



King County

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MEETING NOTES

CEDAR RIVER COUNCIL

January 23rd, 2018 – 7:00 PM - 9:00 PM
Maplewood Greens Golf Course
4050 Maple Valley Hwy., Renton, WA 98058

Meeting was called to order at 7:00 pm.

1st Public Comment Period

Acting chair Larry Phillips suggested holding public comment until after the main presentations. The CRC agreed.

Maple Valley Asphalt Facility Presentation – Lakeside Industries

Mike Lee, president, and Karen Deal, environmental engineer, both of Lakeside Industries, spoke to the CRC and public about their planned asphalt-manufacturing plant on Maple Valley Highway near the Cedar River. Mr. Lee reviewed the history of the company, which has operated locally since the 1960s. He said in that time period, the company has never experienced any issues involving salmon. Ms. Deal noted the close proximity of several of their plants to bodies of water and residential areas, such as the Snoqualmie River and downtown Monroe, the latter site of which has won ecological awards. They explained a need for additional asphalt plants to serve demand in this region, especially given the material's time-sensitive nature. Asphalt cools quickly and must be kept warm to be pliable.

Ms. Deal reviewed the manufacturing process. Asphalt is 95% rock, 5% glue, and may contain up to 40% recycled materials, such as old roadway. She said the US EPA has extensively studied asphalt plant emissions, and the primary emission is burned natural gas to dry and heat rock. 99% of the exhaust is a nitrogen/oxygen/water/carbon dioxide mix, and 0.06 % of "volatile organic compounds." She stated the amount of these compounds released from a plant yearly equals a mid-size bakery operating for a month. She indicated the EPA's conclusions found the emissions are small fractions of compounds existing in typical indoor/outdoor air, and ruled asphalt plants are not major pollution sources.

Ms. Deal reviewed the history of the proposed plant site, which has a long history of industrial use since operating as a coal mine in 1927. Lakeside purchased it from Sunset Materials, who still operates temporarily on the site, in 2016. Lakeside applied to King County for a permit in August 2017, with plans to clean up historical contamination at the site and develop it as an asphalt plant. They also must obtain permits from state Department of Ecology (DOE) and King County's stormwater services. They are now undergoing the State Environmental Policy Act (SEPA) review process. The SEPA process is extensive and involves studies of impacts to wetlands, streams, air, traffic, noise, water quality, landslide hazards, and historical significance. The studies are conducted by a hired third party. Many stakeholders are involved in the review, including state DOE, DNR, DFW, and DOT, as well as King County.

Ms. Deal addressed the plant's procedures to ensure clean water in the Cedar River. Primary containment is by securing liquid asphalt tanks in concrete secondary containment, though she stressed that asphalt cools quickly and does not flow, and does not penetrate the ground. She reviewed several types of water treatment technology at the plant.

Ms. Deal then spoke on how the plant would address goals and priority actions to protect the lower Cedar River basin, including: flood damage reduction, erosion/sedimentation, aquatic habitat, and water quality. Erosion/sedimentation would be addressed by restricting the site clearing area, restoring vegetative buffers, reducing sediment inputs, and encouraging groundwater recharge. Aquatic habitats would be addressed by promoting forest retention on-site, protecting wetlands, and minimizing impacts to runoff and groundwater recharge. Water quality must meet or exceed state standards, and any poor quality runoff from the site must be remedied.

Maple Valley Asphalt Facility DPER Response – Ty Peterson, King County DPER

Mr. Peterson, who manages commercial and resource permitting lines at DPER, spoke of DPER's involvement in the review and permitting process for the asphalt plant. He said at this time, no asphalt plant permit has been issued for this site. This is due to a moratorium imposed by King County Council (KCC) in November 2017, to allow time to review current regulations involving these plants so close to a river, to ensure proper regulations are in place. A report from



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this review should be transmitted to KCC by February 2018, at which point they will make a determination.

The only permit issued to Lakeside now is a grading permit to clean up the site, currently under SEPA review due to amount of material involved. SEPA review requires the applicant to disclose all plans for the site, as it covers the whole project scope. Official comment period for this ended in December 2017, and DPER is currently reviewing comments.

Mr. Peterson said many layers of regulations address this proposal. He reviewed County regulations for industrial-zoned rural lands, such as this site. These include for: lighting, noise, shape/height of structures, landscape buffers, among other factors. The plant must also comply with the County's 2016 stormwater manual, prioritizing treatment and infiltration. Traffic permits will be handled by the state, as the plant will be located on a state highway. He noted land uses are more restricted in rural zones than urban, and industrial use has more restrictive regulations than residential.

He explained a SEPA review is required to consider all environmental regulations adopted by not just DPER, but other agencies, and ensure all proper permits are issued. He said DPER will review noise concerns as well as water quality. The County has adopted noise standards, and state DOE has extensive water quality requirements for sand and gravel general permits, which an asphalt plant is categorized under. The review is likely to last a couple more months.

Mr. Phillips asked what the SEPA process ultimately leads to. Mr. Peterson said there are three types of determinations: of non-significance, of mitigated non-significance, or of significance. The last requires an applicant to complete an environmental impact statement. Washington law requires DPER to notify the public what they expect a determination to be, at which point a permit is issued.

Mr. Peterson concluded by stating that, while he could answer questions about the purpose of the application, he could not debate the merits of it or DPER's review here.

Maple Valley Asphalt Facility Q & A/Discussion – Nathan Brown; panelists; public; CRC members

Mr. Brown gathered a panel with Mr. Peterson, Ms. Deal, and other Lakeside representatives, and routed written questions to them from the public audience and CRC.

A major focus of questions was traffic. Ms. Deal stated while she would have to refer to her report for exact numbers, studies indicate minimal impact to local roads, and Lakeside is consulting with WSDOT to evaluate potential issues. Mr. Lee said a typical day sees 20-30 vehicle trips at their Covington site, not the 400 trips they submitted as a possible maximum under their permit application. Mr. Peterson noted Lakeside is planning to move the access point to the site, and will be required to meet commercial access standards.

Several questions asked why the need for another asphalt facility, and in this location. Mr. Lee reiterated a growing demand on infrastructure in this region, including of the County and the cities, as well as the time-sensitive pliability of asphalt. Currently the nearest plant to this location is in Issaquah; the proposed plant would likely serve south King County. Ms. Deal said this site simply met their location and needs criteria, as an industrial-zoned site with good access to local projects. Industrial-zoned lands are rare. She said Lakeside operates plants in urban as well as rural areas, and a rural site was not specifically sought here. Mr. Lee stated the presence of their plants has not impacted any nearby home values. It was also noted that of the 27 acres on the property, Lakeside intends to utilize only eight acres.

Another focus of questions was the SEPA review process. Mr. Peterson explained the initial DPER review and applicant response process can take one to three months. He also confirmed DPER has collaborated with WLRD on the process. He said it is difficult to quantify the total hours spent by agencies on the process, as it can vary widely depending on the situation and the amount of public comment received, all of which must be reviewed.

A few questions asked about chemicals used at the plant site. One voiced a concern that industrial sites release cancer-causing chemicals. Ms. Deal reiterated that evaluations have determined asphalt plant emissions have no significant environmental impact, and said the industrial sites in question were not asphalt plants. Mr. Lee said asphalt is just the heaviest remnants of crude oil once the lighter components are taken out, and no extra chemicals are used at their site. Ms. Deal said while there is liquefied natural gas and propane stored on site, the site itself is not served by natural gas.

Other questions asked about impacts to local environment and wildlife. In regards to vegetative buffer zones, she said they would not be left there passively, and Lakeside would actively work with authorities to ensure compliance with standards. When asked about federal input addressing endangered salmon in the river, Mr. Peterson replied the federal government (while invited) does not generally comment on this, but the state does. Another question asked why



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Lakeside claimed there is no wildlife on or near the site. Ms. Deal replied that industrial zones do not typically include wildlife habitat, such as cougar dens. A concern was raised about leaking tanks from the County's tenure as site owner. Ms. Deal replied there was only soil, not water, contamination and the contaminated soil would be removed to the Columbia Ridge Landfill, a process already defined by state law. Lakeside will also undergo a voluntary cleanup process to be reviewed by state DOE. Mr. Peterson also explained that a habitat evaluation is part of the normal SEPA review, and some projects do get modified significantly due to noise impacts to wildlife.

Another topic was noise/odor concerns. Ms. Deal offered, in regards to the odor concern, that she frequently drives by asphalt plants and never smells anything unusual. She added that any odor is well-localized, and in cases such as loaded trucks, they are loaded with tarps to reduce the likelihood of escaping odors. Regarding noise concerns, Mr. Peterson and Ms. Deal said the plant would be required to adhere to defined County limits for daytime and nighttime noise. Lakeside is also currently engaged in a noise study to be reviewed by DPER. One question asked what work was being done currently on the site; Ms. Deal said that Sunset Materials is still operating there until Lakeside takes over. Mr. Peterson noted Sunset Materials is only permitted to demolish and remove derelict structures.

Several questions related to water and stormwater management at the site. Ms. Deal said only a minimal amount of water is used for fire or dust suppression or for office use, that there is no processed water discharge from the site. She also said that stormwater plans for the site will be submitted to DPER as part of the building permit phase yet to occur. Preliminary engineering is being done on how best to design these facilities. Rick Tompkins, who also works with Lakeside, added that the company is looking to reduce any discharge into the river and determine strategies to remove any particulates and pollutants from the water as much as is feasible.

One question raised the issue of septic systems at the site. Mr. Peterson confirmed industrial waste is not allowed to be discharged with residential. He further said it is not permitted to construct a manufacturing building with drains directing cleaning chemicals and other toxins to a septic system, but an office could be approved for a septic system. Sewage and human waste disposal, Ms. Deal said, would all be reviewed as part of the permitting process.

Due to time constraints, Mr. Brown chose to cap off the Q & A period. He promised to gather all unaddressed questions and get answers from the panelists, to be posted at the CRC website and printed out by next meeting. Mr. Phillips thanked all for attending and maintaining civil conduct. He stressed that citizen voices are important to the CRC, and that the topic of the asphalt plant would be entertained for discussion and deliberation at future meetings.

Tom Allyn asked if DPER is still accepting comment on this issue. Mr. Peterson said though the official SEPA comment period has ended, DPER will review public comment until a decision is made. Comments can be submitted to Mr. Peterson, or via the "Special Interests" section of DPER's website. Jay Mirro asked if it is possible to drive by one of Lakeside's plants. Mr. Lee replied the Covington facility would be best, and asked anyone interested in a tour to contact Mr. Brown; if enough people express interest, a tour will be arranged.

2nd Public Comment Period

Due to time constraints, this period was not held.

The public portion of the meeting adjourned at 9:01 pm. The CRC remained in session to finish scheduled business.

Updates & Announcements

- **CRC Meeting Schedule:** Mr. Brown distributed the proposed 2018 meeting schedule. He asked CRC members if they wished to hold meetings on Wednesdays instead. Mr. Allyn said he would prefer not Thursdays or Fridays; Charles Ruthford suggested keeping meetings to the fourth week of the month. Mr. Brown asked suggestions be brought to the February CRC meeting.
- **CRC Work Plan:** Mr. Brown and the CRC briefly reviewed a handout of the proposed 2018 work plan. Mr. Brown said no decisions would be made tonight; these will be done via exercises at February's meeting.
- **WRIA 8:** Mr. Brown said this topic is being postponed until next month's meeting. Frank Urabeck noted his plans to deliver a comprehensive report on current sockeye conditions.

The CRC-only portion of the meeting adjourned at 9:07 pm.

Next Meeting

February 27th, 2018, 7:00 to 9:00 pm – Maplewood Greens Golf Course, Renton