

# Appendix D

## Permits and Approvals Summary

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## Bow Lake Transfer Station Master Plan Project—Potential Environmental Permit Matrix

Permitting Agency/ Potential Permits	Regulated Activity	Estimated Permit Review Timeline	Permit Considerations and Issues
<b>Federal</b>			
<b>Federal Highway Administration(FHWA)</b> – NEPA Categorical Exclusion (CE) Federal Register 771.117	Transfer of WSDOT property to KCSWD		<ul style="list-style-type: none"> <li>• Confirm WSDOT responsible for NEPA/SEPA compliance for sale of WSDOT property to King County.</li> </ul>
<b>U.S. Army Corps of Engineers (USACE)</b> – Section 404 Permit  <b>NOAA Fisheries (NMFS)</b> –Section 7 ESA Consultation  <b>US Fish and Wildlife Service (USFWS)</b> – Section 7 ESA Consultation	Potential impacts to jurisdictional wetlands will require a Section 404 permit. Section 7 of the ESA requires all federal agencies to insure that any actions they authorize are not likely to jeopardize a listed species or adversely modify its critical habitat. USACE must consult with NOAA Fisheries and possibly USFWS for this project	Up to 120 days after submittal to USACE, and up to 180 days after submittal to NOAA Fisheries and/or USFWS	<ul style="list-style-type: none"> <li>• Confirm whether federal nexus is present; possibly associated w/ downstream discharge of stormwater.</li> <li>• If so, confirm whether “No Effect Letter” is appropriate for ESA compliance. The “No Effect Letter” must be reviewed by the appropriate regulatory agency (NOAA Fisheries or USFWS).</li> </ul>
<b>State</b>			
<b>Ecology</b> – Federal Water Pollution Control National Pollutant Discharge Elimination System (NPDES) Notice of Construction WAC 173-220 33 USC 1344 RCW 90.48.260	Construction activities, including clearing, grading, and excavation, that disturb 1 acre or more of land	Up to 30 days (may be longer)	<ul style="list-style-type: none"> <li>• Stormwater Pollution Prevention Plan</li> <li>• Public notification</li> </ul>
<b>Ecology</b> – Notification of Onsite Hazardous Materials	Presence of on-site groundwater or soil contamination that exceeds Ecology criteria	Ecology notification required at least 90 days after discovery of contaminants	<ul style="list-style-type: none"> <li>• Depending on GeoTech Assessment: Following remediation of all onsite contamination, Ecology requires a Report of Remediation</li> </ul>
<b>Washington Department of Fish and Wildlife</b> – Hydraulic Project Approval (HPA)	Discharge of treated stormwater to offsite drainage facilities near Southcenter Parkway.		<ul style="list-style-type: none"> <li>• Develop conceptual details of stormwater discharge facilities.</li> <li>• Evaluate importance to fisheries of ditch (Stream E) in Segale EIS.</li> </ul>

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<b>State</b>			
<b>Washington Department of Transportation (WSDOT)</b> Developer Permit	Required for work taking place in or over the WSDOT right-of-way with developer funds.	Up to 6 months	<ul style="list-style-type: none"> <li>• Confirm applicability of this permit to Bow Lake Project.</li> <li>• This permit would be written by WSDOT upon completion of review and approval of all other project application requirements (including environmental review).</li> </ul>
<b>Regional</b>			
<b>Puget Sound Clean Air Agency (PSCAA)</b> – Notice of Construction	Expansion of existing transfer facility	20 days	<ul style="list-style-type: none"> <li>• Submit NOC two to three months prior to construction.</li> <li>• Asbestos Survey is required</li> </ul>
<b>County</b>			
<b>King County Solid Waste Division –</b> SEPA Threshold Determination WAC 197-11	To determine if a project will have significant adverse environmental impacts and as a result require a SEPA EIS.	30 days	<ul style="list-style-type: none"> <li>• King County SWD is lead agency for project.</li> <li>• SEPA Environmental Checklist nearing completion.</li> <li>• Mitigation may be required.</li> </ul>
<b>King County DDES –</b> Clearing/Grading Permit  (unless unincorporated area is annexed by Tukwila)	Required for grading around sensitive area; threshold < 100 cubic feet. If more than 500 cubic feet will be added then SEPA checklist required.	90 days	<ul style="list-style-type: none"> <li>• Need excavation volumes</li> <li>• Possible sensitive areas review.</li> </ul>
<b>King County Department of Natural Resources, Industrial Waste Division –</b> Industrial Waste Discharge Local Regulations (K.C.C. 28.84.060)	Construction dewatering discharge to sewer.	30 days	<ul style="list-style-type: none"> <li>• Must meet discharge standards and limitations</li> <li>• Need discharge volumes and water quality information</li> </ul>
<b>King County Transportation Division –</b> Right of Way Use Permit	Activities within county right-of-way.		
<b>Seattle &amp; King County Health District –</b> Solid Waste Transfer Station Operating Permit	Operation of a solid waste transfer station.		

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<b>County</b>			
<b>Seattle &amp; King County Health District</b> – Solid Waste Excavation Approval	Excavation into solid waste for construction of the transfer station.		<ul style="list-style-type: none"> <li>Awaiting outcome of negotiations at 1<sup>st</sup> NE Transfer Station.</li> </ul>
<b>City</b>			
<b>City of Tukwila</b> – Unclassified Use Permit Chapter 18.66TMC (Tukwila Municipal Code)	Location of a transfer station within Tukwila Valley South district. 18.40.050 TMC	120 to 210 days	<ul style="list-style-type: none"> <li>Requires city council public hearing (Type 5 permitting decision pursuant to TMC 18.108.050)</li> </ul>
<b>City of Tukwila</b> – Building Permit WAC 51.40	Required to construct a new building structure to assure the development is consistent with the Uniform Building Code/International Building Code and other applicable regulations.	Not issued until other permits are approved. May be submitted as part of initial application.	<ul style="list-style-type: none"> <li>Meet requirements of <i>King County Surface Water Design Manual</i></li> </ul>
<b>City of Tukwila</b> – Clearing/Grading Permit Chapter 16.54 Tukwila Municipal Code (TMC)	Required if 50 cubic yards or more are moved (either filled or removed).	Not issued until other permits are approved. May be submitted as part of initial application.	<ul style="list-style-type: none"> <li>Need excavation volumes. Volumes will be large, i.e., thousands of cubic yards with much of it trucked off site and disposed at one or more other sites</li> </ul>
<b>City of Tukwila</b> - Sensitive Areas Review Chapter 18.45 TMC	Construction and other activities that cause disturbance within sensitive areas, e.g., areas of potential geologic instability, steep slopes, stream buffer impact.	Concurrent with other City permits	<ul style="list-style-type: none"> <li>A sensitive area special study must be submitted to the City.</li> <li>A geotechnical report must be conducted and submitted to city.</li> <li>Possible construction activities within stream buffer on north.</li> <li>Utility lines constructed down steep slopes.</li> </ul>
<b>City of Tukwila</b> - Right of Way Use Chapter 11.04 TMC	Activities within city rights-of-way.	Not issued until other permits are approved. May be submitted as part of initial application.	<ul style="list-style-type: none"> <li>Confirm if right-of-way permit is applicable.</li> </ul>

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<b>City</b>			
<b>City of Tukwila - Tree Clearing Permit Chapter 18.54 TMC</b>	Tree removal.	Not issued until other permits are approved. May be submitted as part of initial application.	<ul style="list-style-type: none"> <li>Requires replacement of trees removed as part of development.</li> </ul>
<b>City of Tukwila - Demolition Permit</b>	Removal of any structure in its entirety		<ul style="list-style-type: none"> <li>Develop details on demolition of existing structures.</li> </ul>