King County
Department of Permitting
and Environmental Review
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March 5, 2018

Race Track LLC
ATTN: Jason Fiorito
31001 144th AVE SE
Kent, WA 98042

RE: LUT4-0003 Review Comments

Mr. Fiorito,

The review staff has completed initial screening and review of your application for an Interim Use Permit. Please address and provide a response to the below comments within 60-days.

General

1. DPER is processing the IUP similar to a land use permit or entitlement and the IUP will not authorize actual construction or building. It is anticipated that grading and excavation and utility work will require a Grading Permit that addresses construction specific requirements and more detailed mitigation and conditions. A Commercial Building Permit would be utilized for finish grading, paving, utilities, and buildings. It's also possible that interim building permits or ancillary permits be obtained for tanks, vaults, retaining or sound walls mechanical and fire systems, etc. that necessitate permits.

2. Timing: KCC requires that "all grading and construction activities be completed within sixty months of February 27, 2016, except as allowed to be extended in accordance K.C.C. 20.20.105. This establishes a deadline of February 27, 2021 with possible 1-year extension to February 27, 2022 if certain criteria are met. Please update time estimates in the project narrative, SEPA, Traffic TIA and anywhere necessary to reflect this time period and provide an estimated project schedule for when the various phases are expected. Include estimated timing of permit submittals, approvals and construction sequencing.

3. DPER has previously provided you copies of public and agency comments received during the comment period. Please provide a summary of your responses to those comments.

Surface Water / Drainage / Preliminary TIR

1. Recognizing that this is a preliminary TIR and plan at this stage, approved detailed TIR's and temporary drainage ESC plans will be required for the interim grading and excavation permits. Final TIR's and Engineering plans will be necessary prior to building permits or creation of permanent impervious areas.

2. Boring Log B-8 was not included in the documents. Please provide information.

3. There is no infiltration testing in the area of the planned infiltration system. Please acknowledge that you intend to do confirmatory testing once they are at the proposed grade and part of a future submittal.

4. Multiple infiltration trenches are designed adjacent to each other. There are concerns about whether or not they may pose in impact to one another. Please provide acknowledgement that you intend to address this as part of the future submittals.

5. Sheet GR-02, section C-C shows the access road and grading beyond the property line. We assume this is still the same property owner and acceptable, but may require an easement or other formal recorded document.

6. Many details/information missing from surface water design on CE-01. This should be added as the next stage design is developed and submitted.

7. No TESC measures within the current plans. Please submit a preliminary TESC Plan to demonstrate feasibility of IUP at this time.

Transportation Impact Analysis (TIA) / Traffic study

1. The traffic study provided does cover a weekday PM peak hour operation, however we requested an overview of the existing site traffic (combined site for the Pacific Raceways, not just the parcel) for both weekdays and weekends plus events. The project traffic analysis needs to reflect the current uses of the combined Pacific Raceways site and traffic for weekday, weekend and event traffic - to fully understand the planned expansion of the site to the proposed excavation and industrial land uses.
2. Weekend and event traffic has not been addressed for the project. Nor has the current Park-and-Ride function of the lot, in current use of lease with the nearby college (Green River Community College).
3. Safety for the site and vicinity has not been addressed or analyzed.

Assessment of Habitat for Species of Concern

1. DPER's overall findings are that the project would not affect any threatened, endangered or sensitive species, or sensitive or critical habitats, if the stormwater and septic systems are installed and maintained as described. However, there are a few items that should be added to the memo:

2. The USFWS IPaC database identifies several threatened or endangered species that could occur in the project area, but are not specifically listed or addressed in either the text or in the species list tables. These additional species consist of marbled murrelet, yellow-billed cuckoo, wolverine, and bull trout. While there does not appear to be any suitable habitat for these species within or nearby the project site, and are therefore very unlikely to occur the area, they should be identified and conclusions drawn concerning lack of potential project effects.

4. The WDFW SalmonScape database lists steelhead as occurring in Big Soos and Soosette Creeks and should be identified and conclusions drawn. This database also identifies bull trout occurring downstream in the Green River, and therefore could incidentally occur in either of these streams. In addition, the WRIA 9 Habitat-limiting Factors and Reconnaissance Report (King County and Washington State Conservation Commission, 2001) reports that a bull trout was captured at the Soos Creek Hatchery in the late 50's. As indicated above in item 1, there does not appear to be any suitable habitat for bull trout, but should be mentioned.
5. Soosette Creek is listed on Ecology's 303(d) list of impaired waters for temperature and bacteria. Given that the proposed project includes on-site septic and stormwater detention and treatment facilities, this listing should be identified in the memo.
6. The project area appears to be located within a Category II Critical Aquifer Recharge Area. This should be mentioned when discussing the adequacy of the on-site septic system and stormwater treatment and infiltration systems. Please note that excavation is not permitted below the water table. Certain uses and facilities may require additional protective measures in design.

Environmental Noise, Air Quality, GHG, and Light & Glare Report

1. DPER agrees with Ramboll's findings that there is a potential for a moderate adverse impact from construction related activities and that mitigation measures are warranted. However, there is no demonstration that the identified measures would reduce the impact to a minor or less than significant level. Monitoring of construction noise in and of itself will not reduce noise levels. Recommend adding a mitigation measure for providing additional temporary noise barriers for noise activity (gravel screening and loading) if warranted by monitoring.
2. There is no analysis of the potential noise impacts of truck loading/queuing and addition of truck trips to the local roadway network. The report states that there would be a total of 40 truckloads (80 truck trips) per day over a period of 3 to 5 years. This duration seems correct given that there is 1,000,000 cubic yards of material to be removed and assuming 16 cubic yards per truck, but please update in accordance with the comment #2, page 1 under "General" above.
3. The operational noise impact analysis sets no quantitative criteria (nor are quantitative criteria set for air quality or GHG analysis). However, the operational noise analysis does predict an increase of 5 dBA which it characterizes as readily perceptible. The analysis then

makes the argument that its analysis is overly conservative and therefore the impact is actually not significant. In a perfect world it would be best to set impact criteria and then make a finding, but DPER understands this is not always possible in areas where definitive criteria have not been established. That said, it would probably be better to prepare an analysis that is less based on overly conservative assumptions so that the finding is not made through backtracking.

4. It is the operational noise, after occupancy of the proposed buildings, which is to be mitigated by a noise wall and the proposed lowering of the site. The conclusions of the Noise/AQ/Glare Report (p.22) state that the lowered, expected depth of the site and the proposed noise barrier will mitigate noise impacts, thus "noise impacts are not anticipated". Noise modeling should confirm this. Please provide noise modeling that compares a lowered site to that of a non-lowered site.

   Similarly, the justification for the earth wall greatly enhancing the noise mitigating effects of the proposed noise wall, should also be supported by the noise modeling analysis and a technical explanation of how this conclusion is reached.

5. It is not clear in the Noise/AQ/ Glare Report whether the photometric analysis was done with a lowered or non-lowered site, or if topography was a variable included in the model. The models should include both, to lend understanding and justification to confirm the conclusion that "should excavation not occur, a much taller noise wall would be required to achieve similar light and glare mitigation".

6. The Traffic Impact Analysis estimates that the proposed project would generate 1,366 operational trips per day. The report concludes that this would likely not result in a noticeable increase in roadside noise levels, this should be demonstrated through modeling or acoustical principals.

7. The air quality analysis cites required mitigation measures as adequate for reducing impacts from construction dust generated during the excavation screening and loading of 1,000,000 cubic yards of material. However, it is never stated what these required measures are in either the regulatory setting or in the impact analysis. Recommend adding specific dust control measures as a part of the project or as mitigation.

8. The analysis assumes that because the region is classified as an attainment area for all criteria air pollutants that there is no potential for localized particulate matter standards to be exceeded and quantification is not necessary. However, given the substantial excavation and gravel processing proposed, the annual particulate emissions from construction should be estimated and compared to a quantitative standard to demonstrate that this is a reasonable determination. Such standards that may be used are the PSCAA's new source review standards or the *de minimis* thresholds of the federal general conformity act for the least (marginal) non-attainment areas, while acknowledging that such a standard does not legally apply to the project in this area through PSCAA.

9. It is unclear if truck trips to remove excavated material were included in the GHG emissions analysis which relied on the King County GHG Worksheet.

10. GHG emissions are compared to statewide emissions in an effort to demonstrate that these emissions would be less than significant. ESA recommends that amortized annual emissions be compared to the State of Washington GHG reporting threshold to further substantiate the less than significant impact.

This concludes staff comments at this time. Additional comments or revisions may be necessary once DPER reviews a response to these comments. Let me know if you have any questions or would like a meeting to discuss these comments. If DPER does not receive a response, or a request for extension, within 60-days, your application will be cancelled.

Sincerely,

Ty Peterson, Product Line Manager - Commercial
Interim Product Line Manager - Resource

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