

# Memorandum

December 19, 2023

To: Barbara Kincaid (City of DuPont)  
From: John Small (Anchor QEA, LLC)  
cc: Cole Baldino (South Puget Sound Salmon Enhancement Group)

**Re: Addenda to Sequalitchew Creek Watershed Ecosystem Restoration Project, Critical Areas Ordinance, April 2013**

Ms. Kincaid,

The purpose of this memorandum is to demonstrate the compliance of the City Hall Pedestrian Bridge element of the Sequalitchew Creek Watershed Ecosystem Restoration Project with DuPont Municipal Code (DMC) 25.105.070(1). This memorandum is also a written request for exemption by the administrative authority of the direct, in compliance with DMC 25.105.070(1)(d).

The Sequalitchew Creek Watershed Ecosystem Restoration Project, Critical Areas Ordinance, dated April 2013, indicated that the City Hall Pedestrian Bridge qualified for a Critical Areas Exemption under DMC 25.105.050(2)(a). The City Hall Pedestrian Bridge is on the alignment of the existing Sequalitchew Creek Trail. The bridge will be a direct replacement for the existing trail, and is necessary to restore fish passage and habitat restoration where the trail crosses Sequalitchew Creek.

Certain actions are exempt from the requirements of the City of DuPont's Critical Areas Ordinance. These exemptions are described in DMC 25.105.070. The City Hall Pedestrian Bridge and the directly related habitat restoration qualify for an exemption under DMC 25.105.070(1)(a) which provides exemptions to the following

- (a) Existing structures or improvements (not covered under subsection (2) of this section) that do not meet the requirements of this chapter may be remodeled, reconstructed, or replaced providing the existing structures or improvements currently meet the originally intended use or function and that any new construction does not further intrude into or detrimentally disrupt a critical area and/or buffer. The burden of proof of functionality and material use, of existing structures or improvements, as well as impact of the proposed activity, is on the applicant and subject to the discretion of the director.

The Sequalitchew Creek Trail is an existing improvement that will be reconstructed with a bridge that meets the originally intended use and function. The bridge will remove the disruption of stream and stream buffer functions caused by the existing culvert and fill. Removal of the culvert will allow for fish passage at the trail crossing. Fill removal will result in improved riparian conditions.