

From: [David Armitage](#)
To: [Nicole Gaudette](#)
Subject: Re: 9611 SE 36th St
Date: Tuesday, April 28, 2020 8:59:44 AM

Hi Nicole,

Thanks for being patient with my comments on the planned development at 9611 SE 36th St.

I have a fundamental sense of trust in municipal staff and processes, so my comments are pretty limited.

- I am certain that the City Arborist has or will look at the site from the standpoint of significant trees / groves. I am no arborist but it does appear that there could be some significant groves there. Given the site slope I can imagine that beyond protecting the wooded character of the Island, that there are considerations around protecting soil erosion (with existing root substrate) as well.
- There is an eagle's nest just east of the site. I live now at 3872 West Mercer and it is visible from our house. I actually grew up at 3453 74th Ave SE and it was in the greenbelt just behind our house. So I consider these eagles our neighbors and important stakeholders as well. Since eagles can't write - I'll do my best. Eagles are high fidelity birds - that means they are loyal to their mates and to their nests. Even though the eagle is culturally a sign of strength and power, eagles are fairly finicky about where they nest and also the conditions under which they brood. Their brooding season is fairly long - from early- / mid-January through early September. Any big disturbance during that period can initiate them abandoning their nest and even their young. Big disturbances typically caused by construction are grading, demolition, tree clearing, foundations, and framing. Especially since eagles are visually attuned, any big changes to their visual landscape are particularly disturbing. Therefore I would hope that the developer would complete the clearing, grading, foundations, and framing between September and December, when the eagles are not brooding. I don't know if the City has a mechanism for this, but one way of ensuring proper respect and mitigating the impacts to the eagles, is to require the developer to implement a management plan. This would include observation prior to and during the brooding season, record keeping (that was discoverable in the public record), and performing the most large scale and disturbing work off season. There are a range of firms that can do this type of work, and perhaps the developer will choose a good one. It is also possible the developer will choose one that makes recommendations that suit his schedule. Optimal would be that the City can select the firm and the developer has to pay for it, so long as it is in the range of 10% of the bid the developer has (or something like this).
- I can imagine there will be tradeoff decisions that need to be made. Since the site is on a steep slope, the developer (and perhaps the City) would prefer grading to happen in dry months. It could be that the best schedule is then to clear and grade in September, foundations and framing October - December. As a former framer and foundations guy, I can promise you framing and foundations go just fine in the winter and rain.

So in short my biggest concern is that the timing of any major work be planned in such a way so as not to disturb the eagles, who have been nesting in the area for at least 20 years and perhaps more. Since eagles are sensitive and high fidelity birds, this probably means that the

largest and loudest trades will need to happen Sept - Dec. An ecological management plan, administered in whole or in part by the City, would help to keep the developer accountable, and monitor actual behavior and impacts throughout the process.

I've attached a couple of recent pictures of the eagles and the nest, as well as an older picture I have (from the house I grew up in) of the eagles with their baby in that same nest.

Happy to learn of any public meetings or further progress on this project.

Kind regards,

David

On Thu, Apr 16, 2020 at 3:45 PM Nicole Gaudette <nicole.gaudette@mercergov.org> wrote:

Yes. Feel free to send me comments anytime.

Nicole Gaudette

Senior Planner

City of Mercer Island – Community Planning & Development

206-275-7719 | mercergov.org/CPD

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).

*Due to the COVID-19 outbreak, Community Planning and Development has modified our operations. The City Hall and the Permit Center are closed to the public as of Friday, March 13. There is no “walk in” permit service; staff are working remotely. **Please note that the Governor has issued a Stay at Home order. More information is available on the City’s website: www.mercergov.org/cpd.** Most services will be continuing via remote operations. We encourage customers to contact staff directly via email or their office number - phone lines are set up to forward calls to staff. Please contact us by phone or email for general customer support at 206-275-7605 or epermittech@mercergov.org.*

From: David Armitage <quantjock@gmail.com>
Sent: Thursday, April 16, 2020 1:41 PM
To: Nicole Gaudette <nicole.gaudette@mercergov.org>
Subject: 9611 SE 36th St

Hi Nicole,

I wanted to write you some comments on the proposal at 9611 SE 36th Street. I know the deadline was yesterday. Can I still send comments by tomorrow or better yet end of the weekend?

Thanks,

David Armitage