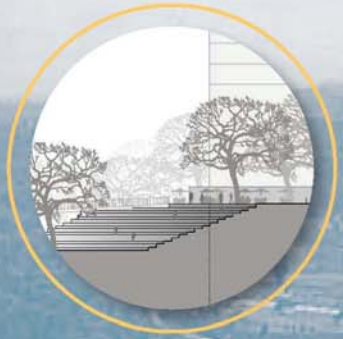
SEPA CHECKLIST

Point Wells Development Urban Center

Snohomish County, Washington



BSRE Point Wells, LP
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FEBRUARY 2011

DAVID EVANS AND ASSOCIATES INC.

ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

***Use of checklist for nonproject proposals**:*

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." In additional, **complete the Supplemental Sheet for Nonproject actions (part D)**.

For nonproject actions, the references in the checklist to the words "project", "applicant", and "property or site" should be read as "**proposal**", "**proposal**", and "**affected geographic area**", respectively.

You may be asked to provide more information where answers appear incomplete.

A. BACKGROUND

1. Name of proposed project, if applicable:

Point Wells Urban Center Project

2. Name of applicant: Please also provide property owner name if applicable.

Applicant and Property Owner:

BSRE Point Wells, LP

3. Address and phone number of applicant / property owner and contact person:

Applicant Contact Person

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4. Date checklist prepared:

February 14, 2011

5. Agency requesting checklist: **SNOHOMISH COUNTY**

6. Proposed timing or schedule (including phasing, if applicable)

The proposal will be constructed in four major phases over the course of approximately fifteen (15) to twenty (20) years. The environmental clean up action plan (CAP) and development marketing strategy will each have a strong ongoing influence on the phasing timetable. Decommissioning and cleanup of the site will be conducted for each project phase during the design and permitting of the site improvements of that corresponding phase.

Building construction and site development will follow cleanup, starting with the primary site infrastructure and public amenities. These improvements will make the development attractive to both potential residents and the community at large. The infrastructure needed to support the proposed site development will be extensive. Private roads open to public use are proposed for the entire development, including a new replacement bridge over and across the BNSF Railroad. A private pedestrian

bridge, also open to public use is proposed to span the BNSF Railroad. The development design and construction will be phased in a manner that most efficiently expands the infrastructure, necessary to support the needs of the corresponding project phase. Please also refer to the Phasing Plan Narrative, contained in the Point Wells Urban Center Development Plan project application, and the proposal's site development plan (Figure 1).

The first phase of the project will begin after project design approval, and will include the initial portion of the site Cleanup Action Plan, and related demolition of existing structures. Final project design approval is anticipated to occur in 2012/2013.

PHASE 1 – <u>South Village and Initial Urban Plaza Improvements</u>: This phase of the project will include public amenities (first phase of a shoreline public boardwalk), retail uses, a mix of residential unit types, understructure parking, utilities, a police/fire station, interim on-site transit center, stream and shoreline restoration work, and off-site transportation and utility improvements. The South Village area is located at the south end of the site adjacent to Puget Sound. The Urban Plaza is located immediately east of the Burlington Northern Santa Fe (BNSF) Seattle to Everett main rail line.

PHASE 2 – <u>Urban Plaza Completion</u>: This phase of the project includes the Urban Plaza retail and commercial uses, a mix of residential unit types including senior housing, understructure parking, public amenities, stream restoration, utilities, and a permanent transit hub.

PHASE 3 – <u>Central Village:</u> This is the largest phase of the project and will include more than 1,000 residential units of various types. It will also include retail uses, restaurants, understructure parking, utilities, public amenities including a public amphitheater, community building site, clean energy production and waste treatment center, shoreline public boardwalk extension, stream and shoreline restoration, and renovation of the existing deepwater pier.

PHASE 4 – <u>North Village:</u> This final project phase will include residential units of various types, understructure parking, public amenities including a final shoreline public boardwalk extension and large forested open space, stream and shoreline restoration, and utilities.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

   No.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

   Docket comprehensive plan amendment application SEPA Environmental Checklist Docket comprehensive plan amendment Final Supplemental Environmental Impact Statement Project level Biological Evaluation for Federal Endangered Species Act compliance Environmental:
   - **Level I and II Environmental Assessments**
   - **Remedial Investigation/Feasibility Study**

- **Cleanup Action Plan**
- **Remedial Design**
- **Remedial Construction Documentation**
- **Post Remediation Monitoring Reports**
- **No Further Action Letters**

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

A short subdivision application was filed with Snohomish County on February 14, 2011. The application is to allow for the subdivision of the property into nine lots conforming to the various design elements of the project.

10. List any government approvals or permits that will be needed for your proposal, if known.

See the attached list of government approvals or permits that will potentially be required for the project level redevelopment improvements (Attachment A).

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

The proposal is to redevelop the site as a mixed use urban center with private roads and bridges open to public use that is fully consistent with Snohomish County's urban center ordinance. This redevelopment will be implemented in a manner that successfully facilitates the transformation of this existing industrial area to create a new sustainable, destination mixed use residential community. The proposal will include supporting pedestrian oriented commercial and recreational elements, and has been designed to take full advantage of the site's unique waterfront setting. The project aspires to be a visionary development that exemplifies *new urbanism*. Its mix of uses and innovative design will be pedestrian focused, with a walkable public realm minimizing the need for and presence of private vehicles. This new community will be a well connected, transit oriented community, linked by passenger rail, roads, van pools, and bus public transit to the greater Seattle-Tacoma-Everett metropolitan area. At the same time, it will also become a fully accessible and important extension of the surrounding communities of Richmond Beach, Shoreline, and Woodway.

The site includes approximately 45.7 acres of uplands that will be used for mixed-use redevelopment. It also includes approximately 16 acres of adjoining tidelands, that would remain undeveloped except for the site's existing deepwater pier, which will be renovated. The tidelands will retain their current Shoreline Master Program Conservancy Environment designation. The site also includes 3,402 feet of beach frontage on Puget Sound.

The project will seek a balanced integration between landscape and built environments, emphasizing the quality and character of the project through the prominence of the landscape design. The heavily forested hillside on the site's eastern

edge will be extended to the main portion of site by creation of a new woodland amenity west of the BNSF rail line.

The Point Wells urban center redevelopment project is a multi-phased, master planned effort, to create a totally new mixed-use development on the upland portion of the site. Redevelopment will include a mix of residential, commercial, and public recreational uses, located in four distinct phases. (See Figure 1 - Point Wells Site Development Plan for additional details). Included are three urban villages and an Urban Plaza. The Urban Plaza will serve as place of arrival, and as a connection to the surrounding communities.

The proposal will include a total of 3,081 residential units. A variety of multi-family, townhouse, and senior housing unit types and sizes will be included. The average residential unit size will be approximately 850 square feet. The proposal will also include 32,262 square feet of commercial space for various office, business, and civic uses. It will also include 94,300 square feet of retail, entertainment, and eating establishment uses.

The Urban Plaza will include 254 residential units and all of the proposal's commercial floor space. It will include three low-rise buildings (2 to 4 stories), one mid-rise building (10 stories), and four tower buildings (12 to 18 stories).

The South Village will include 24,000 square feet of retail space and 653 residential units. It will include eight low-rise buildings (1 to 4 stories), six mid-rise buildings (8 to 10 stories), and three residential towers (12 to 16 stories).

The Central Village will include 44,000 square feet of retail space and 1,271 residential units. It will include eleven low-rise buildings (1 to 4 stories), five mid-rise buildings (6 to 10 stories), and five residential towers (12 to 16 stories).

The North Village will include 903 residential units. It will include three low rise buildings (2 to 4 stories), one mid-rise building (10 stories), and four residential towers (12 to 17 stories). Please refer to the Project Development Calculation tables contained in the proposal's Urban Center Development Application, for more details.

Urban Plaza - The urban plaza will also serve as the project's commercial center and public transit hub, connecting pedestrians with its commuter rail and bus transit station, via a new pedestrian bridge to the main portion of the site. It will have a village square character and scale, accommodating a mix of uses serving the project's residents, employees, visitors, and surrounding communities with boutique retail, grocery shopping, restaurants, entertainment, and other services. The urban plaza will also include a mix of offices and senior housing, as well as a police and fire station. As a place of arrival it will include landscaped and art filled public gathering spaces.

Urban Villages - As previously described in subsection A.5 of this checklist, each village will contain a mix of residential unit types, understructure parking, utilities, public amenities, shoreline public access, and site natural feature restoration elements. The South and Central Villages will also include retail and restaurant uses. The Central Village will also create the opportunity to provide a multi-purpose community center facility to serve project residents and surrounding communities, which could include public meeting and exhibition spaces, library, and orientation

center for the development. The community center site's central location within the development will make it directly accessible from the project's main boulevard and pedestrian bridge, which is linked to the site's transit hub. The Central Village will also be the location for a clean energy and waste treatment center that will enable a significant amount of the project's energy to be produced on site.

The project's three urban villages will each be defined by an iconic urban form in a crescent configuration, creating a sweeping edge of tower structures that capture the panoramic views of Puget Sound and the Olympic Mountains. The North Village will have a distinct character and separate access road off the main boulevard, which meanders through a newly created wooded landscape arriving at the beachfront entrances to the residential buildings.

In all the urban villages, the ground plane steps fourteen feet in height from current ground level at the crescent edge, and defines a sweeping pedestrian street that intermingles with shop fronts and residential building entrances. The larger scale of the crescent urban form contains and creates a unique place and character of smaller scaled village buildings. This in turn will generate a neighborhood of streets and lanes, that offer intimate scaled spaces, views, and pathways connecting to the beachfront and shoreline. All parking for residents is understructure, allowing unrestricted pedestrian movement at ground level.

<u>Repurposed Main Pier</u> – The site's existing 1,050 foot-long by 60-foot wide main pier will be renovated to become the destination amenity for the development and the surrounding communities. It will be made accessible to the public via a new bridge structure extending from the pier to the beachfront plaza in the South Village. The pier will be functionally and visually upgraded, while retaining some of its key marine features and character. Uses such as public viewing and fishing platforms, café, public art, kayak/small sailboat storage, along with a boat launch, small seasonal boat moorage, and future passenger ferry terminus will potentially be incorporated.

<u>Public Amenities</u> – The proposal will include a wide range of amenities for public benefit throughout the site. Most of these amenities can be conveniently accessed by the public via the project's main boulevard, beginning at the project entrance, passing through the Urban Plaza with its transit hub and various retail outlets, crossing over the BNSF rail line on a new bridge, and descending to a large beachfront plaza between the South and Central Villages. This centrally located public space focal point, will include a concentration of amenities, including an outdoor amphitheater, shops and restaurant spaces with generous outdoor terraces oriented southwest to capture sun and views of the waterfront environment. A beachfront pedestrian promenade extending the full length of the site will also be conveniently accessible from this location. It will provide good access to a new nature walk amenity, which will be provided by a new open water feature, created by daylighting of an existing piped stream between the North and Central Villages. The beachfront promenade will also connect to a new pedestrian bridge providing access to the previously described repurposed main pier with its major public amenities.

The proposal has been designed to fully comply with all applicable provisions of Snohomish County's unified development code (UDC), including its recently updated urban center development regulations.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The Point Wells project area consists of two sections, comprising a total of 45.7 acres of uplands and 16 acres of tidelands. The larger of the two sections consists of approximately 40.6 acres of uplands, located primarily between Puget Sound and the BNSF Everett to Seattle main rail line, just north of the King County – Snohomish County boundary. The second section of the project area encompasses approximately 5.1 acres and includes the site's vehicle access point from Richmond Beach Drive. This section is located on the eastern side of the main BNSF Everett to Seattle rail line, and is connected to the larger section by a private bridge that spans the BNSF rail line. A second private bridge also formerly connected the two sections of the site, but the central span has been removed. A deepwater pier, 1,050 feet in length, is also located on the site, along with a smaller dock facility, in poor condition, located north of the larger pier. The outfall component of the new Brightwater regional wastewater treatment system is located on the property adjacent to the southeast corner of the site. King County owns approximately one acre of uplands and some adjoining tidelands at this location, for construction of the outfall component, and has temporary easement rights to several acres of the Point Wells site during construction. In addition, King County has been granted a permanent maintenance access easement through the site to its outfall property.

The project area is located in the southwest and northwest quarter sections of Section 35, Township 27 North, Range 3 East. Please also refer to the attached Vicinity Map (Figure 2), and Project Area Aerial Photo Map (Figure 3). A legal description of the site is also included with the project application.

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (circle one): **Flat**, rolling, hilly, steep slopes, mountainous, other _____.

b. What is the steepest slope on the site (approximate percent slope)?

Most of the site is generally level with average slopes no greater than 1 to 3 percent (except for a small approximately 2-acre area of 30 to 100 percent slopes, located along the eastern edge of the portion of the site located east of the BNSF rail line).

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The Soil Conservation Service Soil Survey of Snohomish County Area, Washington, classifies all of the site's soils located west of the BNSF main line (lower bench) as Urban Land. According to the Survey, this map unit consists of nearly level to gently sloping areas covered by streets, buildings, parking lots, and other structures that obscure or alter the soils so that identification is not feasible. This map unit is not assigned a capability classification. Borings conducted for the Brightwater Regional Wastewater Treatment System's proposed outfall portal at the southern end of Point Wells, indicate that medium to dense sand and gravel extends to a depth of 58 feet at this location. These borings also indicate hard silt exists from a depth of 58 to 78 feet, and that dense to very dense sand and gravel exists from a depth of 78 feet to 140 feet. In the early 20th century a significant amount of fill materials were placed on this portion of the site.

The Survey classifies all of the site's soils located east of the BNSF main line (upper bench) as Alderwood-Urban land complex, 8 to 15 percent slopes. This map unit consists of irregular areas on till plains. It is about 60 percent Alderwood gravelly sandy loam and about 25 percent Urban Land. A weakly cemented hardpan is at a depth of 35 inches. It is moderately deep and well drained. Runoff is slow and the hazard of water erosion is slight.

A geotechnical engineering study has also been completed for this proposal and has been included with the project application. It includes the specific information relevant to geologic hazards required by Snohomish County Code Section 30.62.B. The study provides a detailed description of soil, site geology, and groundwater conditions for the entire site. It also provides a detailed description of erosion, landslide, and seismic hazard areas on and near the site.

Figure 4 in the geotechnical engineering study depicts the surficial geology of the site and surrounding area. This study describes the

surficial geology of the lower and upper benches of the site as consisting of artificial fill (af) and pre-Fraser deposits (Qpf) respectively. The original ground level of the lower bench was modified and fill was placed to raise grade for the construction of the existing facility. The artificial fill consists of loose to dense, trace to silty, gravelly sand. The pre-Fraser deposits are sedimentary deposits typically consisting of poorly to well-sorted gravel, sand, silt, and clay.

The surficial geologic units decrease in age to the east of the site. The pre-Fraser deposits are overlain by Lawton Clay, Advance Outwash, Vashon Till, and Recessional Outwash.

Additional information describing the site and its geologic setting is also contained in the 2009 Paramount of Washington LLC Final Docket XIII Comprehensive Plan Amendment Final Supplemental Environmental Impact Statement (Paramount Docket FSEIS).

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

As noted in the Paramount Docket FSEIS, under Snohomish County code, the slopes on eastern boundary of the Paramount site meet the criteria of a landslide hazard area. In addition, Department of Ecology Coastal Atlas data and field inspections for the proposal's geotechnical engineering study, confirm that the entire slope east of the BNSF rail line and project site, is unstable. The atlas also indicates that the slope north of the site's upper bench and adjacent to the BNSF rail line is a recent or historically active landslide area. The atlas also documents three shallow earth or debris flows occurred in 1996 to 1997, within the project vicinity slope east of the BNSF rail line.

The Paramount Docket FSEIS also disclosed that the lower bench portion of the site west of the BNSF rail line was identified by the Liquefaction Susceptibility Map of Snohomish County, as having a high susceptibility to liquefaction, but noted that there are no identified faults underlying the Paramount site. Supporting this conclusion, the proposal's geotechnical engineering study also states that identified faults closest to the site are the Southern Whidbey Island Fault (9 miles to the north), and the northern trace of the Seattle Fault (12.5 miles to the south). Seismic hazard areas are typically defined as those areas subject to severe damage, as a result of earthquake induced ground shaking, slope failure, settlement, liquefaction, or surface faulting. Liquefaction is the loss of strength by loose, saturated soils when subjected to vibration or surface faulting. Alluvial deposits and fill materials are particularly prone to earthquake hazards. The intensity of ground shaking at the project site, as the result of an earthquake could be significant, because of the potential for shallow crustal earthquakes in the region and the Cascadia Subduction Zone.

The proposal's geotechnical engineering study confirms that the location of much of the site on artificial fill and alluvial deposits, increases the potential significant impacts from a major seismic event. The primary impacts could consist of building or pavement settlement, buckling or damage to retaining walls, bulkheads, and buried utilities. If not mitigated, portions of the site may be subject to significant settlement and possible lateral movement. For this reason, specific measures will be taken to prepare the site to prevent potential liquefaction caused lateral spread, and design all new structures to ensure constructability and to avoid or minimize the potential damage from a major earthquake.

The proposal's geotechnical engineering study provides a detailed description and analysis of the site's seismic setting, seismic design requirements, surface rupture potential, liquefaction and subsidence potential, lateral spreading potential, and seismically induced landslide potential. Borings done for the study indicate that portions of the site have a high liquefaction potential. The study then outlines preliminary geotechnical engineering design recommendations to address applicable building and seismic code requirements for design and construction of the proposal, based on the seismic risk characteristics of the site. The study recommends that shallow foundations for small structures only be used in conjunction with appropriate types of ground improvements, and that a variety of deep foundations for larger structures be utilized with appropriate drilled shaft piles or other types of augercast, micro, and driven piles. It also contains recommendations for mitigating the potential adverse impacts of seismically-induced landslides.

Proper selection and use of these design and construction measures will ensure that the buildings and improvements constructed as part of the site redevelopment proposal, will not be vulnerable to significant damage from a major earthquake.

e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

Site grading will occur during initial site preparation and during all subsequent phases of site redevelopment. Initial site preparation filling and grading for redevelopment, anticipate the need to increase the elevation of most of the site located west of the BNSF rail line by approximately eight feet on average, to address drainage and ground improvement requirements for construction. This will require approximately 600,000 cubic yards of clean, granular material from an approved and permitted off-site source. Approximately 100,000 cubic yards of native material will be redistributed on site. Additional clean, granular imported fill may be required, based on the conditions attached to the approved version of the submitted site design. It is anticipated that fill material will be barged to the site, delivered via railroad, and to a minor extent trucked to the site. Construction during all project phases following initial site preparation, will include

excavation and filling during grading activities, construction of roads, building foundations, parking structures, public spaces, stormwater facilities, underground utilities, contamination remediation, and habitat restoration. The total amount of required earthwork cut and fill could be up to approximately one million cubic yards each.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes. Construction activities can cause increases in erosion potential, unless mitigated. Soil exposed during construction is highly vulnerable to erosion, especially during and following removal of ground cover or paved areas, and demolition of buildings. Demolition will remove all of the site's existing buildings and paved areas presently providing erosion protection. Adjoining Puget Sound could experience increased sedimentation during the construction period. However, no portion of the site that will be redeveloped is identified as an erosion hazard area. Any soil additives used during the construction phase will be in compliance with Snohomish County requirements.

The potential for erosion will be significantly reduced after construction. Soils exposed and disturbed during construction would be paved, covered by structures, or revegetated with approved landscaping. The primary risk of erosion following construction would be in areas where stormwater is concentrated and/or is allowed to flow uncontrolled over erosion prone areas. Stormwater system design will address these potential impacts. Stormwater from roof-top drains, roads, and all other impervious areas, will be routed to stormwater control and treatment facilities, and would not be allowed to flow onto any erosion hazard areas within or adjacent to the project site. The proposal will utilize Low Impact Development (LID) strategies such as bioswales, pervious pavements, and dispersion, to infiltrate a portion of the site's stormwater runoff and provide water quality treatment for the project where feasible. Contech Stormfilters will be used to treat stormwater that is unable to be treated using LID strategies. Stormwater that is not infiltrated will be collected and conveyed into a system of stormwater drains that will flow into Puget Sound through the site's existing stormwater outfalls. Please refer to the Targeted Drainage Report included in the project application for this proposal for additional information.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

According to the Target Drainage Report for this proposal, over 97 percent of the site is currently covered by various forms of impervious surface. The proposed redevelopment is anticipated to reduce the total amount of impervious surface to approximately 79 percent through

the creation of new naturally vegetated open spaces and extensive use of pervious materials in appropriate locations.

h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Proposed measures to reduce or control erosion, or other potential earth impacts will include stormwater facility design, appropriate site stabilization improvements, and implementation of appropriate best management practices (BMPs) to avoid, mitigate, or minimize potential impacts due to redevelopment. The detailed stormwater facility design is being integrated with BMPs that include use of a site-specific temporary erosion and sedimentation control plan (TESCP). Erosion control measures in the TESCP specifically address the individual causes and sources of erosion and sedimentation, associated with the proposed project. Both erosion and sediment control measures are included. The Stormwater Pollution Prevention Plan (SWPPP) that will be prepared for the proposal as the part of the National Pollutant Discharge Elimination System (NPDES) construction permit with Ecology, will also outline the proposed erosion control BMPs that will be implemented during construction. These BMPs will prevent the transport of sediment and other impacts that increase runoff during the land disturbing activities of clearing and grading. The erosion and sedimentation control best management practices for the proposal consist of the following:

Clearing Limits: Prior to any clearing or grading activities, clearing limits shown on the plans will be visibly delineated in the field.

Cover Measures: Temporary cover (e.g. plastic cover, mulch, etc.) will be installed if a disturbed area is to remain untouched. Any area to remain undisturbed for more than 30 days shall be seeded, sodded, or covered, unless the County determines that winter weather makes vegetation establishment unfeasible. During the wet season, slopes and stockpiles 3H:1V or steeper, with more than 10-feet of vertical relief, will be covered if they are to remain undisturbed for more than 12 hours.

Perimeter Protections: Silt fence and wattles, or other protection will be used along edges of the project area where existing contours show the possibility for sediment to leave the site during construction. A sediment trap and/or portable tanks will be used for sediment control during construction.

Traffic Area Stabilization: A stabilized construction entrance and wheel wash will be installed to minimize tracking dirt off the site.

Sediment Pond: Surface water collected from disturbed areas of the project site will be filtered or routed to a temporary sediment pond prior to release from the site. The sediment pond will be sized in accordance with the drainage manual.

Portable Filter System: A portable filtration system such as a Baker tank with Chitosan, may also be needed to treat stormwater runoff, depending on construction scheduling and sequencing, if a sediment trap/pond is not installed. The portable filter system will be sized in accordance with the drainage manual.

Surface Water Collection: Interceptor swales, culverts, slope drains, and stabilized ditches will be used to convey surface runoff to the sediment trap. A sand cone discharge pipe will be installed in the temporary sediment trap to allow sediment-free runoff to connect to the existing storm system.

Dust Control: Water trucks will be used to control dust during construction, as needed. Permanent erosion and control measures will consist of establishing vegetation in landscaped areas, installing buildings and paving, and establishing vegetation in areas disturbed by construction.

The erosion control system includes backup provisions to avoid over reliance on a single element to completely control erosion and sedimentation. Qualified personnel will perform monitoring. Provisions for modifications to the erosion control system, based on monitoring observations, will be included in the TESCP. The TESCP has been designed in accordance with applicable Snohomish County and Ecology requirements.

The following general mitigation measures will be implemented as part of the finalized design for the proposal:

- **A TESCP will be implemented. The TESCP includes a combination of methods for temporary protection of exposed soils using the measures described above.**
- **The project owner will use appropriate environmental management BMPs in the construction and operation of the facility.**
- **Foundations and structures will be designed and constructed in accordance with County building code requirements.**

As previously described in more detail in subsection B.1.d above, mitigation for potential earthquake induced liquefaction, will be provided through proven applicable methods that potentially will include, but not be limited to, pile supported foundations and ground improvement techniques such as pre-loading, dynamic compaction, installation of stone columns, and mat foundations constructed on a structural fill pad. More detailed geotechnical and structural analysis will be conducted as part of the final design of the project buildings and site improvements. This will facilitate use of the most effective combination of measures to adequately mitigate potential adverse earthquake and liquefaction impacts.

2. Air

a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.'

Short-term air pollutant emissions will occur as a result of site redevelopment demolition and construction activities. Homes on the hillsides overlooking the site and/or future new businesses, visitors and dwellings on the site near other later phase project construction activities, could be affected. However, according to the Paramount Docket FSEIS, the hillside homes are at least 0.5 miles from the site at the top of an approximate 250-foot high slope, so it is unlikely those homes would be affected by construction operations in the development.

Longer-term increases in air emissions will occur as a result of increased automobile use of the site, building occupancy and space heating after its redevelopment. It is possible that some of these increased emissions will be permanently offset by elimination of the significant amount of air emissions associated with the extensive amount of petroleum products storage, processing, and distribution activities currently occurring on the site. However, the Paramount Docket FSEIS noted that it is uncertain whether these displaced industrial facilities would resume operation at a new regional location or whether their market share and emissions would be taken over by competing firms.

The air quality section of the Paramount Docket FSEIS includes a description of the various types of operational air quality impacts likely to be generated by the redevelopment of the site for intensive mixed use. These types of impacts include potential local "hot spot" air quality impacts from increased traffic at local intersections, emissions from new commercial operations, emissions from a potential Sound Transit commuter rail station located on or near the site, and an annual greenhouse gas (GHG) emissions calculation for the project at full build-out, broken out by four major land use categories. As described in more detail in this FSEIS, Washington State's Governor has issued an executive order (No. 07-02) which commits the state to reducing its GHG emissions to 1990 levels under a staged schedule. Under this executive order Ecology is preparing new regulations which will require local governments to evaluate and control the GHG emissions generated by both public and private land development activities. King County has already developed a GHG emission spreadsheet to estimate the life-cycle emissions of proposed land developments and other activities subject to SEPA review.

Using the King County spreadsheet, the Paramount Docket FSEIS based its air quality impact analysis on the maximum possible build-out assumption of 3,500 residential units and up to 85,000 square feet

of commercial and retail space. However, the actual project proposal will include significantly fewer residential units (reduction of 419 units) and somewhat more commercial and retail space (additional 41,562 square feet). This should result in a slight reduction in the amount of air pollutant emission impacts in each category analyzed by the FSEIS. A major element of the King County GHG spreadsheet methodology that is particularly relevant to the proposal, is the inclusion of a Transit-Oriented Development (TOD) factor. TOD is expected to reduce GHG emissions compared to traditional development by reducing vehicle trips and fuel usage. Methodology developed by the Sacramento Metropolitan Air Quality Management District (SMAQMD) is used to calculate a GHG emission reduction for a new development based on the TOD mixed-use density, housing density, and proximity to existing and future bus/rail transit. Based on this methodology, average GHG emissions for the proposal's TOD based mixed use redevelopment of the site would be 18 percent lower than "business as usual". This reduction does not include potential use of other non-transportation mitigation measures, such as but not limited to, use of recycled building materials, reduced energy consumption, or reduced waste generation. The proposal will be designed to meet a Platninum level of Leadership and Energy in Environmental Design (LEED) certification and will include all of these additional design and construction features.

Table 3.6.2 in the Paramount Docket FSEIS describes the calculated annual emissions generated by a 3,500 residential unit size mixed use project on the Paramount site. The table depicts the "business as usual" emissions (which do not account for the TOD reduction measures that would be included in the current proposal). The results are presented as metric tons per year of "equivalent carbon dioxide (CO2) emissions", based on an assumed 60-year life span for the buildings in the development. Most of the emissions would consist of CO2 but the emissions would also include small amounts of other GHGs such as Methane (CH4), and nitrous oxide (N2O). As described in this table the estimated controlled GHG emissions for the 3,500 residential unit build-out condition are 40,450 metric tons CO2-equivalent per year. This would result in an estimated reduction of 8,883 metric tons of GHG emissions per year compared to "business as usual". Please refer to this FSEIS for a more detailed description of the King County GHG spreadsheet methodology.

The Paramount Docket FSEIS concluded that it is unlikely that the increased traffic and congestion generated by the maximum build-out option for the Point Wells site would cause localized air pollutant concentrations to form a "hot spot" (i.e. a localized area where these pollutants would exceed National Ambient Air Quality Standards (NAAQS)). As previously noted, the proposal is anticipated to generate slightly less air pollutants than the maximum build-out alternative analyzed by the Paramount Docket FSEIS. For this reason it is even less likely to generate any traffic generated "hot spots" than the Docket maximum build-out option. This FSEIS also concluded

that the construction of a commuter rail station at the Point Wells site is unlikely to generate "hot spot" air pollution concentrations that would approach the NAASQ limits.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

The proposal could be slightly affected by the air pollutant emissions generated by approximately 40 freight and commuter trains that travel on the BNSF rail line, adjacent to the eastern edge of the site each day. The current Brightwater wastewater treatment plant associated construction activities should be completed by the time the first phase of the proposal is completed. For a detailed description of the public agency ambient air quality standards, attainment status designation and air quality regulations including greenhouse gas regulations related to this proposal, please refer to the air quality section of the Paramount Docket FSEIS.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Short-term (construction) impact mitigation measures - All construction contractors will be required to comply with Puget Sound Clean Air Agency (PSCAA) regulations on construction emissions and minimize their fugitive dust and odor emissions. This will include requiring all contractors to develop and implement air quality control plans that will include best management practices (BMPs) to control fugitive dust and odors emitted by diesel powered construction equipment. The Paramount Docket FSEIS states that compliance with these regulations and implementation of appropriate air quality control plans would prevent construction-related impacts on homes and businesses near any future construction sites. The Washington Associated General Contractors brochure Guide to Handling Fugitive Dust from Construction Projects and the PSCAA suggest a number of methods for controlling dust and reducing the potential exposure of people to emissions from diesel equipment.

The following is a list of potentially applicable mitigation measures that will be implemented as required to reduce potential impacts at on-site and off-site locations during construction:

- **Use only equipment and trucks that are maintained in optimal operational condition.**
- **Require all off road equipment to be retrofitted with emission reduction equipment (i.e., require participation in Puget Sound region Diesel Solutions by project sponsors and contractors).**
- **Use bio diesel or other lower-emission fuels for vehicles and equipment.**
- **Use car pooling or other trip reduction strategies for construction workers.**

- **Stage construction to minimize overall transportation system congestion and delays to reduce regional emissions of pollutants during construction.**
- **Implement construction curbs on hot days when region is at risk for exceeding the ozone NAAQS, and work at night instead.**
- **Implement restrictions on construction truck idling (e.g., limit idling to a maximum of 5 minutes).**
- **Locate construction equipment away from sensitive receptors such as fresh air intakes to buildings, air conditioners, and sensitive populations.**
- **Locate construction staging zones where diesel emissions won't be noticeable to the public or near sensitive populations such as the elderly and the young.**
- **Spray exposed soil with water or other suppressant to reduce emissions of PM10 and deposition of particulate matter**
- **Pave or use gravel on staging areas and roads that would be exposed for long periods.**
- **Cover all trucks transporting materials, wetting materials in trucks, or providing adequate freeboard (space from the top of the material to the top of the truck bed), to reduce PM10 emissions and deposition during transport.**
- **Provide wheel washers to remove particulate matter that would otherwise be carried off-site by vehicles to decrease deposition of particulate matter on area roadways.**
- **Remove particulate matter deposited on paved, public roads, sidewalks, and bicycle and pedestrian paths, to reduce mud and dust; sweep and wash streets continuously to reduce emissions.**
- **Cover dirt, gravel, and debris piles as needed to reduce dust and wind-blown debris.**
- **Route and schedule construction trucks to reduce delays to traffic during peak travel times to reduce air quality impacts caused by a reduction in traffic speeds.**
- **Minimize vehicle speeds while traveling on unpaved surfaces.**

Long-term (operational) impact mitigation measures – As previously described in this section, the proposal's design and operation as a mixed use transient oriented development, will also function as a primary means to mitigate its adverse air quality impacts including its GHG emissions. The proposal will also be designed and operated in a manner that will conform to new requirements for future land use development, being developed by Ecology to reduce GHG emissions. In addition, because it is being designed to achieve a Platinum rating under LEED building standards, the proposal will incorporate many of the design and construction methods included in the LEED program. These could include, but not be limited to, use of recycled construction materials, and building and infrastructure designs which reduce space heating, electrical usage, water consumption, and waste generation. Table 3.6-3 in the air quality section of the Paramount Docket FSEIS includes a list of 27 more specific site design, building design, and operations and transportation measures developed by

Ecology to reduce greenhouse gases. The transportation measures listed in this table, are particularly well suited for successful implementation in a large scale transit oriented development proposal constructed under unified site control, and will be utilized as appropriate to mitigate the proposal's air quality impacts.

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Yes. The Point Wells site is located in the Cedar/Sammamish Water Resource Inventory Area (WRIA) and is referred to as WRIA 8. The western boundary of the site is Puget Sound and includes 3,402 feet of shoreline. The existing marine riparian habitat of most of this shoreline is degraded as a result of the site's long-term industrial use, and is generally void of native vegetation. According to the Point Wells Critical Areas Report which was prepared for the proposal, and included in the project application, portions of several small streams are located on and adjacent to the site. On the northeastern portion of the site, two very small unnamed streams emerge from the steep bluff and pass under the BNSF main rail line. One of these streams then flows along the western edge of the rail line in a constructed ditch to the site's northern boundary, where it merges with the other stream before flowing to Puget Sound in an open channel. Two other very small unnamed streams also emerge from the steep bluffs on the southeastern edge of the site, and drain into its stormwater conveyance system, and then into Puget Sound via one or more of the site's existing three stormwater outfalls. The largest stream that flows through the site is Chevron Creek. It flows year-round from the abutting steep bluffs into a sediment pond on the site, east of the BNSF rail line, before being routed into 1,200 feet of culvert under the project site. South Creek also flows year-round through the project site from the abutting steep bluffs. Flow from this stream is combined with Chevron Creek before being discharged into Puget Sound through a metal pipe known as Outfall 003. All of the streams that flow through the site are type N streams, which do not contain fish or fish habitat. Type N streams in Snohomish County require a standard 5-foot-wide buffer.

National Wetlands Inventory (NWI) maps depict one estuarine intertidal bed/unconsolidated bottom (E2AB/USN) regularly flooded wetland along the western edge of the site. Another NWI-mapped wetland, shown as a palustrine forested that is temporarily flooded (PFOA) is indicated along the northern portion of the site. This wetland is mapped as being outside the site boundary; however, the actual wetland boundary has not been delineated. The Paramount

Docket FSEIS also identified one additional potential wetland in a drainage ditch on the northeast portion of the site, adjacent to the BNSF rail line. Please refer to the proposal's Critical Areas Report for additional information on streams and wetlands, including a figure that depict the location of the water resource features on and adjacent to the site. The proposal's Critical Areas Report describes one small wetland (3,716 square feet) not identified on any existing resource map. It is located immediately south of Chevron Creek east of the BNSF rail line and identified as Wetland A. It has been evaluated as a Category IV wetland.

Section 5 of the proposal's Critical Areas Report also contains a detailed summary of water quality and sediment quality data for the portions of Puget Sound near the site.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes. The new pedestrian esplanade, public parks, new streets and utilities, and various new buildings and other improvements associated with redevelopment of the site, will involve work within 200 feet of these waters. The site's existing three stormwater outfalls will also need to be reconstructed or otherwise improved. Additional in-water work will be conducted to provide significant habitat and beach restoration. This work will include creation of an open water channel through the site, to Puget Sound by daylighting existing culverts and rerouting flow from several sources. It will also include construction of three new groins near the mouth of the new conveyance channel. Substantial refurbishment and modifications to the site's existing combination sheet pile, timber, and rip/rap rock seawall, and its main pier are also proposed as part of the redevelopment project.

Soil and groundwater remediation actions will also occur within this area. These activities may include 1) excavation and treatment of contaminated soil, 2) backfilling of treated soil, 3) removal of free product and petroleum contaminated groundwater, 4) long term subsurface collection and pumping of residual contaminated groundwater, and/or 4) installation of subsurface *in-situ* contaminated soil and groundwater collection and treatment systems, to meet the clean up requirements of the Washington Department of Ecology.

Please refer to section 3.5 of the proposal's Critical Areas Report for a more detailed description of the proposal's in-water work and proposed mitigation measures.

All of the extensive work to modify and improve the existing petroleum products storage, processing, and distribution facilities on the site during the past several decades, over, in, and adjacent to these waters was allowed by its previous comprehensive plan designation

and industrial zoning, and by its existing urban environment shoreline designation.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill materials.

No permanent fill or dredge material is proposed to be placed in or removed from surface water or wetlands on or near the site. Instead, up to 5.67 acres of new nearshore intertidal habitat and up to 2.04 acres of new upland habitat will be created by the proposal. A small amount of temporary sedimentation may occur in nearshore intertidal areas during the construction of these improvements, which include the creation of an open water channel through the site to Puget Sound, by daylighting existing culverts and rerouting flow from several sources.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie with a 100-year floodplain? If so, note location on the site plan.

The site's tidelands below an elevation of 10.0 feet are the only areas located within the 100-year floodplain as shown on the official Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map. These tidelands are mapped as Zone AE.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No. Public sewer service will be provided by the Ronald Wastewater Management District.

b. Ground

1) Will ground water be withdrawn, or will water be discharge to ground water? Give general description, purpose, and approximate quantities, if known.

No. The Olympic View Water District will provide public water service. Stormwater will be collected and treated. Some of the treated stormwater will be infiltrated and the remaining will be released into waters adjoining the site in conformance with all of the most current county, state, and federal standards and requirements.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . .; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

No waste material is anticipated to be discharged into the ground from any source as a result of the proposal. The Ronald Wastewater Management District will provide public sewer service to the site. In concert with concerned agencies, a program of contractor education and spill contingency and response plan compliance, will be instituted to reduce the potential for discharge of waste materials from site redevelopment construction activities.

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

The principal source of runoff will be rainwater and snow melt from impervious surfaces such as roofs, roadways, walkways, parking areas, and other paved areas associated with redevelopment of the site. Currently more than 97 percent of the site is already impervious area. The proposal will reduce the current amount of impervious surface of the site by a significant percentage through the installation of naturally vegetated open space and pervious surfacing materials in appropriate locations. This should result in a corresponding decrease in the rate of stormwater runoff. Additional water quality treatment of all stormwater runoff generated by the proposal will also be required under state law and by Snohomish County Code (SCC) 30.63A/210.

Stormwater from pavement and building areas resulting from redevelopment will be collected and treated in accordance with the current county requirements. Consequently, the quality of future stormwater generated by redevelopment should improve compared to existing conditions on the site. This is because the treatment standards required by SCC 30.63A.210 are more efficient at pollutant removal than existing BMPs at the site.

See the surface water, water quality, drainage section of the Paramount Docket FSEIS for a description of existing water quality requirements and water quality conditions associated with the site.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Yes. Redevelopment of the site will create additional roadways that have the potential to contribute petrochemicals and other pollutants to stormwater runoff from the site.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

A variety of proposed measures will be used to reduce or control surface, ground, and runoff water impacts. First, unlike the current use of the site, a fully integrated, state-of-the-art stormwater drainage system will be implemented to provide collection, treatment, and conveyance of stormwater. Water quality treatment vaults will also be installed as required. The completion of the proposed project is expected to result in an improvement over the current condition.

The project owner will also use appropriate environmental management practices BMPs in the construction and operation of the proposal.

For site areas that will be covered by a Stormwater General Permit issued by Ecology, the design and construction will be in accordance with the version of the Stormwater Management Manual for Western Washington used by Snohomish County. The stormwater control facilities for any site areas not covered by a Stormwater Permit, will also meet or exceed County standards.

Construction

Prior to construction, the project owner will seek coverage under the Stormwater Construction Permit for Sites Greater than 5 Acres from Ecology and abide by the requirements specified under that coverage. Specific construction BMPs will be identified through this process. Water quality impacts from erosion and sedimentation and the release of pollutants during construction of the project is not expected to be significant and would be minimized through the use of BMPs. Construction BMPs may include the use of silt fencing, barrier berms, plastic covering, hydro seeding, and straw mulch for exposed ground, sediment traps, rock lined channels check dams, and temporary detention basins. To ensure effectiveness of the construction BMPs, regular maintenance would be performed as required.

Additional BMPs could include cleaning heavy equipment, trucks, and tires before they are allowed to drive off-site. Regular preventative maintenance of vehicles would be conducted to minimize leaks of fuel, oil, grease, hydraulic fluid, and other hydrocarbons during construction. Appropriate construction BMPs for the proposal would be determined based on final engineering plans, and would comply with County drainage program requirements, Stormwater Management Manual, and Erosion Control Manual, and other regulatory requirements. This would include preparation of a

Temporary Erosion and Sedimentation Control Plan (TESCP) that would be put in place prior to construction.

Operations

The project owner will seek coverage under a Stormwater General Permit from Ecology and abide by the requirements specified under that coverage. Specific operational BMPs will be specified through this process.

Implementing an appropriate combination of stormwater management measures and BMPs would mitigate impacts from operation of the redeveloped site. These would include stormwater management facilities that would safely route runoff to receiving waters without creating additional erosion or sedimentation. These facilities would also use oil/water separators to trap potential pollutants. A spill response program tailored to the specific needs of the redeveloped site would also be implemented. Armoring around new and expanded stormwater outfalls would be provided.

Impacts would also be minimized by preparing and implementing a stormwater pollution prevention plan for the proposal that addresses site specific issues. To ensure effectiveness of the operation BMPs, regular equipment inspection and maintenance, and facility worker training would be carried out.

4. Plants

a. Check or circle types of vegetation found on the site:
_x_ deciduous tree: alder, maple, aspen, other
_x_ evergreen tree: fir, cedar, pine, other
_x_ shrubs
_x_ grass
___ pasture
___ crop or grain
_x_ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
_x_ water plants: water lily, eelgrass, milfoil, other: **marine epibenthic flora, macro algae**
___ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Removal of existing trees, shrubs, and ground cover will occur during redevelopment of the site. This removal will be extremely limited since very little significant vegetation exists within the main project area located west of the BNSF main line. Most of the project area's limited amount of vegetation is located on the steep slope edges of the smaller tract located east of the BNSF main line. Only a very minor amount of this vegetation is likely to be removed as a result of redevelopment. All such clearing will be regulated by Snohomish County's grading and clearing approval process.

c. List threatened or endangered species known to be on or near the site.

The information in the proposal's Critical Areas Report indicates that no rare, threatened, or endangered plant species are known to exist on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

All portions of the redevelopment site area not covered by buildings, paved areas, or other improvements, will be landscaped with appropriate materials that meet or exceed all Snohomish County landscaping requirements. As part of the project application submittal, a landscaping master plan has been prepared for the entire site to guide and coordinate design and installation of landscaping improvements for individual redevelopment project elements. A wetland mitigation and habitat restoration plan has also been prepared, as part of the project application, to guide the provision of required buffers and other wetland protections/enhancements and related habitat restoration features, in compliance with Snohomish County's critical area regulations (SCC 30.62A) and other applicable state and federal requirements. Refer to the project site development plan and Critical Areas Report for additional information.

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk, heron, eagle, songbirds, other: **According to section 5.10 of the proposal's Critical Areas Report 78 bird species could potentially nest in the general project vicinity (See Tables 8 and 9 in the CAR for details). Numerous marine birds are common immediately offshore from the site, including gulls, Caspian terns, pigeon guillemot, pelagic cormorant, and great blue heron. Raptors such as bald eagles, osprey, and red-tailed hawk regularly fly over the site. Pigeons nest in a variety of the structures onsite. Many birds, including crows, gulls, and a variety of shorebirds frequent the shoreline in the vicinity. Killdeer may nest in unused gravel areas of the site.**

Mammals: deer, bear, elks, beaver, other: **According to section 5.11 of the proposal's Critical Areas Report, 11 marine mammals and 20 small upland mammals have been documented in the general vicinity of the site. Please refer to this section of the CAR for additional details.**

Fish: bass, salmon, trout, herring, shellfish, other: **According to sections 5.7, 5.8, and 5.9 of the proposal's Critical Areas Report, a wide array of invertebrates occupy the marine waters near the site along with 62 species of fish and 14 amphibians and reptiles may be found on or near**

the site. Examples of the marine fish species and shellfish occurring offshore of the site, including rockfish, pile perch, salmon, sole, Geoduck clams, Dungeness crab, and others. Please refer to the Critical Areas Report for additional information.

b. List any threatened or endangered species known to be on or near the site.

Section 5.13 of the proposal's Critical Areas Report states that a number of federally listed species are present (mostly on a seasonal basis), in the marine waters that define the western edge of the site. These species include bull trout, marbled murrelet, Chinook salmon, Puget Sound steelhead trout, southern resident killer whale, humpback whale, and Steller sea lion. Please refer to the Critical Areas Report for additional information.

c. Is the site part of a migration route? If so, explain.

Yes. Migrating adult and juvenile salmonid species use the adjoining portion of the Puget Sound shoreline as a migration route. Please refer to the proposal's Critical Areas Report for additional information.

d. Proposed measure to preserve or enhance wildlife, if any:

Potential impacts to aquatic wildlife will be minimized through implementation of BMPs for all aspects of the site's redevelopment. These would include measures to control erosion and limit runoff from the site during construction. Erosion control measures such as interceptor swales, rock lined channels, filter fabric fences, straw mulch, plastic covering, and hydro-seeding will be employed as needed to prevent silt-laden runoff from leaving the site.

Increased impervious surface has the potential to indirectly affect fish and wildlife using the marine environments by increasing the rates of runoff delivery thereby potentially increasing turbidity or transport of contaminants from parking areas. Effects are expected to be minimal as the stormwater from the site will be detained and treated to meet Ecology and Snohomish County drainage requirements and state water quality standards. Stormwater treatment measures will also be permanently installed to provide long-term water quality management for 100 percent of the project area.

Shorelines on the site are currently mostly hardened with concrete and riprap seawalls with little to no shoreline vegetation. Modifications will be made to these seawalls in conjunction with other shoreline area habitat restoration enhancements to improve riparian functions. Information signs will also be provided in shoreline public access areas which urge the public to avoid forms of beachcombing, clam digging, and other actions which could adversely impact marine flora or fauna, birds or other wildlife.

Potential impacts to listed species are also being addressed through avoidance and minimization measures. Measures that will be used as needed include seasonal timing restrictions, special sound, and glare abatement controls on certain types of site construction activities, and enhanced stormwater treatment. Please also refer to sections 3.5, 6 and 7 of the Critical Areas Report prepared for this proposal for a detailed description of the extensive mitigation site habitat restoration measures that will be used to address the potential adverse construction and operational effects of the proposal on listed species.

Applicable Regulations and Commitments

- **Snohomish County Shoreline Master Program**
- **Snohomish County Development Regulations**
- **Snohomish County Stormwater Control Design Standards and Specifications**
- **Coastal Zone Management Act Consistency Determination**
- **Section 401 Water Quality Certification**
- **WDFW Hydraulic Project Approval**
- **Endangered Species Act Section 7 Consultation**
- **USACE Section 10 Permit**

6. Energy and Natural Resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electrical energy will be used for lighting, appliance, possible space heating, and water heating by the various commercial, recreational, and residential related uses proposed for the redeveloped site. Natural gas will be available as a preferred alternative for space and water heating. The site development plan for the proposal also includes a site for a biomass energy production facility, which could supply a major share of the completed project's energy needs.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No. The site's location and adjacent forested steep bluffs combined with the placement of the proposal's taller buildings will prevent any significant negative impacts on the potential use of solar energy by any adjacent properties.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

New structures and uses included as part of site redevelopment will conform to the most current state and local energy code requirements. "Built green" or low impact design features will be used in new

buildings and site improvements wherever feasible, to reduce the demand for energy and make greater use of recycled materials. A district heating system potentially using waste wood biomass, a carbon neutral fuel, will provide the proposal with a very low carbon footprint. The carbon emissions at full development will be at four percent of current industrial site annual emissions. The pedestrian and transit-oriented, mixed-use style redevelopment of the site will also help in reducing single occupant automobile trips. This will be aided by the inclusion of significant on-site recreation opportunities and convenience type goods and services to serve new project residents and employees.

7. Environmental Health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, which could occur as a result of this proposal? If so, describe.

A small increase in environmental health hazards could be created as a result of the increased intensity of mixed-use development associated with this redevelopment proposal. However, this small increase will be offset by implementation of a major program during site preparation to remediate the large amount of various types of environmental health hazards generated by the site's extensive past and current use as a petroleum products storage, processing, and distribution facility.

Removal of any asbestos containing materials and lead-based paint from the site's substantial number of older buildings and structures will be completed by following an abatement plan in accordance with State and Federal requirements.

1) Describe special emergency services that might be required.

Other than development of special emergency services response plans for periodic public recreational events at the redeveloped site, standard police, fire, emergency medical, and marine spill response services should be adequate to respond in the event of accident, fire, environmental spill. or other unusual emergency event.

2) Proposed measures to reduce or control environmental health hazards, if any:

All elements of the redeveloped site will be designed to meet the most current provisions of county, state, and federal codes for fire, life safety, and environmental hazard protection. Any other needed special measures identified by the public agency responses to this project environmental review process will be provided as required. Major redevelopment will also provide the opportunity to replace virtually all of the numerous older structures and utilities on the site, that often do not fully comply with current building, health, and safety

codes. Level I and II environmental analysis of the site have also already been used to identify and then develop an interim action plan for remediation of existing environmental contaminants on the site. Significant aspects of this remediation work are already underway.

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Noise analysis conducted for the proposal confirmed that noise generated by railroad operations occurring on the adjoining BNSF rail line could affect the portions of the site's redevelopment located in close proximity. This analysis shows that high periodic sound level events during 10-second intervals adjacent to the BNSF rail line at the north end of the site ranged from approximately 65 to 85 dBA during a typical 24-hour period. During the same 24-hour measurement peak, 10-second interval sound measurements ranged from approximately 65 to 95 dBA adjacent to the BNSF rail line on the southeastern end of the site. For longer 30-second intervals, measured peak sound levels ranged from 58 to 81 dBA at this location. 30-second interval peak sound levels ranged from 68 to 82 dBA adjacent to the BNSF rail line at the center point of the site. These peak short-term sound levels were generated by the 20 to 40 trains that pass by the site each day. Train noise varies for train engines versus train cars and for high frequency wheel and track noise. Train engines may be as much as twice the loudness of train cars, but will be of short duration.

The full analysis of these potential noise impacts and a more detailed description of the measures that can be used to mitigate them in the redevelopment project design are contained in the proposal's *Acoustical Measurement Results & Analysis, Point Wells Mixed-Use Report (Attachment B)*.

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short-term noise (construction) impacts associated with the proposal will include various aspects of construction activity and related traffic. The noise from these activities would generally be limited to Monday through Saturday 7 AM to 7 PM, subject to any additional Snohomish County requirements or conditions. The proposal will include demolition and construction activity close to existing single family residences on the adjoining hillsides. Early phase project residences could also be subject to construction noise generated by later project phases. Although temporary daytime construction activity is exempted from the county noise ordinance limits, it can cause annoyance and speech interference at outdoor locations adjacent to

construction sites. It can also cause discernible noise within several city blocks from the site. The noise section of the Paramount Docket FSEIS includes a detailed description of noise terminology, common noise levels, and Snohomish County's noise regulations (SCC 10.01).

Long-term (operational) noise impacts related to redevelopment of the site are not anticipated to be significant. Although overall site use will be more intense after redevelopment, the new pedestrian-oriented commercial, recreational, and residential mixed-use character of the site is not anticipated to generate significantly more noise than is currently created by the combination of petroleum storage, processing, distribution, tug and barge, and heavy trucking related uses that now occur on the site. The proposal's new bus and commuter transit center is an activity which could generate one of the highest long-term potential noise levels. These noise levels would primarily occur during weekday morning and afternoon peak commuting time periods. The Paramount Docket FSEIS also analyzed the noise that could be generated by a future Sound Transit commuter rail station located on the project site. It noted that commuter trains serving the site would enter at a low speed, idle for a brief period during passenger loading then depart at a low speed. The FSEIS concluded that "Future noise levels generated by low-speed operations at the commuter station would likely be lower than the current noise levels generated by high-speed commuter trains traveling past the site. Therefore, operation of a new commuter train station could reduce overall train noise levels on the site compared to the No Action Alternative, so this impact would not be significant."

A second source of potential on-site long-term noise generation could be from automobile and delivery truck travel on its road network. This potential noise would reach its highest level during weekday morning and afternoon peak commuting periods.

The proposal's third potential source of long-term, on-site generated noise could potentially be generated by the rooftop heating and cooling mechanical equipment in its numerous new buildings. This potential noise could occur on a continuous 24-hour a day basis.

The Paramount Docket FSEIS also analyzed the potential off-site noise impacts generated by the traffic from a maximum buildout (3,500 residential unit) mixed use project. It stated that the loudest vehicles would be transit buses serving the redeveloped site and traveling on public streets through Woodway and Shoreline. The FSEIS also noted that future noise caused by the new bus trips would be partially offset by displacement of the existing and future industrial haul truck trips that would occur under the No Action Alternative to support operation of the fuel terminal and asphalt plant at the site. Page 3.7.5 of the FSEIS including Table 3.7.4 describes the forecasted increases in peak-hour traffic noise analysis for a 3,500 unit mixed use project for three important roadway segments in the City of Shoreline that will be most affected. This analysis concluded that the increases in

traffic volumes are not expected to be high enough to cause a significant increase in traffic noise along the major arterials serving the site. According to the FSEIS, this is based on its forecast calculation that traffic noise will increase as follows on these arterials: 2 dBA on NW 185TH Street, West of SR-99; 9 dBA on NW 186th Street, West of 20th Avenue NW; and 1 dBA on 8th Avenue, North of Richmond Beach Road. All of these increases fall below the Washington State Department of Transportation (WSDOT) criterion that establishes a 10 dBA peak-hour increase as a "substantial increase". Because the proposal will include 419 fewer residential units and a 41,562 square foot increase in commercial space than the maximum buildout alternative analyzed for offsite traffic noise impacts in the Paramount Docket FSEIS, its maximum potential offsite traffic noise impacts is likely to fall even slightly further below the 10 dBA substantial increase threshold defined by WSDOT.

3) Proposed measures to reduce or control noise impacts, if any:

Although construction noise is exempt from Snohomish County's noise limits during daytime hours and no mitigation is legally required, noise from construction activities related to the proposed project could nonetheless disturb nearby residents. The potential for such disturbance can be reduced with the techniques described below. The following construction noise mitigation techniques will be used as needed and appropriate for construction activities to reduce potential impacts on existing residences.

Construction noise can be minimized with properly sized and maintained mufflers, engine intake silencers, engine enclosures, and turning off equipment when not in use. Stationary construction equipment will be located away from sensitive receiving properties where possible. Where this is infeasible, or where noise impacts would still be likely to occur, portable noise barriers will be placed around the equipment with the opening directed away from the sensitive receiving property. These measures are especially effective for engines used in pumps, compressors, welding machines, etc., that operate continuously and contribute to high, steady background noise levels. In addition to providing about a 10-dBA reduction in equivalent sound levels, the portable barriers demonstrate to the public the contractor's commitment to minimizing noise impacts during construction.

Although as safety warning devices back-up alarms are exempt from noise ordinances, these devices emit some of the most annoying sounds from a construction site. Where feasible, new back-up alarms that automatically adjust in response to ambient noise levels will be used to minimize this noise. Noise from material handling can also be minimized by requiring operators to lift rather than drag materials wherever feasible.

Substituting hydraulic or electric models for impact tools such as jack hammers, rock drills, and pavement breakers can also reduce

construction noise. Electric pumps can be specified if pumps are required. Auger driven piles would be used to greatly reduce the potential noise generated by the installation of footings for the proposal's larger buildings.

The proposal's *Acoustical Measurement Results & Analysis, Point Wells Mixed-Use Report* includes analysis of the appropriate mitigation measures that should be incorporated into the design and placement of the residential buildings closest to the BNSF rail line to address the noise impacts of train operations. It concluded the primary noise mitigation measure should involve the installation of noise control windows with a Sound Transmission Class (STC) rating of 46 or higher, and meet certain other criteria in all the residential units located on the north, south, and east sides of the buildings that will be located nearest the BNSF rail line. The report also recommended that at a minimum, noise control windows should also be installed on the east side of the next row of buildings located closest to the BNSF rail line. This report also said that a large parking structure or properly designed and located acoustical barrier, could also assist in significantly reducing noise levels for the residential units located on the lower floors of the buildings located closest to the BNSF rail line. It also recommended roof and exterior wall construction measures that would assist in reducing interior residential unit noise levels generated by peak short-term levels of train noise.

Although the Paramount Docket FSEIS concluded that the noise from a commuter rail station located in the proposal will not be significant, any potentially increased noise from either commuter trains or transit buses using the facility, will be mitigated by its design and placement. The transit center will be located significantly below the main level of the proposal's other uses and much of the facility will be covered by a permanent lid of concrete and steel.

A significant portion of any potential noise generated by the proposal's on-site vehicle travel and parking activities, will be mitigated by the proposal's design. The total extent of on-site surface level roadways will be very limited, and roadway design will restrict speed and minimize intersection congestion. All residential parking and most commercial parking will also be located below grade.

Building mechanical equipment potential noise will be mitigated by installation and regular maintenance of low noise emitting equipment. Noise baffles will also be used where necessary to further control potential noise emissions.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

The site is currently used primarily for a variety of petroleum products storage, processing, and distribution activities. The site has

been used as a fuel storage depot since approximately 1912. The first asphalt plant on the site was established in 1950. The land immediately east of the site is located in unincorporated Snohomish County, and consists of a steeply wooded bluff and a grassy bench at the top of the bluff which is currently undeveloped. The area east and northeast of this bluff is located in the Town of Woodway, and consists of single family residences on lots ranging from 0.25 acres to more than five acres in size. The land immediately north and northwest of the site consists of tidelands and wooded steep bluffs located within the Town of Woodway. The land on the uphill slope located immediately southeast of the site is also located within the Town of Woodway. This area consists of single family residences located on lots ranging from 0.25 acres to more than two acres in size. The land located immediately south of the site includes a one acre parcel of uplands and some adjacent tidelands in unincorporated Snohomish County, owned by King County and being constructed as the outfall component for the new Brightwater regional wastewater treatment system. The remaining nearby area south and southeast of the site is located within the City of Shoreline in King County. This area includes undeveloped tidelands and uplands, which contain single family residences on lots typically ranging from 0.15 acres to one acre in size. A small public park is also located approximately 0.25 miles south of the site.

b. Has the site been used for agriculture? If so, describe.

No.

c. Describe any structures on the site.

The site contains more than two dozen buildings and assorted structures and more than 85 above ground tanks of various sizes and ages. The largest of these tanks are 144 feet in diameter and slightly more than 45 feet high. They are the largest individual structures on the site. A significant number of the other tanks are more than 114 feet in diameter and 30 feet high. Nearly all of these structures are related to petroleum products storage, processing, and distribution. A large deepwater pier is also located on the western edge of the site. This pier is approximately 1,050 feet in length, and 60 feet in width. A smaller wooden pier in deteriorating condition is located north of the larger pier. The site also contains two vehicle and pedestrian bridges that span the BNSF rail line to connect its eastern and western sections. However, the bridge located closest to the site's northern boundary is not currently in operational condition.

c. Will any structures be demolished? If so, what?

With the exception of the site's large deepwater pier, all or nearly all of its other existing structures will be demolished. However, one or both of the two existing bridges will be replaced with new bridge structures that will serve the needs of the redeveloped site.

d. What is the current zoning classification of the site?

The current zoning classification of the site is Urban Center.

f. What is the current comprehensive plan designation of the site?

Urban Center

g. If applicable, what is the current shoreline master program designation of the site?

The upland portion of the site, located west of the BNSF main line, within the jurisdiction of the Shoreline Management Act, is designated Urban. The bedlands and tidelands adjacent to the site are designated Conservancy.

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The natural, vegetated steep slopes on the eastern edge of the site, and the in-water and intertidal areas on the western edges of the site, meet the criteria for designation as environmentally sensitive areas.

i. Approximately how many people would reside or work in the completed project?

The proposal's redevelopment site plan includes the potential for up to approximately 500 people to work on the site, and for up to approximately 6,200 people to reside on the site. It is estimated that approximately 12 to 15 people regularly work on the site at the present time.

j. Approximately how many people would the completed project displace?

No people currently reside on the site.

The site's existing industrial operations will be phased out as part of its complete redevelopment. Approximately 12 to 15 employees will be displaced.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Termination of the site's existing industrial operations will take approximately two to three years. This will provide time to implement an orderly shutdown with fewer negative impacts. Given the 20 year supply of industrial land provided through recent updates of local community land use plans, the environmental impacts, that potentially could be created by the relocation of these industrial uses to other sites within the region, have already been addressed to a significant degree. This is because Snohomish and King Counties, and their cities have all prepared detailed environmental reviews, in recent years of the

potential impacts created by more intensive development of all lands they have designated for industrial use, during the next twenty-year time period. This has been done in conjunction with Growth Management Act (GMA) requirements for local governments to regularly update their comprehensive plans and implementing development regulations. Furthermore, relocation of the site's petroleum products storage, processing, and distribution to new locations further away from a particularly sensitive aquatic environment, will facilitate implementation of new fish-friendly environmental mitigation measures as part of the sites' redevelopment. This in turn will assist in providing important environmental benefits to the overall aquatic environment of this portion of Puget Sound.

Finally, relocation of these high security industrial operations to other more industrially oriented locations, will permit a substantial increase in shoreline public access opportunities within the Point Wells site and adjacent areas. Industrial business relocation will enable a continuous pedestrian esplanade, to be constructed along nearly the entire 3,600-foot long shoreline perimeter of the subject property. This esplanade will also facilitate safe public access to the site's extensive amount of attractive Puget Sound beach frontage. Relocation of this industrial activity, will also create the opportunity to establish new continuous pedestrian trail linkages, between the Point Wells and the adjoining portions of the Town of Woodway and the City of Shoreline, consistent with their park and pedestrian circulation plans and objectives.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Redevelopment of the site will require the requested mixed-use/urban center site plan approval to be fully consistent with applicable Snohomish County land use plans, and development regulations including its updated urban center development regulations.

The following features have been incorporated into the proposal's redevelopment site plan, and are intended to mitigate land and shoreline use impacts:

- **Provision of a transit and pedestrian-oriented mixed use, destination development on Puget Sound in Snohomish County's Southwest UGA.**
- **Provision of a pedestrian-friendly circulation network on the site for both pedestrians and vehicles.**
- **Provision of new and improved pedestrian and transit linkages, to regional transit facilities and nearby parks and residential areas.**
- **Provision of a variety of new community gathering spaces, and other public recreational amenities, within each of the project's four phases.**
- **Inclusion of an integrated mix of office, retail, civic, recreational, and housing activities.**

- **Provision of public recreation opportunities on much of the previously restricted site, including all of its Puget Sound shoreline.**

Applicable Regulations and Commitments

The following regulations and commitments will apply to the proposed project and will mitigate land use impacts:

- **Snohomish County Comprehensive Plan**
- **Snohomish County Unified Development Code**
- **Snohomish County Shoreline Master Program**
- **State Environmental Policy Act**

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

The site development plan includes townhouse and multi-family residential components. A total of 3,081 housing units will be provided. All of the proposed housing units are likely to be middle income and upper income.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No housing units currently exist on the site.

c. Proposed measures to reduce or control housing impacts, if any:

Does not apply.

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Thirteen of the proposed residential and mixed-use buildings will reach heights of approximately 60 to 100 feet above finished grade. Sixteen of the proposed residential and mixed-use buildings will reach heights of approximately 120 to 180 feet above finished grade. Measurement of exact height for each proposed building will be determined by the provisions of the Snohomish County unified development code. These provisions will also control the maximum allowable height, bulk, and total rooftop coverage of any proposed building appurtenances such as chimneys, antennas, vents, and mechanical equipment. Any required rooftop mechanical equipment will also be fully shielded in an attractive manner, consistent with the architectural style of the building. All buildings with a height greater

than 35 feet will be setback at least 200 feet from the ordinary high-water mark shoreline edges of the site.

Primary exterior building materials for the numerous new buildings associated with redevelopment will include a variety of materials such as wood, glass, metal, brick, and composite products. All materials used will be required to be consistent with a master set of detailed urban design and architectural guidelines. These guidelines will be adopted as binding conditions, covenants, and restrictions (CC&Rs) for all new structures on the redeveloped site. The proposal's urban design guidelines are included as part of the required urban center development application submittal.

b. What views in the immediate vicinity would be altered or obstructed?

It is intended that the site redevelopment master plan, and individual building locations and designs based on this plan, will not significantly obstruct, or otherwise adversely impact, or substantively alter views from adjacent residential areas located east, northeast, or southeast of the site. This can be accomplished because the ground elevations of nearly all the residences closest to the site are located directly to its east and northeast in the Town of Woodway, at or near the top of a steep bluff at elevations which range from approximately 200 to 240 feet higher than the planned finished grade of the site after redevelopment. In addition, the heavy tree canopy at, and near the top of most of the edges of this bluff, includes extensive amounts of mature conifers that range from 50 to more than 100 feet in height. These trees already block much or nearly all of the potential sound and mountain views from most residences located near the steep bluff edge. For this reason, and because the proposed tallest buildings on the redeveloped site (maximum building heights will be from approximately 140 to 180 feet), these buildings will mostly be hidden by the dense top of bluff tree cover. The potential visual impacts of the proposal's taller buildings on the surrounding communities are evaluated by the attached Point Wells Visual Impact Analysis Report (Attachment C).

There are a small number of neighboring Woodway residences that are located above the southwestern edge of the site where a portion of the site is clearly visible. A small but noticeable portion of their Puget Sound and Olympic Mountain views could be interrupted by some of the proposal's taller buildings as shown in the images in Attachment C. Another ten to twenty Woodway residences are located where the top floors of some of the proposal's tallest buildings could potentially be visible through small gaps in the top of the steep bluff tree cover east of the site. These residences are located approximately 800 to 1,200 feet from the closest of the proposal's tallest new buildings in these visible areas.

The Puget Sound and Olympic Mountain views of most residences located southeast of the site in the City of Shoreline's Richmond Beach

neighborhood, also will not be significantly obstructed or otherwise adversely altered or impacted by the proposal. This is because the primary sound and mountain views from nearly all of these residences and from Richmond Beach Drive are to the west and southwest. Nearby homes, trees, and mature landscaping also block views of the site from many of these residences, and from much of Richmond Beach Drive. Motorists, cyclists, and pedestrians traveling north on limited portions of Richmond Beach Drive will see some of the taller proposed buildings on the western portion of the site. However, their primary sound and mountain views to the southwest, west, and northwest will not be impacted. As with most of the potentially affected Town of Woodway residences, most of the residences in the potentially affected portions of Richmond Beach are located 800 to more than 1,000 feet from the closest of the proposed new taller buildings on the site. A few of the closest neighboring residences will be located within 300 to 700 feet. These distances will significantly aid in minimizing any potential view impact to a very small percentage of the total sound and mountain view area from any Richmond Beach residence.

Also mitigating the effects of any potential adverse aesthetic impacts, is the fact that the proposal's new buildings will also be replacing more than 85 existing petroleum storage tanks and related industrial structures on the site. A significant number of these tanks have a diameter of more than 100 feet and heights exceeding 35 feet. The two largest tanks are 144 feet in diameter and are more than 45 feet high. Several of the other larger tanks are also located within 15 to 150 feet of the shoreline edge of the site. All of the site's significant number of older industrial buildings, and extensive piping and loading system equipment will also be removed. The new buildings will also be much more attractive than the petroleum tanks and industrial buildings they are replacing. All existing overhead utility poles and wiring on the site, will also be replaced with underground electrical and communication systems as part of site redevelopment. The net effect of replacing all of the site's existing tanks, buildings, piping, and equipment with the new mixed-use buildings and large amounts of attractively landscaped open space at this location, should be an overall qualitative improvement in the views from any residences than can see portions of the site, and for the public from public streets, walkways, and shoreline areas where the site is visible.

c. Proposed measure to reduce or control aesthetic impacts, if any:

The proposal's South Village which is closest to adjacent communities will be of lower density, and designed to provide a neighborhood feel and compatible transition in volume from the surrounding single family neighborhoods. The height and massing of its buildings will be controlled to limit obstruction of views from the adjacent communities and other portions of the proposal.

Computer Aided Design (CAD) 3-Dimensional generated view analysis imagery will be used as necessary, to assist the final design refinement of the buildings, included in the final site redevelopment plan to further minimize adverse aesthetic impacts.

Removal of all overhead utility poles and lines on the site, as part of redevelopment, will be another mitigation measure that will improve scenic views and overall appearance of the site. Replacement of all the site's existing petroleum storage tanks, piping, loading equipment, and older industrial buildings with much more attractive new buildings, and extensive amounts of attractively landscaped open space, under a unified set of urban design guidelines will also be a significant mitigation measure. Site redevelopment will provide for substantial new opportunities to view and enjoy scenic shoreline areas, and access attractive Puget Sound beach areas from newly created public spaces on the site. Furthermore, this mixed-use redevelopment will provide a variety of additional amenities, such as new public plazas, walkways, and event spaces that will include significant amounts of specially designed landscaping, lighting, seating areas, public art, and historic artifacts.

The following specific measures have been incorporated into the final design of the project to ensure that it will greatly improve the site's existing visual character, and mitigate any potentially significant adverse visual quality impacts:

- **Use of a streetscape character plan to establish the unique character and hierarchy of streets and pedestrian areas for each district within the project, and to create attractive exterior project street edges.**
- **Provision of a detailed streetscape design treatment for all streets, intersections, transit access areas, and sidewalks within the project including street trees, planting areas, special paving, lighting, signage, walls, fences, railings, art, and street furniture with special emphasis on the project's village center, shoreline areas, and main entryway.**
- **Provision of a unified network and hierarchy of open spaces and plazas throughout all project areas and phases, including major public spaces, gathering space plazas, view points, pocket/park plazas, residential courtyards, esplanade transition, and pedestrian alleys and mews.**
- **Provision of a unified landscaping, lighting, and signage plan for all project phases and elements.**
- **Provision of a continuous, well designed pedestrian way along the project's shoreline with designated public gathering places and substantial water, island, mountain, and peninsula viewing opportunities.**
- **Provision of well designed landscaping around all project loading and service areas for screening and visual improvement.**
- **Minimization of the number and size of driveway curb cuts.**

- **Protection of views from existing residences near the site by the careful location, design, and orientation of the project's taller buildings including the shielding of all major roof top mechanical equipment.**
- **Provision of a high quality architectural design for all project buildings and improvements through the use of an orchestrated set of design methods and techniques that address the need for prominent building entrances, ground level building detail for pedestrians, careful building massing and articulation, and distinct base/middle/top/roof form building elements.**
- **Provision of architecturally distinctive designs for the buildings and improvements in each of the project's four districts, that reflect and enhance their primary uses and functions.**
- **Provision of an integrated set of public plazas at or near each water edge of the site, that interactively establish visual connections between indoor and outdoor spaces.**
- **Provision of effective visual and sound buffering screening of all project service areas and mechanical equipment, including all rooftop equipment in an attractive style consistent with the architectural style of the building.**

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Redevelopment project light sources will include motor vehicle headlights, new business signs, and buildings and grounds lighting during non-daylight hours.

c. Could light or glare from the finished project be a safety hazard or interfere with views?

The potential exists for a large-scale redevelopment project of this type to inadvertently create some form of light or glare related safety hazard or view impact. However, careful analysis of all potential sources of light and glare has been performed during the preparation of the site development plan, to prevent these potential adverse impacts from occurring. For example, careful selection and placement of properly shielded outdoor lighting fixtures has eliminated all potential light and glare impacts on nearby residential and commercial areas. This includes using outdoor lighting systems that are fully consistent with all the relevant provisions of the International Dark-Sky Association's (IDA) Outdoor Lighting Code Handbook and USA Pattern Lighting Code, to control the obtrusive effects of outdoor lighting. The IDA states that use of effective shielding standards, as recommended in its Handbook, will virtually eliminate glare and will reduce the amount of light escaping into the sky, by fifty percent or more compared to typical unregulated lighting practices. In addition, the site's existing and mostly non-conforming outdoor industrial

operations and security lighting will be replaced during its redevelopment. Much of this lighting is not well shielded and currently creates significant night sky light pollution and glare for surrounding areas.

d. What existing off-site sources of light or glare may affect your proposal?

None.

e. Proposed measures to reduce or control light and glare impacts, if any:

The following features are being incorporated into the site development plan and final design for all buildings and site improvements, and are intended to mitigate light, glare, and shadow impacts:

- **Specification in the site development plan that all exterior illumination and lighted signs will be hooded and/or shielded, and properly placed to prevent glare when viewed from surrounding properties and rights-of-way, in conformance with Chapters SCC 30.23 and 30.27 of Snohomish County's UDC.**
- **Location, design, and orientation of all buildings to minimize potential light, glare, and shadow impacts on the most sensitive receiving areas, including nearby residential areas and new residential areas within the project, parks, waterfront commercial buildings, and facilities, shoreline walkways and major public spaces.**
- **Provision of extensive landscaping and screening of all new loading areas and parking structures to minimize site lighting and vehicle headlight impacts on any potential sensitive on or off-site receiving areas.**
- **Provision of a coordinated parking area and building lighting plan for the entire site, that utilizes properly aimed and placed fully shielded lighting, to minimize light and glare impacts on any potential on or off-site sensitive receiving areas.**
- **Use of non-reflective roof and façade materials as needed on all new buildings to reduce potential reflective glare impacts.**

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Designated recreational opportunities in the immediate vicinity include Kayu Kayu Ac Park located approximately 0.25 mile south of the site, the Richmond Beach Saltwater Park located approximately one mile south of the site, and the Richmond Beach Center located approximately one mile southeast of the site. Nearby informal recreational opportunities include the Puget Sound beach areas located immediately south of the site.

b. Would the proposed project displace any existing recreation uses? If so, describe.

No.

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

The proposed project will provide substantial new opportunities for Snohomish and King County residents to view and enjoy scenic shoreline areas, and access attractive adjacent Puget Sound beach areas from newly created public spaces and recreation areas on the site. Furthermore, this mixed-use redevelopment will provide a variety of additional amenities such as new public plazas, walkways, and event spaces. This is particularly significant because strict Homeland Security Department requirements related to the current use of the site prevent any public recreation or shoreline access opportunities. Other potential measures could include:

- **Installation of a unified interpretive recreation and shoreline access signage system for the entire site**
- **Collaboration with community organizations to fund and construct special park and recreation amenities**

13. Historic and Cultural Preservation

a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

Based on the Cultural Resources Report prepared for this proposal (Attachment D), no places or objects listed or proposed for any national, state, or local registers are known to be on or within two city blocks of the site.

b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

According to the proposal's Cultural Resources Report no previously recorded archeological resources were found within one mile of the Project Area. The nearest archeological resource, a pre-contact shell-midden deposit, is located approximately 3.1 miles northeast of the site.

According to the Brightwater FEIS the only evidence of historic importance that may exist on or near the site consists of four documented shipwrecks in near shore portions of Puget Sound. However, side scan radar studies of this area for the Brightwater project did not identify any shipwrecks on the seafloor. None of these shipwrecks have been evaluated for listing in the National Historic

Register (NHRP). The Brightwater FEIS also indicated that archeologically important resources could exist on or near the site. These resources are most likely to be fisher-gatherer and/or ethnographic period archeological deposits. The Paramount Docket FSEIS also noted that because of its coastal location, the possibility exists that intact buried archaeological resources remain in as of yet untested sections of the Paramount site.

The proposal's Cultural Resource Report states that the Point Wells Project Area represents a land form type that often was used in prehistory as a residential and resource gathering location by Northwest Coast Indian Tribes. A comprehensive subsurface cultural resources survey has not been conducted, so evidence of archaeological remains that represent such prehistoric use is not available. An existing tank farm, and previous historic-era activities that occurred here over the past 100 years, reduces the likelihood that substantial intact cultural resources remain. Intact archaeological deposits may persist only at certain depths, or only in pockets that represent once thicker and/or broader deposits, within the Project Area. Despite the likelihood that historic activities have disturbed older, underlying remains, the potential sensitivity of such remnant deposits, particularly human burials and structural remains, both of which are commonly found in association with midden, indicates that the applicant needs to proceed with caution and in consultation with appropriate review agencies.

c. Proposed measures to reduce or control impacts, if any:

The measures to reduce or control any potential impacts will include the following:

Project Area. An archaeologist will be retained to review all geotechnical data and final design plans developed for the project area. Subsurface testing and/or construction monitoring could be recommended based on the results of this review.

Mitigation Area. An archaeologist will be retained to examine the mitigation area and to determine the need for subsurface testing to identify the potential for archaeological features or buried anthropogenic (pre-contact period) sediments. Testing could be conducted through hand excavation of shovel test probes or by mechanical excavation. Should there be no positive identification of archaeological materials; archaeological construction monitoring may still be recommended, depending upon the nature of testing results.

Any required archaeological monitoring would begin when excavations approached natural sediments and would terminate once excavation had progressed to the base of excavations or into underlying glacial till. During excavation, review agencies with jurisdiction would be consulted to provide direction for any archaeologist on–site to monitoring of excavations into the natural

deposits. Any archaeological discoveries would follow the protocols of an archaeological monitoring plan and tribal protocols for late discovery.

14. Transportation

a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

As depicted on site development plans submitted for this proposal the primary access to the redeveloped site will continue to be provided by Richmond Beach Drive.

b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Metro Transit currently provides regular transit service to a bus stop located slightly less than one half mile south of the site on Richmond Beach Drive NW near 3rd Avenue W. From this stop Metro route 348 provides frequent local area weekday and weekend transit service (with numerous other transit route transfer options) and direct connection to the Northgate regional transit center (15 additional route transfer options). Metro route 304 provides frequent peak hour weekday direct express transit service from this stop to downtown Seattle via the NE 145th Street I-5 Freeway Transit Station (5 additional route transfer options). A paved public walkway adjacent to Richmond Beach Drive extends from the site to this transit stop.

c. How many parking spaces would the completed project have? How many would the project eliminate?

The site development plan for the proposal includes 3,320 parking spaces for the various proposed uses in the project at full build-out. A few dozen existing parking spaces will be removed as part of site redevelopment.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

The site development plan for the proposal includes an entirely new internal roadway system to provide access throughout the site to accommodate pedestrian and transit-oriented mixed-use redevelopment. All the new streets within the proposal are proposed to be private.

The Point Wells Development Traffic Impact Analysis (TIA) (May 2010, David Evans and Associates Inc. (DEA) – included in this project application utilized the trip assignment and distribution approach from the Paramount Docket FSEIS as a basis for the distribution. The

FSEIS analysis was also based on a project containing 3,500 residential units and 65,000 square feet of commercial and retail space.

The information from the FSEIS was refined and used as a basis for trip distribution to and from the project. The FSEIS Traffic Section sent the majority of trips northward into Snohomish County and less to the south (King County and in particular, the City of Shoreline).

It was determined that the FSEIS assignment of trips was primarily influenced by the Snohomish County regional model and less on a two-county distribution. The DEA study concluded a multi-county distribution was necessary for the Point Wells development. A new distribution pattern was created for the Point Wells Development TIA. This new distribution focused on a two-county distribution rather than on the greater Snohomish County distribution outlined in the FSEIS. The DEA distribution more closely represents a two-county distribution to both Snohomish and King Counties, based on local land uses and demand areas throughout the project vicinity. This resulted in a more proportioned trip assignment split to the north and south.

The Point Wells Development TIA does not include the amount of detail covered in the FSEIS; however, it can be determined that, as a result of the refined trips throughout Snohomish and King Counties, that less impacts will occur in Snohomish County (Edmonds, Lynnwood, Woodway, Everett, Mukilteo, etc.) while more impacts will occur within King County (Shoreline and Seattle burroughs) than originally stated in the FSEIS.

According to the TIA report prepared for this application and the traffic impact analysis contained in the Paramount Docket FSEIS, improvements to the external roadway system that will serve the proposal on the redeveloped site will be necessary.

External roadway system elements and intersections most likely to potentially require improvement include:

- **City of Shoreline - Richmond Beach Drive, Richmond Beach Road including its intersections with 8th Avenue NW and 15th Avenue NW, the intersection of NW 196th Street and 20th Avenue NW, the intersection of NW 195th Street and 15th Avenue NW, NW 196th Street between Richmond Beach Drive and 24th Avenue NW and NW 190th Street between NW Richmond Beach Road and 8th Avenue NW**
- **City of Edmonds – the intersection of 244th Street SW and 100th Avenue W**
- **Town of Woodway – the intersection of Algonquin and Woodway Park Road**
- **City of Shoreline and Town of Woodway – Richmond Beach Road between the site and NW 196th Street**

- **City of Shoreline and Washington Department of Transportation (WSDOT) – the intersection of N 185th Street and SR 99**
- **City of Edmonds and WSDOT – the intersection of SR 104 and SR 99.**

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The site is located on the both sides of the BNSF Everett to Seattle main rail line, but will be separated by security fences and two bridges over this line. The site plan for the proposal also includes commuter rail stations that could be constructed at a future date and use this rail transportation facility. The site also includes a large deepwater pier and small concrete boat launch ramp that serves its current use. The site plan for the proposal retains the option to modify these facilities in the future, to accommodate special types of vessels, such as passenger ferries, scientific research vessels, tall sailing ships, and tour boats. The deepwater pier enhancement design also includes the ability to provide a limited amount of seasonal moorage for small boats on its protected shoreside.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

The Paramount Docket FSEIS traffic impact analysis was prepared for a maximum site build-out project, which would generate traffic impacts slightly larger but very similar to this proposal. It is to be noted that the build-out for this proposal is likely to extend far beyond the 2016 horizon year used in the TIA. The FSEIS analysis was based on a mixed use TOD project which included a greater number of residential units compared to this proposal (3,500 units instead of the proposal's 3,081 units), and a smaller amount of commercial and retail space (65,000 square feet instead of this proposal's 126,600 square feet). Based on Institute of Transportation Engineering (ITE) manual and required Snohomish County Code (SCC) 30.66B methodology, the TIA for this proposal has determined that redevelopment of the site for using the 3,500 residential unit count and 65,000 square foot commercial/retail area evaluated by Paramount Docket FSEIS traffic analysis, would generate 12,538 daily vehicular trips. The daily vehicular trips generated by the current proposal's slightly different use mix, will be very similar. The daily trips generated by the site's recent industrial use would need to be deducted to determine the net increase over daily volume conditions, before the Brightwater sewer outfall project began on the site. Peak traffic volumes would occur during the PM peak hour of adjacent street traffic. A total of 1,003 trips would occur during the PM peak hour. The peak hour trips generated by the site's recent industrial use would also need to be deducted to determine the net increase over current peak hour conditions.

The traffic analysis for the proposal and the Paramount Docket FSEIS document that, with the implementation of appropriate mitigation measures, this amount of mixed use site redevelopment, will not create any unacceptable level of service (LOS) deficiencies on the transportation network serving the site.

g. Proposed measures to reduce or control transportation impacts, if any:

(1) The proposal's form of compact, pedestrian oriented, mixed-use site redevelopment will significantly reduce both the capital expense and ongoing operational costs, of satisfying its demands for additional transportation, (as well as public services and urban utilities) compared to the same amount of development carried out in a more conventional manner on either this site, or on scattered sites throughout this portion of the metropolitan area;

(2) Compact, pedestrian oriented mixed-use development of the site will also provide the opportunity to create a self contained neighborhood with opportunities to live, work, obtain essential services, and recreate on-site. This in turn will reduce the need for the project's residences to travel off the site for variety of services.

(3) The amount and compact, transit-oriented form of this development will also generate the opportunity to provide regularly scheduled transit service to the site itself, and to offer residents and employees various ride share options, to significantly reduce single occupant vehicle trips.

Specific proposed measures to reduce and control transportation impacts will also potentially include but not be limited to:

- **Provision of safety and capacity improvements to portions of the adjacent street and walkway system, potentially including but not limited to the street and highway elements previously identified in subsection c. of this environmental checklist element.**
- **Provision of a convenient and well-designed on-site transit center to promote transit, rideshare, bicycle, and para-transit use by project residents, employees, and visitors.**
- **Expansion of existing fixed-route bus service by creating substantial amounts of transit-oriented design and density uses, to support expanded service and extending this new and existing bus service into the project's on-site transit center.**
- **Incorporation of a commuter rail station in the project design as part of the transit center to provide direct future access for project residents, employees, and nearby residents to Sounder commuter rail service between Seattle and Everett.**
- **Provision of special shuttle service from the on-site transit center (especially during AM/PM peak hours) to and from express route bus stops, the planned Sound Transit light rail commuter station at 185th and I-5, and the Edmonds Sounder commuter rail station.**

- **Implementation of a voluntary trip reduction program which will include incentives to project residents and employees to use various rideshare services including commuter vanpools, carpools, para-transit, and a Flexcar service such as "Zipcar" on site.**
- **Provision of convenience goods and services in and near compact pedestrian-friendly residential and employment nodes in the project to reduce off-site trips.**
- **De-emphasis of private vehicles by placing garages under buildings and limiting the overall amount of site parking to reduce private vehicle use.**
- **Provision of a parking management plan for all site uses to maximize the efficient use of all project parking facilities**
- **Provision of a highly efficient and fully integrated pedestrian and vehicle circulation system.**
- **Provision of a fully networked pedestrian pathway and sidewalk system linking all portions of the project to reduce short trip on-site vehicle travel, and promote walking and bicycling.**
- **Provision of new and improved pedestrian and bicycle pathway linkages to the surrounding community, to reduce vehicle trips to and from the site.**
- **Provision of a wayfinding signage system that is fully integrated into the project's internal street and pedestrian system.**
- **Provision of safe, convenient, and weather protected bicycle parking areas throughout the redeveloped project site.**
- **Provision of an internal street system that can accommodate appropriately scaled transit vehicles**
- **Provision of a construction traffic mitigation plan in coordination with Snohomish County and the adjoining municipalities.**
- **Payment of required Snohomish County traffic impact mitigation fees.**

5. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

Yes. Redevelopment of the site for more intense mixed-use and water-related activities is likely to produce an increase in the demand for various types of public services including police, fire, emergency medical, schools, and health care services, although the need for special security and fire/life safety services required to protect a large petroleum products storage and processing facility would be eliminated.

With regard to the need for increased police services, the Paramount Docket FSEIS stated that based on recent countywide crime rates, high density mixed use redevelopment of the site could generate up to approximately 255 reported crimes annually (based on a project

containing 3,500 residential units). This would require additional patrols and more police officers than are currently assigned to the site.

The FSEIS also reported that high density mixed use redevelopment of the site including up to 3,500 residential units has a high potential to create significant impacts on fire protection and emergency services.

The Paramount Docket FSEIS contains a detailed analysis of the potential school services impacts on the Edmonds School District generated by a project containing 3,500 multi-family residential units. This analysis identifies the elementary, middle school, and high school that would serve the project and their existing unused enrollment capacity, if any. Based on the district's 2006-2011 Capital Facilities Plan estimated multi-family student generation rate of 0.157 students per unit, the FSEIS concluded that a 3,500 multi-family residential project would generate an additional 594 students that would need to be served by the identified schools. It also noted that although the district currently has sufficient capacity overall to accommodate these additional students, transfer of capacity through use of portable structures is likely to be necessary, especially given that Edmonds-Woodway High School is currently at or above capacity. Please refer to this FSEIS for additional details on the demand for additional public services generated by a mixed use project containing more than 3,000 residential units.

b. Proposed measures to reduce or control direct impacts on public services, if any:

Proposed measures to reduce or control direct impacts on public services will include:

- **Removal of all of the mostly older industrial buildings, tanks, piping, and structures on the site, and replacement with new non-industrial buildings and improvements that will comply with the most current building, fire, and other health and safety codes. The site will also be provided with a fully looped water system with adequate fire flow and new fire hydrants.**
- **The proposal has been designed to include an on-site fire and police station.**
- **Provision of a well designed internal street system that provides fast, efficient police, fire and emergency vehicle access to all portions of the redeveloped site.**
- **Provision of a fully looped water distribution and fire hydrant system through the redeveloped site to provide adequate fire flow.**
- **Provision of a new, fully integrated stormwater collection and treatment system throughout the redeveloped site designed to meet the most current requirements.**
- **Provision of streets, walkways, and public spaces designed to promote visibility for residents, employees, the public, and the police.**

- **Provision of specially designed and located non-glare security lighting to discourage illegal activity in all parking areas, walkways, and public spaces.**
- **Payment of any required school impact mitigation fees**

Applicable Regulations and Commitments

The following regulations and commitments will apply to the final project design and will mitigate public services and utilities impacts:

- **Snohomish County Zoning Code and related development regulations including the payment of any required school impact mitigation fees.**
- **Snohomish County Building, and Fire Codes**
- **Utility District System Standards and Applicable Connection Fees**
- **Ecology Administered Cleanwater Act Section 401 Water Quality Certification Requirements.**
- **Existing on-site buildings would be demolished in accordance with approved hazardous material abatement methods and debris would be disposed of at approved solid waste disposal facilities.**

Compliance with the above referenced regulations and standards would result in all of the new buildings on the redeveloped site incorporating the most current life/safety design features and methods of construction.

Other Potential Mitigation Measures

The following measures will be considered to mitigate public services and utilities impacts:

- **Applicable Sustainable and Low Impact (LEED) Development methods and techniques**
- **Provide a multi-phased site redevelopment process that will enable additionally needed public services and utilities to also be provided in a commensurate phased manner.**
- **During construction, security measures would be implemented to reduce potential criminal activity. These measures could include on-site surveillance, site lighting, and fencing to prevent public access.**
- **Goals will be established to recycle a substantial percentage of eligible site demolition material in order to avoid landfill disposal.**
- **Establishment of programs for recycling materials generated by operation of the project would be encouraged.**
- **The need for any additional special measures to reduce or control direct impacts on public services will be assessed as part of each project phase design and approval process. The new residential and expanded employee daily population on the site will also constitute a very small percentage of the total population served by the project key service providers.**

16. Utilities

a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Redevelopment of the site for intensive pedestrian-scale mixed-use will require a significant upgrade in the capacity and distribution of all existing urban utilities serving the site. Contacts with key utility providers have already confirmed that there are no major mid or long-term capacity obstacles to providing the required levels of service.

The Paramount Docket FSEIS evaluated utility services currently provided to the site and the utility improvements required to serve a mixed use project containing up to 3,500 multi-family residential units.

Water Service – the FSEIS noted that the site is served by the Olympic View Water and Sewer District (District). The District draws its main source of water from the City of Seattle, but maintains interties to the City of Edmonds to draw on the Everett regional system in case of emergencies. Although the District maintains its own supplemental water supply and storage system, its most recent contract with Seattle provides adequate supply to meet any additional demand generated within the District. The FSEIS concluded that a mixed use project containing up to 3,500 residential units has the potential to generate significant impacts on water distribution. This amount of development would generate an additional demand for 0.50 million gallons of water per day (mgd) plus additional demand to serve the redeveloped site's proposed commercial uses. The District's capital facility plan will also need to be revised to provide new and larger infrastructure extensions to the site to provide the significantly increased water demand created by the proposal uses and its significantly higher fire flow and storage requirements. Recent discussion between the proposal's engineers and District representatives indicates that it is feasible for the proposal to work with the District to construct necessary infrastructure improvements and extensions to serve the site in a timely manner.

Sewer Service – the FSEIS documented that the Paramount site is located in Sewer Basin 24 of the Ronald Wastewater District (RWD). RWD's Lift Station 13 which currently serves the Paramount site is located approximately 0.2 miles south on Richmond Beach Drive. The FSEIS projected that a somewhat larger 3,500 residential unit project which also included nearly 900 commercial use employees could generate peak sewage treatment flows of more than 2.2 million gallons per day (mgd). This analysis verifies that demand for waste water transmission and treatment generated by the proposal would exceed

the capacity of both the existing infrastructure and currently planned capital improvements of the RWD as described in more detail in the FSEIS. Subsequent discussions between the proposal's engineers and RWD representatives indicates that it is feasible for the proposal work with the RWD to construct all required capital improvements to serve the site in a timely manner.

Telecommunications – Telephone digital subscriber line, cable, and wireless communication services to the site are provided by Verizon. Comcast, and Qwest communications also offer digital telephone service in conjunction with their digital data and television service, as well as wireless telephone services. According to the Paramount Docket FSEIS no additional telecommunication infrastructure will be required.

Solid Waste – Allied Waste of Lynnwood provides solid waste collection and recycling services for the portion of the southwest Snohomish County service area which includes the proposal site. The Paramount Docket FSEIS stated that a mixed use project similar in size to the proposal could generate over 2,400 tons of solid waste per year. The FSEIS also indicated that the Roosevelt Regional Landfill has substantial unused capacity to meet this demand.

Power and Gas – electrical power to the site is provided by the Snohomish County Public Utility District (PUD). Natural gas service to the site is provided by Puget Sound Energy (PSE). Discussions between the proposal's engineers and PUD officials have confirmed the project will be required to provide funding for the installation of the necessary electrical infrastructure upgrades. Substantial natural gas infrastructure already exists to serve the current industrial site of the site. For this reason, the proposal may only require minor upgrades to the existing gas supply infrastructure.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

DOUGLAS A. LUETJEN, AUTHORIZED SIGNATORY

Date Submitted: MARCH 4, 2011

BSRE U.S.A., INC., General Partner of
BSRE POINT WELLS, LP, Applicant and Property Owner

FIGURE 1

POINT WELLS URBAN CENTER - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT APPLICATION

Narrative: Consistency with Shoreline Management Act Policies

Section 1: Shoreline Permit Proposed Elements

The Point Wells Urban Center Project shoreline substantial development permit application includes four major elements which are described in this section of the consistency narrative. The second section of the consistency narrative describes how these four shoreline project elements are consistent with and implement the Shoreline Management Act (SMA) use preference policies (RCW 90.58.020).

1. Existing Seawall Reconstruction and Realignment – the site's existing 3,300 foot-long combination sheet pile, rip-rap rock and timber seawall will be totally removed and reconstructed. Most of the new seawall will be relocated 40 to more than 100 feet landward of its existing location. The primary purpose of this realignment is to create 5.67 acres of productive new intertidal habitat area. These new areas will be provided with the appropriate mix of sand and gravels at the proper depths and gradients. The new seawall will also be constructed in a manner which will provide significantly improved habitat functions and values.

2. New Conveyance Channel, Groins, and Nearshore Habitat Area – a new open water conveyance channel will be created through the center of the site to Puget Sound by daylighting existing drainage culverts that convey drainage from properties east of the site. The new conveyance channel will also be buffered by the creation of a new adjoining 2.04 acre nearshore planting area. The planting area will include installation of large woody debris, nest and bat boxes and new vegetation to create the appropriate natural habitat. In conjunction with these improvements three new groins will be placed in the intertidal area in the vicinity of the new conveyance channel to create additional natural habitat and new beach area.

3. Existing Deepwater Dock Renovation – the site's existing 1,050 foot-long deepwater dock will be extensively renovated to provide an array of new shoreline public access benefits. The dock's three existing land access piers will be replaced by a single new pedestrian access pier. The smaller dilapidated creosote piling supported pier north of the deepwater pier and a nearby mooring dolphin will also be removed. The deepwater pier's deteriorating creosote support pilings will be systematically replaced by coated steel piling. Public viewing and fishing areas will be added to the dock along with shops selling fishing tackle, scuba and boating gear, and small restaurants with outdoor eating areas. Storage

and rental facilities for kayaks, scuba diving and small sailboats will also be added.

4. New Shoreline Pedestrian Esplanade and Public Plazas – a continuous 12 to 20 foot-wide pedestrian esplanade will be constructed along the site's entire 3,402 foot-long shoreline edge. It will be linked to the new internal street and walkway circulation serving the project at numerous points. A large central public plaza along with several smaller public plazas and viewing points will also be constructed adjacent to the new shoreline pedestrian esplanade. The central public plaza will be located adjacent to the new pedestrian bridge to the renovated deepwater pier.

Section 2: Proposal Consistency with SMA Policies

These project shoreline elements are consistent with the following SMA Policies:

"Planning for and fostering all reasonable and appropriate uses" – two of the project's four proposed shoreline restoration and public access improvement actions are entirely dedicated to the provision of extensive new shoreline public access opportunities for public gatherings, bird watching, environmental education, recreational boating, scuba diving and fishing. The other two project elements are dedicated to the creation of a major new habitat restoration area. In addition, the overall mixed use project's proposed major residential and commercial elements are located entirely outside of the SMA jurisdiction area.

"Protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life while protecting generally public rights of navigation and corollary rights incidental thereto" – all of the project's four proposed shoreline restoration and improvement actions have been designed to minimize their potential adverse impacts on public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life. This minimal adverse impact is documented by the proposal's Critical Areas Report. This report also identifies an array of potential impact mitigation measures that can be used as needed to further minimize potential adverse impacts. It also describes the proposed habitat restoration and pollution remediation actions contained in these project elements and the overall project which are intended to improve the existing degraded land and aquatic habitat of a large shoreline site that has been intensively used for petroleum related heavy industrial activities for more than 100 years.

(1) *Recognize and protect the statewide interest over local interest* – these four proposed shoreline restoration and improvement actions will work together to provide residents in adjoining portions of Snohomish County and King County with high quality access to this portion of Puget Sound beach and shoreline for the first time in more than 100 years.

(2) *Preserve the natural character of the shoreline* - the creation of 5.67 acres of new intertidal habitat and 2.04 acres of new nearshore habitat in conjunction with the

construction of a new conveyance channel daylighting previously culverted streams will provide a large amount of natural character restoration of an existing heavily degraded industrial shoreline area.

(3) *Result in long-term over short term benefit* - collectively these four proposed shoreline restoration and improvement actions represent a very large private sector investment to provide significant long-term public shoreline access and habitat restoration benefits to both the surrounding community and the entire Puget Sound ecosystem.

(4) *Protect the resources and ecology of the shoreline* – as noted in the previous narrative responses, the shoreline restoration aspects of the proposed actions will provide substantial habitat restoration on a large existing shoreline industrial site which currently has minimal nearshore natural habitat. The in-water portion of the proposed actions will also eliminate a large number of creosoted piling from the site's existing in-water structures and will significantly reduce the total over-water structure coverage. In addition, the site's existing high level of petroleum products contamination will be fully cleaned up as a result of the overall urban center redevelopment project. Continued heavy industrial use of the site would not require such a high level of cleanup. Full site cleanup will provide major long-term benefits to the resources and ecology not only of the site's shoreline but also to the entire Puget Sound ecosystem.

(5) *Increase public access to publicly owned areas of the shorelines* – King County owns one acre of land abutting Puget Sound adjacent to the south edge of the subject property. This land is used as the portal for the Brightwater sewage treatment system outfall into Puget Sound. This King County shoreline area cannot legally be accessed by the public unless the proposed public access improvements in this shoreline permit application are approved and constructed.

(6) *Increase recreational opportunities for the public in the shoreline* – as noted in the previous responses, the proposed shoreline public access improvements in this application will provide a wide variety of new public recreational benefits for the surrounding communities and the region. The 3,402 foot-long shoreline esplanade and connecting pathways into the new conveyance channel nearshore habitat areas can be used by the public for exercise, environmental education and bird-watching and access to the adjoining and expanded intertidal shoreline areas of Puget Sound. The reconstructed and realigned seawall and the new groins will also provide an expanded and more stable beach and intertidal area for public recreational use. The central public plaza and other proposed smaller public places can be used for shoreline viewing, picnicing, relaxation, sunbathing and various public and social events. The renovated deepwater dock can be used for public shoreline viewing, fishing, outdoor dining, and kayak, small sailboat, and scuba diving related activities.

Implementation of this policy – *"the public's opportunity to enjoy the physical and aesthetic qualities of the natural shorelines of the state shall be preserved to the greatest extent feasible"* – as documented in the preceding policy consistency responses the four

proposed shoreline restoration and public access improvement project elements will assist in implementing virtually all of the numerous objectives recited in this final section of RCW 90.58.020. These include:

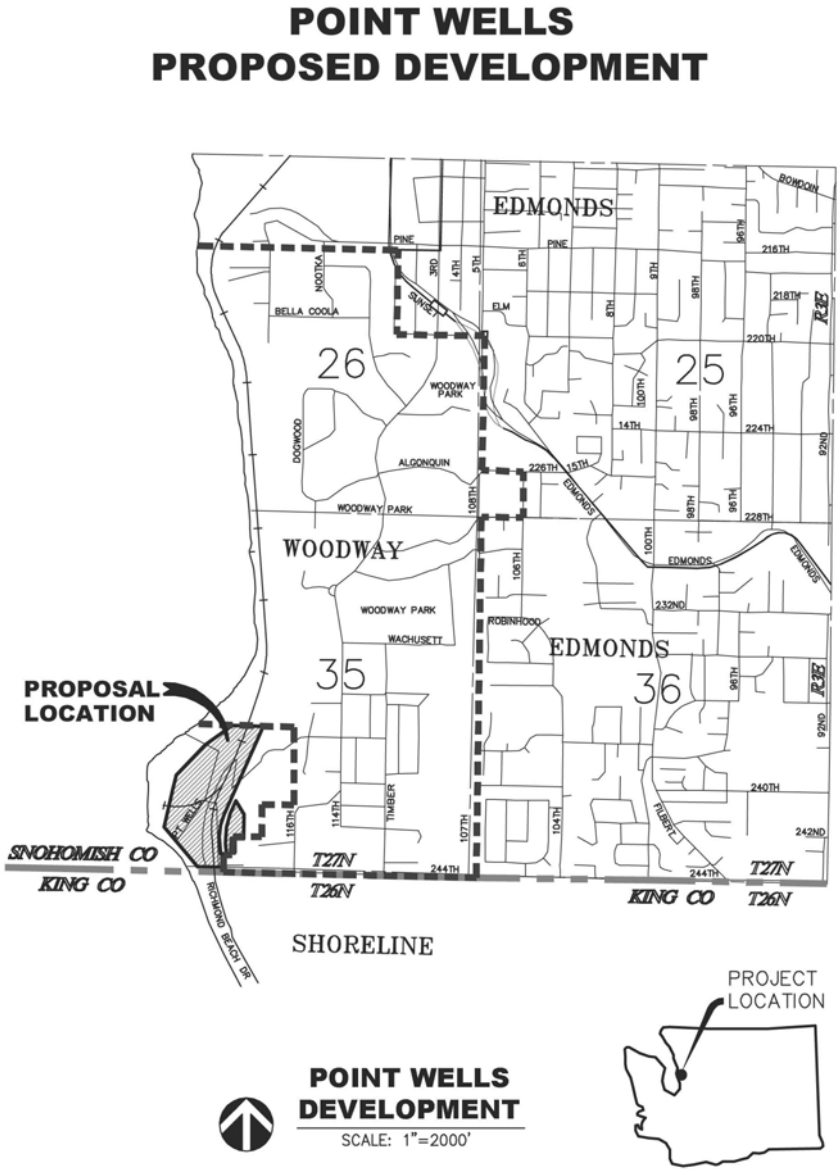
- *"control of pollution and prevention of damage to the natural environment"*

- *"dependent upon use of the state's shorelines"* including conversion of the existing deepwater dock to a variety of water dependent and water related public enjoyment activities that can accommodate a large number of people during peak use periods

- *"Alteration of the natural condition of the shorelines of the state, in those limited instances when authorized, shall be given priority for ..... shoreline recreational uses including but not limited to parks, marinas, piers, and other improvements facilitating public access to shorelines of the state and other development that will provide an opportunity for <u>substantial numbers of the people to enjoy the shorelines of the state</u>"* (underline emphasis added)

- *"Permitted uses in the shorelines of the state shall be designed and conducted in manner to minimize, insofar as practicable, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water"* in addition to providing the previously described shoreline area contamination cleanup and habitat restoration benefits, the proposed shoreline improvement actions will also enhance navigation and the public's use of the water. This will be done by removing an existing dilapidated wooden pier along with a nearby dilapidated mooring dolphin located north of the site's large deepwater pier and replacing the two existing bridges from the site to the deepwater pier with a single new pedestrian access bridge.

FIGURE 2
VICINITY MAP



Property Boundary

N

Project Area Aerial Photo	
BSRE Point Wells, LP	
PARA0000-0002	Figure 3
November 2010	

DAVID EVANS AND ASSOCIATES INC.

Gx1973

FIGURE 4

PROJECT LEGAL DESCRIPTION

PARCEL A

ALL THAT PORTION OF GOVERNMENT LOT 3, LYING WESTERLY OF THE WESTERLY RIGHT OF WAY MARGIN OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY (NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION) BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 6220 AND OF TIDE LAND LOT 3, ACCORDING TO THE MAP OF FILE IN OLYMPIA, WASHINGTON, ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS," SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., IN SNOHOMISH COUNTY, WASHINGTON, LYING NORTHERLY OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 6220, A DISTANCE OF 1708.20 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION 35 AS PRODUCED FROM THE SOUTHEAST CORNER OF SAID SECTION THROUGH THE SOUTH QUARTER CORNER OF THE SOUTH LINE OF SAID SECTION;
THENCE SOUTH 22°54'45" WEST ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY A DISTANCE OF 272.27 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE HEREIN DESCRIBED;
THENCE NORTH 76°34'18" WEST 657.50 FEET;
THENCE SOUTH 00°12'17" WEST, 193.15 FEET;
THENCE NORTH 87°02'52" WEST, 381.34 FEET;
THENCE NORTH 75°41'33" WEST TO WEST LINE OF SAID TIDELAND LOT 3 AND THE TERMINUS OF THE LINE HEREIN DESCRIBED.

PARCEL D

THAT CERTAIN PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF GOVERNMENT LOTS 3 AND 4, SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., AND OF LOTS 3 AND 4, EDMONDS TIDE LANDS, ACCORDING TO THE MAP ON FILE IN OLYMPIA, WASHINGTON ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS", DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 5277 WHICH IS 748 FEET NORTH OF SOUTH LINE OF SAID SECTION, SAID POINT HAVING BEEN LOCATED BY GARDNER, GARDNER AND FISCHER, INC., CIVIL ENGINEERS, AS BEARING NORTH 0°02'39" EAST ALONG THE NORTH AND SOUTH QUARTER SECTION LINE, 748.00 FEET AND NORTH 89°30'46" WEST, PARALLEL WITH THE SOUTH LINE OF SAID

SECTION 1381.93 FEET FROM THE QUARTER SECTION CORNER IN THE SOUTH LINE OF SAID SECTION;
THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF SAID BURLINGTON NORTHERN RAILWAY RIGHT OF WAY 200 FEET, TO A POINT WHICH IS 560.46 FEET NORTH AND 1393.68 FEET WEST OF SAID QUARTER SECTION CORNER;
THENCE NORTH 89°30'46" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 695.97 FEET TO THE GOVERNMENT MEANDER LINE OF PUGET SOUND, SAID MEANDER LINE BEING THE EASTERLY LINE OF SAID LOT 4 SAID EDMONDS TIDE LANDS;
THENCE NORTH 46°58'20" WEST ALONG SAID MEANDER LINE 147.44 FEET;
THENCE NORTH 89°30'46" WEST 163.21 FEET TO THE WESTERLY LINE OF SAID LOT 4, EDMONDS TIDE LANDS;
THENCE NORTH 41°17'17" WEST ALONG SAID WESTERLY LINE, 86.16 FEET TO AN ANGLE POINT IN SAID LINE;
THENCE NORTH 11°48'43" EAST ALONG SAID WESTERLY LINE OF LOT 4, AND ALONG THE WESTERLY LINE OF LOT 3 OF SAID EDMONDS TIDE LANDS, 990.54 FEET TO AN ANGLE POINT IN SAID LINE;
THENCE NORTHEASTERLY ALONG THE SAID WESTERLY LINE OF SAID LOT 3, EDMONDS TIDE LANDS, 359.62 FEET, MORE OR LESS, TO THE MOST WESTERLY CORNER OF THE J.C. VAN ECK TRACT, AS ESTABLISHED BY DECREE ENTERED IN SNOHOMISH COUNTY TITLE REGISTRATION CAUSE NO. 5, ENTITLED J.C. VAN ECK, PLAINTIFF VS. DANIEL HINES
(ET AL) DEFENDANTS;
THENCE SOUTH 67°05'15" EAST ALONG THE SOUTHWESTERLY LINE OF THE SAID VAN ECK TRACT, AS ESTABLISHED IN SAID CAUSE NO. 5, 986.73 FEET, TO A POINT IN THE SAID WESTERLY LINE OF SAID SEATTLE AND MONTANA RAILWAY COMPANY'S RIGHT OF WAY;
THENCE SOUTHWESTERLY ALONG THE SAID WESTERLY RIGHT OF WAY LINE TO THE POINT OF BEGINNING;

TOGETHER WITH TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, OR ABUTTING UPON THE ABOVE DESCRIBED PORTION OF GOVERNMENT LOT 4, AS CONVEYED BY THE STATE OF WASHINGTON BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 758480.

EXCEPT THAT PORTION OF GOVERNMENT LOT 3 AND THE SAID TIDE LAND LOT 3, LYING NORTHERLY OF A LINE DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN RAILROAD DISTANT 1708.2 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION 35 AS PRODUCED FROM THE SOUTHEAST CORNER OF SAID SECTION THROUGH THE SOUTH QUARTER CORNER ON THE SOUTH LINE OF SAID SECTION;
THENCE SOUTH 22°54'45" WEST ALONG THE WESTERLY RIGHT OF WAY LINE 272.27 FEET TO THE TRUE POINT OF BEGINNING OF THE LINE HEREIN DESCRIBED;
THENCE NORTH 76°34'18" WEST 657.50 FEET;
THENCE SOUTH 0°12'17" WEST, 193.15 FEET;
THENCE NORTH 87°02'52" WEST, 381.34 FEET;
THENCE NORTH 75°41'33" WEST TO WEST LINE OF SAID TIDELAND LOT 3 AND THE TERMINUS OF THE LINE HEREIN DESCRIBED.

PARCEL E

PARCEL 2 OF SNOHOMISH COUNTY BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NUMBER 200405180215, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND OF GOVERNMENT LOT 4 AND OF VACATED HEBERLEIN ROAD, ACCORDING TO VOLUME 44 OF COMMISSIONER'S RECORDS, PAGE 44 AND OF A PORTION OF LOT 4, EDMONDS TIDE LANDS, ACCORDING TO THE MAP ON FILE IN OLYMPIA, WASHINGTON ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS", ALL IN SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., SAID PARCEL MORE PARTICULARLY DESCRIBED AS FOLLOWS: (THE BEARINGS OF THIS PARCEL DESCRIPTION ARE BASED ON THE WASHINGTON COORDINATE SYSTEM, NORTH ZONE, NAD 83-91)

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;
THENCE NORTH 01°11'56" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION A DISTANCE OF 991.97 FEET (60 RODS BY DEED);
THENCE NORTH 88°33'35" WEST A DISTANCE OF 943.19 FEET TO THE POINT OF BEGINNING OF THIS PARCEL DESCRIPTION;
THENCE SOUTH 01°11'56" WEST A DISTANCE OF 455.24 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 422.92 FEET;
THENCE SOUTH 01°11'56" WEST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 490.27 FEET TO THE WEST MARGIN OF 116TH AVENUE SW;
THENCE SOUTH 01°11'56" WEST ALONG SAID MARGIN A DISTANCE OF 34.70 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 616.67 FEET;
THENCE NORTH 01°11'56" EAST A DISTANCE OF 34.70 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 453.60 FEET;
THENCE SOUTH 01°11'56" WEST A DISTANCE OF 259.23 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 153.56 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY LINE OF THE SEATTLE AND MONTANA RAILWAY COMPANY, NOW KNOWN AS THE BURLINGTON NORTHERN SANTA FE RAILWAY AND A POINT HEREINAFTER KNOWN AS POINT "A";
THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 05°29'24" WEST A DISTANCE OF 153.31 FEET;
THENCE NORTH 01°36'06" WEST A DISTANCE OF 65.00 FEET TO THE BEGINNING OF A 1382.70 FOOT RADIUS TANGENT CURVE TO THE RIGHT;
THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°46'17" AN ARC DISTANCE OF 525.40 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 1.50 FEET;
THENCE NORTH 24°02'46" EAST A DISTANCE OF 265.00 FEET;
THENCE SOUTH 31°23'34" EAST A DISTANCE OF 291.15 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH A PARCEL LYING WESTERLY OF SAID RAILWAY AND COMMENCING AT AFORESAID POINT "A";
THENCE NORTH 88°33'35" WEST A DISTANCE OF 107.79 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF SAID RAILWAY AND THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 88°33'35" WEST A DISTANCE OF 414.54 FEET, MORE OR LESS, TO THE GOVERNMENT MEANDER LINE;
THENCE SOUTH 45°57'35" EAST ALONG SAID LINE A DISTANCE OF 14.77 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 240.88 FEET TO THE WESTERLY LINE OF SAID LOT 4 OF EDMONDS TIDE LANDS;
THENCE NORTH 40°07'35" WEST ALONG SAID LINE A DISTANCE OF 551.68 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 158.05 FEET TO SAID MEANDER LINE;
THENCE SOUTH 45°57'35" EAST ALONG SAID LINE A DISTANCE OF 147.44 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 710.85 FEET, MORE OR LESS, TO SAID WESTERLY RIGHT OF WAY LINE AND THE BEGINNING OF A 1004.93 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT;
THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 04°52'56" AN ARC DISTANCE OF 85.63 FEET;
THENCE SOUTH 05°29'24" EAST A DISTANCE OF 219.22 FEET TO SAID POINT "A" AND THE POINT OF BEGINNING.

EXCEPT THAT PORTION OF SAID PARCEL E LYING WITH THE TOWN OF WOODWAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35,
THENCE NORTH 01°11'56" EAST ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION A DISTANCE OF 482.03 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 30.00 FEET TO THE EAST MARGIN OF 116TH STREET S.W., AND THE TRUE POINT OF BEGINNING;
THENCE CONTINUING NORTH 88°33'35" WEST A DISTANCE OF 616.67 FEET;
THENCE NORTH 01°11'56" EAST A DISTANCE OF 34.70 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 453.60 FEET TO A POINT ON THE TOWN LIMIT LINE OF THE TOWN OF WOODWAY, SAID POINT TO BE HEREINAFTER REFERRED TO AS POINT "B";
THENCE NORTH 01°11'56" EAST ALONG SAID TOWN LIMITS A DISTANCE OF 20.00 FEET; THENCE SOUTH 88°33'35" EAST ALONG SAID TOWN LIMIT LINE A DISTANCE OF 580.00 FEET;
THENCE SOUTH 01°11'56" WEST A DISTANCE OF 20.00 FEET;
THENCE SOUTH 88°33'35" EAST A DISTANCE OF 490.27 FEET TO A POINT ON THE WEST MARGIN OF SAID 116TH STREET S.W.;
THENCE SOUTH 01°11'56" WEST ALONG SAID WEST MARGIN A DISTANCE OF 34.70 FEET TO THE POINT OF BEGINNING.

AND EXCEPT WITH THAT PORTION OF SAID PARCEL E LYING WITH THE TOWN OF WOODWAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE HEREINBEFORE REFERENCED POINT "B";
THENCE SOUTH 01°11'56" WEST ALONG SAID TOWN LIMIT LINE A DISTANCE OF 234.23 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 01°11'56" WEST A DISTANCE OF 25.00 FEET;
THENCE NORTH 88°33'35" WEST A DISTANCE OF 83.56 FEET TO A POINT ON THE TOWN LIMIT LINE OF THE TOWN OF WOODWAY;
THENCE NORTH 05°29'24" WEST ALONG SAID TOWN LIMITS A DISTANCE OF 25.18 FEET; THENCE SOUTH 88°33'35" EAST ALONG SAID TOWN LIMIT LINE A DISTANCE OF 86.49 FEET TO THE POINT OF BEGINNING.

PARCEL F

ALL THAT PORTION OF GOVERNMENT LOT 4, SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;
THENCE NORTH 0°21'27" EAST, 247.50 FEET;
THENCE NORTH 89°00' WEST ALONG THE NORTH LINE OF PROPERTY CONVEYED TO ELIZABETH JANE SPENCER BY DEED RECORDED IN VOLUME 5 OF DEEDS, PAGE 264, 1100.27 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE NORTH 10 FEET TO A POINT ON THE SOUTH LINE OF PROPERTY CONVEYED TO NORTH AMERICAN TERRA COTTA TILE BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 81850;
THENCE NORTH 89°00' WEST ALONG THE SOUTH LINE OF SAID NORTH AMERICAN TERRA COTTA TILE PARCEL TO THE MEANDER LINE OF SAID SECTION 35;
THENCE SOUTH 44°57'35" EAST, ALONG THE SAID MEANDER LINE 14.77 FEET TO A POINT WHICH IS 10 FEET SOUTH OF AND PARALLEL TO THE LINE LAST ABOVE DESCRIBED;
THENCE SOUTH 89°00' EAST TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION OF SAID PREMISES LYING EASTERLY OF THE WESTERLY LINE OF THE SEATTLE AND MONTANA RAILWAY COMPANY'S RIGHT OF WAY, NOW KNOWN AS BURLINGTON NORTHERN, INC., A DELAWARE CORPORATION, AS CONVEYED BY DEEDS RECORDED UNDER AUDITOR'S FILE NUMBERS 5277 AND 120070;

TOGETHER WITH TIDELANDS OF THE SECOND CLASS SITUATE IN FRONT OF, ADJACENT TO, OR ABUTTING UPON THE ABOVE DESCRIBED PARCEL F, AS CONVEYED BY THE STATE OF WASHINGTON RECORDED UNDER AUDITOR'S FILE NUMBER 758480.

PARCEL G

ALL THAT PORTION OF GOVERNMENT LOT 4, SECTION 35, TOWNSHIP 27 NORTH, RANGE 3 EAST, W.M., AND OF LOT 4 EDMONDS TIDE LANDS ACCORDING TO THE MAP ON FILE IN OLYMPIA, WASHINGTON ENTITLED "PLAT OF TIDE LANDS OF THE FIRST CLASS AT THE TOWN OF EDMONDS" LYING WESTERLY OF THAT CERTAIN STRIP OF LAND CONVEYED TO SEATTLE AND MONTANA RAILWAY COMPANY, NOW KNOWN AS BURLINGTON NORTHERN INC., A DELAWARE CORPORATION BY DEED RECORDED UNDER AUDITOR'S FILE NUMBER 5662 AND SOUTH OF A LINE WHICH IS PARALLEL TO AND DISTANT 247.5 FEET NORTH OF THE SOUTH LINE OF SECTION 35 AS PRODUCED FROM THE SOUTHEAST CORNER OF SECTION 35 THROUGH THE QUARTER CORNER ON THE SOUTH LINE OF SAID SECTION;

EXCEPT THAT PORTION CONTAINED IN ORDER ADJUDICATING PUBLIC USE AND NECESSITY UNDER SNOHOMISH COUNTY SUPERIOR COURT CAUSE NO. 05-2-13678-1, AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35;

THENCE ALONG THE SOUTH LINE OF SAID SECTION, NORTH 88°33'35" WEST 1306.22 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILWAY AND THE TRUE POINT OF BEGINNING;
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, NORTH 05°28'24" WEST 221.33 FEET;
THENCE NORTH 88°33'35" WEST 64.24 FEET;
THENCE SOUTH 83°44'46" WEST 150.85 FEET;
THENCE SOUTH 55°49'35" WEST 62.29 FEET;
THENCE SOUTH 40°13'07" EAST 218.50 FEET TO SAID SOUTH LINE;
THENCE ALONG SAID SOUTH LINE, SOUTH 88°33'35" EAST 145.84 FEET TO THE TRUE POINT OF BEGINNING.

ALL SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

ATTACHMENT A

LIST OF REQUIRED PERMITS AND APPROVALS

LIST OF REQUIRED PERMITS and APPROVALS

Snohomish County

- Urban Center Site Plan Approval
- Development Agreement Approval
-
- Shoreline Substantial Development Permits
- Building/Grading/Demolition/Drainage/Construction Permits
- Road and Storm Drainage Construction Plan Approval

Town of Woodway

- Richmond Beach Drive Improvement Plan Approval
- Right of Way Use Permits for road improvements and utilities
- Temporary Construction Permits or temporary easements from private property owners affected by construction of improvements
- Possible Municipal Agreement Approval

City of Shoreline

- Street Right-of-Way Use and Improvement Permits
- Road Improvement Plan Approval
- Landscape Plan Approval for streetscape
- Temporary Construction Permits or temporary easements from private property owners affected by construction
- Traffic Control Plan Approval for traffic management during construction of improvements
- Possible Haul Route Agreement for impacts to existing streets resulting from construction related traffic
- Possible Municipal Agreement Approval

Olympic View Water and Sewer District

- Developer Extension Agreement
- Water Extension Plan Approval
- Possible Easement Agreement with private property owners east of project

Ronald Sewer District

- Developer Extension Agreement
- Sewer Extension and Pump Station Plan Approval

Washington State Department of Ecology

- Section 401 Water Quality Certification
- Coastal Zone Management Act Consistency Determination
- Construction Stormwater General Permit
- Voluntary Cleanup Plan Letter of No Further Action

Washington State Department of Fish and Wildlife

- Hydraulic Project Approval (HPA)

Washington State Department of Natural Resources

- Deepwater Dock Bedland Lease Modification

Washington State Department of Transportation

- Channelization and Traffic Signal Design and Construction Approval

US Army Corps of Engineers

- NEPA Environmental Assessment/Finding of No Significant Impact
- Endangered Species Act Section 7 Consultation
- Consistency with Clean Air Act
- National Historic Preservation Act Section 106 Review
- Section 10 Permit

Additional permits and/or approvals may be identified as project design is finalized.

ATTACHMENT B

ACOUSTICAL MEASUREMENT RESULTS AND ANALYSIS

POINT WELLS MIXED-USE REPORT

BRC
Acoustics & Technology Consulting

January 26, 2010

Mark Wells
Paramount Petroleum
20555 Richmond Beach Drive N.W.
Seattle, Washington 98177

RE: Acoustical Measurement Results & Analysis
Point Wells Mixed-Use

Dear Mark:

This report presents the results of sound level measurements and analysis for exterior-to-interior sound isolation for the proposed Point Wells Mixed-Use project. The evaluation is based on the site plans provided by your office, and our discussions at Perkins + Will. The preliminary recommendations are based on exterior sound levels measured in December 2009.

The information in this report is provided as a guideline for optimizing noise control through site configuration, glazing selection, wall & window sizing, and exterior design & construction. Additional noise control design information will be provided when site and building designs have been more fully developed.

Various acoustical terms are used in this report to identify design criteria and other acoustical considerations. A glossary of terms and design criteria information are presented in Appendix A. All figures are contained in Appendix B.

Existing Exterior Noise Levels

Measurement Locations

Acoustical measurements were conducted at four locations on the proposed Point Wells Mixed-Use project site detailed in Table 1 and shown on Figure 1.

Table 1
Acoustical Measurement Locations

Location	Description	Microphone Elevation (above sea level)
A	North portion of the project site, adjacent to chain-link fence and railroad right-of-way	19'
B	South side of existing Tank #61	19'
C	East side of bridge overpass platform	34'
D	Near existing office building, adjacent to the chain-link fence and railroad right-of-way	19'

Architectural Acoustics
Mechanical Noise Control
Sound System & Audiovisual Design
Environmental Noise
Vibration Analysis

1741 First Ave. S.
Suite 401
Seattle, WA 98134

p: 206.270.8910
or 800.843.4524
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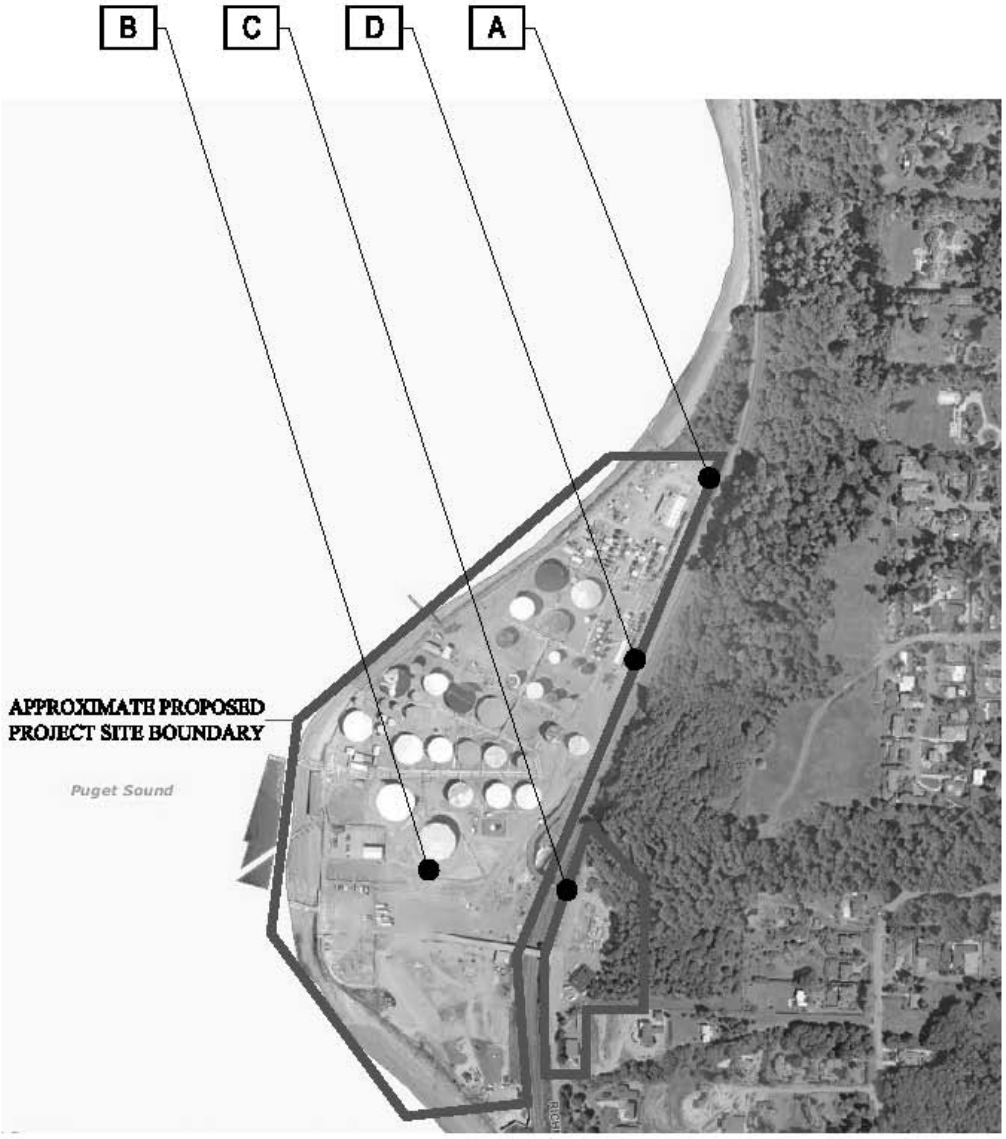
www.brcacoustics.com



LEGEND

● MONITORING LOCATION

0 200' 400' 600'

BRC acoustics
1741 First Ave. S. #401 Seattle, WA 98134
206.270.8910 fax: 206.270.8690
brc@brcacoustics.com

EXISTING SITE PLAN WITH MEASUREMENT LOCATIONS

POINT WELLS MIXED-USE

BRC PROJECT NO.:	09.102	DATE:	1/26/10
REFERENCE DWG:	NONE	DRAWN BY:	JLH
SCALE:	NOT TO SCALE	CHECKED BY:	DB

FIGURE 1

Long Term Measurements

The project site is exposed to noise from freight and passenger train traffic on the railroad tracks located on the east side of the project site. Additional noise sources include on-site petroleum operations, on-site vehicles, and operations related to the Brightwater project to the south of the site. Existing A-weighted sound levels were monitored continuously from 12:30 p.m. on Thursday, December 17, 2009 to 12:30 p.m. on Friday, December 18, 2009 to determine the levels of external noise sources at the site. The instrumentation used for the long-term measurements consisted of one Bruel & Kjaer 2238 sound level meter and two Rion NL-32 sound level meters; all the equipment conforms to the specifications of ANSI S1.4 for Type I instruments.

Long term measurement were conducted at Locations A, B, and C. The measurement elevations of Locations A & B are representative of the first floor spaces. The measurement elevation of Location C is representative of second or third floor spaces. The weather conditions during the measurements were cloudy with temperatures in the upper 40s and low 50s Fahrenheit. The weather had no significant effect on measurement results.

The results of the exterior measurements are shown in Figures B-1 to B-9. presented as hourly A-weighted equivalent sound levels (Leq), 24-hour Ldn, and Leq & maximum (Lmax) sound levels during 10-second intervals.

The figures in Appendix B show typical daytime hourly Leq sound levels in the low to mid 60s dBA and nighttime and early-morning hourly Leq sound levels periodically decreasing to the lower 50s dBA. The 24-hour Ldn measurement results ranged from 66 to 72 dBA. The most relevant information in the figures shows high periodic sound level events during 10-second intervals, ranging from approximately 65 to 85 dBA at the north end of the site (Location A), and approximately 65 to 95 dBA on the east side of the site (Location C). Although an operator was not on-site to confirm the noise sources, these levels almost certainly indicate the passage of trains or train activity. Based on this assumption, approximately 20 to 40 train events occurred during the 24-hour measurement period.

Short Term Measurements

Short-term spectral measurements, approximately 30-seconds in duration, were conducted in order to determine the frequency content of train events, which are considered the highest sound level events with the greatest probability of adverse impacts to the acoustical environment. The short-term measurements were conducted at Measurement Locations C & D between noon and 2 p.m. on Thursday, December 17, 2009. The results of the short-term measurements are shown in Table 2.The table presents measured levels as linear octave-band levels (dB), and overall A-weighted levels (dBA).

Table 2
Measured Exterior Sound Levels
(Leq, approximately 30 seconds duration)

Location & Event	Octave-Band Center Frequency (Hz, dB Linear)								dBA
	63	125	250	500	1000	2000	4000	8000	
D: Train Engine Leq	106	86	74	75	72	68	65	61	**82**
D: Train Engine Lmax	111	90	78	78	76	72	73	67	**87**
D: Train Cars Leq	85	75	67	61	58	59	60	51	**68**
D: Train Cars Lmax	90	78	71	64	61	62	63	54	**71**
D: Track Squeal Leq	75	63	57	56	56	63	70	63	**72**
D: Track Squeal Lmax	79	69	64	61	60	68	75	65	**77**
C: Train Cars Leq	60	55	52	53	54	52	45	29	**58**
C: Train Cars Lmax	65	58	54	54	56	55	48	31	**61**
C: Track Squeal Leq	84	76	70	68	60	60	59	56	**70**
C: Track Squeal Lmax	90	84	77	77	67	73	75	72	**81**

Design Criteria

Design criteria for residential interiors are based on guidelines from the American Society for Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE), which recommend interior Noise Criteria (NC) ratings of NC-25 in bedrooms and NC-30 in all other living areas. These criteria are optimal and may not be realistic for the facades with direct exposure and close proximity to the train tracks. Noise levels approximately 5 NC points higher than the optimal levels may be appropriate for residential units with the highest noise exposure. The selection of final design criteria can be determined based on required construction, costs and other factors for the owner's consideration.

Note that train noise will vary for train engines versus train cars, and for high frequency wheel and track noise. The preliminary recommendations for interior noise levels during train car passage events are energy-average (Leq) Noise Criteria ratings of NC-35 for buildings with direct exposure near the train tracks, and NC-30 or lower in all other buildings. Train engines may be as much as twice the loudness of the train cars, but will be of short duration. Additional design measures can be developed if additional train engine noise mitigation is required to meet project performance goals.

Analysis & Recommendations

The analysis and recommendations below are a preliminary assessment of noise impacts and provide general recommendations to meet established criteria. A more specific analysis will be developed when building locations and noise exposures are known.

Building Noise Exposure

The analysis of building train noise exposure is based on the site plan developed by David Evans and Associates, with conceptual building locations identified by Perkins + Will (see Appendix

C). The buildings with the most direct train noise exposure are approximately 70 to 175 feet from the tracks; the most distant buildings near the waterfront are approximately 690 feet from the tracks.

For purposes of noise analysis, train noise exposure was analyzed at distances of 50, 100, and 240 feet from the tracks. All analysis locations assumed direct exposure to the train tracks, with no intervening buildings or obstructions. The potential benefits and/or impacts related to intervening buildings and other considerations are included in the recommendation discussion.

Exterior Windows

The most significant noise impacts in the residential units will be low frequency noise from train operations. The acoustical "weak link" for noise control in the units will be the windows; controlling a low frequency noise source requires thick, laminated glass, and substantial air space between the layers of glass in an insulated glazing unit.

The noise analysis indicates that windows with an STC rating of 46 or higher will be required to control train noise for the units nearest the tracks. In addition to the STC rating, the windows must have transmission loss performance of 34 to 37 dB in the 100 Hz and 125 Hz one-third octave bands.

An example of a glazing unit that meets the noise reduction requirements is ½" laminated glass – 2" air space – 3/8" non-laminated glass. Other assemblies may also meet the performance requirements, but will probably be comparable in terms of total thickness and types of glazing. Windows under consideration for use in the project must have laboratory test data conducted by a NVLAP-accredited laboratory to confirm that performance requirements are met.

It is estimated that noise control windows will be required on the north, south, and east sides of the buildings nearest the train tracks. Noise control windows will probably also be required on the east side of a second row of buildings as a minimum.

Noise Barrier Analysis

The acoustical performance of a noise barrier is highly dependent on several factors including noise source height, noise receiver height, distance between source and receiver, and others. As a basis for evaluating the feasibility and effectiveness of a barrier for building noise shielding, an analysis was conducted for a 14 foot-high barrier located 30 feet from the train tracks and 50 feet from the nearest building.

The results of the barrier analysis indicate that the noise level at lower floors of the nearest residential building will be reduced by approximately 5 NC points as compared to the level without barrier. If a barrier can be constructed to effectively shield the residential buildings, the window assemblies can be reduced in overall thickness and possibly use standard glass rather than laminated glass. However, the barrier must block visual line-of-sight between the train and building windows; this will probably be difficult if not impossible for upper floor units. If line-of-sight is not blocked, the barrier will have no effectiveness for the exposed windows. Additional barrier analysis can be conducted when barrier locations and any placement restrictions are known.

Other barrier notes:

- An effective barrier must weigh a minimum of 4 pounds per square foot and have no gaps, including along the ground. Concrete, CMU, or other heavy material is recommended to control low frequency train noise.
- A barrier is most effective if located near the source or near the receiver.
- The barrier must block line-of-sight to be effective.

Site Configuration Considerations

An effective site strategy for building noise control is to locate a parking structure or other large obstruction(s) between the noise-sensitive buildings and the train tracks.

In addition to the obvious advantage of locating buildings as far as possible from the train tracks, the second row of buildings from the tracks will have lower impacts if the buildings are aligned to completely shield the second row of buildings from train noise.

If there are no significant reflective surfaces, the west side of all buildings can have standard construction (i.e. no special windows or other assemblies for noise control). If the second row of buildings are offset or staggered between the row nearest the tracks, the second row will require noise control measures and will potentially reflect train noise toward the west side of the front row of buildings. This may require sound control windows on the west side of the front row buildings.

For buildings in a third row of buildings from the tracks, shielding and distance should be sufficient to allow standard construction and windows in those buildings.

If decks or patios are planned for the facades of buildings adjacent to the tracks, enclosed decks or patios should be considered to minimize noise impacts and allow reasonable use of the outdoor spaces.

Roof Construction

For flat roofed buildings at elevations well above the train track height, it is unlikely that any noise control construction will be required. Sloped roofs with exposure to train tracks may require additional layers of sheathing and interior insulation; all vents and other exterior penetrations may require treatment to control exterior noise intrusion.

Exterior Wall Construction

Exterior wall construction will be most effective if a heavy construction material is used such as brick. The exterior walls may also require additional layers of gypsum board on the interior or as additional sheathing. The total noise impact is a function of the window and wall areas; the most effective noise control results from minimal window areas facing the trains, combined with heavy exterior wall construction.

We look forward to further development of the design concepts presented in this report. If you have any questions or require additional information, please do not hesitate to call.

Sincerely yours,
BRC Acoustics & Technology Consulting

Daniel C. Bruck, Ph.D.
President, LEED® AP

APPENDIX A

Acoustical Descriptors

A-Weighted Sound levels – Exterior and interior noise is often measured as an A-weighted sound level in units of decibels, symbolized as dBA. The A-weighting is a specific weighting filter in a sound level meter that corresponds approximately to the sensitivity of human hearing at the various frequencies.

Equivalent Sound Level (Leq) - The level of a constant sound that, over a given time period, contains the same amount of sound energy as the measured fluctuating sound. The Leq is the most commonly used descriptor for measuring fluctuating sound.

Maximum sound level (Lmax) - The highest instantaneous sound level for a given sound source, event or time period. Because the Lmax in a neighborhood will, unlike Leq, typically have large fluctuations from hour to hour and day to day, Lmax is seldom used to measure noise impact, except in cases where brief high-level sound is causing an impact such as sleep disturbance.

Day-night level (Ldn) - The Leq over 24 hours with a 10-dBA penalty added to sound levels during the nighttime (10 p.m. to 7 a.m.). The Ldn is used to characterize sites for land-use compatibility.

Octave and One-Third Octave Band Spectral Data - Octave and one-third octave band spectral data identify sound pressure levels of a particular noise at various frequencies. Octave band data uses frequency ranges in which the upper limit of each band is twice the lower limit. One-third octave bands divide each octave into thirds to provide higher resolution than octave band data.

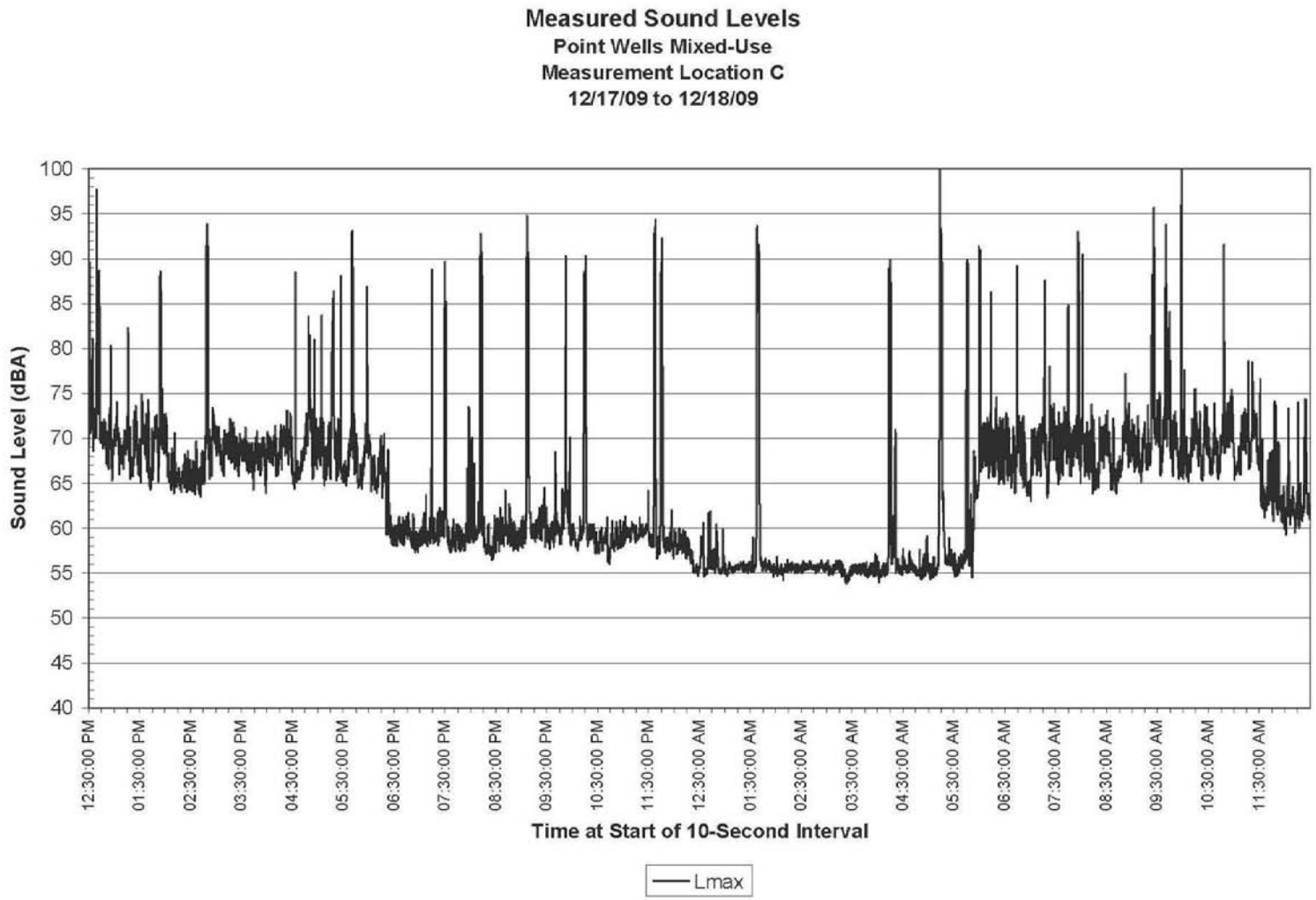
Noise Criteria (NC) – A system developed for rating noise levels in indoor spaces by comparing actual or predicted sound pressure level spectra with a series of established octave spectra. NC design goals were developed by ASHRAE and are the generally accepted standard for interior noise.

Transmission Loss (TL) - A measure in decibels of how much sound energy is reduced in transmission through materials (e.g. windows, walls, and doors). Walls, windows, and doors should be matched to meet approximately the same level of transmission loss (TL) to maximize overall performance. A lower TL of any one component will dominate the overall performance of the construction.

Sound Transmission Class (STC) - A single number rating of TL performance for a construction element tested over a standard frequency range. The STC rating defines the sound isolation for airborne sounds such as exterior traffic noise, voices, and televisions. The higher the STC, the more efficient the construction is for reducing airborne sound transmission.

APPENDIX B

Measurement Data


Measured Sound Levels
Point Wells Mixed-Use
Measurement Location C
12/17/09 to 12/18/09
Sound Level (dBA)
100
95
90
85
80
75
70
65
60
55
50
45
40
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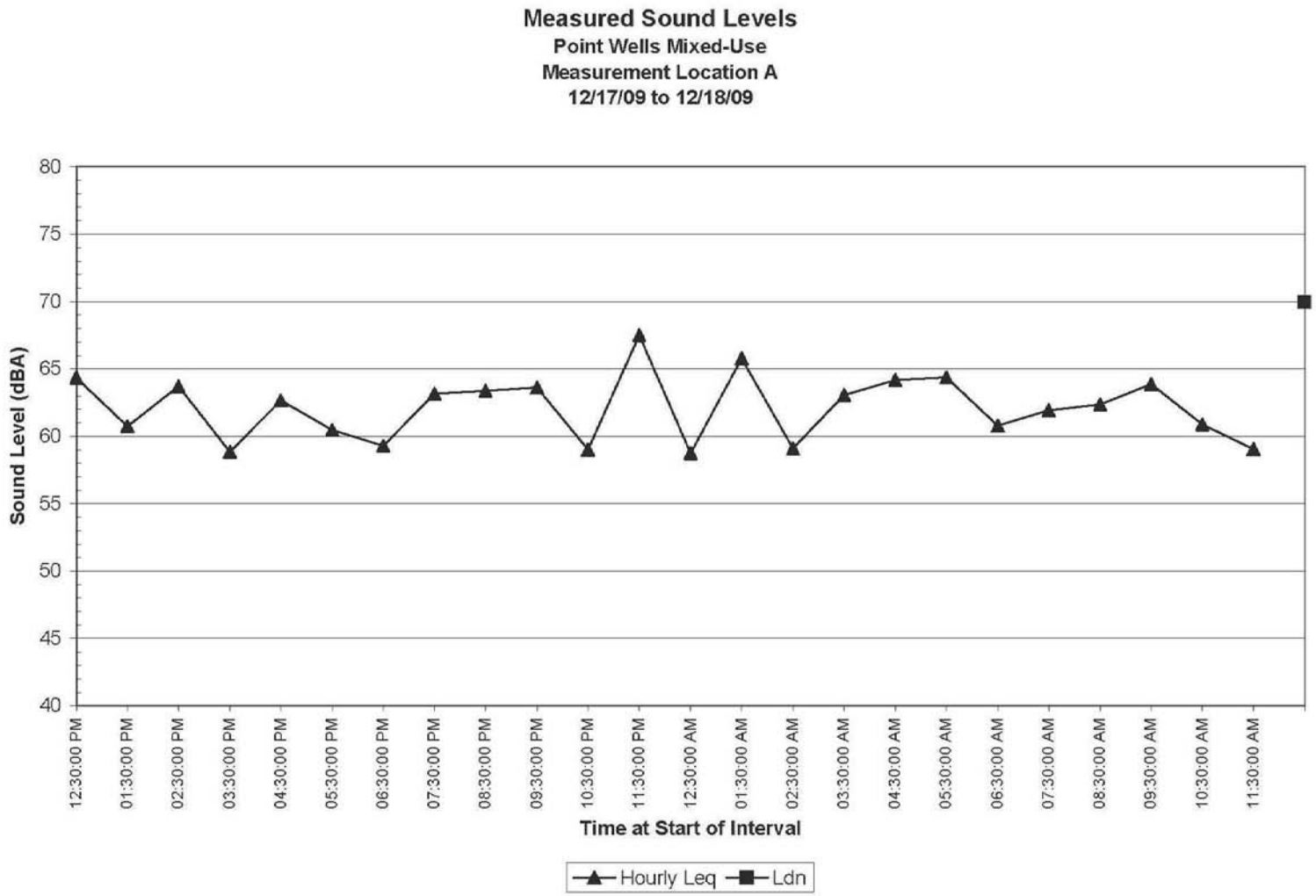
Time at Start of 10-Second Interval
Lmax

FIGURE B-9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Point Wells Mixed-Use
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Time at Start of Interval
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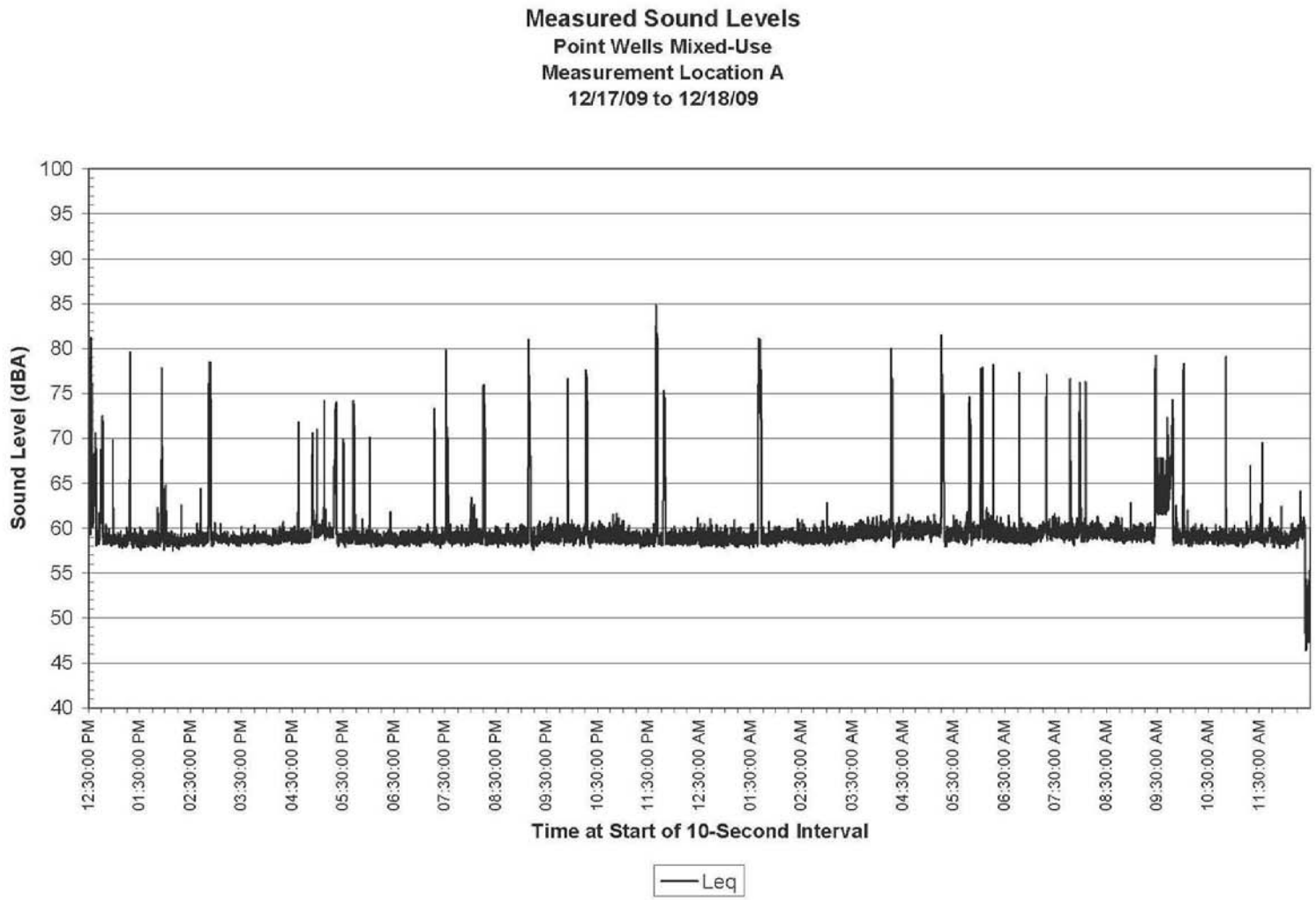
FIGURE B-1


Measured Sound Levels
Point Wells Mixed-Use
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Sound Level (dBA)
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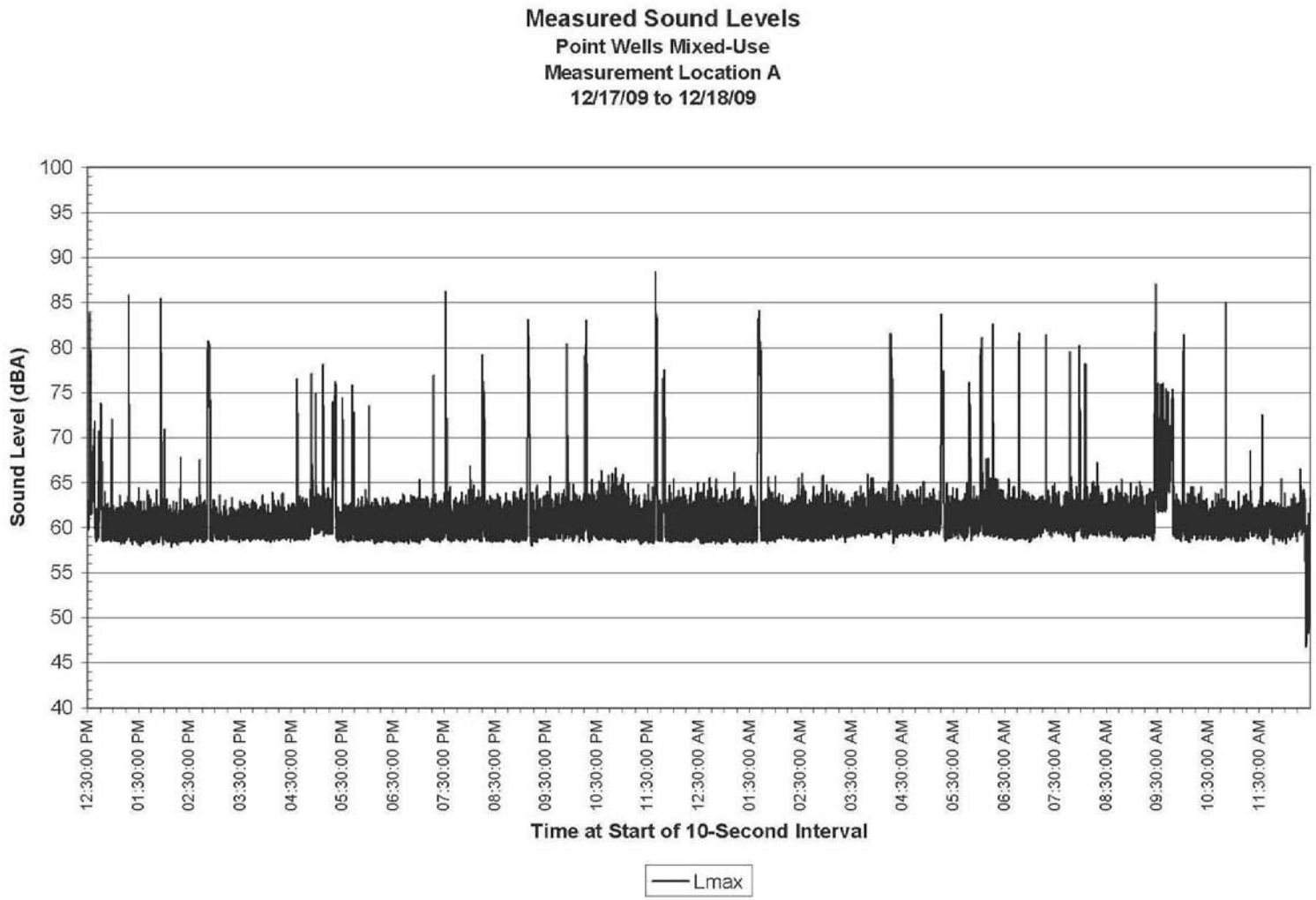
Time at Start of 10-Second Interval
Leq

FIGURE B-2


Measured Sound Levels
Point Wells Mixed-Use
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Sound Level (dBA)
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Time at Start of 10-Second Interval
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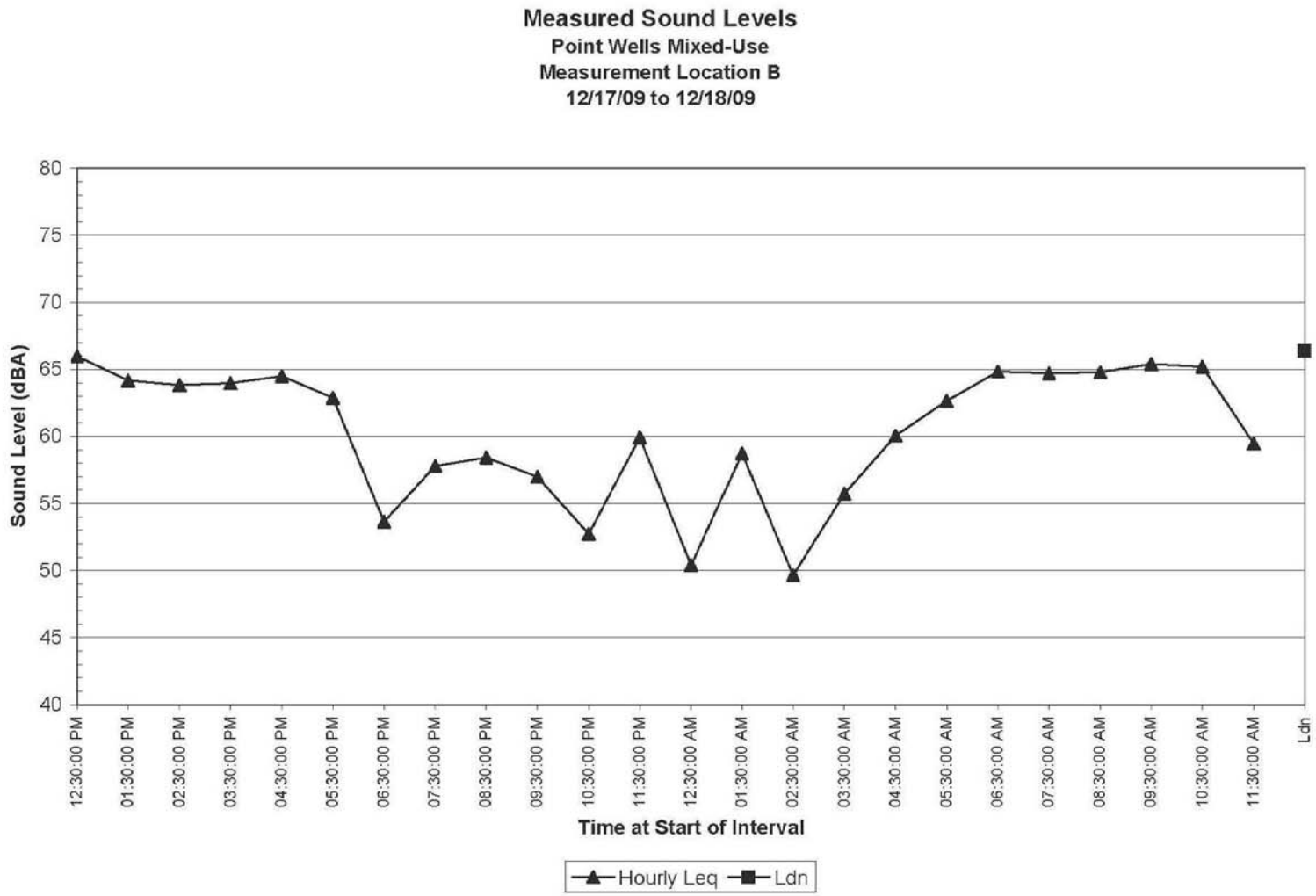
FIGURE B-3


Measured Sound Levels
Point Wells Mixed-Use
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Sound Level (dBA)
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Time at Start of Interval
Hourly Leq
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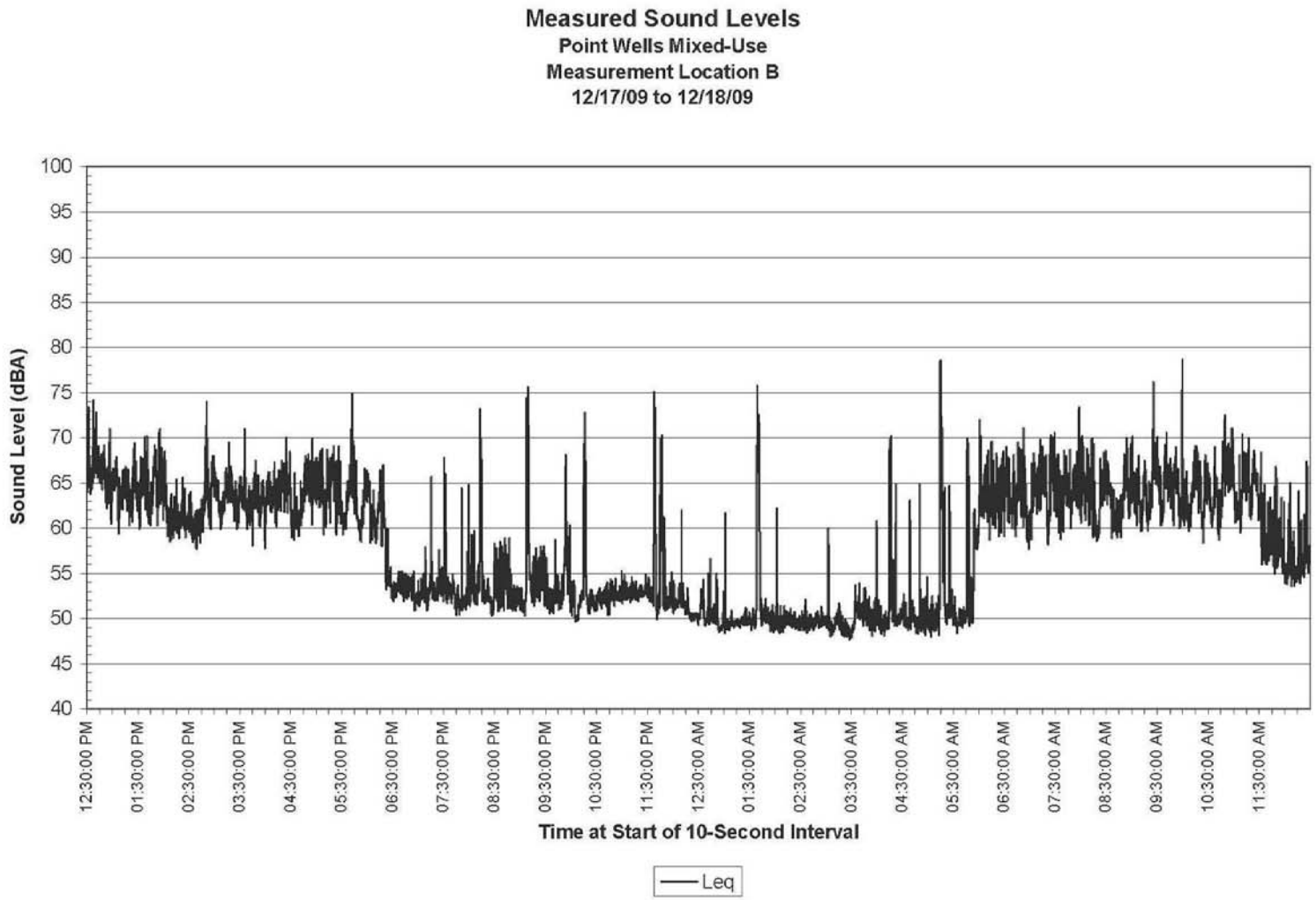
FIGURE B-4


Measured Sound Levels
Point Wells Mixed-Use
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Sound Level (dBA)
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Time at Start of 10-Second Interval
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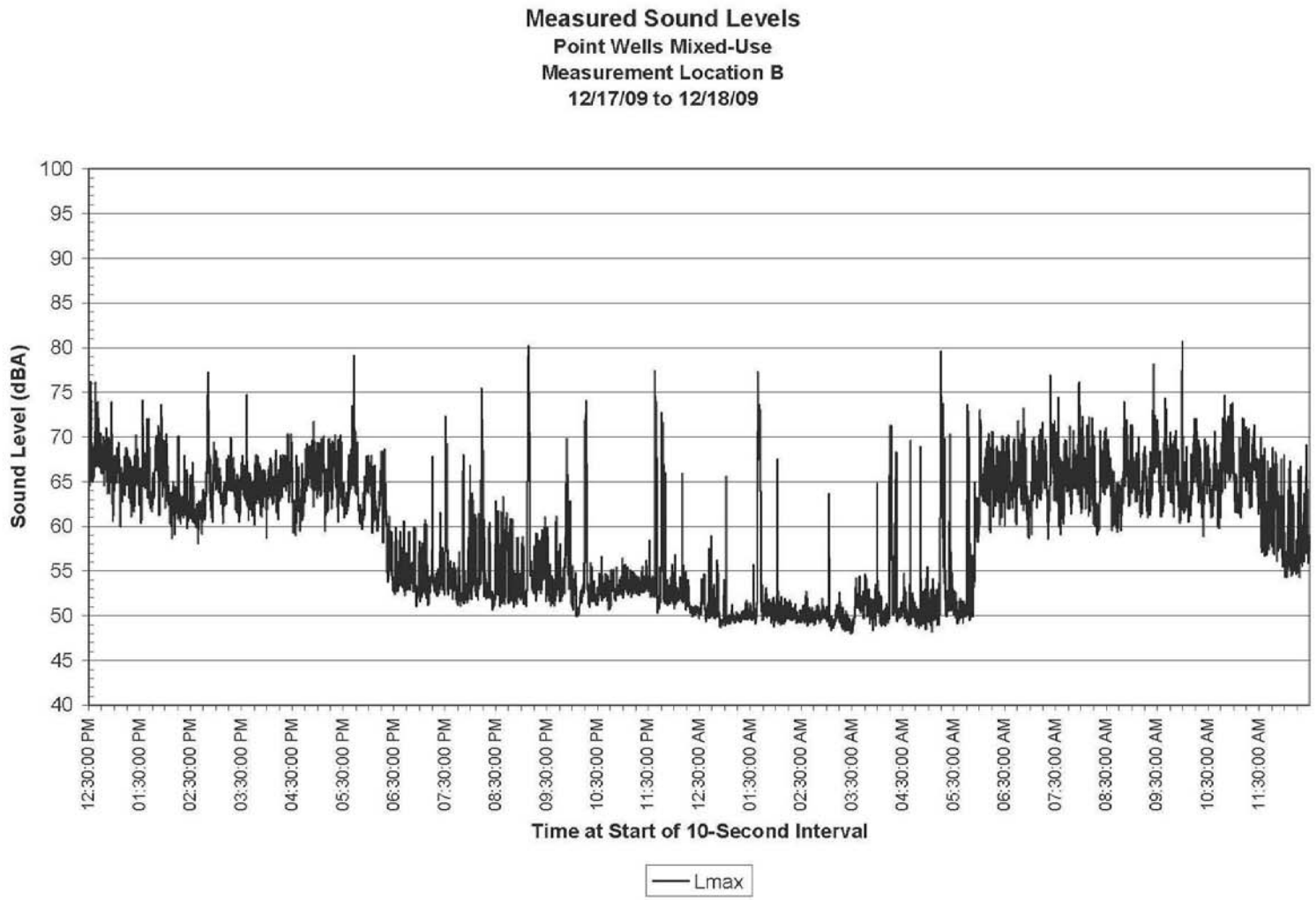
FIGURE B-5


Measured Sound Levels
Point Wells Mixed-Use
Measurement Location B
12/17/09 to 12/18/09
Sound Level (dBA)
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Time at Start of 10-Second Interval
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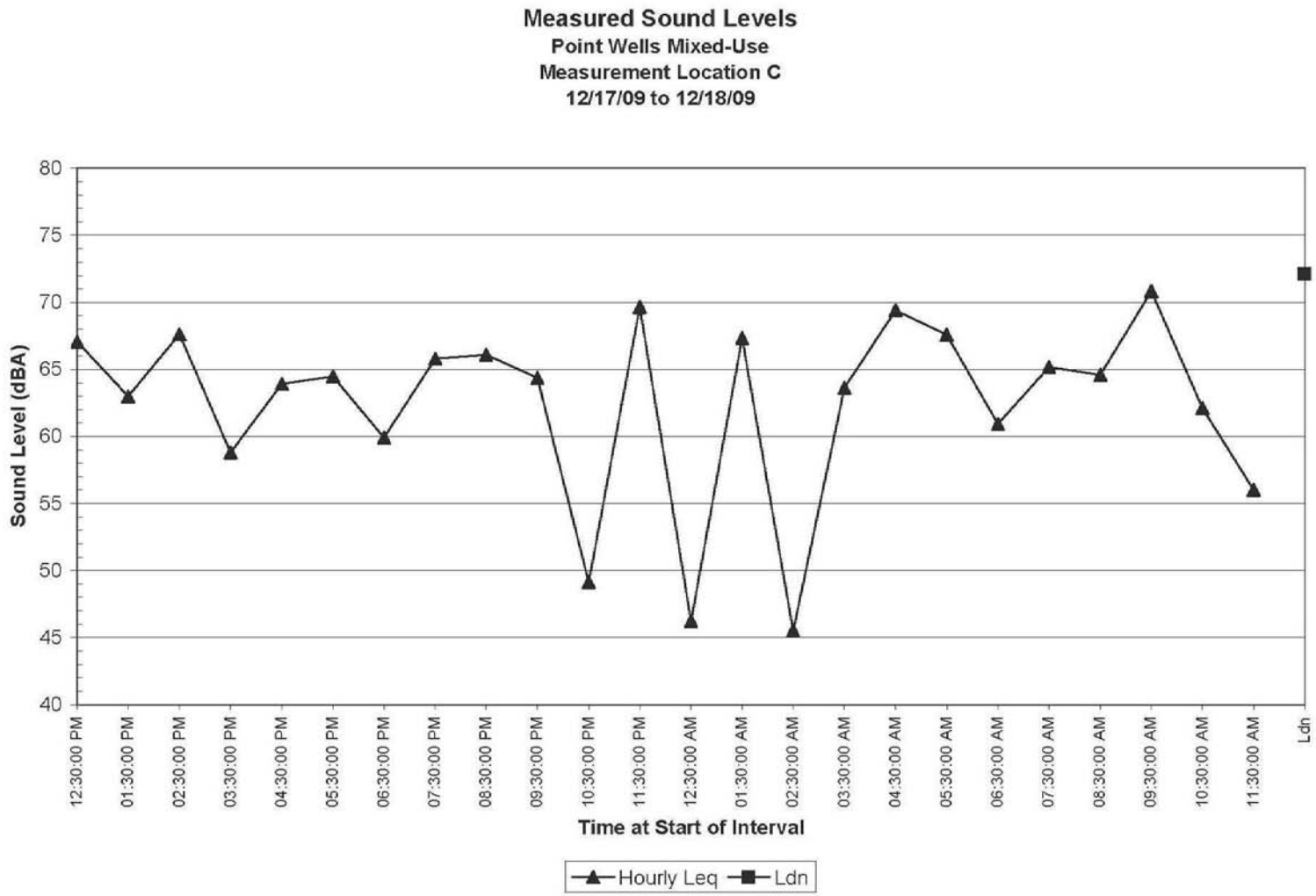
FIGURE B-6


Measured Sound Levels
Point Wells Mixed-Use
Measurement Location C
12/17/09 to 12/18/09
Sound Level (dBA)
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Time at Start of Interval
Hourly Leq
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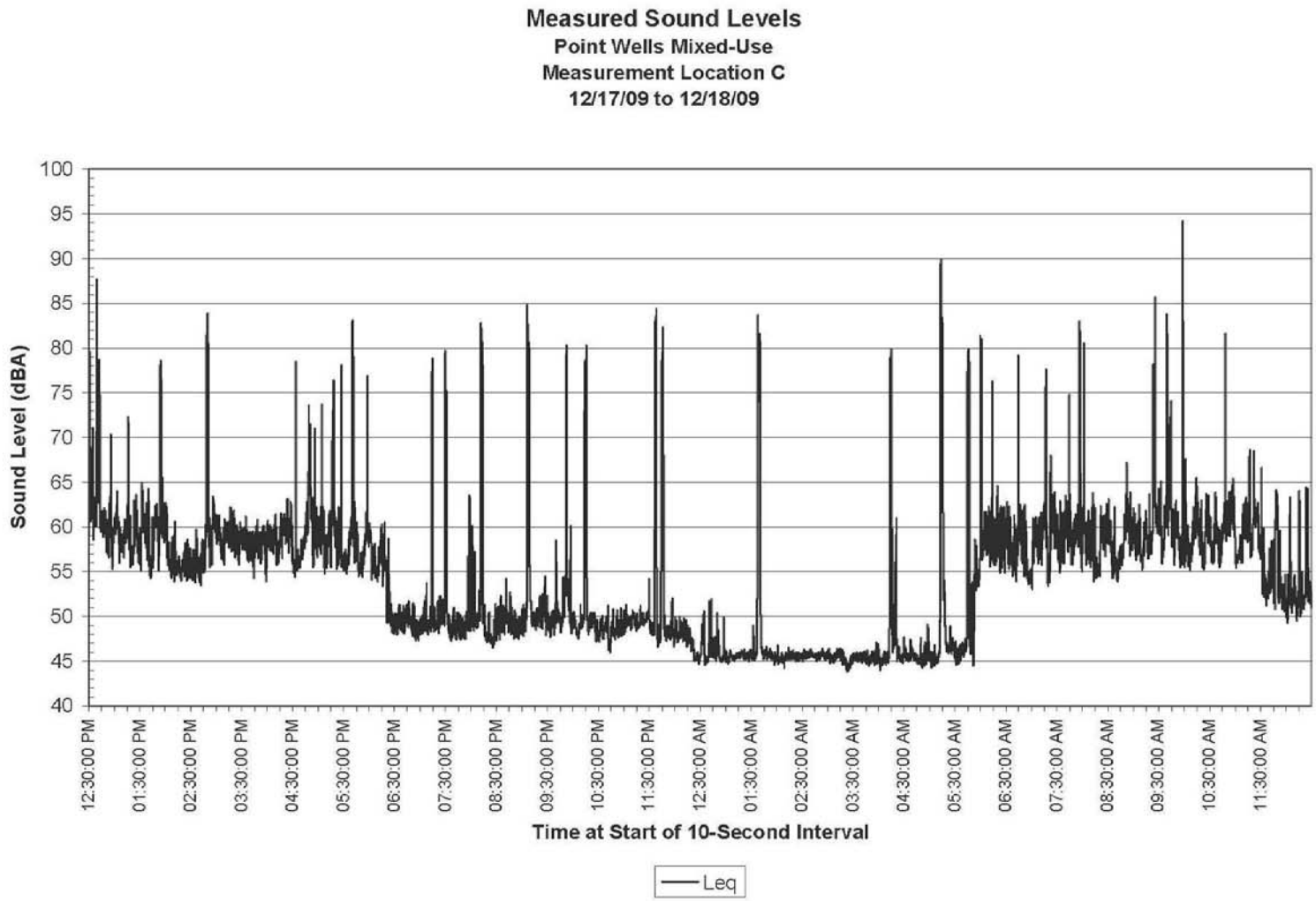
FIGURE B-7


Measured Sound Levels
Point Wells Mixed-Use
Measurement Location C
12/17/09 to 12/18/09
Sound Level (dBA)
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Time at Start of 10-Second Interval
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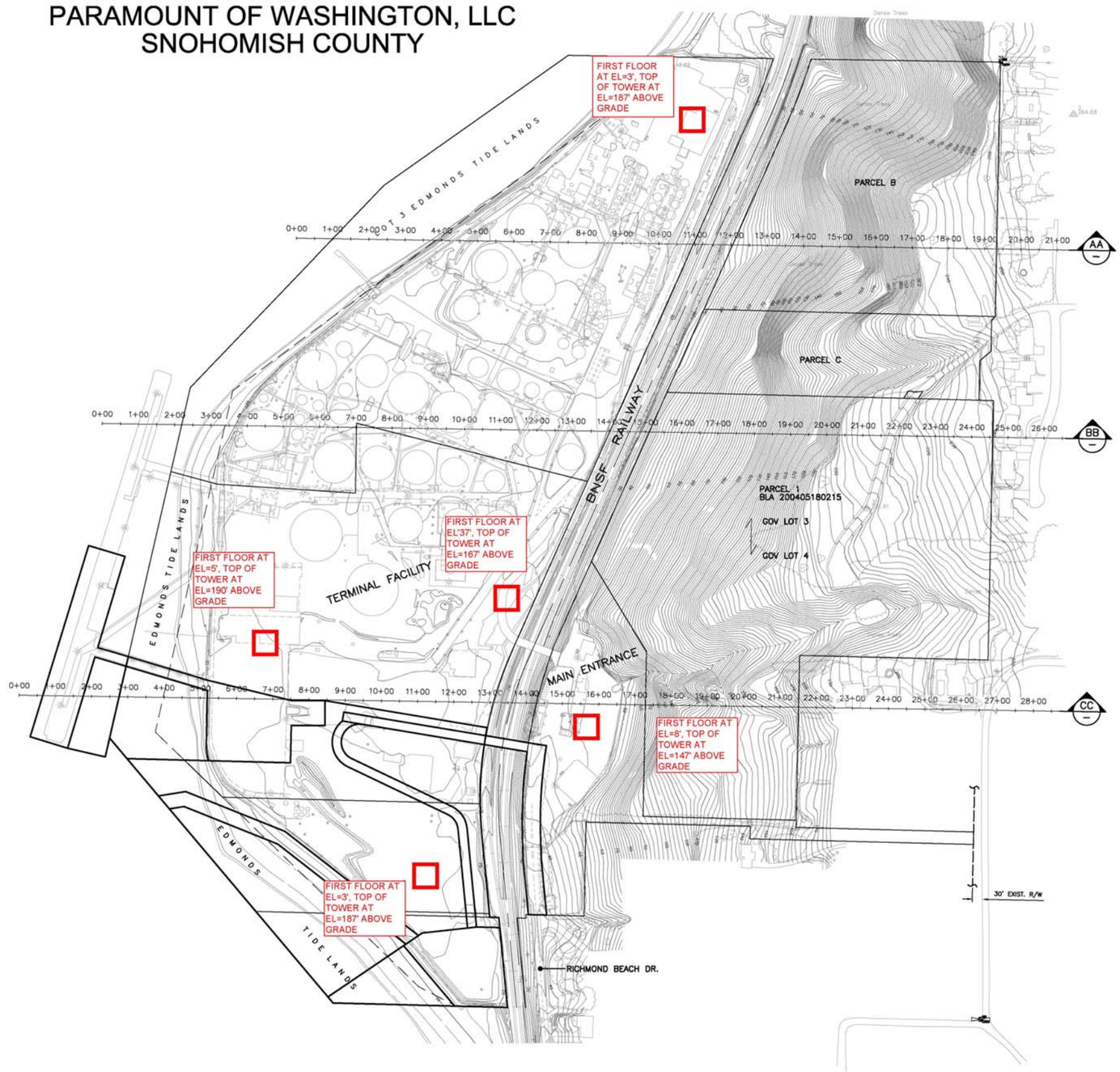
FIGURE B-8

APPENDIX C

Reference Drawings

PARAMOUNT OF WASHINGTON, LLC
SNOHOMISH COUNTY



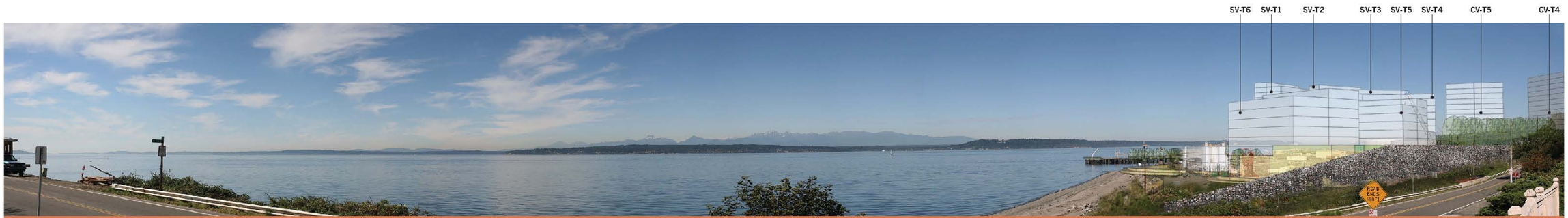
DAVID EVANS AND ASSOCIATES INC.
1620 W. Marine View Drive, Suite 200
Everett Washington 98201
Phone: 425.259.4099

ATTACHMENT C

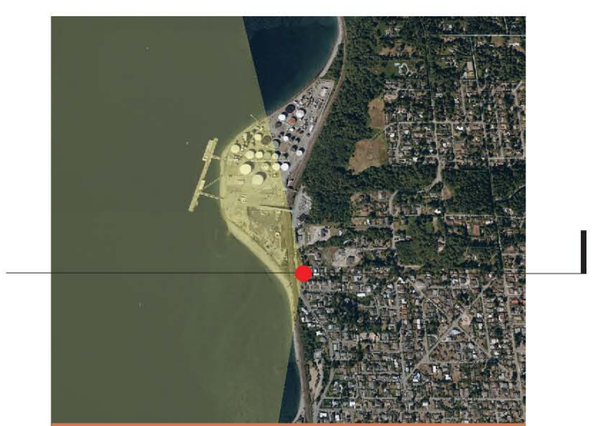
POINT WELLS VISUAL IMPACT ANALYSIS REPORT

View 1: View From 20420 Richmond Beach Drive, Shoreline, WA

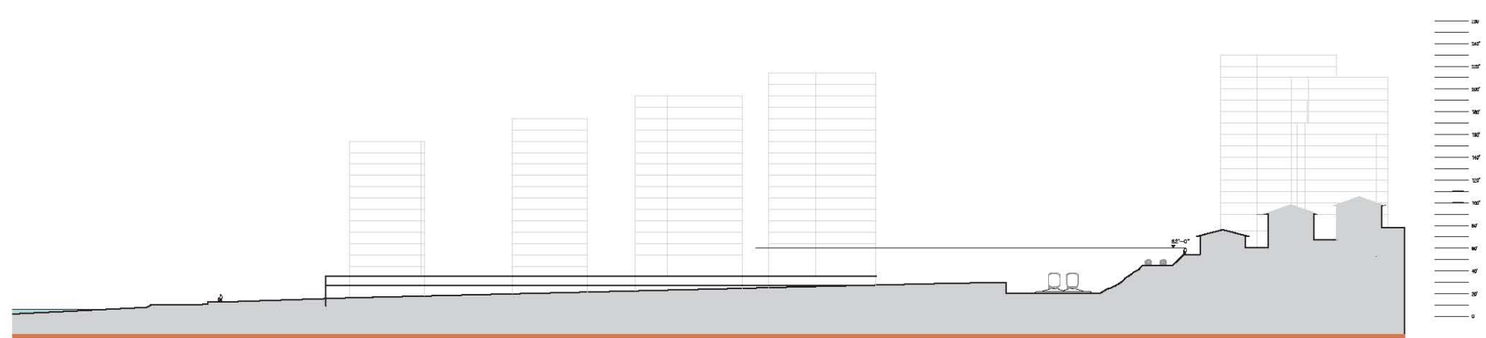
Existing View



View with Proposed Development



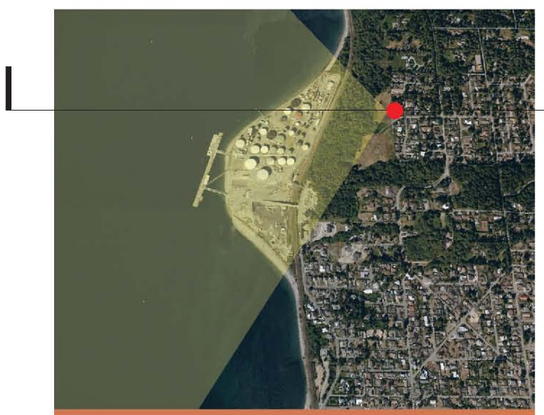
Aerial Location



Site Section 1:750

View 2: View from western terminus of 238th Street SW, Woodway, WA

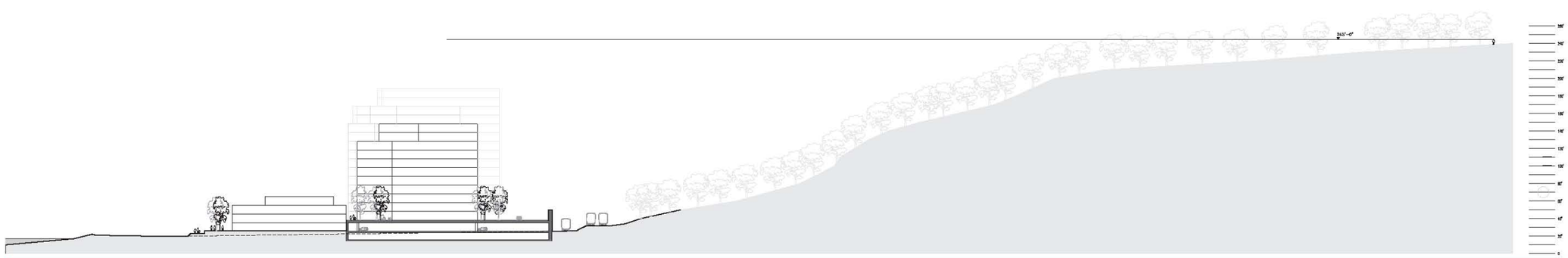
Existing View



Aerial Location

View with Proposed Development

Note: Development buildings are at lower elevation, obscured by trees



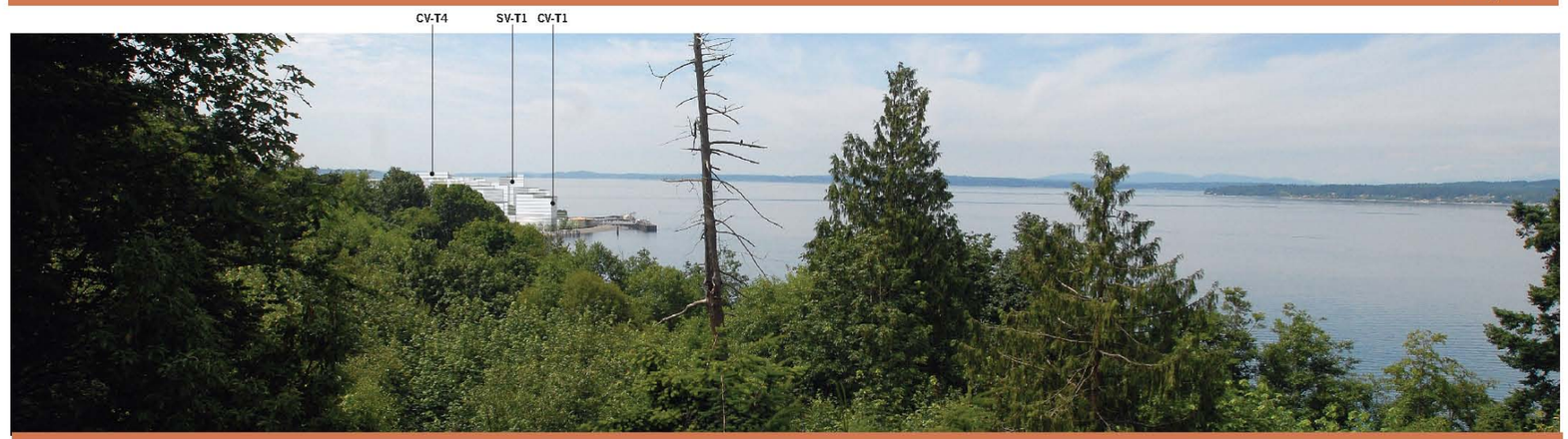
Section

PERKINS + WILL

PointWells

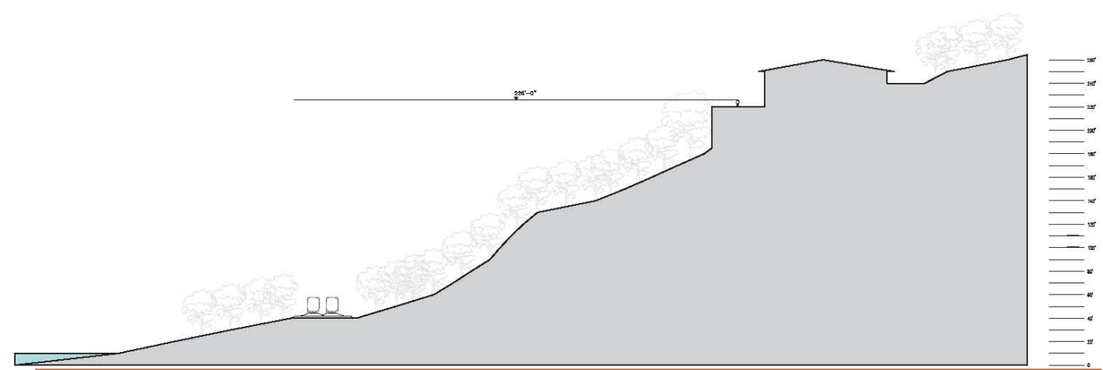
View 3: View from edge of bluff at 22440 Dogwood Lane, Woodway, WA

Existing View



View with Proposed Development

Aerial Location



Section

*elevations are approximate

ATTACHMENT D

CULTURAL RESOURCES REPORT

Confidential Report

Cultural Resources Records Research and Literature Review for the Proposed Richmond Beach Asphalt Terminal Redevelopment Project, City of Edmonds, Snohomish County, Washington

Submitted to

Paramount Petroleum Corporation

Submitted by

Jenny Dellert, M.A.
Justin Butler, B.S.
Brent A. Hicks, M.A.

Seattle, Washington

January 2011

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1.0 Project Description

Paramount Petroleum Corporation (Paramount) is proposing to develop its 65-acre property, located on Point Wells in the Town of Richmond Beach, Snohomish County, Washington. A former asphalt refinery and light products/lube oil distribution terminal is located on the property. Paramount anticipates the involvement of one or more Federal agencies at some point in the redevelopment process. Depending on the agency involved, Section 106 of the National Historic Preservation Act may be required. As a result, Paramount contracted with HRA to conduct a cultural resource record search to assess the probability of archaeological and historic resources that could be impacted by the proposed Richmond Beach Asphalt Terminal Redevelopment Project (Figure 1).

2.0 Background Research

Background research was conducted by HRA Research Archaeologist Justin Butler and Research Historian Dawn Vogel. Mr. Butler gathered information about previously conducted cultural resource surveys, sites, cemeteries, and historic properties using the State of Washington Department of Archaeology and Historic Preservation's (DAHP) online database, WISAARD. Additional information was obtained through the University of Washington's Map Library, and HRA's in-house library, including archaeological and ethnographic sources, to compile land use history and applicable environmental data. A statewide predictive model layer on DAHP's WISAARD was also reviewed as part of the assessment of the likelihood of identifying cultural resources within the Project Area.

In addition, HRA examined GLO maps, available online through the United States Department of the Interior's Bureau of Land Management website, to locate nearby historical features that might have left durable archaeological remains. These nineteenth-century maps indicate locations of then extant historical structures, trails, and features. Although such structures are often no longer present, the maps indicate where historic period activities may have taken place and, hence, where cultural resources could be encountered today. HRA also examined historic maps produced by the Metsker and Anderson Map Companies. Examined maps are listed in the bibliography.

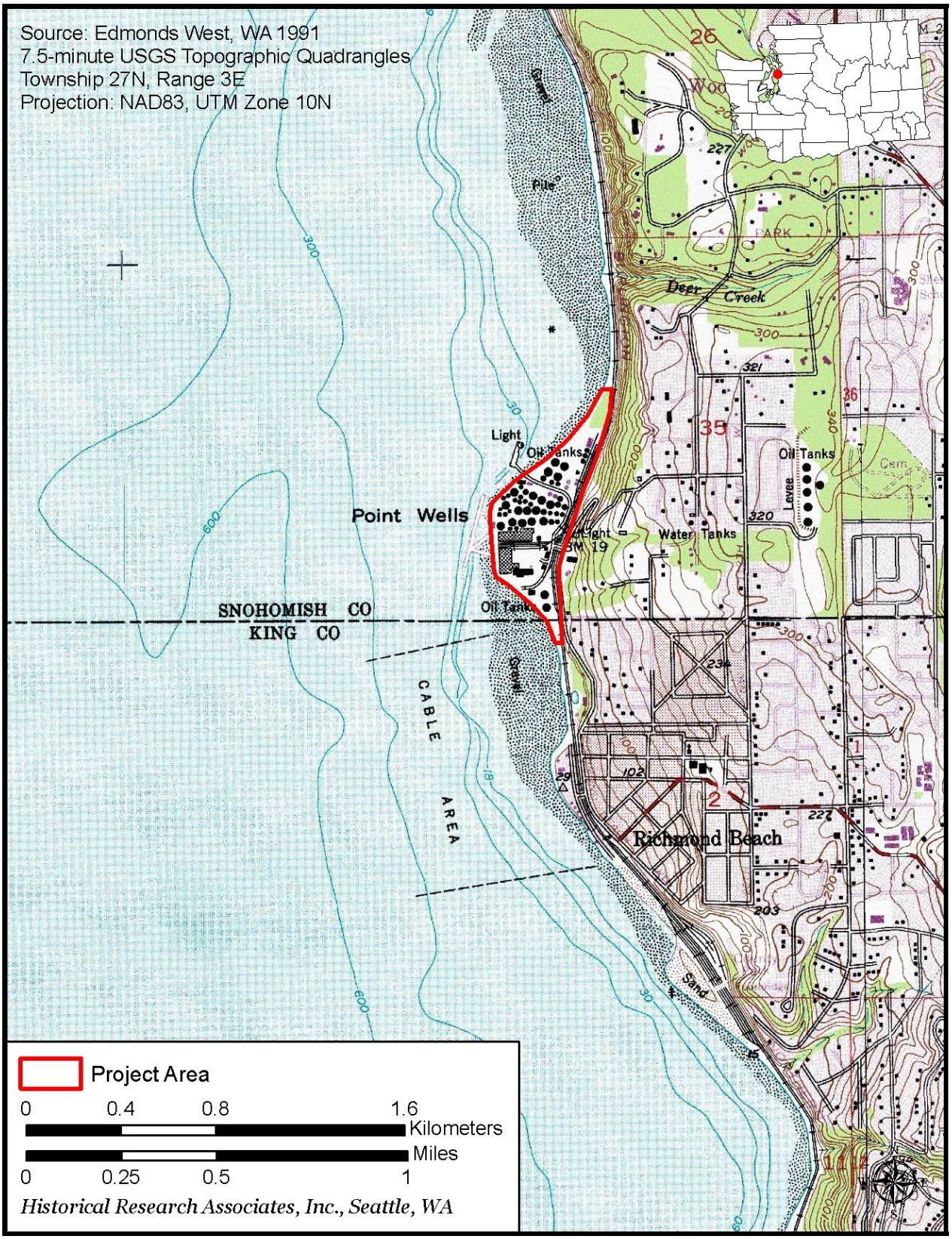

Figure 1. Map depicting Project Area.

3.0 Results

3.1 Previous Cultural Resource Studies and Cultural Resources

Eight previous cultural resources studies have been conducted within 1 mile (1.6 kilometers) of the Project Area. The majority of the previous research was related to the Brightwater Regional Wastewater Treatment System construction activities at Point Wells (Lewarch et al. 2002, 2006). Other studies included cultural resource survey/inventories of the shoreline (Copass 1996), and rail corridor studies (Juell 2006). These studies found historic debris and fill associated with the commercial operations of Standard Oil Company, and later Chevron, within the Project Area. No previously recorded archaeological resources were found within 1 mile (1.6 kilometers) of the Project Area. The nearest archaeological resource, a pre-contact shell-midden deposit, site 45SN310, is approximately 3.1 miles (4.9 kilometers) to the northeast. The environmental setting of this resource appears to be upland from the shoreline, on a gentle rising slope, adjacent to a creek and wetlands.

Table 1. Previous Cultural Resource Studies within Approximately 2.5 Miles (4 Kilometers) of the Project Area.

Author(s)/ Date	Title	Cultural Resources Identified	Approximate Distance from Project Area
Copass 1996	*Historic Resources Survey and Inventory Update for the City of Shoreline*	None	Within Project Area
Lewarch et al. 2002	*Cultural Resources Assessment Brightwater Treatment Facility and Conveyance System*	None	Within Project Area
Gillis, et al. 2006	*Brightwater Conveyance Final Design Portals Field Reconnaissance, King and Snohomish Counties, Washington*	None	Within Project Area
Gillis, et al. 2006	*Final Brightwater Conveyance Final Design - Archaeological Resources Monitoring and Review of Geotechnical Borings and Test Pit Monitoring*	None	Within Project Area
Gillis, et al. 2006	*Final Brightwater Conveyance Final Design - Additional Properties Field Reconnaissance Addendum*	None	Within Project Area
Gillis, et al. 2006	*Final Archaeological Monitoring of Additional Borings at the Marine Outfall Connector at Point Wells for the Brightwater Project*	None	Within Project Area
Juell 2006	*Archaeological Site Assessment of Sound Transit's Sounder: Everett-to-Seattle Commuter Rail System, King and Snohomish Counties. Washington*	None	Within Project Area
Gill 2008	*Archaeological Assessment of the Richmond Beach Saltwater Park Improvements Project*	None	1.7 miles (2.7 km) south of Project Area

3.2Historic Map Research Results

The historic map research indicated that the Project Area has been utilized for agricultural and industrial use since the late 1800s. The Standard Oil Company began operations on the southern portion of Point Wells in 1912, constructing a facility for storing petroleum products and a distribution terminal (Metsker 1927). Chevron purchased the property in 1950, and added an asphalt refinery. The refinery ceased activities in 2000, but has continued to utilize the property for storage and distribution of products (via tanker and/or rail cars). Historic period maps indicated that a lighthouse was present offshore at Point Wells (Metsker 1942).

3.3Historic Register Properties

No cultural resources, that have been determined eligible for federal, state and local registers, were identified within 2 city blocks of the Project Area during the DAHP search.

3.4Cemeteries

No cemeteries were found within 1 mile (1.6 kilometers) of the Project Area. The nearest cemetery is the Restlawn Memorial Park, located approximately 2.6 miles (4.18 kilometers) to the northeast of the Project Area. No other pertinent information was provided on the state's Cemetery Detail Report (DAHP 2009).

3.5Historic Literature

The Potts family originally purchased 80 acres of land on Point Wells in the late 1890s-early 1900s (Shoreline Memories 1975:12). At various times, prior to the development of Point Wells by the Standard Oil Company, the land was host to farming, cattle grazing, a wooden barrel manufacturing facility, and a shipyard. A dock was built, as early as 1890, that served the shipyard. Cord wood, shingle bolts, and railroad ties were hauled down to the beach at Point Wells. The wood was piled on the docks in measured cords and then tugs, passenger boats and freight boats would purchase the wood for fuel. Shingle bolts were cut on the hill sides and hauled to the shoreline, made into a boom and then pulled by horse to the mills at Edmonds (Shoreline Memories 1975:76). In 1912, the Standard Oil Company came to Point Wells, which provided many jobs to both Richmond Beach and Edmonds (Bivins 1987:42).

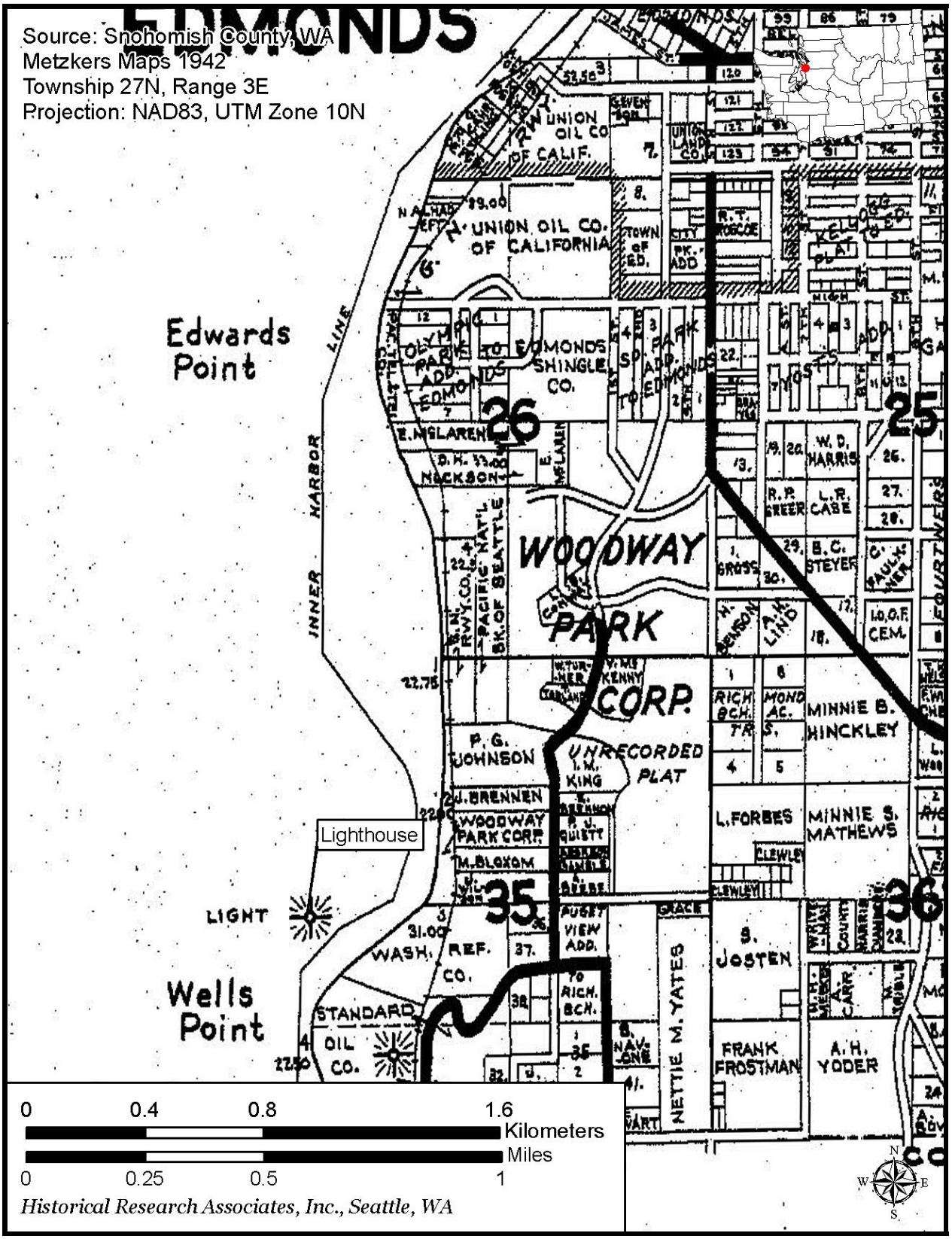

Figure 2. 1942 Metsker's map depicting Standard Oil Company property and lighthouse on Point Wells.

3.6DAHP Predictive Model Analysis

DAHP's predictive model is based on statewide information, using large-scale factors. Information on geology, soils, site types, landforms, and from GLO maps, was used to establish or predict probabilities for cultural resources throughout the state. DAHP's model uses five probability levels: Low Risk, Moderately Low Risk, Moderate Risk, High Risk, and Very High Risk.

The DAHP predictive model map for the Project Area recommends survey, due to very high risk across much of the north half of the Project Area, west of the Burlington Northern Rail Road (BNRR) Right-Of-Way. The southern half, including the upland bluffs, is considered a high risk, while the extreme western boundaries are represented as a low risk. This is dependent upon how the Area of Potential Effect (APE) is defined and what the project design and extent of subsurface impacts turn out to be.

3.7Ethnography

Several ethnographic place names were identified, by Waterman, in the vicinity of the project area: these are located along the Puget Sound shoreline and around the north shore of Lake Washington (Figure 4) (Hilbert et al. 2001:82, 83, 86, 343-346; Waterman circa 1920:55). The origin of several names is uncertain – for instance, *sŞacus* or "face" for "McAleer" (Ballinger) Lake, with the accompanying *sŞacuscid* ("mouth of face", McAleer Creek). Others, such as *Sts3kE3l*, "a certain small bird" (for the creek just northeast of McAleer Creek), may be indicative of local fauna (Hilbert et al. 2001:86-87). Other terms, such as *Şiµ¢µstubus* ("blunt face"), ascribed to both Point Edwards and Point Wells, may describe the appearance of a location (or, as in this case, more than one location). Still other names assign a spiritual or religious meaning to a location or vicinity. For instance, a small creek on the Puget Sound coastline, several miles west of the APE, is known as *sbaµ* in Lushootseed. This has been translated by Waterman (circa 1920) as "the supernatural power which makes one able to be a sucking doctor" and by Hilbert et al. as "shamanic healing" (Hilbert et al. 2001:346).

The project area is within the territory that would have been utilized by the “shil-shol-ahbsh” (Shilsholamish) or “narrow inlet people”, a southern Lushootseed speaking people considered part of the Coast Salish group (Copass 1996). Their territory ranged from West Point to the south up to Edmonds Point to the north. Their main winter village was located at the mouth of Salmon Bay near the present day Ballard Locks. Ethnographer T.T. Waterman notes that kinnickinik (*Arctostaphylos uva-ursi*) was gathered somewhere along the shores near the APE. Kinnickinik is a vine, with an appearance similar to huckleberry, that has red berries (Waterman circa 1920). Charles Taylor, an early resident of Richmond Beach, mentioned the last vestiges of native life in his recollections regarding sailing vessels. He states:

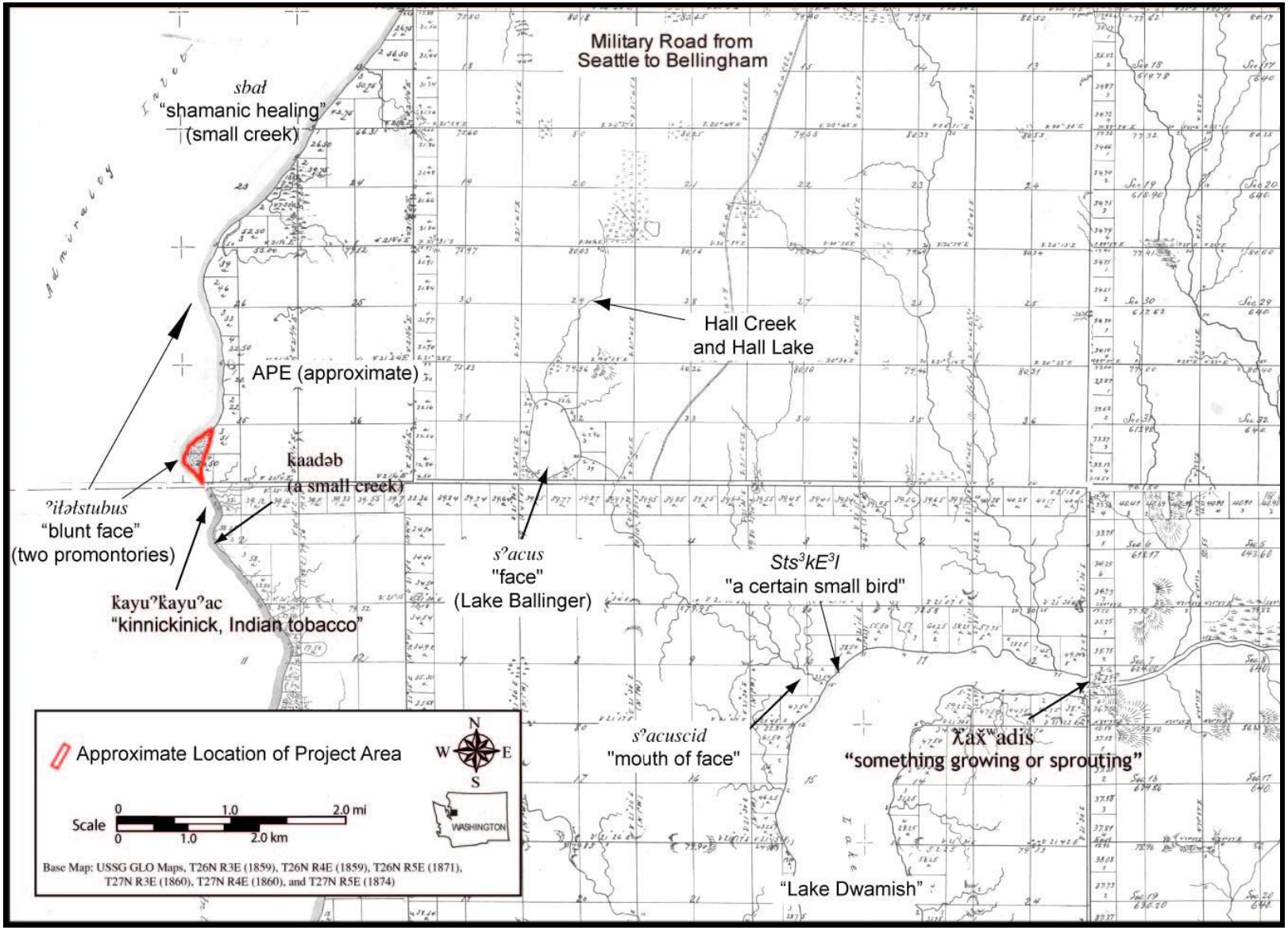

Figure 3. Map depicting ethnographic place names near the project area.

In the summer months of 1900 to about 1910 there were a great number of Indian canoes that came down the sound from the north to pick hops in the great hop fields in the White River Valley around Kent and Auburn. The Indians would go up the Duwamish River, the Green and the White River. Some of these Indians came as far away as Southeast Alaska and British Columbia. They had big canoes with sail and the whole family came along, even the cats and dogs. Sometime as night approached, they would land near where we lived. They would start a big beach fire and cook a salmon they had caught while they were sailing along. Afterward they would pile grass mats on the beach above high water mark to make their beds and prepare for a nights stay. There were very friendly and while visiting with them and finding out that we had new potatoes or vegetables, they would buy some and always had money to pay for them. Some of these canoes had 10 to 12 people in them, consisting of small kids, big kids, fathers, mothers, and what looked like grandparents. They would work in the fields and when the season was over they would stop in Seattle and sell Indian Baskets, etc. – buy some highly colored wearing apparel and then start north for home. I understand the women and kids did the picking of hops and gave the money they earned to the family. [Worthley 1973:81-82].

3.8Expected Finds

The location of this property is on a generally flat point of land along the shoreline of Puget Sound, with remnants of tidal marsh to the east, fresh-water tributaries, and steep upland bluffs behind. These topographic and environmental conditions represent high probability landforms for hunter-fisher-gatherer and ethnographic period archaeological deposits. Several important prehistoric archaeological sites have been documented on similar landforms in the Puget Sound and vicinity, including *Tzewhitsen* in Port Angeles, Pka' dzElteu at West Point in Seattle, and the Little Boston village site on Point Julia in Kingston, to name a few. In addition to the Point Wells landform being of similar appearance to other recorded archaeological sties, ethnographic data suggests that the Edmonds/Richmond Beach coastline was an intertribal food gathering area frequented by the Duwamish, Snohomish, Snoqualmie, and Suquamish, and Point Wells has a recorded ethnographic place name. Archaeological materials could include deposits associated with a long-term residential village(s), short-term seasonal resource processing camps, or short-term travel camps. Each of these site types could have shell, fish bone, terrestrial and marine mammal food remains, processing features, storage pits, post molds, fire hearths, as well as stone, bone and antler tools and manufacturing detritus (Lewarch et al. 2006). Many of these materials occur in archaeological deposits called middens, which retain important scientific information, a criteria consideration for listing in the National Register of Historic Places. Of particular importance, human burials are often associated with residential sites and are protected under state law.

The Project Area was originally prepared for commercial development by distributing fill over native beach, marsh land and tide flats. It is not known how much fill was placed in each part of the Project Area and, therefore, how deeply buried the original ground surface may be at any given location. For example, previous geo-technical investigations have found the fill depth to vary between 3 feet (0.9 meters) and 15 feet (4.75 meters), where such subsurface probes have been conducted in the Project Area. Historic resources may include artifacts or features related to homesteading, logging, and more likely the various phases of industrial use of the area. The more recent development activities likely disturbed prehistoric, ethnographic and older historic archaeological deposits; however, it cannot be determined, based on the existing information, to what extent underlying deposits have been disturbed.

4.0 Conclusions and Recommendations

HRA has determined that the Point Wells Project Area represents a landform type that often was used in prehistory as a residential and resource gathering location by Northwest Coast Indian tribes. A comprehensive subsurface cultural resources survey of the Project Area has not been conducted, so evidence of archaeological remains that represent such prehistoric use is not available. An existing tank farm, and previous historic-era activities that occurred here over the past 100 years, reduces the likelihood that substantial intact cultural resources remain. Intact archaeological deposits may persist only at certain depths, or only in pockets that represent remnants of once thicker and/or broader deposits, within the Project Area. Despite the likelihood that historic activities have disturbed older, underlying remains, the potential sensitivity of such remnant deposits, particularly human burials and structural remains, both of which are commonly found in association with midden, indicates that Paramount must proceed with caution and in consultation with the appropriate review agencies (expected to include the U.S. Army Corps of Engineers and the Washington Department of Archaeology and Historic Preservation) to be in compliance with the regulations (e.g., National Historic Preservation Act) that will apply to the proposed redevelopment project.

Regarding historic-era resources, Section 106 of the National Historic Preservation Act requires that potential effects to resources that may be eligible for listing on the National Register of Historic Places be considered. This applies to all resources 50 years of age or older, which may include buildings and structures related to Chevron's or the Standard Oil Company's operations at Point Wells. King County uses a 40-year standard for historic resources; this may apply to the southern tip of the Project Area, which is located within King County.

HRA recommends archaeological surface and subsurface inventory of the Project Area. Subsurface archaeological inventory should attempt to investigate all locations where the design of the proposed redevelopment will entail ground disturbance below the known depth of fill. This should begin with a detailed review of all previous subsurface probing results (i.e., geotechnical) to allow a determination of where subsurface archaeological probes are feasible and where historic-era archaeological remnants may persist within historic fill sediments. Archaeological shovel probes provide a standard method of subsurface investigation to an approximate depth of 1 meter. When extended with a bucket auger, sampling of a smaller volume of sediment is achieved to a depth of 2 to 2.5 meters. The efficacy of auger probing depends on whether there are subsurface obstructions (e.g., cobbles, tree roots), and whether the sediment type and amount of groundwater allow retrieval of sediment to the surface (e.g., dry, loose sands slip free of the auger bucket). Sampling at depths greater than 2 to 2.5 meters requires mechanical excavation (e.g., backhoe trenches, truck-mounted cores). If the Project Area can be sufficiently investigated, as described above, it may not be necessary to have an archaeological monitor present during the ground disturbing activities of the construction phase of the Project, but that would be determined in consultation with the USACE and/or DAHP.

HRA also recommends that an inventory of historic resources be conducted. This may require a comprehensive review of the history of the property developments and activities, as well as review of property records, to determine which extant buildings and structures are now,

or soon will be, 50 years of age or older (40 years for the portion of the Project Area within King County). Washington Historic Property Inventory forms should be prepared for all such buildings and structures, and assessed for their potential eligibility for inclusion on federal, state, and local registers of historic properties.

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