



Peter J. Eglick
eglick@ewlaw.net

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By Fax ((253) 798-7425) and Email
(mlucero@co.pierce.wa.us) and U.S. Mail

Pierce County Planning & Land Services
Current Planning, Suite #175
Attention: Marcia Lucero, Project Manager
2401 S. 35th Street
Tacoma, WA 98409

Re: June 21, 2016 Revised Notice of Application for Knutson Farms Short Plat,
Administrative Design Review/Environmental Review /Administrative Use Permit
/Shoreline Substantial Development: ADR63-14 / SD36-14; Application Numbers:
792206, 792210, 792211, 792212, 792213, 840137

Dear Ms. Lucero:

This office represents the City of Puyallup concerning the Knutson Farms proposal noted above. The City has submitted preliminary comments concerning this proposal including most recently in a June 22, 2016 letter to Director Hanberg. This comment letter is to supplement those preliminary comments. The City does so in keeping with the July 18, 2016 written comment deadline announced by the County's June 21, 2016 "Revised Notice of Application."

Introduction:

The proposed Knutson Farms project is massive in scope and impacts, especially in light of its sensitive location immediately by the Puyallup River. It encompasses a 187 acre site with 135.6 acres of total site coverage (63.4 acres of impervious surface coverage and 72.2 acres of structure site coverage), and proposes development of 3,012,000 square feet of warehouse buildings served by over 3,000 parking spaces as required under current County Code. The facility will operate day and night and by its nature will impose on the community, including in particular the City of Puyallup, the noise, traffic, and pollution impacts associated with heavy truck traffic. Per the SEPA Checklist, approximately 540,000 cubic yards of on-site material will be excavated and filled to prepare the building pads, paved areas and open space areas for development and approximately 160,000 cubic yards of import fill will be used and approximately 120,000 cubic yards of stripping will be exported from the site.

In light of its deficiencies, the latest "revised" Knutson Farms proposal is yet another trial balloon by this applicant, not a bona fide application. It lacks the substance necessary for

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review. What information is provided suggests inconsistencies with a broad range of regulatory requirements, plans, and policies. As a result, the applicant has placed the County in an untenable position. The application does not even provide a colorable basis for the County to make the findings required for short subdivision approval. See PCC 18.50.040 D, E. The questions and comments below are therefore submitted to assist the County in its review and in identifying the application's substantial gaps and fundamental flaws.

Scope of Comments:

This letter collects and presents critical questions and comments provided to the City by consultants and staff experts concerning the proposal's significant adverse impacts with regard to a broad range of issues: including: endangered and threatened species; shoreline, floodway, floodplain; sensitive area/habitat; public access/trail development.. This letter also adopts by reference¹ and should be read in concert with the Muckleshoot Indian Tribe May 26, 2016 comments. In addition, the City submits the attached July 15, 2016 preliminary comment letter prepared by David Markley, senior principal of Transportation Solutions Inc. ("TSI"). It focuses on key traffic and transportation issues and identifies critical unaddressed aspects and significant adverse impacts raised by the Knutson Farms proposal.

Comments:

1. The SEPA Environmental Checklist (prepared by the project engineer) incorrectly states "No threatened or endangered animal species are known to be on or near the proposed site to our knowledge." Is this consistent with WDFW maps with regard to salmonid and avian species?
2. In the context of the Puyallup River, a severely constrained river system with pre-existing limitations on channel migration and habitat enhancement projects, will the proposed buildings in the floodplain have potential for adverse impacts on off-channel fisheries habitat? Is the proposed floodplain development consistent with Puyallup Basin management plans and goals for flood control as well as fisheries habitat development and protection?
3. How far from the River's Ordinary High Water Mark (OHWM) does the area designated Conservancy under the SMA extend? Does it include shorelands extending 200 feet landward of the OHWM, and all floodways and their associated floodplains 200 feet landward of the floodways, and all wetlands associated with the River? Do the materials submitted in support of the proposal address the full SMA regulatory scope applicable to the proposal?
4. What is the proposal's impact on the site's natural physical resource base?

¹ See *Buck v. City of Shoreline*, No. 66423-9-I, 2012 Wash. App. LEXIS 789 (Ct. App. Apr. 2, 2012)

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5. Will the development lead to significant alterations of the area's existing natural character?
6. Is the proposal consistent with preferred shoreline/shoreland Conservancy uses?
7. Does the project include pre-emptive development on the only significant, relatively natural area near the City of Puyallup suitable for levee setback and floodplain connections?
8. Is the planned development and the configuration of the planned construction consistent with prioritizing avoidance of impacts to shoreline/shorelands?
9. Does the proposed development plan, including the size, location, and configuration of buildings avoid or minimize impacts to shoreline/shorelands and critical areas?
10. Are the proposed uses water dependent? Are they in the floodway? If the uses are not water dependent and are in the floodway, is the proposal consistent with shoreline protection regulations?
11. Is the River shoreline a Shoreline of "statewide significance?" Is the application consistent with the criteria, plans, and policies that apply to such shorelines?
12. What provisions does the proposal make for shoreline public access and amenities not only along but across the project site to the River and shoreline?
13. What provision does the proposal make for completion of the Riverwalk-to-Foothills trail connection?
14. Is the proposal's provision for public access consistent with Pierce County SMP requirements and appropriately proportional to the scale and cost of the development near such an important water body?
15. What additional public access mitigation, including public access amenities, does the proposal offer other than the mandated Riverwalk-to-Foothills trail connection?
16. What are the required Critical Area Buffers for wetlands identified and categorized in the application materials as adjacent to the proposed high intensity development??
17. Does the proposed development impact or infringe on a Channel Migration Zone ("CMZ")? If so, is it consistent with applicable regulations?

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18. Does the proposed development impact or infringe on any buffers established by FEMA? If so, is it consistent with applicable regulations?
19. When will the applicant submit clear documentation supporting its general assertions concerning floodplain mitigation including hydraulic/hydrology discussion and drawings demonstrating, e.g., total depth of excavation, target flooding depth, how the perimeter of the new floodplain area will be managed to minimize impacts to the directly adjacent railroad, and similar fundamental matters?
20. Without such information, including a scaled map with two foot contours showing ground elevation and dimensions of existing structures, fill and compensatory storage areas as well as scaled cross sections and the like, how can the County -- or the City or the public -- evaluate on an informed basis the floodplain mitigation proposal and determine whether storage has been adequately replaced?
21. Is there a discrepancy between the total measurement of the floodplain area displayed on maps included in reports submitted with the application, and the total stated in the reports themselves?
22. What data and assumptions were used to calculate that the proposed floodplain expansion area would replace on a 1:1 ratio the filled floodplain area? Did the calculation assume that even graded surface below the background elevation of the river could be counted as additional storage? What engineering proof has been provided for such an assumption?
23. Were actual estimates and studies, specific to the proposed project and reviewable by the County, the City, and the public, provided in support of the application for modification of the Code's parking requirement for the project? If only the Institute of Transportation Engineers Parking Generation Manual was relied upon, what analysis was performed and provided for review and comment by the County, the City and the public addressing specifically whether ITE data can validly be applied to the extraordinarily sweeping and intense characteristics of the proposed Knutson Farms uses?

Conclusion:

It is apparent that a project of this scope, at the proposed location, and with the range of obvious significant impacts it imposes, will ultimately require issuance of a SEPA Determination of Significance.² However, the time for even that step is not yet here given the applicant's failure to submit an accurate SEPA Checklist and to provide basic materials and

² The City reserves the right to assume SEPA lead agency status and require the applicant to underwrite preparation of an Environmental Impact Statement. See, e.g., WAC 197-11-948.

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documentation. The Knutson Farms proposal will require yet another revised notice and fresh comment period -- when and if the applicant decides to submit a proposal that is actually ready for public comment and County review. The County should therefore, as a next step, notify the applicant that it must submit a revised SEPA Checklist and application within thirty days or see its application cancelled.

Sincerely,

EGLICK & WHITED PLLC



Peter J. Eglick

Attachment: TSI July 15, 2016 Comment Letter

cc: Client

Martin J. Fox
Muckleshoot Indian Tribe Fisheries Division
martin.fox@muckleshoot.nsn.us

Russ Ladley
Puyallup Tribe Resource Protection Manager
russ.ladley@puyalluptribe.com

Brent Vinson
Sumner City Attorney
brettv@ci.sumner.wa.us