



King County

Permitting Division

Department of Local Services

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<https://kingcounty.gov/permits>

November 18, 2019

Karen Deal

6505 226th Place SE Suite 200

Issaquah, WA 98027

RE: KC File COMM18-0014 & SHOR18-0032
Proposed Lakeside Asphalt Plant

Ms. Deal:

The King County Department of Local Services-Permitting Division staff have reviewed the proposed construction of the asphalt plant and the associated documents in both the shoreline and building permit files and have the following comments:

- A. SEPA State Environmental Policy Act (SEPA): Two separate checklists have been prepared and submitted; one for construction of the asphalt plant (COMM18-0014) and one for the shoreline permit (SHOR18-0032) related to the proposed new driveway location to the site. Under the direction of SEPA standards, the department is reviewing the project in its entirety to evaluate its potential adverse impacts and will render one SEPA decision.
 1. A revised and combined environmental checklist is requested to include all aspects of the project (soil remedial (GRDE18-0069), construction of the facility (COMM18-0014) and its new driveway (SHOR18-0032). Please correct and refer to the project in the revised checklist as the "proposed asphalt plant with a proposed new driveway" not the future asphalt plant.
 2. On page 5 of the ECL and under the list of potential permits required, please include the Puget Sound Clean Air Agency (PSCAA) permit. Please summarize and include the response you provided in the response letter dated April 20, 2018 including any mitigation measures to address potential excessive odor or chemical hazards. Many comments we have received from the members of the public are concerned about potential toxic fumes and chemicals. Please list the most common toxins and particulates emitted from the proposed plant under your current operation. Please list if any new ingredients that will be used in the

new plant which would generate additional or different toxins. Please list mitigations imposed by PSCAA and incorporate them in your operation that would address any potential health hazard.

3. Under the description of the proposal (page 5, item 11), please indicate days and hours of operation.

B. Site Plan

1. All structures, shown on the site plan received and dated November 6, 2018, except the control room, proposed office, the 10-foot tall sound wall adjacent to RAP Feed; the 39-foot tall retractable sound wall sand filter and flow spreader; pre-settling vault; truck enclosure; concrete mix designs and other improvements listed under "deferred submittal" have been reviewed and approved by Reid Middleton for structural design compliance under the COMM18-0014 permit. Please remove the reference "under separate permit" for structures that are included under the present permit. See also item F-7 below. We have received a plan set for the silo loader which will be reviewed by Reid Middleton. If you plan to permit the structures listed under "differed submittal" under this permit, please submit the structural information for review and approval or label them as a separate permit.
2. Please show the required 25-foot wide front yard setback and 20-foot wide interior setbacks on the site plan. No structures including walls over 48 inches tall shall be within the required property line setback. Maximum height in the Industrial zone is 45 feet. Any structure exceeding 45 feet in height must comply with the increased front or side setback requirement of one foot for every one increased foot in height (KCC21A.12.040(10)).
3. KCC21A.16.16.030(4) requires landscaping for "processing" uses under table 21A.08.090. A 20-foot wide type II landscaping must be provided to screen nearby residential and recreational uses from the proposed industrial use. Please provide a landscaping plan showing detail; shrubs and trees to meet the "filter" quality of a type II landscaping buffer (KCC21A.16.040(B)). This should be separate from the wetland and stream mitigation planting areas.
4. Please show parking dimensions, driveway and aisle widths in accordance with the KCC21A.18 on the parking plan. This may be provided on a separate parking plan sheet as part of the plan set.
5. Please provide additional detail on the 39-foot tall retractable sound wall such as when and under what circumstances it would be in use.
6. Please correct the wall height on the west side of the site in accordance with the height shown in the Noise Study (Figure 2). The study refers to a 24-foot tall wall whereas the site plan shows an 18-foot tall noise barrier wall on the west of the proposed facility.

7. Please show the dimensions of the foot print of the office structure.

C. Office Structure

The site plan shows a sewage holding tank next to the office building. A health approval is required for this method of sewage disposal and its location on the site.

D. Health Permit Approval

Please provide a health department approval for the proposed septic system.

E. Critical Area Designation (CAD)

CADS19-0258 has been received for review and will be completed soon so that it can be provided to King County Public Health along with application for an on-site septic system.

F. Site Engineering Comments- King County Surface Water Design Manual Standards (KCSWDM):

1. KCDLS-Permitting Division standard procedure requires the civil engineer to prepare the standard flood certification form for review and analysis of the floodplain for the stream on-site. Please fill out the standard flood certification form (enclosed) and insert it in the TIR with the floodplain analysis.
2. We have received the development agreements signed by the Washington State Department of Transportation (WSDOT) for construction of the new driveway and the acceleration lane along SR-167. However, for our record, we require a stamped approved copy of the plans by WSDOT for our record. We will coordinate the approved road construction plans with the improvements within the site and shown on the final site plan.
3. Proposing a Contech Storm Chamber for the infiltration system. Contech Chamber is not an option in the 2016 KCSWDM. This will have to be reviewed and approved through a SWDM Variance Adjustment application.
4. The site contains landslide hazard areas. These sensitive areas must be reviewed by our Geotech Review section for potential consideration in the design of the storm drainage system.

5. The project site is located within groundwater protection areas. These include but are not limited to critical aquifer recharge areas (CARAs), wellhead protection areas or zones (including 1, 5 and 10 year time of travel zones for municipal well protection areas, if available), and sole source aquifers. Provide explanation on how you meet the groundwater protection criteria as described in page 5-51 to 5-53 of the 2016 KCSWDM.
6. The engineering site plan submitted refers to walls over 4 feet in height and it refers to a separate permit application. Structural walls shown on the site engineering plan must be reviewed for appropriate setback requirement. Therefore, structural walls are required to be reviewed and approved under this permit application and not as a separate permit application. Provide the appropriate structural information for review. The retaining wall requires setback from the proposed grassed swale and conveyance pipe system. See page 4-5, Table 4.1 for the setback requirement in the 2016 KCSWDM.
7. Per page 1-101 in the 2016 KCSWDM, it states that the 100-year floodplain shall be determined and the boundaries shall be delineated on the site improvement plans and profiles. Therefore, delineate the floodplain of the stream on the site drainage plan. It is only delineated in the cross-sectional detail. Also, it needs to be shown on the TESC plan too. It needs to be shown on the TESC plan to verify that the proposed grading work will not encroach into the stream floodplain area.
8. Engineering plan sheet 6 shows a proposed ditch that is located within WSDOT right-of-way and on-site (King County). The ditch must be located entirely within the property.
9. Sheet 7 (detail B) shows an equipment "lean to" building next to a proposed grass lined ditch. Provide appropriate building setback consistent with page 4-5, Table 4.1 in the 2016 KCSWDM. Per page 4-4 in the 2016 KCSWDM, Table 4.1 (p. 4-5) lists the required widths and building setback lines for drainage easements. For all pipes or any channels or constructed swales greater than 30 feet wide, facilities must be placed in the center of the easement. For channels or constructed swales less than or equal to 30 feet wide, the easement extends to only one side of the facility. Show the drainage setback requirement on the drainage plan consistent with the 2016 KCSWDM. Specify all the setbacks for the drainage conveyance system from adjacent structure and property line on the site plan.
10. The land disturbance within the wetland buffer was not considered in the detention analysis. Landscaping proposal can be considered a targeted surface unless you can describe and show/justify that it meets the detention exemption stipulated in the guidelines of the 2016 KCSWDM for native vegetation replanting consistent with the drainage manual guidelines.

11. All land disturbance associated with the project site is required to be treated through an erosion sediment control system. The TESC plan show only straw wattle erosion treatment for the grading proposed within the wetland buffer area. The land disturbance within the wetland buffer must be routed and treated by the erosion control system design for the project site. The sizing calculation for the erosion treatment will need to include this area of the wetland buffer. I am assuming it was not, since the design submitted is not routing it to the erosion control system for the project site.
12. The erosion plan submitted is proposing wattle as a perimeter protection. The standard is that a silt fence must be used as a perimeter protection. Therefore, provide silt fence along the perimeter of the land disturbance within the wetland.
13. Sheet 7 shows a detail of a grassed lined swale with no dimensions. Provide dimensions on the detail consistent with the conveyance analysis.
14. Show the roof connection for all the proposed building to the south. It must be consistent with the conveyance analysis.
15. The flow splitter detail in sheet 9 of the engineering plans needs to show the following information:
 - Provide an independent detail of the 24" overflow riser with specific information. The detail provided is very crowded and lightly shaded.
 - I am assuming it needs to be a solid bottom. Specify solid bottom.
 - Specify overflow elevation consistent with the computation analysis. A baffle should be provided at the overflow riser to trap the oil.
16. The floodplain analysis, Subsurface Geotech Report, SWPP Plan, and Mounding Analysis was provided in a separate report book. It needs to be inserted into the TIR and not as a separate binder. It is part/associated attachment to the Technical Information Report (TIR).
17. The proposed building structure referred as "lean to" is referred to a separate permit application. It must be reviewed and approved under this permit application for appropriate setback and design requirements. Otherwise, don't show it on the plan. This applies to all building in the future.
18. I discussed your proposed driveway entrance to the site of 50 feet width with the King County Development Engineer. The maximum allowed by the 2016 road standard is less than 50 feet. The proposal must be consistent with the maximum allowed by the road standard, unless you can provide justification that it is necessary.

19. The retaining wall proposed within the large sand filter will need structural review. Provide appropriate structural information (drawing details, soils report, and calculation) for review and approval.
20. The pre-settling vault will require structural review. Provide structural detail, calculation, Geotech report specific to the structural design of the vault for review and approval. Please note that the approved structural plans must be consistent with the final approved civil plans.
21. All drainage pipe connection must be conducted at a catch basin. The drainage line associated with the oil/water separator system show fusing pipes together.
22. The TIR does not include calculations for the oil/water separator. Provide design calculation of the oil/water separator consistent with the 2016 KCSWDM guidelines. See page 6-62 in the 2016 KCSWDM for design calculation and design criteria. Show that you meet all design criteria.
23. The existing condition of the site discharges in 4 culverts within the frontage road of SR 169. The proposal is to discharge into one of the culverts to the Cedar River. A SWM Variance must be submitted, reviewed, and approved by the Adjustment Committee. Provide sizing calculation for the downstream system to verify it has the capacity to accommodate the additional tributary area. If the culvert conveys a regulated stream, then analysis must be provided to show that the additional stormwater will not adversely impact the stream.
24. Provide the manufacturer's specs for the specific pump system proposed for this project, showing that it meets the hydraulic head required based on the calculation provided.
25. Per page 4-36 in the 2016 KCSWDM for pump design criteria, it states that " The gravity-flow components of the drainage system to and from the pump system must be designed so that pump failure does not result in flooding of a building or emergency access, or overflow to a location other than the natural discharge point for the site". Show/describe what will happen to the stormwater if the pump system does fail and it overflows.
26. Per page 5-49 in the 2016 KCSWDM, All infiltration facilities must have a spill control device upstream of the facility to capture oil or other floatable contaminants before they enter the infiltration facility. Provide/specify a spill control system on the site plan and include a detail consistent with the 2016 guidelines. It would seem appropriate to have the spill control device just before the pump system.

27. Provide a profile of the driveway entrance with connection to the road improvements within the State right-of-way. Verify that the change in grade is not too significant and within the guidelines of the 2016 road standard manual.
28. Fill out the standard bond quantity worksheet for review.
29. Fill out the standard declaration of covenant and submit it for review. Include the standard exhibit as described in the document. Once we finalize the review of the document, it will need to be signed, notarized, and recorded. Provide our department a copy of the entire recorded document for our file.
30. The proposed French drain next to the office building structure must be setback appropriately. Specify the setback provided. It must be consistent with the drainage manual guidelines.
31. Provide appropriate setback for the French drain from the property line consistent with the 2016 KCSWDM guidelines. See page 4-5, Table 4.1 for the setback requirement in the 2016 KCSWDM.
32. Specify setback for conveyance pipe from all structure and property line. It must meet the requirement of the 2016 KCSWDM. See page 4-5, Table 4.1 for the setback requirement in the 2016 KCSWDM.
33. The Proposed grassed swale ditch conveyance system for the project site must be setback appropriately from property line and structures consistent with the guidelines of the 2016 KCSWDM, per section 4.1.2 (Easement and Setback requirement).
34. The specified volume of the pre-settling vault in page 4-15 in the TIR requires a depth of 5.13 feet of dead storage. Normally, this is calculated based on the outlet pipe elevation from the top of the sediment storage in the vault. The details of the pre-settling vault shows a depth of only 2 feet. I assume the storage is based on the pump system downstream. Provide description and explanation on how the depth will be sustained based on a pump system drawn process for review. The required/designed volume must be maintained.
35. Per page 6-29, Table 9.2.4.A in the 2016 KCSWDM, sand filter requires treatment liner and not low permeability liner. The plan specifies low permeability liner. Modify the liner on the civil plan to be consistent with the treatment liner design requirements. Provide the specs for the treatment liner on the civil plans.
36. The plans and design approved by the engineering section must be consistent with the plans reviewed and approved our Geotech Review section and wetland review section.

37. Specify on the engineering plan the setback provided for the proposed infiltration system from the office building and any structure near the vicinity. The setback must be consistent with the drainage manual guidelines, which requires 20 feet.
38. The plan shows a well house on-site. Normally, there is a radius diameter of 100 feet setback required by the King County Health Department. Why is it not shown on the plans? All the proposal must be setback appropriately consistent with the approval by the King County Health department.
39. Provide and specify rock check dam on the proposed conveyance ditches on the project consistent with the guidelines of the 2016 KCSWDM.
40. Provide and specify interim CB protection on the TESC plan. Provide a standard detail.
41. The floodplain of the Cedar River abuts the road on the other side of this project. The project site contains culvert that crosses the road and discharge into the Cedar River within a short distance. There is the potential of the floodplain of the Cedar River migrating through the culvert and encroaching within the project site. Verify that the floodplain of the Cedar River will not encroach into the project site.
42. The backwater analysis for the grass swale must be incorporated into the backwater analysis for the entire conveyance system for the project. I could not determine that a backwater analysis was conducted on the grassed swale. It is considered as part of the conveyance and needs to be analyzed accordingly base on the drainage manual guidelines.
43. Please submit a copy of the approved engineering and construction plans by the WSDOT for the new proposed driveway and road improvements. Permitting Division will coordinate the portion of the driveway within the site with the driveway location reviewed and approved by WSDOT.
44. Analyze the inlet and outlet of the proposed culvert within the project site. It must be consistent with the 2016 KCSWDM guidelines for analyzing the inlet and outlet of a culvert.
45. Per page 6-109 in the 2016 KCSWDM, the underdrain system is sized to convey the peak filtered flows to the outlet. For the basic sand filter, the central collector pipe(s) shall be sized to convey, at a minimum, the 2-year return frequency flow into the facility using the KCBW program's backwater analysis techniques described in Chapter 4.

46. In engineering plan sheet 2, it states domestic well to be decommissioned. Provide information that it has been finalized prior to engineering plan approval. Talk to Scott if this needs to be done.
47. The proposed mitigation trade submitted in the TIR is within the State ROW. Generally, it has to be on-site, which King County has jurisdiction and control.
48. Civil plan set and TIR has been marked up with comments. These markup package needs to be picked up from our office and addressed accordingly.

If you have questions regarding the above comments under the site engineering requirements, please contact **Ronaldo Hoelscher at (206) 477-0351 or by E-mail at ron.hoelscher@kingcounty.gov** . For any geotechnical related questions please contact **Steve Bottheim, Senior Geologist at (206) 477-0372 or steve.bottheim@kingcounty.gov**

G. Critical Areas Code comments and applicable Standards

Laura Casey, KCDLS-Permitting Environmental Scientist visited the site and reviewed the revised Critical Areas Report by The Watershed Company, dated September 2018 and has the following comments and request for additional information:

- Wetlands A, B, C, D, DD and the right-of-way wetland are correctly identified and rated. As a high impact land use outside the Urban Growth Boundary, the revised Report correctly specifies larger buffers than standard around these wetlands to provide better protection from the impacts of this development. The revised Report states that the areas identified as marginal wetlands in the previous report no longer exist on the site.
- Stream B is a Type F aquatic area that can support salmonid fish. Stream A is too steep at a 28% gradient for salmonid habitat, and is a Type N. Stream C is a narrow channel about one foot wide and appears to be a Type N aquatic area.
- Stream A flows down the slope, across an alluvial fan and then along the west side of the parcel. The stream has overtopped its banks in the recent past and has been dredged in response to the flooding. Additional material has been placed to effectively create a berm on the downhill side of the stream. It appears that stream manipulation has occurred in the past. These actions are not permitted in the Critical Areas Code.

- Please evaluate the impact of dredging Stream A and constructing a berm in the buffer, and prepare a restoration plan. The restoration plan shall also assess the long-term impacts of alluvial sediment deposition on the current stream location and consider making recommendations for a stream enhancement and monitoring plan.

The plan should be prepared in conjunction with assessment by the geotechnical consultant to address sediment deposition processes. Recommendations should be provided to minimize the need for stream disturbance over time.

- The County received comments from the Muckleshoot and Suquamish Tribes on this project. The Muckleshoot Tribe expressed concern about the project's potential impact on salmon habitat in the Cedar River and recommended an environmental impact statement. They asked for a site alternatives analysis for least environmental impact. Some additional recommendations include making the culvert beneath SR 169 that conveys flows from Stream C fish-passable, classifying Stream C as Type F, and modifying site lighting to reduce impact on fish resources. The Suquamish Tribe concurred with the Muckleshoot Tribe comments and requested additional information on stream classification.

- Please provide a written response to the Tribes' recommendations.

The County's Wildlife Network crosses this property in the northwestern corner. The wildlife network must be protected with a 300-foot wide corridor. Part of that corridor is on this property and part extends offsite. Several public comments were received in Spring 2019. Several expressed concern that wildlife observed in the area might be impacted by this project. The County's critical areas code requires protection of specific breeding sites of certain species, listed in KCC 21A.24.382, and the active breeding sites of federal or state listed endangered, threatened, sensitive and candidate species of King County species of local importance. Rare or migratory species passing through the Puget Sound area are not protected in the County's Critical Areas Code unless they meet the above Code criteria and have active nest sites. None of the identified protected species have been observed in the vicinity of this project site. No additional information or revision is required.

- Please note that the Washington State Department of Ecology (WSDOE) provided comments regarding the Shoreline Permit associated with this project. Specifically the WSDOE recommended that the County consider whether the highway expansion and access improvements in shoreline jurisdiction are part of a single integrated project which includes the asphalt plant outside of shoreline jurisdiction. The County has determined that the shoreline development permit is for relocation of the existing access driveway to serve the site. The SR-169 frontage improvement as approved by the State Department of Transportation is to improve safety and traffic

movements in and out of the Industrial zoned property with industrial type land use activities.

- - Please identify any potential impacts in the shoreline environment from the proposed industrial access associated with this project. The Division will review any potential impacts associated with the proposed access within the combined environmental review of the project under SEPA.
- Please revise the site plans to address the following:

Sheet 2 of 32 depicts an existing headwall along a portion of Stream B. A pipe and catchbasin in the vicinity are proposed to be removed. Please also remove the headwall, either as part of project demolition or as part of the buffer enhancement plan.

Landscape Plans- Three species of plants within critical areas buffers and/or shoreline jurisdiction are non-native. Please replace *Acer rubrum*, *Betula nigra* and *Lonicera pileata* with native tree and shrub species.

- Sheet M2.0 and 2.1 of 10- Buffer averaging, project impacts, and proposed mitigation are acceptable.

If you have any questions or would like to discuss critical areas and shoreline issues, please contact Laura Casey at 207-477-0368 or laura.casey@kingcounty.gov

H. Fire Access and Compliance with Fire Code

Please contact Mark Ossewaarde at (206) 477-0366 or mark.ossewaarde@kingcounty.gov

He has noted that he has been in touch with you regarding fire requirements. The applicable fire standards (if any) must be reflected in the resubmittal.

Please provide the following no later than March 18, 2020:

1. Three copies of a revised site plan addressing all issues addressed above
2. 4 copies of a revised TIR addressing issues under item F above
4. An approved health permit
5. Digital copies of the above requested information
6. File a Drainage adjustment request per item F-23 above.

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If you have any questions regarding this project or this letter, please contact me at (425) 477-0375 or fereshteh.dehkordi@kingcounty.gov

Sincerely,



Fereshteh Dehkordi, Senior Project Manager
KCDLS-Permitting

Enclosure

Cc: Steve Bottheim, Geologist, KCDLS-Permitting Division
Laura Casey, Environmental Scientist, KCDLS-Permitting Division
Ron Hoelscher, Engineer KCDLS-Permitting Division
Eric Ferguson, Hydrogeologist, KCDONR- Water and Land
Ty Peterson, Commercial Product Line Manager, KCDLS-Permitting
Mark Ossewaarde, Deputy Fire Marshal, KCDLS-Permitting Division