STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
(360) 664-1160 • TTY (360) 586-8203

June 6, 2012

Megan McIntyre
Richard Wagner
BNSF Railway Co.
2454 Occidental Avenue South #2-D
Seattle, WA 98134

Sent via E-mail and First Class Mail

RE: TR-120828 - Petition on Behalf of the City of Auburn to Construct a Highway-Rail Grade Crossing at A Street Northwest in Auburn, Washington
USDOT #662519S

Dear Ms. McIntyre and Mr. Wagner:

On June 5, 2012, the City of Auburn filed a petition with the Washington Utilities and Transportation Commission (Commission), seeking approval to construct a highway-rail grade crossing at A Street Northwest in Auburn. The Commission has assigned Docket TR-120828 to this petition.

Please review the enclosed petition and respond by June 26, 2012. Your response options include:

- Support the petition – Complete the Respondent's Waiver of Hearing form, which serves as your consent for the Commission to issue an order without further notice or hearing.
- Do not support the petition – Reply with your position and include whether you feel a hearing is necessary to resolve the issues or suggest other courses of action, such as further discussion prior to going to hearing.

You must respond with your position within 20 days of the date of this letter. If you have any questions, please contact Kathy Hunter at (360) 664-1257 or khunter@utc.wa.gov.

Sincerely,

David Pratt
Assistant Director Transportation Safety

Enclosure

cc: Steven Gross, City of Auburn (without enclosure)
William A. Gates, Gates, Gates, Gates LLC (without enclosure)
Rich Shaw, Mohawk Northern Plastics, LLC dba Ampac (without enclosure)

UTC
LITIES AND TRANSPORTATION COMMISSION

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

	)	DOCKET NO. TR- 120828
	)	
	)	PETITION TO CONSTRUCT A
City of Auburn	)	HIGHWAY-RAIL GRADE
Petitioner,	)	CROSSING
	)	
vs.	)	
	)	USDOT Crossing No. 945561A
Gates, Gates, Gates LLC; Mohawk Northern	)	
Plastics, LLC DBA Ampac; BNSF Railway	)	
	)	
Respondents	)	

Prior to submitting a Petition to Construct a Highway-Rail Grade Crossing to the Washington Utilities and Transportation Commission (UTC), State Environmental Protection Act (SEPA) requirements must be met. Washington Administrative Code (WAC) 197-11-865 (2) requires:

> **All actions of the utilities and transportation commission under statutes administered as of December 12, 1975, are exempted, except the following:**
>
> **(2) Authorization of the openings or closing of any highway/railroad grade crossing, or the direction of physical connection of the line of one railroad with that of another;**

Please attach sufficient documentation to demonstrate that the SEPA requirement has been fulfilled. For additional information on SEPA requirements contact the Department of Ecology.

The Petitioner asks the Washington Utilities and Transportation Commission to approve construction of a highway-rail grade crossing.

Section 1 – Petitioner's Information

Petitioner:	City of Auburn
Street Address:	25 West Main Street
City, State and Zip Code:	Auburn, Washington 98001
Mailing Address:	Same as above
Contact Person Name:	Steven L. Gross, Assistant City Attorney
Contact Phone Number:	(253) 804-5027
Contact E-mail address:	sgross@auburnwa.gov

Signature

Section 2 – Respondents' Information

Respondent #1:	Gates, Gates, Gates LLC (Owner)
Street Address:	24708 142nd Ave SE
City, State and Zip Code:	Kent, WA 98042
Mailing Address:	Same
Contact Person	William A. Gates
Contact Phone:	(253) 631-7771
Contact Email:	Williamgates4@me.com
Respondent #2:	Mohawk Northern Plastics, LLC DBA Ampac (Lessee)
Street Address:	701 A Street NE
City, State and Zip Code:	Auburn, WA 98002
Mailing Address:	Same as above
Contact Person:	Rich Shaw
Contact Phone:	(253) 939 8206
Contact Email:	rshaw@ampaconline.com
Respondent #3	BNSF Railway (Operator)
Street Address:	2454 Occidental Ave S; #2-D
City, State and Zip Code:	Seattle, WA 98134
Mailing Address:	Same as above
Contact Person:	Megan McIntyre
Contact Phone:	(206) 625- 6413
Contact Email:	Megan.McIntyre@bnsf.com

Section 3 – Proposed Crossing Location

1. Existing highway/roadway: A Street Northwest (*See* Exhibit A)

2. Existing railroad: BNSF operated over spur privately owned by Gates, Gates, Gates LLC, and leased by AMPAC

3. USDOT Crossing No. 945561A

4. Located in the: NE 1/4 of the NE 1/4 of Sec. 13, Twp. 21, Range 04 W.M.

5. GPS location, if known: n/a

7. Railroad mile post (nearest tenth): 21.14

8. City: Auburn County: King

Section 4 – Proposed Crossing Information

1. Type of public road at the crossing ☐ State ☐ County √ City

☐ Port ☐ State Park ☐ Other _____

2. Average daily vehicle traffic over the tracks: 100 Vehicle speed limit: 30 mph

3. Trucks (commercial vehicles) are what percent of average daily traffic: 10%

4. Number of school buses over the crossing each day: 0

5. Name of railroad(s) operating at crossing: BNSF Railways

6. Type of railroad at crossing √ Common Carrier ☐ Logging ☐ Industrial

☐ Passenger ☐ Excursion

7. Type of tracks at crossing ☐ Main Line √ Siding or Spur

8. Number of tracks at crossing One

9. Average daily train traffic, freight 0.57 (On average 3-4 train crossings per week)

Authorized freight train speed N/A Operated freight train speed: 4 mph or less

10. Average daily train traffic, passenger: 0

Authorized passenger train speed N/A Operated passenger train speed _____

Section 5 – Temporary Crossing

1. Is the crossing proposed to be temporary? Yes ____ No X

2. If so, describe the purpose of the crossing and the estimated time it will be needed

_____

_____

_____

3. Will the petitioner remove the crossing at completion of the activity requiring the temporary crossing? Yes ____ No ____

Approximate date of removal _____

Section 6 – Current Highway Traffic Information

1. Name of roadway/highway: A Street NW

2. Roadway classification: Minor Arterial

3. Road authority: RCW 35A.11.020

4. Estimated average annual daily traffic (AADT): 100

5. Estimated average pedestrian use per day: _50__

6. Number of lanes: Three. One in each direction, with a center turn lane.

7. Roadway speed: 30 mph.

8. Is the crossing part of an established truck route? Yes __X__ No _____

9. If so, trucks are what percent of total daily traffic? 10%

10. Is the crossing part of an established school bus route? Yes _____ No ____X

11. If so, how many school buses travel over the crossing each day? _____

12. Describe any changes to the information in 1 through 7, above, expected within ten years:

After being opened to the north to 14th Street NW later this year, traffic on A Street NW is expected to gradually increase to handle a maximum traffic volume of approximately 13,500 vehicles per day at the crossing in 2020. The posted speed limit of the road will be 30 mph. The City estimates that traffic during the typical operating hours of the trains using this crossing will gradually increase over ten years up to an estimated maximum of 50 cars per hour between the hours of midnight and 4 am.

Section 7 – Alternatives to the Proposal

1. Does a safer location for a crossing exist within a reasonable distance of the proposed location?
   Yes ____ No X

2. If a safer location exists, explain why the crossing should not be located at that site.

   _____
   _____
   _____

3. Are there any hillsides, embankments, buildings, trees, railroad loading platforms or other barriers in the vicinity which may obstruct a motorist's view of the crossing?
   Yes ____ No X

4. If a barrier exists, describe:
   - Whether petitioner can relocate the crossing to avoid the obstruction and if not, why not.
   - How the barrier can be removed.
   - How the petitioner or another party can mitigate the hazard caused by the barrier.

   Sight distance is not currently hindered in either direction. Per the Railroad Highway Grade Crossing Handbook, the required sight distance for a 4 mph train speed and a vehicle speed of 30 mph is 40 feet. Sight distance obstructions are a minimum of 50 feet from the edge of the vehicle travel way in all directions and in most cases is greater than 50 feet. The spur line dead ends approximately 300 feet east of the road crossing.

5. Is it feasible to construct an over-crossing or under-crossing at the proposed location as an alternative to an at-grade crossing?
   Yes ____ No X

6. If an over-crossing or under-crossing is not feasible, explain why.

   The spur over which the road crosses is a private industrial spur track owned by Gates Gates Gates LLC, and leased to Mohawk Northwest Plastics LLC, a Delaware limited liability

company, doing business as AMPAC. It was constructed in 1981 and has been in use ever since. At that time, there was no road crossing. In 1982, the property owner applied for a short plat, and designated the location of the future public roadway as Tract X. In 1986, the property owner conveyed Tract X to the City as public right of way. At that time, the property owner constructed a two-lane roadway from 7th Street NW (south of the property) up to the south side of the spur, but the roadway did **not** cross the spur until 2004, when the current public roadway was constructed. From 2004 until the present, the roadway was primarily used to access AMPAC and other businesses in its complex.

The City only recently became aware that WUTC had not received any formal request from the track owner or the City to designate this crossing as public. Because the facilities are already constructed and have been in operation for over twenty years, reconstructing it is not feasible. In addition the existing roadway that has been in place since 2004 serves the adjacent properties for their access to and from their properties and construction of an over crossing would land lock these properties.

7. Does the railway line, at any point in the vicinity of the proposed crossing, pass over a fill area or trestle or through a cut where it is feasible to construct an over-crossing or an under-crossing, even though it may be necessary to relocate a portion of the roadway to reach that point?

Yes ____ No X

8. If such a location exists, state:
   - ♦ The distance and direction from the proposed crossing.
   - ♦ The approximate cost of construction.
   - ♦ Any reasons that exist to prevent locating the crossing at this site.

9. Is there an existing public or private crossing in the vicinity of the proposed crossing?
Yes ____ No X

10. If a crossing exists, state:
- The distance and direction from the proposed crossing.
- Whether it is feasible to divert traffic from the proposed to the existing crossing.

Section 8 – Sight Distance

1. Complete the following table, describing the sight distance for motorists when approaching the tracks from either direction.

a. Approaching the crossing from North, the current approach provides an unobstructed view as follows: (North, South, East, West)

Direction of sight (left or right)	Number of feet from proposed crossing	Provides an unobstructed view for how many feet
Right	215'	140'
Right		
Right		
Right		
Right		
Left	300'	100'
Left		
Left		
Left		
Left		

b. Approaching the crossing from South , the current approach provides an unobstructed view as follows: (Opposite direction-North, South, East, West)

Direction of sight (left or right)	Number of feet from proposed crossing	Provides an unobstructed view for how many feet
Right	215'	50'
Right		
Right		
Right		
Right		
Left	215'	200'
Left		
Left		
Left		
Left		

2. Will the new crossing provide a level approach measuring 25 feet from the center of the railway on both approaches to the crossing?

Yes X No ____

3. If not, state in feet the length of level grade from the center of the railway on both approaches to the crossing. _____

4. Will the new crossing provide an approach grade of not more than five percent prior to the level grade?

Yes X No ____

5. If not, state the percentage of grade prior to the level grade and explain why the grade exceeds five percent.

_____

_____

_____

Section 9 – Illustration of Proposed Crossing Configuration

Attach a detailed diagram, drawing, map or other illustration showing the following:

- The vicinity of the proposed crossing.
- Layout of the railway and highway 500 feet adjacent to the crossing in all directions.
- Percent of grade.
- Obstructions of view as described in Section 7 or identified in Section 8.
- Traffic control layout showing the location of the existing and proposed signage.

Section 10 – Proposed Warning Signals or Devices

1. Explain in detail the number and type of automatic signals or other warning devices planned at the proposed crossing, including a cost estimate for each.

Cross buck assemblies, advance warning signs, and advance pavement markings are already in place at the existing crossing.

2. Provide an estimate for maintaining the signals for 12 months. N/A

3. Is the petitioner prepared to pay to the respondent railroad company its share of installing the warning devices as provided by law? N/A – devices are already installed.

Section 11 – Additional Information

Provide any additional information supporting the proposal, including information such as the public benefits that would be derived from constructing a new crossing as proposed.

BNSF Railway services the AMPAC facility, on average, twice a week with a total of three to four train movements crossing the roadway per week. Over the last 8 years that the road crossing has existed these train movements have been in the early morning hours, around 2 am, and are not during heavy peak vehicle traffic times. AMPAC has indicated that it prefers to continue this service schedule.

The existing roadway at the crossing consists of one through lane in either direction and a center left turn lane. The roadway has been constructed to City standards for a minor arterial. It is relatively straight, the grade is flat, and it is well-lit, with street lights located within 80 feet in either direction from the crossing. *See* Exhibit B. This road is currently connected only to 3rd Street NW, which is located approximately four blocks to the south of the existing crossing. A Street NW currently acts as a local access road for two business complexes (AMPAC and the Gates Buildings) handling approximately 100 to 300 vehicles per day. In summer of 2012 this roadway will become a connected minor arterial public roadway extending to the north to 14th

Street NW.

Per City of Auburn accident data, there have been no reported collisions at the crossing. Sight distance is not currently hindered in either direction. Per the Railroad Highway Grade Crossing Handbook, the required sight distance for a 4 mph train speed and a vehicle speed of 30 mph is 40 feet. Sight distance obstructions are a minimum of 50 feet from the edge of the vehicle travel way in all directions and in most cases is greater than 50 feet. The spur line dead ends approximately 300 feet east of the road crossing.

It is the City's position that the existing cross buck assemblies, advance warning signs, and advance pavement markings, combined with the railroad's standard operating practices when trains operate over the crossing, provide adequate protection for this crossing.

The protective measures at this crossing are consistent with those used by BNSF Railway currently at the only other industrial spur crossing on an arterial roadway within Auburn which is located on C Street SW. *See* Exhibit C. C Street SW is a roadway with higher traffic volumes, higher train volumes and higher road speeds. At that crossing, C Street SW is a four-lane roadway, with current volumes of approximately 11,800 vehicles per day, 2 train crossings per day, and a posted speed limit of 45 mph. *See* Exhibit D. In addition, BNSF and the track owner recently completed improvements to the C Street SW crossing that did not include adding active protection. Per City of Auburn accident data, there is no history of collisions between vehicles and trains at C Street SW.

Other similar crossings are located in adjacent cities including two industrial spur crossings on 76th Ave S in Kent. 76th Ave S is an existing three-lane industrial collector arterial similar in design to A Street NW handling approximately 5,200 vehicles per day. The maximum speed limit at the crossing is 35 mph. The two railroad spur crossings on 76th Ave. S are protected by passive protection cross bucks only. *See* Exhibit E.

After being opened to the north to 14th Street NW later this year, traffic on A Street NW is expected to gradually increase to handle a maximum traffic volume of approximately 13,500 vehicles per day at the crossing in 2020. The posted speed limit of the road will be 30 mph. The City estimates that traffic during the typical operating hours of the trains using this crossing will gradually increase over ten years up to an estimated maximum of 50 cars per hour between the hours of midnight and 4 am.

The City will regularly monitor the crossing and will coordinate with the WUTC and the respondents to conduct any future diagnostics as needed to evaluate the crossing for further improvement.

SECTION 12 - WAIVER OF HEARING BY RESPONDENT

Waiver of Hearing

The undersigned represents **Respondent APMAC** in the petition to construct a highway-rail grade crossing at the following crossing:

USDOT Crossing No. 945561A

We have investigated the conditions at the crossing. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree to the change in designation from a private to a public crossing and consent to a decision by the commission without a hearing.

Dated at Auburn, Washington on the 30th day of May, 2012.

RICHARD SHAW

Printed name of Respondent

Signature of Respondent's Representative

GENERAL MANAGER

Title

MOHAWK NORTHERN PLASTICS DBA AMPAC

Name of Company

253-939-8206 RSHAW@AMPACONLINE.com

Phone number and e-mail address

701 A STR NE

AUBURN WA 98071

Mailing address

Section 12 – Waiver of Hearing by Respondent

Waiver of Hearing

The undersigned represents **Respondent Gates Gates Gates, LLC** in the petition to construct a highway-rail grade crossing at the following crossing:

USDOT Crossing No. 945561A

We have investigated the conditions at the crossing. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree to the change in designation from a private to a public crossing and consent to a decision by the commission without a hearing.

Dated at AUBURN, Washington on the 4 day of JUNE, 2012.

WILLIAM A GATES

Printed name of Respondent

Signature of Respondent's Representative

GENERAL PARTNER

Title

GATES GATES GATES LLC

Name of Company

206 953 3434

Phone number and e-mail address

WILLIAMGATES4@MAC.COM

24708 142ND AVE SE.

Mailing address

KENT WA 98042-5152

Waiver of Hearing

The undersigned represents **Respondent BNSF Railways** in the petition to construct a highway-rail grade crossing at the following crossing:

USDOT Crossing No. 945561A

We have investigated the conditions at the crossing. We are satisfied the conditions are the same as described by the Petitioner in this docket. We agree to the change in designation from a private to a public crossing and consent to a decision by the commission without a hearing.

Dated at _____, Washington on the _____ day of _____, 2012.

_____

Printed name of Respondent

_____

Signature of Respondent's Representative

_____

Title

_____

Name of Company

_____

Phone number and e-mail address

_____

_____

Mailing address

CHARLES A. BOOTH, MAYOR
P[illegible]l Krauss, A.I.C.P., Planning Director

PLANNING & COMMUNITY DEVELOPMENT DEPT.
25 West Main, Auburn WA 98001
(206) 931-3090

FINAL
MITIGATED
DETERMINATION OF NON-SIGNIFICANCE
SEP-0021-94

DESCRIPTION OF PROPOSAL: The project consist of the demolition of an existing single family residence and associated outbuildings, the filling and grading of a Lot 1 (3.78 acres) and a portion of Lot 4 (1.99 acres of the 2.84-acre site) with 29,300 cubic yards of fill, and construction of an approximately 78,000-square foot light industrial building. The project would also include construction of a railroad spur line paralleling the existing rail spur along the southern property line to provide rail access to the new building and construction of ten 14-foot diameter silos for storage of inert polyethylene pellets from which Mohawk manufactures plastic bags. The project would be constructed in two phases.

PROPONENT: William A. Gates, Mohawk Northern Plastics, Inc.

LOCATION: 8th Street NW and A Street NW, if extended North of the existing manufacturing facility at 701 - A Street NE.

LEAD AGENCY: City of Auburn

The Responsible Official of the City of Auburn hereby makes the following Findings of Fact based upon impacts identified in the environmental checklist and the "Final Staff Evaluation for Environmental Checklist No. SEP-0021-94", and Conclusions of Law based upon the Auburn Comprehensive Plan, and other Municipal policies, plans, rules and regulations designated as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act Rules pursuant to R.C.W. 43.21C.060.

FINDINGS OF FACT:

1. The proposed action includes the demolition of an existing single family residence and associated outbuildings, the filling and grading of a Lot 1 (3.78 acres) and a portion of Lot 4 (1.99 acres of the 2.84-acre site) with 29,300 cubic yards of fill, and construction of an approximately 78,000-square foot light industrial building.

The proposal also includes the construction of an approximately 78,000 square foot light industrial building, loading dock, parking lot for 123 vehicles, railroad spur line, ten silos for plastic pellet storage, landscaping and storm drainage facilities.

The project is proposed to be constructed in two phases. The timing of the second phase is dependent on successful preloading and compaction of the building pad which is expected to take three years and the proponent's needs for additional manufacturing space.

2. The proposal will require the importation of 29,300 cubic yards of structural fill material to raise the site elevation similar to other property within the existing manufacturing facility.

3. The proposed filling, grading and construction activities will increase the likelihood of erosion and sedimentation impacts and could result in the degradation of area water courses, sensitive wetland areas, and the surface water system.

4. Site preparation and construction activities will generate increased levels of local suspended particulate emissions.

5. Based on the report, "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan," prepared July 5, 1994, by Wetland Ecology (and as revised January 1995 and supplemented on May 22, 1995); the site contains 1.09 acres of wetland consisting of 0.82 acres of wet meadow wetlands and 0.27 acres of wetland ditches. The wetlands are hydrologically associated with Mill Creek.

6. The project includes the placement of fill in 0.3 acres of wetlands. The mitigation for filling of wetlands will be accomplished on-site. To compensate for the loss of 0.3 acres of wetlands it is proposed to create 0.03 acres of wetland to compensate for filling 0.03 acres of wet meadow wetland, replacing 0.27 acres of wetland ditches with 0.022 acres of open, hydroseeded ditches on a temporary basis and enhancing 0.8 acres of wetland in accordance with the recommendations of the report "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan," prepared July 5, 1994, by Wetland Ecology (and as revised January 1995 and supplemented on May 22, 1995. The report provides sufficient recommendations to mitigate potential adverse impacts to the identified wetland areas.

7. The creation of expanses of impervious surfaces will increase the quantity of stormwater runoff from the site. The project's storm drainage facilities must be properly designed and constructed to accommodate the increased quantity of runoff.

8. The construction of paved surfaces will adversely impact the area's water quality unless mitigation measures are implemented.

9. Regular, proper maintenance of storm drainage facilities is required to ensure the effectiveness of pollutant removal.

10. Since the proposed water quality treatment facilities are not completely effective at removing the contaminants carried in runoff, source control measures should be implemented.

11. The proposal will require removal of existing vegetation over a majority of the site. The removal of vegetation will result in adverse habitat and visual impacts unless mitigation measures are implemented.

12. The proposed development may result in light and glare impacts if mitigation measures are not implemented.

13. The existing vehicle access to the facility via 7th Street NE is unsatisfactory for serving additional traffic generated by the proposed expansion because of access through an existing residential neighborhood. An alternative access to the site will be available with the planned extension of 10th Street westerly to connect to the northerly extension of A Street NW through the project site. However, the right-of-way needed for this road extension is currently incomplete.

14. A Traffic Impact Analysis was prepared by Traffic Consulting Northwest in May 1995, to evaluate existing traffic conditions and impacts of the proposed industrial facility expansion. This analysis showed that due to shift changes at the plant which are non-coincident with the peak hour flow of the street network, the proposed development will generate 12 vehicle trips in the PM peak hour. This additional traffic will require off-site improvements as identified in the traffic impact analysis and by the City of Auburn Public Works Department.

15. The proposed action will result in an increased demand for sewer and water services.

16. The "Final Staff Evaluation for Environmental Checklist No. SEP-0021-94" is hereby incorporated by reference as though set forth in full.

CONCLUSIONS OF LAW:

Staff has concluded that a MDNS may be issued. This is based upon the environmental checklist and its attachments, and the "Final Staff Evaluation For Environmental Checklist." The MDNS is supported by Plans and regulations formally adopted by the City for the exercise of substantive authority under SEPA. The following are City adopted policies which support the MDNS:

1. The City shall seek to ensure that land not be developed or otherwise modified in a manner which will result in or significantly increase the potential for slope slippage, landslide, subsidence or substantial soil erosion. The City's development standards shall dictate the use of Best Management Practices to minimize the potential for these problems. [Policy EN-62, Auburn Comprehensive Plan (ACP)]

2. The City shall seek to minimize surface water quality and aquatic habitat degradation of creeks, streams, rivers, ponds, lakes and other water bodies; to preserve and enhance the suitability of such water bodies for contact recreation and fishing and to preserve and enhance the aesthetic quality of such waters by requiring the use of current Best Management Practices for control of stormwater and non-point runoff. (Policy EN-2, ACP)

3. The City will seek to ensure that the quality of water leaving the City is of equivalent quality to the water entering. This will be accomplished by emphasizing prevention of pollution to surface and ground waters through education programs and implementation and enforcement of Best Management Practices. (Policy EN-9, ACP)

4. Where there is a high probability of erosion (see Map 9.5), grading should be kept to a minimum and disturbed vegetation should be restored as soon as feasible. The City's development standards shall dictate the use of Best Management Practices for clearing and grading activity. (Policy EN-63, ACP)

5. The City shall consider the impacts of new development on hazards associated with soils and subsurface drainage as a part of its environmental review process and require any appropriate mitigating measures. (Policy EN-64, ACP)

6. The City shall seek to secure and maintain such levels of air quality as will protect human health, prevent injury to plant and animal life, prevent injury to property, foster the comfort and convenience of area inhabitants, and facilitate the enjoyment of the natural attractions of the area. (Policy EN-16, ACP)

7. The City shall consider the impacts of new development on air quality as a part of its environmental review process and require any appropriate mitigating measures. (Policy EN-20, ACP)

8. The City recognizes the important biological and hydrological roles that wetlands play in providing plant and animal habitat, protecting water quality, reducing the need for man-made flood and storm drainage systems, maintaining water quality, and in providing recreational, open space, educational and cultural opportunities. (Policy EN-23, ACP)

9. The City recognizes that wetlands provide varying degrees of biological and hydrological functions and values to the community depending on the size, complexity and location of the individual system, and that the overall degree of functions and values should be considered when reviewing proposals which impact wetlands. In a similar manner, the levels of protection afforded to a wetland shall be consistent with its existing function and values. (Policy EN-24, ACP)

10. The City shall consider the impacts of new development on the quality of wetland resources as part of its environmental review process and shall require appropriate mitigation and monitoring measures of important wetland areas. Such mitigation may involve conservation, enhancement or restoration or replacement of important wetlands, and provisions for appropriate buffering. The goal of the mitigation should be no net loss of wetland functions and values. A permanent deed restriction shall be placed on any wetlands created or enhanced to ensure that they are preserved in perpetuity. (Policy EN-25, ACP)

11. Wetlands which are associated with a river or stream, or provide significant plant and animal habitat opportunities are recognized by the City as the most important wetland systems, and shall receive the highest degree of protection and mitigation through conservation, enhancement or relocation measures. Wetlands which are limited in size, are isolated from major hydrological systems or provide limited hydrological or plant and animal habitat opportunities may be considered by the City for development and displacement in conjunction with appropriate mitigation. (Policy EN-26, ACP)

12. The City shall seek to retain as open space those areas having a unique combination of open space values, including: separation or buffering between incompatible land uses; visual delineation of the City or a distinct area or neighborhood of the City; unusually productive wildlife habitat; floodwater or storm water storage; storm water purification; recreational value; historic or cultural value; aesthetic value; and educational value. (Policy PR-7, ACP)

13. The City shall consider the impacts of new development on water quality as part of its environmental review process and require any appropriate mitigating measures. Impacts on fish resources shall be a priority concern in such reviews. (Policy EN-11, ACP)

14. The City shall consider the impacts of new development on frequently flooded areas (Map 9.4) as part of its environmental review process and require any appropriate mitigating measures. As part of this review process, flood engineering and impact studies may be required. Within FEMA designated 100 year floodplains and other designated frequently flooded areas, such mitigation may include flood engineering studies, the provision of compensatory flood storage, floodproofing of structures, elevating of structures, and downstream or upstream improvements. (Policy EN-57, ACP)

15. Storm drainage facilities shall incorporate high standards of design to enhance the appearance of a site, preclude the need for security fencing and serve as an amenity of the site. The design of above ground facilities storage and conveyance facilities should address or incorporate landscaping utilizing native vegetation, minimal side slopes, safety, maintenance needs, and function. The facilities should be located within rear or side yard areas and the design should preclude the need for security fencing whenever feasible. (Policy UD-6, ACP)

16. The City shall consider the impacts of new development on the quality of land, known or suspected fish and wildlife habitats (Map 9.2) and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats and the use of native landscape vegetation. (Policy EN-22, ACP)

17. The City shall encourage the use of native vegetation as an integral part of public and private development plans. (Policy EN-29, ACP)

18. The City shall discourage the unnecessary disturbance of natural vegetation in new development. (Policy EN-30, ACP)

19. The City shall encourage development which maintains and improves the existing aesthetic character of the community. (Policy UD-1, ACP)

20. Suitable natural and cultural features should be utilized to buffer surrounding land uses from industrial and commercial uses. (Policy UD-3, ACP)

21. The City shall seek to minimize the exposure of area inhabitants to excessive levels of light and glare. Performance measures for light and glare exposure to surrounding development should be adopted and enforced. (Policy EN-39, ACP)

22. Public facilities shall be provided in accord with the guidance of the Capital Facilities Plan or, as may be appropriate a system plan for each type of facility designed to serve at an adequate level of service the locations and intensities of uses specified in this comprehensive plan. (Policy CF-11, ACP)

23. The City shall continue to require developers of new developments to construct transportation systems that serve their developments. The City shall also explore ways for new developments to encourage vanpooling, carpooling, public transit use, and other alternatives to SOV travel. (Policy TR-21, ACP)

24. Improvements that serve new developments will be constructed as a part of the development process. All costs will be borne by the development when the development is served by the proposed new streets. In some instances, the City may choose to participate in this construction where improvements serve more than adjacent developments. The City will encourage the use of LIDs, where appropriate and financially feasible, and to facilitate their development. The City will consider developing a traffic impact fee system. (Policy TR-23, ACP)

25. Improvements that upgrade existing streets are considered to benefit the abutting property, and such improvements should be funded by the abutting property owners. Some City participation may be appropriate to encourage the formation of LIDs in particular problem areas. (Policy TR-24, ACP)

26. The City shall explore opportunities to promote alternatives to single occupancy vehicle travel, including carpooling and vanpooling, walking, biking, and other non-motorized modes. (Policy TR-32, ACP)

27. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, developers must provide such facilities at their own expense in order to develop. (Policy CF-3, ACP)

28. The City shall require developers to construction storm drainage improvements directly serving the development, including any necessary off-site improvements. (Policy CF-38, ACP).

29. The growth impacts of major private or public development which place significant service demands on community facilities, amenities and services, and impacts on the City's general quality of life shall be carefully studied under the provision of SEPA prior to development approval. Site any major development shall be carefully and thoroughly evaluated through provisions of SEPA prior to project approval, conditional approval, or denial. Appropriate mitigating measures to ensure conformance with this Plan shall be required (Policy GP-6, ACP)

CONDITIONS:

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under R.C.W. 43.21C.030(2)(c), only if the following conditions are met. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

1. Prior to the issuance of any building or grading permit, a temporary grading, drainage, erosion and sedimentation control plan is required. This plan shall show quantities and locations of excavations, and embankments, the design of storm drainage retention/detention system, and methods of preventing drainage, erosion and sedimentation from impacting adjacent properties, natural and public storm drainage systems. The measures shall be implemented prior to beginning on-site filling, grading or construction activities. In addition, the plan shall include a construction sequence element which clearly identifies the timing and methodology required to:

- contain areas of active earthwork to prevent uncontrolled discharge of stormwater.
- minimize the extent and time soils are exposed on-site; and
- address seasonal variations in weather conditions (the period of greatest concern is October 1 through April 1).
- ensure implementation of erosion control measures commensurate with the protection of wetlands in the vicinity.

2. As required by the Building Official, the imported fill material must originate from a source approved by the City.

3. The Contractor will be required to water the site, as necessary, to reduce dust emissions as a result of construction activity. The Contractor shall also sweep all affected public roads, as necessary, to remove mud deposited as a result of project construction activity. These actions will be governed and directed by the Building Official.

4. To mitigate impacts associated with the filling of 0.3 acres of wetlands, wetlands shall be enhanced and relocated and in accordance with the recommendations identified in the "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan, "prepared July 5, 1994, by Wetland Ecology as revised January 1995 and supplemented by letter on May 22, 1995 and as required an approved by the Planning and Public Works Directors. Major elements of the wetland plan shall include the following:

a. Prior to issuance of construction permits (building and grading permits) which allow earthwork within ten feet of the existing site wetlands, a final wetland mitigation plan, report, monitoring program and contingency plan shall be submitted for review and approval in accordance with the recommendation of the wetlands study. The plan shall include the proposed construction sequence; a planting plant specifying plant species, quantities, locations, size, spacing, and density; water and nutrient requirements for planting, including irrigation. In addition, the plan shall establish goals and objectives to monitor and measure the success of the wetland mitigation project and demonstrate the compatibility of the wetland mitigation and water drainage system.

The wetland areas shall be designed to ensure elements of water saturation (hydrology) and be vegetated with obligate, facultative wetland or facultative (hydrophytic) vegetation native to the Pacific Northwest.

b. A three year monitoring program shall be provided in the final wetland mitigation to evaluate the progress of the wetland creation and to inspect the replacement of unsuccessful plant and habitat materials in accordance with the approved plans. The program shall establish biannual monitoring and inspection reports, indicating achievement of goals and objectives, and project status, shall be filed with the Building Official throughout the monitoring program, with a final report provided at the end of the monitoring program.

c. The proponent shall be responsible for primary construction inspection and preparation of annual monitoring reports, indicating achievement of goals and project status to be filed with the Building Official throughout the monitoring program, with a final report provided at the end of the monitoring program. Prior to issuance of a grading permit allowing earthwork within ten feet of the site wetlands the proponent shall be required, as directed, to provide the Auburn Building Official with the services of an approved biologist with expertise in wetlands enhancement, for the purposes of inspecting wetland mitigation work activities for conformance with approved plans and specifications. In addition, the biologist shall be retained for a minimum of three years following the completion of all wetlands work to monitor the progress of the enhanced wetlands, and to oversee the replacement of unsuccessful plant materials in accordance with the approved plans. This condition does not preclude the applicant from continuing the use of biological or other professional services of choice during mitigation construction; however, this practice will not be considered as meeting the stated condition.

d. Filling and grading for the site and wetlands mitigation work may occur concurrently. All wetland mitigation work shall be completed prior to occupancy of the building on Lot 1.

e. Prior to the issuance of construction permits allowing earthwork within ten feet of wetlands, an appropriate security equivalent to the cost of all wetlands work shall be submitted to the Building Official, and shall be kept active for a minimum of three years following completion of all wetlands work in an amount commensurate with the monitoring program and contingency plan. At the end of the three year monitoring program, then the City shall release the security, if remedial action is not required. A cost estimate shall be provided in the Final Mitigation Plan.

f. Following completion and acceptance of all wetland mitigation work, no clearing grading or building construction shall occur within the areas prescribed for wetland mitigation, except as may be authorized by the Public Works or Planning Director for protection of public health, safety and welfare; maintenance purposes; passive recreation improvements; or contingency mitigation work.

g. The wetland mitigation area shall be clearly indicated on all construction plans approved by the City, indicating the purpose and any limitations on the use of the area.

h. A wetland buffer averaging fifteen feet in width shall be provided with Lot 4 adjacent to the mitigation area.

5. The purpose and intent of the following condition is ensure the long term preservation of the area and to discourage the uncontrolled intrusion of humans into the wetland mitigation area. The following information and improvements shall be provided:

a. A permanent interpretative sign shall be installed and maintained as part of the development's wetland mitigation. This sign shall indicate the wetland location, type of vegetation present and restrictions related to the use of the wetland mitigation area.

b. The wetland mitigation area shall be encumbered by a public open space, conservation easement granted to the City of Auburn. The easement shall state that any uses within this area shall be as approved by the Planning Director. The use shall be consistent with wetland mitigation purposes and shall be of a general benefit to the public. Evidence that the easement has been executed and recorded is required prior to the issuance of a occupancy permit.

6. Since the project proposes to discharge treated storm water to the wetland mitigation, a hydrologic/hydraulic evaluation must be provided to the City for review and approval prior to the issuance of construction permits which allow earthwork within ten feet of wetland areas. The analysis shall demonstrate that the overall post-development site hydrology will not adversely impact the wetland mitigation area.

7. Temporary storm drainage facilities shall be designed to accommodate the 24-hour, 25-year post-developed storm event. Temporary detention systems shall be limited to a 2-year pre-developed release rate.

The City requires on site detention for storm water quantity control when soil conditions are unsatisfactory for infiltration. The detention system should be designed using a hydrograph method of calculation for this project. The detention shall be designed to reduce peak 2-year post-development flow rates to 50% of the 2-year pre-development rate, and reduce post-development flow rates to pre-development rates for the corresponding 10, 25 and 100-year 24-hour storm events. The pre-developed condition is defined as a pre-fill condition on the site. The detention shall be defined as the active storage available a minimum of one foot (1') above the seasonal high groundwater line. A safety factor of 1.30 shall be applied to all detention volumes up to the 25-year storm.

8. Stormwater drainage system discharge from the site's paved surfaces into the adjacent public system or into the ground water shall require water quality pre-treatment via an approved bio-treatment method. The stormwater treatment facility design and construction shall be in accordance with criteria outlined in the Washington State Department of Ecology Stormwater Management Manual for the Puget Sound Basin (1992).

9. Coinciding with submittal of plans for the project's permanent storm drainage facilities, the applicant shall submit documentation outlining proposed pollution prevention and stormwater treatment Best Management Practices (BMPs) to the City Public Works Department for review and approval.

10. Prior to approval of plans for the project's permanent storm drainage facilities, an operation and maintenance schedule for all storm water facilities and the implementation of BMPs, including the responsible party, shall be provided. Approval of the schedule is required prior to issuance of building permits. Pollution prevention BMPs shall be in accordance with criteria outlined in the Washington State Department of Ecology Stormwater Management Manual for the Puget Sound Basin (1992).

11. The proponent shall provide the City with an inspection and maintenance easement for the site's storm drainage facilities. The easement shall be recorded prior to issuance of occupancy permits.

12. Prior to the issuance of building permits, a landscaping plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the Planning Director. In addition to code requirements for landscaping, the plan shall include the following elements:

a. The plan shall provide landscaping of the undeveloped areas internal to the site to soften the hard surfaces of the buildings and pavement. Areas between the buildings and along the perimeter of the site shall be used. The design shall include the planting of native trees, shrubs and groundcover, the greatest extent feasible.

13. The proposed exterior lighting shall be shielded and directed to avoid light spillage onto adjacent properties and natural areas.

14. To ensure that the employee shift change of the manufacturing facility will remain non-coincident with the peak hour flows of the street network, the proponent shall be required to develop a Transportation Management Plan (TMP) which will explicitly require a non-coincident shift change schedule. The TMP shall be developed in an agreement format as approved by the Public Works Director, or designee prior to the issuance of building permits.

15. In the event that A Street NW and 10th Street NW are not extended and available at the time of occupancy of the proposed building and there are unacceptable side street delays or operational issues at the 7th Street NE and Auburn Way North intersection due to access by project-generated trips, the applicant shall execute a traffic mitigation agreement to participate in the analysis and design services to temporarily signalize the intersection of 7th Street NE & Auburn Way North. The agreement shall be provided prior to the issuance of building permits. If such a temporary signal is required by the City in the future, it shall be constructed using wood pole and span wire design to minimize cost and emphasis the temporary nature of the signal. When alternate access to the site is provided in the future, the signal shall be removed and current main gate (east side) to the Mohawk Plant shall be closed to traffic.

16. A Street NW is identified in the City's Comprehensive Plan as a future arterial. The applicant shall be required to dedicate sixty (60) feet of right-of-way and build a paved road to a minimum width of twenty four (24) feet within Tract X of Short Plat SPL-0016-79. A deferment (street delay) of the improvements may be requested from the City Engineer.

17. Prior to issuance of building permits, the applicant shall execute a traffic mitigation agreement to participate in the future intersection improvements in a pro-rata share as follows:

Intersection	PM Trips	1996 Volumes w/Project	% Impact
D Street NE & 9th/10th Street NE	12	1,017	1

RESPONSIBLE OFFICIAL: Paul Krauss, A.I.C.P.
POSITION/TITLE: Director of the Department of Planning & Community Development
ADDRESS: 25 West Main Street, Auburn, Washington 98001
(206) 931-3090

DATE ISSUED: February 20, 1996 SIGNATURE: Paul Krauss L.R.

NOTE: This determination does not constitute approval of the proposal. The project will be required to meet all relevant City development standards.

Any person aggrieved of this final determination may file an appeal with the Auburn City Clerk within 10 days of the date of issuance of this notice. All appeals of the above determination must be filed by 5:00 P.M. on March 1, 1996.

CHARLES A. BOOTH, MAYOR
[illegible]ul Krauss, A.I.C.P., Planning Director

PLANNING & COMMUNITY DEVELOPMENT DEPT.
25 West Main, Auburn WA 98001
(206) 931-3090

PROPOSED
MITIGATED
DETERMINATION OF NON-SIGNIFICANCE
SEP-0021-94

DESCRIPTION OF PROPOSAL: The project consist of the demolition of an existing single family residence and associated outbuildings, the filling and grading of a Lot 1 (3.78 acres) and a portion of Lot 4 (1.99 acres of the 2.84-acre site) with 29,300 cubic yards of fill, and construction of an approximately 78,000-square foot light industrial building. The project would also include construction of a railroad spur line paralleling the existing rail spur along the southern property line to provide rail access to the new building and construction of ten 14-foot diameter silos for storage of inert polyethylene pellets from which Mohawk manufactures plastic bags. The project would be constructed in two phases.

PROPONENT: William A. Gates, Mohawk Northern Plastics, Inc.

LOCATION: 8th Street NW and A Street NW, if extended North of the existing manufacturing facility at 701 - A Street NE.

LEAD AGENCY: City of Auburn

The Responsible Official of the City of Auburn hereby makes the following Findings of Fact based upon impacts identified in the environmental checklist and the "Final Staff Evaluation for Environmental Checklist No. SEP-0021-94", and Conclusions of Law based upon the Auburn Comprehensive Plan, and other Municipal policies, plans, rules and regulations designated as a basis for the exercise of substantive authority under the Washington State Environmental Policy Act Rules pursuant to R.C.W. 43.21C.060.

FINDINGS OF FACT:

1. The proposed action includes the demolition of an existing single family residence and associated outbuildings, the filling and grading of a Lot 1 (3.78 acres) and a portion of Lot 4 (1.99 acres of the 2.84-acre site) with 29,300 cubic yards of fill, and construction of an approximately 78,000-square foot light industrial building.

The proposal also includes the construction of an approximately 78,000 square foot light industrial building, loading dock, parking lot for 123 vehicles, railroad spur line, ten silos for plastic pellet storage, landscaping and storm drainage facilities.

The project is proposed to be constructed in two phases. The timing of the second phase is dependent on successful preloading and compaction of the building pad which is expected to take three years and the proponent's needs for additional manufacturing space.

2. The proposal will require the importation of 29,300 cubic yards of structural fill material to raise the site elevation similar to other property within the existing manufacturing facility.

3. The proposed filling, grading and construction activities will increase the likelihood of erosion and sedimentation impacts and could result in the degradation of area water courses, sensitive wetland areas, and the surface water system.

4. Site preparation and construction activities will generate increased levels of local suspended particulate emissions.

5. Based on the report, "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan," prepared July 5, 1994, by Wetland Ecology (and as revised January 1995 and supplemented on May 22, 1995); the site contains 1.09 acres of wetland consisting of 0.82 acres of wet meadow wetlands and 0.27 acres of wetland ditches. The wetlands are hydrologically associated with Mill Creek.

6. The project includes the placement of fill in 0.3 acres of wetlands. The mitigation for filling of wetlands will be accomplished on-site. To compensate for the loss of 0.3 acres of wetlands it is proposed to create 0.03 acres of wetland to compensate for filling 0.03 acres of wet meadow wetland, replacing 0.27 acres of wetland ditches with 0.022 acres of open, hydroseeded ditches on a temporary basis and enhancing 0.8 acres of wetland in accordance with the recommendations of the report "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan," prepared July 5, 1994, by Wetland Ecology (and as revised January 1995 and supplemented on May 22, 1995. The report provides sufficient recommendations to mitigate potential adverse impacts to the identified wetland areas.

7. The creation of expanses of impervious surfaces will increase the quantity of stormwater runoff from the site. The project's storm drainage facilities must be properly designed and constructed to accommodate the increased quantity of runoff.

8. The construction of paved surfaces will adversely impact the area's water quality unless mitigation measures are implemented.

9. Regular, proper maintenance of storm drainage facilities is required to ensure the effectiveness of pollutant removal.

10. Since the proposed water quality treatment facilities are not completely effective at removing the contaminants carried in runoff, source control measures should be implemented.

11. The proposal will require removal of existing vegetation over a majority of the site. The removal of vegetation will result in adverse habitat and visual impacts unless mitigation measures are implemented.

12. The proposed development may result in light and glare impacts if mitigation measures are not implemented.

13. The existing vehicle access to the facility via 7th Street NE is unsatisfactory for serving additional traffic generated by the proposed expansion because of access through an existing residential neighborhood. An alternative access to the site will be available with the planned extension of 10th Street westerly to connect to the northerly extension of A Street NW through the project site. However, the right-of-way needed for this road extension is currently incomplete.

14. A Traffic Impact Analysis was prepared by Traffic Consulting Northwest in May 1995, to evaluate existing traffic conditions and impacts of the proposed industrial facility expansion. This analysis showed that due to shift changes at the plant which are non-coincident with the peak hour flow of the street network, the proposed development will generate 12 vehicle trips in the PM peak hour. This additional traffic will require off-site improvements as identified in the traffic impact analysis and by the City of Auburn Public Works Department.

15. The proposed action will result in an increased demand for sewer and water services.

16. The "Final Staff Evaluation for Environmental Checklist No. SEP-0021-94" is hereby incorporated by reference as though set forth in full.

CONCLUSIONS OF LAW:

Staff has concluded that a MDNS may be issued. This is based upon the environmental checklist and its attachments, and the "Final Staff Evaluation For Environmental Checklist." The MDNS is supported by Plans and regulations formally adopted by the City for the exercise of substantive authority under SEPA. The following are City adopted policies which support the MDNS:

1. The City shall seek to ensure that land not be developed or otherwise modified in a manner which will result in or significantly increase the potential for slope slippage, landslide, subsidence or substantial soil erosion. The City's development standards shall dictate the use of Best Management Practices to minimize the potential for these problems. [Policy EN-62, Auburn Comprehensive Plan (ACP)]

2. The City shall seek to minimize surface water quality and aquatic habitat degradation of creeks, streams, rivers, ponds, lakes and other water bodies; to preserve and enhance the suitability of such water bodies for contact recreation and fishing and to preserve and enhance the aesthetic quality of such waters by requiring the use of current Best Management Practices for control of stormwater and non-point runoff. (Policy EN-2, ACP)

3. The City will seek to ensure that the quality of water leaving the City is of equivalent quality to the water entering. This will be accomplished by emphasizing prevention of pollution to surface and ground waters through education programs and implementation and enforcement of Best Management Practices. (Policy EN-9, ACP)

4. Where there is a high probability of erosion (see Map 9.5), grading should be kept to a minimum and disturbed vegetation should be restored as soon as feasible. The City's development standards shall dictate the use of Best Management Practices for clearing and grading activity. (Policy EN-63, ACP)

5. The City shall consider the impacts of new development on hazards associated with soils and subsurface drainage as a part of its environmental review process and require any appropriate mitigating measures. (Policy EN-64, ACP)

6. The City shall seek to secure and maintain such levels of air quality as will protect human health, prevent injury to plant and animal life, prevent injury to property, foster the comfort and convenience of area inhabitants, and facilitate the enjoyment of the natural attractions of the area. (Policy EN-16, ACP)

7. The City shall consider the impacts of new development on air quality as a part of its environmental review process and require any appropriate mitigating measures. (Policy EN-20, ACP)

8. The City recognizes the important biological and hydrological roles that wetlands play in providing plant and animal habitat, protecting water quality, reducing the need for man-made flood and storm drainage systems, maintaining water quality, and in providing recreational, open space, educational and cultural opportunities. (Policy EN-23, ACP)

9. The City recognizes that wetlands provide varying degrees of biological and hydrological functions and values to the community depending on the size, complexity and location of the individual system, and that the overall degree of functions and values should be considered when reviewing proposals which impact wetlands. In a similar manner, the levels of protection afforded to a wetland shall be consistent with its existing function and values. (Policy EN-24, ACP)

10. The City shall consider the impacts of new development on the quality of wetland resources as part of its environmental review process and shall require appropriate mitigation and monitoring measures of important wetland areas. Such mitigation may involve conservation, enhancement or restoration or replacement of important wetlands, and provisions for appropriate buffering. The goal of the mitigation should be no net loss of wetland functions and values. A permanent deed restriction shall be placed on any wetlands created or enhanced to ensure that they are preserved in perpetuity. (Policy EN-25, ACP)

11. Wetlands which are associated with a river or stream, or provide significant plant and animal habitat opportunities are recognized by the City as the most important wetland systems, and shall receive the highest degree of protection and mitigation through conservation, enhancement or relocation measures. Wetlands which are limited in size, are isolated from major hydrological systems or provide limited hydrological or plant and animal habitat opportunities may be considered by the City for development and displacement in conjunction with appropriate mitigation. (Policy EN-26, ACP)

12. The City shall seek to retain as open space those areas having a unique combination of open space values, including: separation or buffering between incompatible land uses; visual delineation of the City or a distinct area or neighborhood of the City; unusually productive wildlife habitat; floodwater or storm water storage; storm water purification; recreational value; historic or cultural value; aesthetic value; and educational value. (Policy PR-7, ACP)

13. The City shall consider the impacts of new development on water quality as part of its environmental review process and require any appropriate mitigating measures. Impacts on fish resources shall be a priority concern in such reviews. (Policy EN-11, ACP)

14. The City shall consider the impacts of new development on frequently flooded areas (Map 9.4) as part of its environmental review process and require any appropriate mitigating measures. As part of this review process, flood engineering and impact studies may be required. Within FEMA designated 100 year floodplains and other designated frequently flooded areas, such mitigation may include flood engineering studies, the provision of compensatory flood storage, floodproofing of structures, elevating of structures, and downstream or upstream improvements. (Policy EN-57, ACP)

15. Storm drainage facilities shall incorporate high standards of design to enhance the appearance of a site, preclude the need for security fencing and serve as an amenity of the site. The design of above ground facilities storage and conveyance facilities should address or incorporate landscaping utilizing native vegetation, minimal side slopes, safety, maintenance needs, and function. The facilities should be located within rear or side yard areas and the design should preclude the need for security fencing whenever feasible. (Policy UD-6, ACP)

16. The City shall consider the impacts of new development on the quality of land, known or suspected fish and wildlife habitats (Map 9.2) and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats and the use of native landscape vegetation. (Policy EN-22, ACP)

17. The City shall encourage the use of native vegetation as an integral part of public and private development plans. (Policy EN-29, ACP)

18. The City shall discourage the unnecessary disturbance of natural vegetation in new development. (Policy EN-30, ACP)

19. The City shall encourage development which maintains and improves the existing aesthetic character of the community. (Policy UD-1, ACP)

20. Suitable natural and cultural features should be utilized to buffer surrounding land uses from industrial and commercial uses. (Policy UD-3, ACP)

21. The City shall seek to minimize the exposure of area inhabitants to excessive levels of light and glare. Performance measures for light and glare exposure to surrounding development should be adopted and enforced. (Policy EN-39, ACP)

22. Public facilities shall be provided in accord with the guidance of the Capital Facilities Plan or, as may be appropriate a system plan for each type of facility designed to serve at an adequate level of service the locations and intensities of uses specified in this comprehensive plan. (Policy CF-11, ACP)

23. The City shall continue to require developers of new developments to construct transportation systems that serve their developments. The City shall also explore ways for new developments to encourage vanpooling, carpooling, public transit use, and other alternatives to SOV travel. (Policy TR-21, ACP)

24. Improvements that serve new developments will be constructed as a part of the development process. All costs will be borne by the development when the development is served by the proposed new streets. In some instances, the City may choose to participate in this construction where improvements serve more than adjacent developments. The City will encourage the use of LIDs, where appropriate and financially feasible, and to facilitate their development. The City will consider developing a traffic impact fee system. (Policy TR-23, ACP)

25. Improvements that upgrade existing streets are considered to benefit the abutting property, and such improvements should be funded by the abutting property owners. Some City participation may be appropriate to encourage the formation of LIDs in particular problem areas. (Policy TR-24, ACP)

26. The City shall explore opportunities to promote alternatives to single occupancy vehicle travel, including carpooling and vanpooling, walking, biking, and other non-motorized modes. (Policy TR-32, ACP)

27. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, developers must provide such facilities at their own expense in order to develop. (Policy CF-3, ACP)

28. The City shall require developers to construction storm drainage improvements directly serving the development, including any necessary off-site improvements. (Policy CF-38, ACP).

29. The growth impacts of major private or public development which place significant service demands on community facilities, amenities and services, and impacts on the City's general quality of life shall be carefully studied under the provision of SEPA prior to development approval. Site any major development shall be carefully and thoroughly evaluated through provisions of SEPA prior to project approval, conditional approval, or denial. Appropriate mitigating measures to ensure conformance with this Plan shall be required (Policy GP-6, ACP)

CONDITIONS:

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment, and an environmental impact statement (EIS) is not required under R.C.W. 43.21C.030(2)(c), only if the following conditions are met. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

1. Prior to the issuance of any building or grading permit, a temporary grading, drainage, erosion and sedimentation control plan is required. This plan shall show quantities and locations of excavations, and embankments, the design of storm drainage retention/detention system, and methods of preventing drainage, erosion and sedimentation from impacting adjacent properties, natural and public storm drainage systems. The measures shall be implemented prior to beginning on-site filling, grading or construction activities. In addition, the plan shall include a construction sequence element which clearly identifies the timing and methodology required to:

- contain areas of active earthwork to prevent uncontrolled discharge of stormwater.
- minimize the extent and time soils are exposed on-site; and
- address seasonal variations in weather conditions (the period of greatest concern is October 1 through April 1).
- ensure implementation of erosion control measures commensurate with the protection of wetlands in the vicinity.

2. As required by the Building Official, the imported fill material must originate from a source approved by the City.

3. The Contractor will be required to water the site, as necessary, to reduce dust emissions as a result of construction activity. The Contractor shall also sweep all affected public roads, as necessary, to remove mud deposited as a result of project construction activity. These actions will be governed and directed by the Building Official.

4. To mitigate impacts associated with the filling of 0.3 acres of wetlands, wetlands shall be enhanced and relocated and in accordance with the recommendations identified in the "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan, "prepared July 5, 1994, by Wetland Ecology as revised January 1995 and supplemented by letter on May 22, 1995 and as required an approved by the Planning and Public Works Directors. Major elements of the wetland plan shall include the following:

a. Prior to issuance of construction permits (building and grading permits) which allow earthwork within ten feet of the existing site wetlands, a final wetland mitigation plan, report, monitoring program and contingency plan shall be submitted for review and approval in accordance with the recommendation of the wetlands study. The plan shall include the proposed construction sequence; a planting plant specifying plant species, quantities, locations, size, spacing, and density; water and nutrient requirements for planting, including irrigation. In addition, the plan shall establish goals and objectives to monitor and measure the success of the wetland mitigation project and demonstrate the compatibility of the wetland mitigation and water drainage system.

The wetland areas shall be designed to ensure elements of water saturation (hydrology) and be vegetated with obligate, facultative wetland or facultative (hydrophytic) vegetation native to the Pacific Northwest.

b. A three year monitoring program shall be provided in the final wetland mitigation to evaluate the progress of the wetland creation and to inspect the replacement of unsuccessful plant and habitat materials in accordance with the approved plans. The program shall establish biannual monitoring and inspection reports, indicating achievement of goals and objectives, and project status, shall be filed with the Building Official throughout the monitoring program, with a final report provided at the end of the monitoring program.

c. The proponent shall be responsible for primary construction inspection and preparation of annual monitoring reports, indicating achievement of goals and project status to be filed with the Building Official throughout the monitoring program, with a final report provided at the end of the monitoring program. Prior to issuance of a grading permit allowing earthwork within ten feet of the site wetlands the proponent shall be required, as directed, to provide the Auburn Building Official with the services of an approved biologist with expertise in wetlands enhancement, for the purposes of inspecting wetland mitigation work activities for conformance with approved plans and specifications. In addition, the biologist shall be retained for a minimum of three years following the completion of all wetlands work to monitor the progress of the enhanced wetlands, and to oversee the replacement of unsuccessful plant materials in accordance with the approved plans. This condition does not preclude the applicant from continuing the use of biological or other professional services of choice during mitigation construction; however, this practice will not be considered as meeting the stated condition.

d. Filling and grading for the site and wetlands mitigation work may occur concurrently. All wetland mitigation work shall be completed prior to occupancy of the building on Lot 1.

e. Prior to the issuance of construction permits allowing earthwork within ten feet of wetlands, an appropriate security equivalent to the cost of all wetlands work shall be submitted to the Building Official, and shall be kept active for a minimum of three years following completion of all wetlands work in an amount commensurate with the monitoring program and contingency plan. At the end of the three year monitoring program, then the City shall release the security, if remedial action is not required. A cost estimate shall be provided in the Final Mitigation Plan.

f. Following completion and acceptance of all wetland mitigation work, no clearing grading or building construction shall occur within the areas prescribed for wetland mitigation, except as may be authorized by the Public Works or Planning Director for protection of public health, safety and welfare; maintenance purposes; passive recreation improvements; or contingency mitigation work.

g. The wetland mitigation area shall be clearly indicated on all construction plans approved by the City, indicating the purpose and any limitations on the use of the area.

h. A wetland buffer averaging fifteen feet in width shall be provided with Lot 4 adjacent to the mitigation area.

5. The purpose and intent of the following condition is ensure the long term preservation of the area and to discourage the uncontrolled intrusion of humans into the wetland mitigation area. The following information and improvements shall be provided:

a. A permanent interpretative sign shall be installed and maintained as part of the development's wetland mitigation. This sign shall indicate the wetland location, type of vegetation present and restrictions related to the use of the wetland mitigation area.

b. The wetland mitigation area shall be encumbered by a public open space, conservation easement granted to the City of Auburn. The easement shall state that any uses within this area shall be as approved by the Planning Director. The use shall be consistent with wetland mitigation purposes and shall be of a general benefit to the public. Evidence that the easement has been executed and recorded is required prior to the issuance of a occupancy permit.

6. Since the project proposes to discharge treated storm water to the wetland mitigation, a hydrologic/hydraulic evaluation must be provided to the City for review and approval prior to the issuance of construction permits which allow earthwork within ten feet of wetland areas. The analysis shall demonstrate that the overall post-development site hydrology will not adversely impact the wetland mitigation area.

7. Temporary storm drainage facilities shall be designed to accommodate the 24-hour, 25-year post-developed storm event. Temporary detention systems shall be limited to a 2-year pre-developed release rate.

The City requires on site detention for storm water quantity control when soil conditions are unsatisfactory for infiltration. The detention system should be designed using a hydrograph method of calculation for this project. The detention shall be designed to reduce peak 2-year post-development flow rates to 50% of the 2-year pre-development rate, and reduce post-development flow rates to pre-development rates for the corresponding 10, 25 and 100-year 24-hour storm events. The pre-developed condition is defined as a pre-fill condition on the site. The detention shall be defined as the active storage available a minimum of one foot (1') above the seasonal high groundwater line. A safety factor of 1.30 shall be applied to all detention volumes up to the 25-year storm.

8. Stormwater drainage system discharge from the site's paved surfaces into the adjacent public system or into the ground water shall require water quality pre-treatment via an approved bio-treatment method. The stormwater treatment facility design and construction shall be in accordance with criteria outlined in the Washington State Department of Ecology Stormwater Management Manual for the Puget Sound Basin (1992).

9. Coinciding with submittal of plans for the project's permanent storm drainage facilities, the applicant shall submit documentation outlining proposed pollution prevention and stormwater treatment Best Management Practices (BMPs) to the City Public Works Department for review and approval.

10. Prior to approval of plans for the project's permanent storm drainage facilities, an operation and maintenance schedule for all storm water facilities and the implementation of BMPs, including the responsible party, shall be provided. Approval of the schedule is required prior to issuance of building permits. Pollution prevention BMPs shall be in accordance with criteria outlined in the Washington State Department of Ecology Stormwater Management Manual for the Puget Sound Basin (1992).

11. The proponent shall provide the City with an inspection and maintenance easement for the site's storm drainage facilities. The easement shall be recorded prior to issuance of occupancy permits.

12. Prior to the issuance of building permits, a landscaping plan for the site shall be prepared by a licensed landscape architect and submitted for review and approval by the Planning Director. In addition to code requirements for landscaping, the plan shall include the following elements:

a. The plan shall provide landscaping of the undeveloped areas internal to the site to soften the hard surfaces of the buildings and pavement. Areas between the buildings and along the perimeter of the site shall be used. The design shall include the planting of native trees, shrubs and groundcover, the greatest extent feasible.

13. The proposed exterior lighting shall be shielded and directed to avoid light spillage onto adjacent properties and natural areas.

14. To ensure that the employee shift change of the manufacturing facility will remain non-coincident with the peak hour flows of the street network, the proponent shall be required to develop a Transportation Management Plan (TMP) which will explicitly require a non-coincident shift change schedule. The TMP shall be developed in an agreement format as approved by the Public Works Director, or designee prior to the issuance of building permits.

15. In the event that A Street NW and 10th Street NW are not extended and available at the time of occupancy of the proposed building and there are unacceptable side street delays or operational issues at the 7th Street NE and Auburn Way North intersection due to access by project-generated trips, the applicant shall execute a traffic mitigation agreement to participate in the analysis and design services to temporarily signalize the intersection of 7th Street NE & Auburn Way North. The agreement shall be provided prior to the issuance of building permits. If such a temporary signal is required by the City in the future, it shall be constructed using wood pole and span wire design to minimize cost and emphasis the temporary nature of the signal. When alternate access to the site is provided in the future, the signal shall be removed and current main gate (east side) to the Mohawk Plant shall be closed to traffic.

16. A Street NW is identified in the City's Comprehensive Plan as a future arterial. The applicant shall be required to dedicate sixty (60) feet of right-of-way and build a paved road to a minimum width of twenty four (24) feet within Tract X of Short Plat SPL-0016-79. A deferment (street delay) of the improvements may be requested from the City Engineer.

17. Prior to issuance of building permits, the applicant shall execute a traffic mitigation agreement to participate in the future intersection improvements in a pro-rata share as follows:

Intersection	PM Trips	1996 Volumes w/Project	% Impact
D Street NE & 9th/10th Street NE	12	1,017	1

This MDNS is issued under 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date of issuance. Comments must be submitted by 5:00 P.M. on February 17, 1996.

Any person aggrieved of the City's determination may file an appeal with the Auburn City Clerk within 10 days of issuance of a final determination. Copies of the final determination, specifying the appeals deadline, can be requested or obtained from the Department of Planning and Community Development.

RESPONSIBLE OFFICIAL: Paul Krauss, A.I.C.P.
POSITION/TITLE: Director of the Department of Planning & Community Development

ADDRESS: 25 West Main Street
Auburn, Washington 98001
(206) 931-3090

DATE ISSUED: February 2, 1996 SIGNATURE

NOTE: This determination does not constitute approval of the proposal. The project will be required to meet all relevant City development standards.

FINAL STAFF EVALUATION FOR ENVIRONMENTAL CHECKLIST SEP-0021-94

Date: January 26, 1996

Project Name: Gates Industrial Building

Applicant: William A. Gates, Mohawk Northern Plastics

Contact: J.B. Rupert, P.E., Rupert Engineering, Inc.;
Telephone: 833-7776

Location: 8th Street NW and A Street NW, if extended.
(North of existing plant located at 701 - A Street NE)

Legal Description: Generally, Lots 1 and 4, City of Auburn Short Plat SPL-16-79

S-T-R: 13-21-04
Principal Parcel Number: 132104-9057 (Lot 1)
Related Parcel Numbers: 132104-9095 (Lot 4) 132104-9093 (Lot 2) 132104-9094 (Lot 3)
Parcel Size: Lot 1 consists of approximately 3.78 acres and Lot 4 consists of approximately 2.84 acres.

Proposal: Demolition of an existing single family residence, placement of 29,300 cubic yards of fill, and the construction of a 78,000 square foot light industrial building, parking, railroad access spur line and ten bulk plastic storage tanks for the expansion of an existing plastic products manufacturing facility. The proposal includes filling 0.3 acres of wetlands and on-site wetland mitigation in the form of 0.3 acres of wetland creation and 0.8 acres of wetland enhancement.

Existing Zoning: M-1, Light Industrial
Proposed Zoning: (Not applicable)
Comprehensive Plan Designation: Light Industrial

A. Background: Pursuant to WAC 197-11-340(2), the City of Auburn is required to send any DNS which may result from this environmental review, along with the checklist, to DOE, the U.S. Army Corps of Engineers, other agencies with jurisdiction, affected tribes, and interested parties. Therefore, the City will not act on this proposal for fifteen days after the DNS issuance.

Item 6. Proposed Timing and Schedule: Both the environmental checklist application and wetland report provide information on the proposed project phasing and schedule. The project is anticipated to be completed in two phases. The first phase consists of the demolition of the existing residential outbuildings and the placement of approximately 17,300 cubic yards of structural fill within the building pad area. This fill placement would avoid filling wetlands and thus construction of the wetland mitigation is not anticipated under this phase. The fill placement is anticipated to begin as soon as an environmental decision and grading permits are secured. Manufacturing equipment used at the Mohawk Plastics plant is highly sensitive to ground vibration caused by trains delivering raw material, so it is necessary for the company to prepare the land two to three years in advance of building construction, in order to allow the foundation material to settle and become resistant to vibration.

The second phase would consist of demolition of the existing single family residence; placement of 12,000 cubic yards of fill over the remaining portion of Lot 1, the area reserved for the extension of A Street NW and 1.99-acres of Lot 4; and the construction of a 72,000 square foot industrial building on Lot 1, storage tanks and the parallel railroad spur line. It would also include construction of storm drainage facilities within a portion of Lot 4 to serve Lots 1 and 4. The fill placement for Phase II will necessitate filling 0.3 acres of wetlands and construction of wetland mitigation. The timing for implementation of this phase of construction is dependent upon successful preloading and compaction of the building pad, which is expected to take approximately three years.

Item 7. Future Actions, Additions or Related Activity: While not part of the proposed action described in the checklist application, the proponent has identified the future construction of an approximately 54,000 square foot building on Lot 4. The timing and details of future development of Lot 4 is uncertain. A future building footprint is identified on Lot 4 for the purposes of comprehensively evaluating potential wetland impacts of the current proposal and possible future development. Additional environmental review may be required in the future for the development of Lot 4 including possible additional wetland analysis or mitigation.

The materials submitted with the environmental checklist application identify the future extension of A Street NW northerly along the west side of the project site within Tract X. This extension would connect with the westerly extension of 10th Street NE/NW. This future road extension is identified in the City's Comprehensive Plan but is currently not part of the City's 6-year Transportation Improvement Program (TIP). The road would likely be constructed when the property to the north of Lot 1 was developed.

Item 8. Other Environmental Information: Other environmental information related to the proposal includes previous environmental checklist applications and Determinations of Non-Significance (DNS) prepared for Mohawk Northern Plastics. An environmental checklist application was received and a DNS (File No. EV-752-85) was issued September 10, 1985 for placement of 10,000 cubic yards of fill and the construction of a 38,232 square foot building for office/printing on a 1.58-acre site. On November 8, 1987 a DNS (File No. EV-949-87) was issued for the construction of three silos for storage of raw plastic materials. The silos measure 12 feet in diameter by 55 feet in height. On August 14, 1989 a Mitigated DNS (File No. SEP-0026-89) was issued for the construction of a 42,900 square foot addition to an industrial manufacturing building and a 3,612 square foot office addition.

Unless determined to be exempt from SEPA requirements, additional environmental review will be required in the future for extension of A Street NE and the development of Lot 4. Changes to wetland regulations in the intervening time period prior to presentation to the City of a proposal for Lot 4, may necessitate additional wetland analysis and/or mitigation.

Item 10. Approvals Required: The proponent has secured a Section 404 Permit (Reference Number 94-4-00126) from the Army Corps of Engineers for the placement of fill in 0.30 acres of wetlands and the creation of 0.03 acres of wet meadow wetlands and 0.22 acres of open temporary ditches and enhancement of 0.8 acres of existing wetlands.

Item 11. Project Description: The project consist of the demolition of an existing single family residence and associated outbuildings, the filling and grading of a Lot 1 (3.78 acres) and a portion of Lot 4 (1.99 acres of the 2.84-acre site) with 29,300 cubic yards of fill, and construction of an approximately 78,000-square foot light industrial building. The project would also include construction of a railroad spur line paralleling the existing rail spur along the southern property line to provide rail access to the new building. Between the new rail line and building, ten 14-foot foot diameter tanks will be constructed. The tanks are filled from rail cars with inert polyethylene pellets from which Mohawk manufactures plastic bags. The project would be constructed in two phases.

Phase I consists of the demolition of the existing residential outbuildings and the placement of approximately 17,300 cubic yards of structural fill within the building pad area. This fill placement would avoid filling wetlands and thus construction of the wetland mitigation is not anticipated under this phase.

The second phase would consist of demolition of the existing single family residence; placement of 12,000 cubic yards of fill over the remaining portion of Lot 1, the area reserved for extension of A Street NW and 1.99 acres of Lot 4; and the construction of a 72,000 square foot industrial building on Lot 1, storage tanks and the parallel railroad spur line. It would also include construction of storm drainage facilities within a portion of Lot 4 to serve future needs of Lots 1 and 4. The fill placement for Phase II will necessitate filling 0.3 acres of wetlands and construction of wetland mitigation.

Item 12. Project Location: According to the checklist application and accompanying site plan, the project consists of the filling and development of Lot 1 containing 3.78-acres an 1.99-acres of Lot 4. These lots are immediately north of and adjacent to the existing Mohawk Plastics manufacturing plant on Lots 2 and 3.

B. Environmental Elements:

1. Earth: The site is composed of open grassland bisected by east-west trending ditches. The site slopes gradually to the west. The elevation varies across the site from approximately 69.1 feet near the southeast corner to 64.6 feet near the northwest corner.

The 1973 USDA Soil Conservation Service's "Soil Survey for the King County Area" classifies the site's soils as: Snohomish silt loam (So).

Snohomish silt loam (So) is a poorly drained soil formed in alluvium in stream valleys. Snohomish silt loam (So) possesses the following characteristics: moderate permeability in the upper part of the profile and moderately rapid on the lower part; a seasonal high water table at or near the surface; high available water capacity; slow runoff; and a slight erosion hazard.

While the site soils do not have an inherent susceptibility to erosion, the project includes the importation and placement of 29,300 cubic yards of Class B fill material to raise the grade of the lots approximately 3 feet to match the grade of the existing manufacturing facility to the south and achieve proper drainage.

The site's soils have some 'wet' characteristics thus, the occurrence of 1.09 acres of wetlands on the site (Lot 1) and the adjacent parcel (Lot 4). These wet soils and the proposed placement of 20,000 cubic yards of fill material will contribute to potential erosion hazards. The proposed earthwork, if not properly placed and controlled, could result in erosion and sedimentation impacts. Appropriate measures shall taken to ensure that proposed filling, grading and construction operations do not result in erosion and sedimentation impacts on the surface drainage system, off-site properties or environmentally sensitive areas. At a minimum, erosion control measures should include installation of temporary and permanent erosion control improvements, and stabilization of exposed areas which are not immediately developed.

Applicable policies adopted for the exercise of substantive SEPA authority are noted as follows:

> The City shall seek to ensure that land not be developed or otherwise modified in a manner which will result in or significantly increase the potential for slope slippage, landslide, subsidence or substantial soil erosion. The City's development standards shall dictate the use of Best Management Practices to minimize the potential for these problems. (Policy EN-62, Auburn Comprehensive Plan (ACP))
>
> The City shall seek to minimize surface water quality and aquatic habitat degradation of creeks, streams, rivers, ponds, lakes and other water bodies; to preserve and enhance the suitability of such water bodies for contact recreation and fishing and to preserve and enhance the aesthetic quality of such waters by requiring the use of current Best Management Practices for control of stormwater and non-point runoff. (Policy EN-2, ACP)
>
> The City will seek to ensure that the quality of water leaving the City is of equivalent quality to the water entering. This will be accomplished by emphasizing prevention of pollution to surface and ground waters through education programs and implementation and enforcement of Best Management Practices. (Policy EN-9, ACP)
>
> Where there is a high probability of erosion (see Map 9.5), grading should be kept to a minimum and disturbed vegetation should be restored as soon as feasible. The City's development standards shall dictate the use of Best Management Practices for clearing and grading activity. (Policy EN-63, ACP)
>
> The City shall consider the impacts of new development on hazards associated with soils and subsurface drainage as a part of its environmental review process and require any appropriate mitigating measures. (Policy EN-64, ACP)

2. Air: Short term impacts on air quality would occur during construction and paving operations. Longer term impacts due to vehicle emissions will vary in level according to the amount of traffic generated in the future by the proposal (See Section 14, Transportation, for the discussion of future traffic generation).

Construction activity, especially filling and paving operations, will contribute to a short term increase in local suspended particulate levels. Minimizing the increased levels of suspended particulates is a priority of the City. The City shall consider measures that will keep the levels of on-site and off-site dust emissions at acceptable levels.

The applicable policies adopted for the exercise of substantive SEPA authority are noted as follows:

> The City shall seek to secure and maintain such levels of air quality as will protect human health, prevent injury to plant and animal life, prevent injury to property, foster the comfort and convenience of area inhabitants, and facilitate the enjoyment of the natural attractions of the area. (Policy EN-16, ACP)
>
> The City shall consider the impacts of new development on air quality as a part of its environmental review process and require any appropriate mitigating measures. (Policy EN-20, ACP)

3. Water:
A. Surface: The subject property has been identified as containing wetlands which are hydrologically connected to Mill Creek. The information regarding the site's wetlands is documented in the study, "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan," prepared July 5, 1994, by Wetlands Ecology. The basis for the evaluation was routine on-site determination method of the Army Corps of Engineers Wetland Delineation Manual ("1987 Manual"). The report evaluated Lots 1 and 4 for the presence of wetlands, and concludes that the two parcels contain 1.09 acres of wetlands; consisting of 0.82-acres of palustrine emergent, seasonally flooded wetlands and 0.27-acres of ditches also determined to be wetlands. The wetland report was subsequently revised January 1995 and supplemented by letter on May 22, 1995.

The wetland report states: "The City of Auburn Wetlands Inventory (1990) shows that the site was designated non-wetland." This is incorrect, as the inventory indicates that the site was not inventoried.

The combined area of Lots 1 and 4 is 6.63 acres. Of this total, 5.54 acres are uplands and 1.09 acres are wetlands. The majority of the wetlands occur on Lot 4. A palustrine emergent seasonally flooded wetland encompasses the northwest corner of Lot 4 and the wetland ditches extend eastward in two lineal "fingers" from the southern and northern edges of this wetland. Only the northern wetland ditch, which parallels the northern property line, extends east onto Lot 1. While all of the wetlands are hydraulically connected, a portion of the northern ditch is culverted in two segments with a 12-inch pipe and therefore these segments are not considered wetlands. Approximately 0.14 acres of wetlands occur on Lot 1. The wetland boundaries were confirmed by the Army Corps of Engineers by letter on July 19, 1994.

The vegetation in the palustrine, emergent, seasonally-flooded wetland is composed principally of timothy, common velvet grass, red clover, and American vetch. Reed canary grass, creeping buttercup, and field horsetail have become reestablished in co-dominant percentages. Based on information in the report, the emergent wetland appears to be hydrologically supported by storm waters originating from the existing development and off-site areas in combination with a constricted outlet.

Based on the evaluation performed by Wetlands Ecology, the City concludes that the wetlands have low to moderate functional value for hydrologic support; water quality improvement; groundwater recharge; flood flow alteration and biological support. The wetland serves primarily to provide biological and hydrologic support but, these functions are limited as a result of the wetland's small size. The higher ratings are attributable to the wetland's continuity with Mill Creek.

The proposed project includes filling 0.03 acres of emergent wetland and 0.27-acres of wetland ditches within Lots 1 and 4. The northern wetland ditch which is approximately ten feet from the northern property boundary is proposed to be filled and a new channel established closer to the

north property line. The southern ditch is proposed to be filled and its flow redirected northward. The new channel would be established within the area reserved for the extension of A Street NW. This new channel would convey the flow north to combine with the flow from the other ditch and discharge at the east end of the wetland area. The wetland report and Corps Individual Permit acknowledge that these proposed new channels are considered temporary mitigation that will not require additional wetland mitigation when A Street NW is extended.

The filling proposed within a portion of Lot 4 includes filling the edge of the emergent wetland to "square off" the wetland boundary as shown in Figure 3-2 of the wetland report. This results in 0.03 acres of wetland fill. The combined ditch and emergent wetland areas to be filled equal 0.3 acres. To compensate for the loss of this 0.3-acres of wetlands, it is proposed to replace these wetlands by creating 0.03 acres of wetland to compensate for filling 0.03 acres of wet meadow wetland, replacing 0.27 acres of wetland ditches on a temporary basis with 0.022 acres of open, hydroseeded ditches and enhancing 0.8 acres of wetland. The created wetland would continue to be associated with the stormwater management system which receives flows originating off-site.

Critical factors in the enhancement of wetland environments include both the timing and subsequent monitoring of activities to ensure satisfactory results. To accomplish this task, a monitoring program, including specific goals, should be developed and implemented.

Prior to authorization of the proposed action, a final wetland mitigation plan and details will be submitted to the City for review and approval. In addition, proper financial assurances and commitments will be provided to the City which guarantees the success and survival of the wetland mitigation.

B. Ground Water: Concur with checklist.

C. Runoff or Stormwater: On a temporary basis, runoff resulting from the placement of fill within the building pad area of Lot 1 is proposed to be directed via temporary swales located beyond the toe of the fill to two temporary detention ponds on the east and west ends of the lot. Each of the ponds would discharge via a controlled release to the existing ditch along the northern property line. The design of the detention ponds and release rates will be required to meet City standards. Under the proposed action, eventually the remaining portion of Lot 1 would be filled and the temporary swales and wetland ditch would be displaced and new drainage and erosion control measures would be implemented pursuant to a City-approved plan.

The response to the checklist application indicates that for the developed condition of the site, stormwater runoff from the site increased impervious surfaces will be collected utilizing roof drains, catch basins, and underground piping. Stormwater would be directed to a detention system and water quality treatment facility constructed within Lot 4. Upon treatment, the runoff would be released to the west, through the wetland, continuing under the railroad tracks via an existing 30 inch culvert and into a roadside ditch along C Street NW. The flow continues north, eventually reaching Mill Creek. The drainage systems proposed for the site must be designed and constructed in accordance with City of Auburn requirements with appropriate supporting analysis.

As with all paved developed areas, the site will contribute some pollutants to ground and surface waters as the pollutants are washed off impervious surfaces into the storm drainage system. Pollutants which accumulate on paved surfaces include heavy metals, petrochemicals and other substances. As a result, water quality treatment will be necessary to avoid adverse impacts. The City will consider measures to ensure appropriate water quality treatment is provided prior to discharge off-site.

The proposed storm drainage facilities will also be designed to accommodate the existing surface flows which originate off-site and are conveyed through the project site. Information on these off-site flows and the quantity of runoff created by the project's impervious surfaces is documented in the report, "Storm Drainage Downstream Analysis of Three G's, Lots 1 and 4, Short Plat 16-79" prepared by Rupert Engineering, Inc. dated October 1994. The report indicates that stormwater runoff originates within three sub-basins south and east of the site. These sub-basins comprise approximately 32 acres which contribute flows to the wetland ditches located on the subject property and adjacent parcel. The report compares the capacity of the existing drainage ditches to

the anticipated volume stormwater from the three sub-basins and the proposed development. The report concludes that sufficient capacity up to the 25-year storm event currently exists and that ditches which are displaced by the proposed construction will be sized to accommodated anticipated flows.

Applicable policies adopted for the exercise of substantive SEPA authority are noted as follows:

> The City recognizes the important biological and hydrological roles that wetlands play in providing plant and animal habitat, protecting water quality, reducing the need for man-made flood and storm drainage systems, maintaining water quality, and in providing recreational, open space, educational and cultural opportunities. (Policy EN-23, ACP)
>
> The City recognizes that wetlands provide varying degrees of biological and hydrological functions and values to the community depending on the size, complexity and location of the individual system, and that the overall degree of functions and values should be considered when reviewing proposals which impact wetlands. In a similar manner, the levels of protection afforded to a wetland shall be consistent with its existing function and values. (Policy EN-24, ACP)
>
> The City shall consider the impacts of new development on the quality of wetland resources as part of its environmental review process and shall require appropriate mitigation and monitoring measures of important wetland areas. Such mitigation may involve conservation, enhancement or restoration or replacement of important wetlands, and provisions for appropriate buffering. The goal of the mitigation should be no net loss of wetland functions and values. A permanent deed restriction shall be placed on any wetlands created or enhanced to ensure that they are preserved in perpetuity. (Policy EN-25, ACP)
>
> Wetlands which are associated with a river or stream, or provide significant plant and animal habitat opportunities are recognized by the City as the most important wetland systems, and shall receive the highest degree of protection and mitigation through conservation, enhancement or relocation measures. Wetlands which are limited in size, are isolated from major hydrological systems or provide limited hydrological or plant and animal habitat opportunities may be considered by the City for development and displacement in conjunction with appropriate mitigation. (Policy EN-26, ACP)
>
> The City shall seek to retain as open space those areas having a unique combination of open space values, including: separation or buffering between incompatible land uses; visual delineation of the City or a distinct area or neighborhood of the City; unusually productive wildlife habitat; floodwater or storm water storage; storm water purification; recreational value; historic or cultural value; aesthetic value; and educational value. (Policy PR-7, ACP)
>
> The City shall consider the impacts of new development on water quality as part of its environmental review process and require any appropriate mitigating measures. Impacts on fish resources shall be a priority concern in such reviews. (Policy EN-11, ACP)
>
> The City shall seek to minimize surface water quality and aquatic habitat degradation of creeks, streams, rivers, ponds, lakes and other water bodies; to preserve and enhance the suitability of such water bodies for contact recreation and fishing and to preserve and enhance the aesthetic quality of such waters by requiring the use of current Best Management Practices for control of stormwater and non-point runoff. (Policy EN-2, ACP)
>
> The City shall consider the impacts of new development on frequently flooded areas (Map 9.4) as part of its environmental review process and require any appropriate mitigating measures. As part of this review process, flood engineering and impact studies may be required. Within FEMA designated 100 year floodplains and other designated frequently flooded areas, such mitigation may include flood engineering studies, the provision of compensatory flood storage, floodproofing of structures, elevating of structures, and downstream or upstream improvements. (Policy EN-57, ACP)

> Storm drainage facilities shall incorporate high standards of design to enhance the appearance of a site, preclude the need for security fencing and serve as an amenity of the site. The design of above ground facilities storage and conveyance facilities should address or incorporate landscaping utilizing native vegetation, minimal side slopes, safety, maintenance needs, and function. The facilities should be located within rear or side yard areas and the design should preclude the need for security fencing whenever feasible. (Policy UD-6, ACP)

4. **Plants:** According to the wetland report: "Gates, Gates and Gates (Mohawk Plastics) Wetlands Study, Impact Assessment and Mitigation Plan," prepared July 5, 1994, by Wetland Ecology, the site consists of open grassland with the exception of some landscaping areas. The northeast corner of the site contains landscaping associated with the existing single family residence and two garage buildings. This portion of the site contains landscaping, mostly lawn areas and shrubs. The balance of Lot 1 consists of grassland with two primary vegetative communities; newly planted pasture mix within the western one-half and a reed canary grass-dominated meadow within the eastern one-half.

According to the report, the pasture area is dominated by planted species including timothy, common velvet grass, red clover, and American vetch. Reed canary grass, creeping buttercup and field horsetail have become reestablished in co-dominant percentages throughout this area. The eastern portion of the site, with the exception of the landscaping associated with the residence, appears to have been undisturbed for a longer period of time. This area is dominated by reed canary grass, timothy, quackgrass, common horse tail, common velvetgrass and redtop.

Under this proposal, the majority of the site vegetation would be eliminated by covering with fill in order to construct building, parking and landscape areas. The development of the site, while significantly changing the characteristics of the area, will provide some vegetated open space with planned landscape areas. Development of the site will require compliance with the landscaping requirements of the City of Auburn zoning ordinance.

Although equal area replacement of lost vegetation is not possible, mitigation for the loss of existing vegetation will be provided by plantings proposed as part of the mitigation for wetland impacts.

To ensure that wetland and other site landscaping meets both the intent of the landscaping chapter of the Zoning Code and recommendations of the wetland reports, final landscaping and wetland mitigation plans (including vegetative plan elements) shall be submitted for review and approval prior to the issuance of construction permits.

Applicable policies adopted and designated as a basis for the exercise of substantive authority under SEPA to approve, condition or deny proposed actions are noted as follows:

> The City shall consider the impacts of new development on the quality of land, known or suspected fish and wildlife habitats (Map 9.2) and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats and the use of native landscape vegetation. (Policy EN-22, ACP)
>
> The City shall encourage the use of native vegetation as an integral part of public and private development plans. (Policy EN-29, ACP)
>
> The City shall discourage the unnecessary disturbance of natural vegetation in new development. (Policy EN-30, ACP)

5. **Animals:** While the site contains wetland and upland components important to habitat, the use of the site by wildlife is limited by the disturbed nature of the site and proximity to industrial development. The site likely provides habitat for a variety of birds and small mammals. The site's value for habitat is limited by the absence of habitat structure and minimal vegetative diversity.

The proposed project would, for practical purposes, eliminate the habitat value of the site as it is slated for fairly intensive development. Proposed measures to enhance the site for wetland mitigation area will assist in mitigating impacts to existing habitat.

Applicable policies adopted and designated as a basis for the exercise of substantive authority under SEPA to approve, condition or deny proposed actions are noted as follows:

> The City shall consider the impacts of new development on the quality of land, known or suspected fish and wildlife habitats (Map 9.2) and vegetative resources as a part of its environmental review process and require any appropriate mitigating measures. Such mitigation may involve the retention of significant habitats and the use of native landscape vegetation. (Policy EN-22, ACP)
>
> The City shall seek to retain as open space those areas having a unique combination of open space values, including: separation or buffering between incompatible land uses; visual delineation of the City or a distinct area or neighborhood of the City; unusually productive wildlife habitat; floodwater or storm water storage; storm water purification; recreational value; historic or cultural value; aesthetic value; and educational value. (Policy PR-7, ACP)

6. Energy and Natural Resources: Concur with checklist.

7. Environmental Health: Concur with checklist.

8. Land and Shoreline Use: The site is designated for light industrial development by the Auburn Comprehensive Plan and is zoned M-1, Light Industrial. The existing land uses are as follows:

> On-site: Undeveloped
> West: Undeveloped lot with railroad and C street beyond
> East: Single family and multi-family residences and undeveloped land
> North: Undeveloped land and variety retail store
> South: The existing Mohawk Plastics manufacturing with undeveloped and multifamily residential uses beyond

The site is located south of and adjacent to the North Auburn Business Area Plan overlay zone. This overlay zoning establishes requirements in addition to those of the zoning district to promote pedestrian-oriented design and development.

The sit is identified as containing the following sensitive area designations: wetlands, frequently flooded, seismic and volcanic.

9. Housing: Concur with checklist.

10. Aesthetics: The proposed project will alter the character of the existing site through the introduction of urban development. Proposed measures to control impacts related to earth, water, plants, and animals will assist in maintaining adjacent areas in open space and thus, retain some aesthetic character. The building height will be 40 or less and will be constructed of painted tilt-up concrete. The project also includes construction of ten silos along the south side of the proposed building. The proposed silos are 14 feet in diameter and 55 feet in height. Similar silos currently exist on-site.

Applicable policies adopted and designated as a basis for the exercise of substantive authority under SEPA to approve, condition or deny proposed actions are noted as follows:

> The City shall encourage development which maintains and improves the existing aesthetic character of the community. (Policy UD-1, ACP)
>
> Suitable natural and cultural features should be utilized to buffer surrounding land uses from industrial and commercial uses. (Policy UD-3, ACP)

> The City shall seek to retain as open space those areas having a unique combination of open space values, including: separation or buffering between incompatible land uses; visual delineation of the City or a distinct area or neighborhood of the City; unusually productive wildlife habitat; floodwater or storm water storage; storm water purification; recreational value; historic or cultural value; aesthetic value; and educational value. (Policy PR-7, ACP)

11. Light and Glare: The proposed facility has the potential include exterior lighting of parking lots and the building perimeter. This exterior lighting, if not properly shielded and directed could adversely impact travelers on existing and future streets and adjacent natural areas. Appropriate mitigation measures should be employed to avoid adverse impacts resulting from light and glare.

Applicable policies adopted and designated as a basis for the exercise of substantive authority under SEPA to approve, condition or deny proposed actions are noted as follows:

> The City shall seek to minimize the exposure of area inhabitants to excessive levels of light and glare. Performance measures for light and glare exposure to surrounding development should be adopted and enforced. (Policy EN-39, ACP)

12. Recreation: Concur with checklist.

13. Historic and Cultural Preservation: Concur with checklist.

14. Transportation: A traffic study was prepared by Transportation Consulting Northwest in May 1995, to evaluate existing traffic conditions and the impacts of the proposed industrial manufacturing plant expansion. This report entitled, "Traffic Impact Analysis for Mohawk Plastics Plant Expansion, Auburn Washington," estimates background traffic volumes based on trip counts and forecasted growth in background traffic volumes at project completion in 1996. The traffic from other committed development projects which have been approved, but not completed has been added. This ensures that the impacts of these other development projects will be considered in the analysis. The analysis showed that the project would generate 12 trips during the PM peak hour. These trips were distributed and assigned to the street network and impacts identified. The traffic impact analysis considered two street network scenarios; the existing street configuration and the planned extension of 10th Street westerly to connect to the northerly extension of A Street NW through the project site. This alternate street configuration was included in the analysis since, the configuration is consistent with improvements identified in the City's Comprehensive Plan and was part of access requirements for previous development proposals of the site.

Previous approvals have sought to minimize the project's traffic impacts on the residential neighborhood located to the east. As a result, the current access to 7th Street is proposed to be abandoned upon the provision of access via the extension of A Street.

Under either street network scenario, the majority of the project traffic is expected to almost equaled divided between routes oriented north and east of the project site along D Street and Auburn Way North and routes south of the project site along Auburn Way North.

Peak hour levels of service (LOS) were determined for two unsignalized intersections and one signalized intersection which are impacted by ten or more project vehicle trips (the usual level at which the City requires analysis). The two unsignalized intersections are Auburn Way North & 7th Street NE and D Street NE & 9th/10th Street NE. The analysis showed that these two intersections will not experience a decrease level of service letter designation and will operate satisfactorily in the PM peak hour with the addition of project traffic. The signalized intersection of Auburn Way North & 8th/9th Street NE is expected to operate at LOS C in 1996 with and without the project and under either street network scenario.

While the addition of project traffic to these intersections does not result in a degradation of the LOS letter designation, the project will result in additional vehicle delay. The largest increase is experienced at D Street NE & 9th/10th Street NE. The City will consider requirements for the development's contribution to future roadway and intersection improvements at this location based on the project's share of 1996 PM peak hour traffic volumes.

The proposed facility will have approximately 123 parking spaces. Vehicle access to the site is proposed via two driveways to the future A Street NW which is adjacent to and between the two lots. However, since this A Street NW is not constructed off-site, access will be limited to a point near the southeast corner of the Lot 1 and an access easement across Lot 2 leading to 7th Street NE.

The project includes constructing a railroad line parallel to the existing rail spur on the adjacent lot. Rail access would be used to deliver raw materials used in the manufacturing process to the site.

Applicable policies adopted and designated as a basis for the exercise of substantive authority under SEPA to approve, condition or deny proposed actions are noted as follows:

> Public facilities shall be provided in accord with the guidance of the Capital Facilities Plan or, as may be appropriate a system plan for each type of facility designed to serve at an adequate level of service the locations and intensities of uses specified in this comprehensive plan. (Policy CF-11, ACP)
>
> The City shall continue to require developers of new developments to construct transportation systems that serve their developments. The City shall also explore ways for new developments to encourage vanpooling, carpooling, public transit use, and other alternatives to SOV travel. (Policy TR-21, ACP)
>
> Improvements that serve new developments will be constructed as a part of the development process. All costs will be borne by the development when the development is served by the proposed new streets. In some instances, the City may choose to participate in this construction where improvements serve more than adjacent developments. The City will encourage the use of LIDs, where appropriate and financially feasible, and to facilitate their development. The City will consider developing a traffic impact fee system. (Policy TR-23, ACP)
>
> Improvements that upgrade existing streets are considered to benefit the abutting property, and such improvements should be funded by the abutting property owners. Some City participation may be appropriate to encourage the formation of LIDs in particular problem areas. (Policy TR-24, ACP)
>
> The City shall explore opportunities to promote alternatives to single occupancy vehicle travel, including carpooling and vanpooling, walking, biking, and other non-motorized modes. (Policy TR-32, ACP)
>
> If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, developers must provide such facilities at their own expense in order to develop. (Policy CF-3, ACP)

15. **Public Services:** Concur with checklist.

16. **Utilities:** All proposed utilities are generally available in the vicinity.

Water - On-site extensions will be required to serve the development and a minimum of two fire hydrants and two wall hydrants will be required to be provided on-site.

Sanitary Sewer - The sanitary sewer lines in the vicinity are shallow and on-site extensions are required to serve the site.

Stormwater Drainage - Element 3 of this evaluation demonstrates the need for submittal and approval of detailed plans for the site's stormwater systems including water quality treatment and the need to ensure that these plans are compatible with the proposed wetland mitigation.

The southernmost of the two east-west trending wetland ditches is not adequate to convey flows anticipated by the City's comprehensive Drainage Plan, but according to the downstream storm drainage report are currently adequate to convey flows up to the 25 year storm event. At the time of future development approvals associated with Lot 4, conveyance must be provided in accordance with the City's Comprehensive Drainage Plan.

Applicable policies adopted and designated as a basis for the exercise of substantive authority under SEPA to approve, condition, or deny proposed actions are noted as follows:

> The City shall require developers to construction storm drainage improvements directly serving the development, including any necessary off-site improvements. (Policy CF-38, ACP).

C. Conclusion: Pursuant to growth and environmental policies of the City's Comprehensive Plan:

> The growth impacts of major private or public development which place significant service demands on community facilities, amenities and services, and impacts on the City's general quality of life shall be carefully studied under the provision of SEPA prior to development approval. Site any major development shall be carefully and thoroughly evaluated through provisions of SEPA prior to project approval, conditional approval, or denial. Appropriate mitigating measures to ensure conformance with this Plan shall be required (Policy GP-6, ACP)

Based on this analysis, the proposal can be found to not have a probable significant adverse impact on the environment if appropriate conditions are properly implemented pursuant to a Mitigated DNS. Conditions of the MDNS are based upon impacts clearly identified within the environmental checklist, attachments, and the above 'FINAL STAFF EVALUATION FOR ENVIRONMENTAL CHECKLIST', and supported by Plans and Regulations formally adopted for the exercise of substantive authority under SEPA.

The City reserves the right to review any future revisions or alterations to the site or to the proposal in order to determine the environmental significance or non-significance of the project at that point in time.

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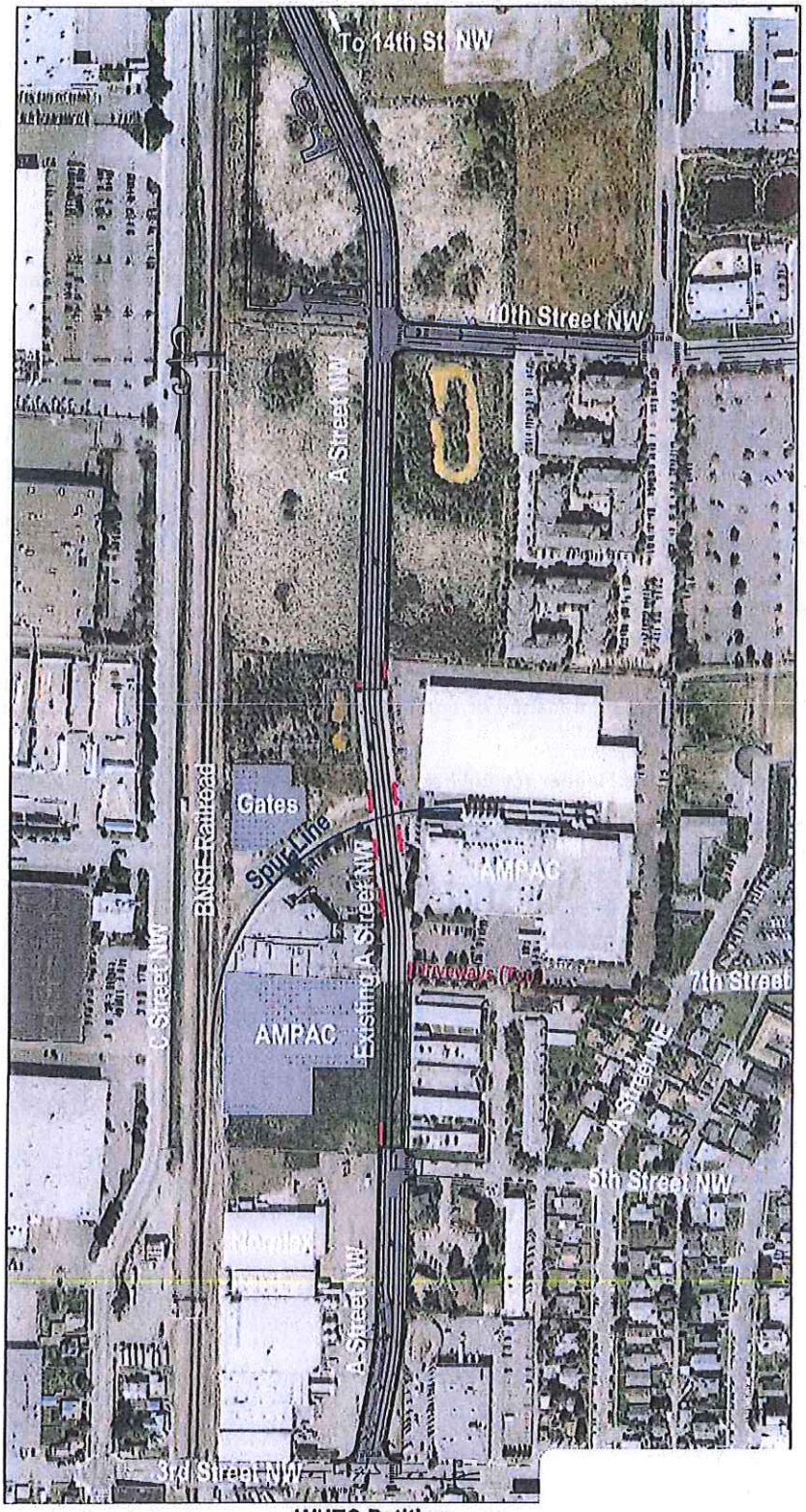
Dennis Dowdy, City Engineer
Wayne Senter, Fire Marshal



WUTC Petition
A Street NW Vicinty Map

EXHIBIT A

EXHIBIT B1.

EXHIBIT B-2

EXHIBIT B3

Spur Locations with Passive Protection in Auburn

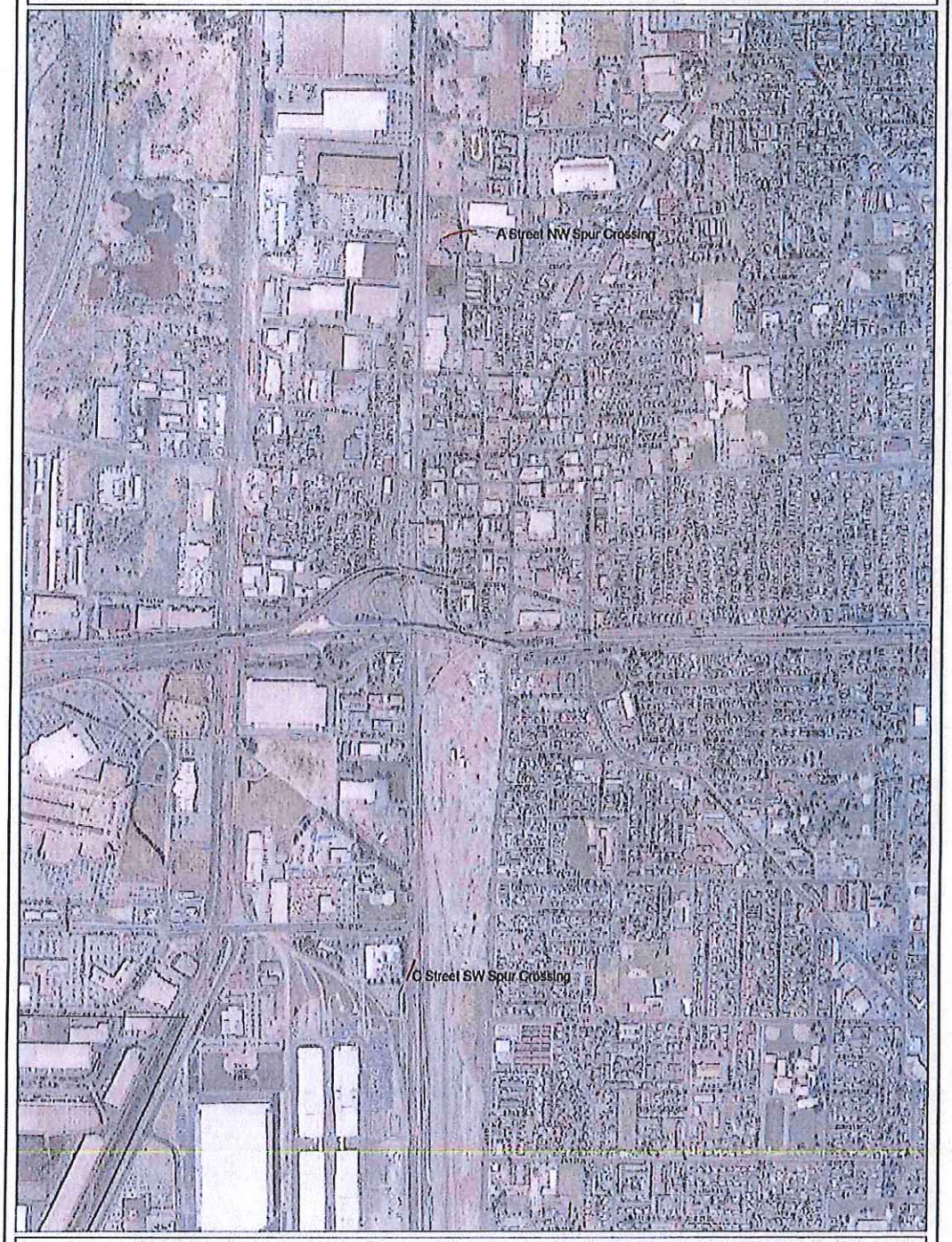


EXHIBIT C

Printed Date: 4/11/2012

Map Created by City of Auburn eGIS

Information shown is for general reference purposes only and does not necessarily represent exact geographic or cartographic data as mapped. The City of Auburn makes no warranty as to its accuracy.

N
W
E

04/24/2012
EXHIBIT D-1

R
R
04/24/2012
EXHIBIT D.2

EXHIBIT E-1

EXHIBIT E.2