shall consider reasonable, affirmative steps and make best efforts to avoid critical area impacts. However, avoidance shall not be construed to mean mandatory withdrawal or denial of the development proposal or activity if the proposal or activity is an allowed, permitted, or conditional use in this title. In determining the extent to which the proposal should be redesigned to avoid the impact, the code official may consider the purpose, effectiveness, engineering feasibility, commercial availability of technology, best management practices, safety and cost of the proposal and identified changes to the proposal. Development proposals should seek to avoid, minimize and mitigate overall impacts based on the functions and values of all of the relevant critical areas and based on the recommendations of a critical area study. If impacts cannot be avoided through redesign, use of a setback deviation pursuant to section 19.06.110(C), or because of site conditions or project requirements, the applicant shall then proceed with the sequence of steps in subsections B through E of this section;

- The location of the development cannot be moved because it is an addition onto an existing building however, the addition is not encroaching onto the steep slope buffer area more than the existing residence. The proposed development is maintaining a 30-foot setback and a 20-foot buffer from top of slope is to remain undisturbed during and after construction.

(B) Minimizing impacts by limiting the degree or magnitude of the action and its implementation, using a setback deviation pursuant to section 19.06.110(C), using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;

- The development is maintaining a setback consistent with our recommendations in our original report including a 20-foot buffer that is to remain undisturbed. We have also provided recommendations for replanting on areas that are disturbed outside of the 20-foot buffer.

(C) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;

- Recommendations in our original report outline erosion control measures to be implemented on disturbed soils near the northern slope.

(D) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;

- Recommendations in our original report outline erosion control measures to be implemented on disturbed soils near the northern slope. Additionally, we have recommended a 20-foot buffer be left undisturbed during construction which will be protected with a silt fence.

(E) Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or

- If the 20-foot buffer is maintained during construction and BMPs are implemented impact should be kept to a minimum.

(F) Monitoring the impact and taking appropriate corrective measures to maintain the integrity of compensating measures.

- We recommend NGA is retained to observe the proposed construction and provide recommendations to facilitate slope stability within the critical area.

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