



# King County

## Department of Local Services- Permitting Division

---

### State Environmental Policy Act (SEPA)

### Mitigated Determination Of Nonsignificance (MDNS)

### Lakeside SR-169 Asphalt Plant

**Date of Issuance:** April 14, 2022

**Project:** Construction of an asphalt plant and associated site improvements such as drainage/water quality facility, driveway, parking, a small office and other accessory structures. The proposal includes removal and remediation of contaminated soil, restoration of stream and wetland buffers and construction of an acceleration/deceleration lane within SR-169 Right of Way and relocation of the existing access driveway. Of the 25 acres, approximately 6.5 acres will occupy the asphalt facility. The remainder of the site will remain undeveloped.

A Shoreline Substantial Development Permit (SHOR18-0032) was required for the driveway and the proposed road improvements within the shoreline jurisdiction under the provision of a Transportation Facility.

Drainage runoff from all impervious areas will be collected and directed to the new drainage facility constructed per the King County Surface Water Design Manual standards for industrial sites. Runoff will be collected, treated and infiltrated in an enhanced stormwater system on the site before discharge to the soil.

The proposal includes restoration and enhancement of the onsite wetlands, streams and their associated buffers. Over 4 acres of degraded wetland and stream buffers is proposed to be restored with diverse and dense native plant community as part of this proposal.

The proposal includes sound attenuation walls along the site's frontage and outside the required setbacks. Additional sound blocking walls are proposed within the site where heavy equipment will be operating.

The Facility will operate from 7AM to 5:00PM Monday through Friday and intermittently between 9AM to 5:00PM on weekends. Night time work may occur periodically to meet demands. Night time work hours will be between 10PM and 7AM during weekdays and between 10 PM and 9AM on weekends.

**Location:** 18825 SE Renton-Maple Valley Road

**King County Permits:** Shoreline Substantial Development Permit- SHOR18-0032  
Commercial Building Permit- COMM18-0014

**SEPA Contact:** Fereshteh Dehkordi (206) 477-0375  
Ty Peterson (206) 477-0449 / [Ty.Peterson@kingcounty.gov](mailto:Ty.Peterson@kingcounty.gov)

**Applicant:** Lakeside Industries  
Attn: Karen Deal  
6505 226th Place SE, Ste. 200  
Issaquah, WA 98027

**Applicant Counsel:** Cairncross & Hempelmann Law Office  
John Hempelmann  
524 Second Ave., Ste. 500  
Seattle, WA 98104-2323

**Parcel:** 192306-9026

**Acreage:** 25.38 acres (1,105,988 sq.ft)

**Zoning:** Industrial (I)

**Section/Township/Range:** SW - 19 - 23 - 6

**Related Files (other):** GRDE17-0069 & VARD20-0011

**Notes:**

- A. This finding is based on review of the revised project site plan received 8-27-2020, revised engineering plan received 2-24-2021; Revised environmental checklist prepared July 31, 2020 and signed August 24, 2020 and extensive technical and environmental reports and documents in the file. For the list of reports and studies prepared for this permit, use the following link and search the permit number COMM18-0014/SHOR18-0032:  
<https://www.kingcounty.gov/depts/local-services/permits/public-notice/special-interest-projects.aspx>
- B. The proposed project is a permitted use in an Industrial (I) zone in accordance with the KCC21A.08.090- Asphalt/Concrete Mixtures and Block. This use is defined under the Standard Industrial Classification (SIC 2951). The proposed use is consistent with the historic industrial use of the site in the past as well as the current Industrial zoning designation of the site.
- C. In addition to streams, wetlands and wildlife corridor, portions of the site are encumbered by potential landslide, coal mine, erosion and steep slope hazards areas. All site improvements are located outside the designated landslide, steep slope and coal mine hazards areas and any associated required buffers. A mitigation plan for all previously disturbed wetland and aquatic areas has been prepared, providing protective buffers as part of this development project. All disturbed critical areas buffers will be restored with native plants.

- D. A small portion of the site is within Shoreline jurisdiction. Permitting has determined that this area meets the criteria for a High Intensity shoreline environment. Alterations within shoreline jurisdiction will add a deceleration and acceleration lane to the State Highway SR 169 and relocate the access to the site, along with minor improvements to ditches, landscaping, utilities and traffic safety measures. The project will not result in a loss of shoreline ecological functions due to the restoration of most of wetlands and streams buffers on the site.
- E. The site is within the designated Critical Aquifer Recharge and Wellhead Protection Areas. This designation refers to high susceptibility rating of groundwater contamination. Runoff from all paved surfaces will be collected and discharged into the new drainage and water quality treatment facility per the KCSWDM standards for industrial sites. All water quality treatments will be achieved prior to infiltration into underlying soil. Additionally, as required by the King County Critical Areas Code (KCC21A.24), the proposed above the ground storage tanks for hazardous substances will be located on a concrete slab with primary and secondary containment enclosures. A spill prevention and response plan for hazardous material is developed for emergencies.
- F. The proposed facility is required to comply with the Puget Sound Clean Air Agency (PSCAA) standards. An Order of Approval to construct, install and reestablish the facility was issued with conditions and restrictions in 2016. The facility operation is subject to regular emission testing, maintenance and record keeping in accordance with the PSCAA standards and the Order of Approval conditions. This permit issued by PSCAA will set standards for emission rate and air quality for the new facility.
- G. The proposed road improvement plans, for acceleration and deceleration lane within SR-169 Right-of-Way and the relocation of the driveway to and from the site have been approved by the Washington State Department of Transportation. No additional road or traffic improvements have been required by the state.
- H. Sound attenuation walls will be constructed on portions of the site's perimeters and near the equipment yard including a 39-foot tall retractable sound wall. These mitigation measures are incorporated as part of project's proposal.
- I. The previous Pacific Coast Coal Company (PCCC) Administration Building on the site was designated as a King County landmark by the King County Landmarks Commission in 1993. The building was approved for demolition by the Commission in 2016 due to its deteriorated condition. On October 2021, the applicant made a request to remove the landmark designation since the site was no longer qualified for such designation. The King County Landmarks Commission terminated the landmark designation of the site on December 20, 2021.
- J. The proposed asphalt facility has generated substantial interests in the community surrounding the proposed site and interested agencies. KCDLS-Permitting Division has

received a substantial number of comments regarding the potential impacts of the development to the nearby Cedar River and its environments as well as impacts to the air quality, noise, traffic, wildlife, surface and ground water in the vicinity of the site. All potential impacts from the development are discussed and addressed in various environmental and technical reports for the site and with the required design of the proposed facility.

### **Threshold Determination**

The responsible official finds that the above-described proposal does not pose a probable significant adverse impact to the environment provided the mitigation measures listed below are applied as conditions of permit issuance. This finding is made pursuant to RCW 43.21C, KCC 20.44 and WAC 197-11-600 after reviewing the environmental checklist and other information on file with the lead agency and considering mitigation measures which the agency or the applicant will implement as part of the proposal. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. Therefore, an environmental impact statement (EIS) is not required prior to proceeding with the permit review process.

### **Mitigation:**

The following mitigation measures shall be attached as conditions of permit issuance. These mitigation measures are consistent with policies, plans, rules, or regulations designated by KCC 20.44.080 as a basis for the exercise of substantial authority and in effect when this threshold determination is issued. Key sources of substantive authority for mitigation measures include: KCC Title 9 and KCC Title 21A. However, other sources of substantive authority may exist but are not expressly listed.

### **Cultural Resources**

- An archaeological survey of the property prior to construction of the asphalt plant shall be performed. This could be a standard 20m grid shovel probe survey or shall be done in conjunction with removal of contaminated soil on site. This survey shall be submitted to the King County Historic Preservation Program office for review.

### **Air Quality**

- Puget Sound Clean Air Agency shall be notified 30 days prior to the start of operation on the site.
- Install additional silo loadout fugitive emission collection and controls to mitigate odor concerns. The facility shall comply with all PSCAA requirements and keep an updated emission records on site.
- All trucks leaving the site with asphalt shall have covered loads.
- The asphalt plant yard shall be watered and swept regularly to control any fugitive dust emissions from aggregate material transfer.

### **Soil**

- All contaminated soils shall be removed from the site and the excavated site must be backfilled with clean soils.
- The applicant must identify the source(s) for all clean soil. All contaminated soil must be exported to a state approved site for deposit.

### **Noise**

- All sound attenuation walls shall be constructed as proposed. Operational mitigation measures referenced in Ramboll US Corporation Report dated June 4, 2020 including restricting use of RAP crushing during nighttime operation shall be followed.

### **Critical Areas and Buffers**

- All lights shall be shielded away from the onsite wetland, stream and their buffers forming the wildlife corridor.
- The Plant Manager shall be responsible for maintaining the critical areas and road frontage free and clear of any debris.
- The restoration of buffers for wetlands and streams proposed by the applicant is far beyond Code requirements. The proposed site development will occupy a smaller footprint than the prior use and associated clearing. Proposed buffer encroachment will be mitigated through buffer averaging and enhancement to restore previously cleared and degraded buffer areas. Other site improvements include decommissioning an existing stormwater outfall to Stream B and restoring that streambank, restoring the streambank of Stream A above the existing well house, and improvements in the SR 169 right-of-way. About 324 square feet of wetland will have temporary impacts from grading along the roadside. Nine square feet of Stream C will receive shading from the installation of a pre-cast 3-sided bridge. 6,362 square feet of wetland and stream buffer will have permanent impacts from highway expansion and the installation of an access drive to the existing well house. 6,128 square feet of wetland and stream buffer will have temporary impacts from grading along the highway and temporary access to the restoration area along Stream B. Previously placed fill along Stream B will be removed and the stream bank will be rebuilt using bioengineering methods. To offset proposed impacts, wetland impacts will be restored in place and wetland enhancement will occur at a greater than 1:1 ratio for a total of 660 square feet. The streambanks of Stream C will be enhanced through the removal of reed canary grass and planting native vegetation. 182,390 square feet (4.18 acres) of stream buffer and wetland buffer will be enhanced through removal of invasive vegetation and planting of native vegetation at a ratio of 14.6:1 mitigation to impact. Monitoring and maintenance of planted vegetation will be required for three years. Stream buffer and wetland buffer areas also encompass a wildlife habitat network area to be enhanced.

### **Ground and surface Water**

- Plant manager shall keep the Spill Prevention & Response Plan updated and on the site for use during emergency. Staff shall be trained for implementation of the plan for any future emergency.

### **Comments and Appeals**

This determination is issued pursuant to the optional DNS/MDNS process in WAC 197-11-355. No further comment period is provided. There is no administrative appeal of this decision. **Any appeals must be submitted to King County Superior Court.**

For information about the project contact the project manager listed above. The permit application, studies and environmental documents may be reviewed at the address listed below or via the following link: <https://www.kingcounty.gov/depts/local-services/permits/public-notice/special-interest-projects.aspx>

**Department of Local Services- Permitting  
35030 SE Douglas Street, Suite 210  
Snoqualmie, WA 98065-9266**

### **Responsible Official:**

\_\_\_\_\_  
Ty Peterson, Product Line Manager – Commercial  
SEPA Responsible Official

April 14, 2022  
Date