

**ATTACHMENT 18 - Response to King County Comments,
The Watershed Company**

TECHNICAL MEMORANDUM



Date: June 4, 2020
To: Karen Deal – Lakeside Industries
From: Nell Lund, April Mulcahy, Greg Johnston
Project Name: Maple Valley Asphalt Plant
Project Number: 160414

Subject: Responses to King County Comments

This memo responds to comments provided in King County’s letter, dated 11/18/2019, regarding permitting for the proposed Maple Valley Asphalt Plant. Excerpts from the letter are repeated below in italics, followed by responses from The Watershed Company (Watershed).

F7. 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.

Watershed has incorporated Stream B’s floodplain into the mitigation plan set and adjusted the plant selection accordingly.

F11. 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.

DEA to show all TESC measures, including those in the buffers. Watershed is including the use of jute blankets and woodchip mulch as soil treatment measures.

F12. 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.

The proposed wattles have been changed to silt fences and are shown on DEA’s plans.

F28. Fill out the standard bond quantity worksheet for review.

Watershed has provided quantity estimates and associated costs for mitigation work proposed in the wetland and buffers using the King County bond quantity worksheet.

F36. 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.

Watershed has reviewed the mitigation plan for consistency with DEA's engineering plan.

G. Critical Areas Code comments and applicable Standards

G1. 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.

Comment noted – no action needed.

G2. 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.

Comment noted – no action needed. We agree Stream C is Type N.

*G3. 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.

This plan proposed to excavate the placed fill along Stream A and rebuild the streambank with bioengineering techniques, including the placement of logs, planting stakes, and container vegetation along the stream.

Sediment deposition will continue to aggrade the channel at the confluence of Streams A and B. Presently, flows from Stream A backup into Stream B and Wetland A (via a culvert), sheet flow to the northwest, enter a storm water drain, and emerge back into Stream B at the location of the ecology blocks. The stormwater catchment will be decommissioned and the Stream B bank restored. The proposed grading, soil decompaction, and planting in the buffer will allow water from Stream A to continue to flow into Stream B and Wetland A, infiltrate into the ground, and during peak flow events flow via groundwater and sheetflow to the west through the buffer area and floodplain and back into the low gradient of Stream B. See the mitigation plan for details.

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.

AESI to provide comments.

G4. 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.

Watershed has provided written responses to the Muckleshoot and Suquamish Tribes addressing their concerns.

G5. 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.

Comment noted. No action required.

G6. 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. No potential adverse impacts in the shoreline environment from the proposed industrial access associated with the project are anticipated. For this project, shoreline jurisdiction includes uplands located within 200 feet of the ordinary high water mark of the Cedar River. This shoreline jurisdiction extends onto the subject property in some locations up to approximately 60 feet. No wetlands are located within shoreline jurisdiction on the south side of SR 169.

The Cedar River is functionally isolated from the subject property by SR 169, a busy five-lane highway, carrying heavy traffic at high speeds during most times of the day. King County Code (at 21A.24.358.E.1.d) states that if "a legally established roadway transects an aquatic area buffer, the roadway edge closest to aquatic area shall be the extent of the buffer, if the part of the buffer on the other side of the roadway provides insignificant biological or hydrological function in relation to the portion of the buffer adjacent to the aquatic area." As detailed in the project Critical Area Report (see pages 21-22), because both biological and hydrologic buffering functions to the Cedar River are lacking or insignificant on the south side of SR 169, the stream buffer should end at the roadway

edge north of SR 169. Therefore, all proposed development associated with the project would occur outside of the shoreline buffer.

Moreover, the proposed stormwater improvements are anticipated to improve the shoreline environment. Currently, runoff from SR 169 flows to an existing drainage ditch and then untreated through culverts into the Cedar River. In contrast, proposed development associated with the project will be constructed in compliance with the 2016 King County Surface Water Design Manual, including water quality and flow control requirements.

G7. 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 the project demolition or as part of the buffer enhancement plan.

The ecology blocks are proposed to be removed with gentle regrading outside of ordinary high water mark, and the surrounding area planted with native vegetation (see mitigation plan for reference).