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Transportation Systems Div.

STAFF REPORT (Revised)

City of Renton Department of Planning / Building / Public Works

ENVIRONMENTAL REVIEW COMMITTEE

A. BACKGROUND

ERC MEETING DATE August 28, 2006

Project Name: Duvall Ave. NE Road Widening

Owner/Applicant: City of Renton – Transportation

Contact: James Wilhoit, Transportation

File Number: LUA-06-062, ECF, CAR Project Manager: Valerie Kinast

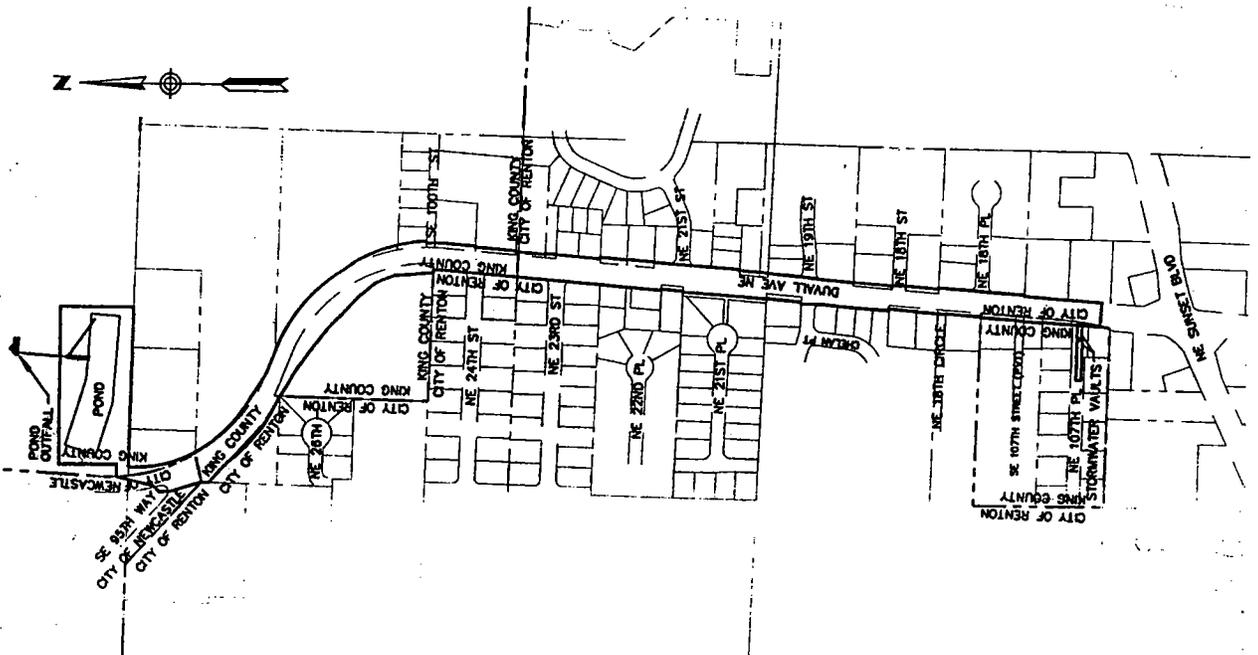
Project Description: The City of Renton – Transportation is requesting Environmental (SEPA) Review for a proposal to widen Duvall Ave. NE / Coal Creek Parkway SE starting just south of SE 95th Way and ending just north of NE Sunset Blvd. The area of work is approx. 10 acres and lies partially under King County jurisdiction, but will soon be annexed to the City of Renton. The proposal is to widen the road to accommodate four travel lanes, a center turn-lane, sidewalks and a bicycle lane. A surface water detention vault is proposed under SE 107th Pl. and a detention pond is proposed just east of Coal Creek Pkwy, south of May Creek. The proposed outfall system running from the detention pond into the buffer of May Creek would require a Critical Areas Exemption. (Please see the next page for a more lengthy description.)

Project Location: Duvall Ave. NE and Coal Creek Pkwy. SE, between NE Sunset Blvd. and May Creek

Site Area: Approx. 10 acres

RECOMMENDATION: Staff recommends that the Environmental Review Committee Issue a Determination of Non-Significance Mitigated (DNSM).

Project Location Map



Project description: The applicant is proposing to widen Duvall Ave. NE / Coal Creek Parkway SE starting just south of SE 95th Way and ending just north of NE Sunset Blvd. The area of work is approx. 10 acres in size and lies partially under King County jurisdiction, but will soon be annexed to the City of Renton. The proposal is to widen the road to accommodate four travel lanes, a center turn-lane, sidewalks and a bicycle lane. The amount of impervious area in the project area would increase from 4.49 acres to 8.46 acres. Along the west side of Coal Creek Parkway SE, in the King County segment of the project, a 300 ft. long soldier pile retaining wall, up to 25 ft. in height, would be built to stabilize the slope. A surface water detention vault is proposed under SE 107th Pl. and a 100 ft. by 500 ft. detention pond is proposed just east of Coal Creek Pkwy. SE, south of May Creek. A proposed outfall system running from the detention pond into the buffer of May Creek would require a Critical Areas Exemption. A Critical Areas Modification would also be required, to grade and reconfigure the protected slope along the northwestern portion of street. RMC 4-3-050N2ii c

There are three streams in or near the project area. Honey Creek is located to the south of the project site. It is a Class 4 stream at this point, according to the City of Renton stream classification map. Surface water from the south segment of the project area presently flows into Honey Creek. The detention vault proposed to be located under SE 107th Pl. would connect to the existing storm water system that drains to Honey Creek. May Creek is located at the north of the project site. May Creek is a class 2 stream at this point, according to the City of Renton classification system, which requires a 100 ft. buffer. The proposed detention pond would be partially located within 100 ft. of the ordinary high water mark of the creek. The outfall portion of the detention facility would be located completely in the buffer area but not within the creek. The Renton Municipal Code allows for a Critical Areas Exemption for stormwater management facilities in stream buffers (RMC 4-3-050C5dii).

In addition to Honey Creek and May Creek, there is an unclassified and unnamed stream,, referred to as P-9, which runs from the east side of Coal Creek Pkwy., north of SE 100th St. where the road curves west, and drains into May Creek. The stream is not mapped on the City of Renton critical areas maps. The applicant's environmental consultant has classified this stream as a Class 4. Class 4 streams are non-salmonid bearing.

At the time of the first Environmental Review Committee meeting on this project on July 17, 2006, there was question as to the classification of the ditches that run along the edges of the existing road alignment. In particular, a representative of the Muckleshoot Tribe was questioning whether there may be fish present in these ditches, which would increase them to a Class 2 stream, by definition. The applicant's consultant has since clarified that there would be no possibility for fish passage into any of the ditches on or surrounding the project site. It would not be possible for fish to pass through the unnamed stream (AKA P-9) into the ditches on the west and east of the road because there is no channel connection of the stream during periods of low flow. Furthermore, no fish could pass into the ditches at the west because the culvert under the road is an impassible barrier. The consultant also explained that no fish could pass into the ditches on the east side of the road upstream of P-9 because of an approximately 70% slope that the water flows down. The consultant reports that it would not be possible for fish to enter the ditches at the northwestern segment of the road because after the water flow in the ditch crosses under 95th, the water in the ditches disperses into overland flow with no defined channel. Beyond that point, there is a greater than 50 ft. drop into May Creek, which would further prohibit the passage of fish.

In the northern reaches of the new road, there are steep slopes of over 40% that would be graded in order to slightly straighten the road, and to build a retaining wall along this portion of the road. The Renton Municipal Code allows for a Critical Areas Modification to permit the grading and reconfiguration of steep slope that are the result of previous road construction (RMC 4-3-050J5bii and RMC 4-3-050N2ii c).

A portion of the site lies within the 100 year flood plain of May Creek. A segment of the stormwater outfall system running from the detention pond would be located in the flood plain. The City of Renton critical areas regulations allow for an exemption for public surface water projects in Flood Hazard Areas (RMC 4-3-050(c)5diii).

The portion of the site in the City of Renton is designated Residential Single-Family (RSF) on the cities Comprehensive Land Use Map and Residential 8 units/acre (R-8) on the zoning map. The portion of the site in unincorporated King County is proposed for annexation and will likely be designated Residential Low Density (RLD) on the Comprehensive Land Use Map and Residential 4 units/acre (R-4) on the zoning map.

B. RECOMMENDATION

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials make the following Environmental Determination:

DETERMINATION OF NON-SIGNIFICANCE	XX DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.
Issue DNS with 14 day Appeal Period.	XX Issue DNS-M with 14 day Appeal Period.
Issue DNS with 15 day Comment Period with Concurrent 14 day Appeal Period.	Issue DNS-M with 15 day Comment Period with Concurrent 14 day Appeal Period.

C. MITIGATION MEASURES

1. The applicant shall follow the submitted geotechnical report by GeoEngineers, Inc. dated January 27, 2005.
2. The applicant shall follow the recommendations made in the Noise Report completed by Widener & Associates for the project, dated October 20, 2004.
3. The applicant shall follow the recommendations made in the Air Quality Discipline Report completed by Widener & Associates for the project dated May 20, 2005.
4. The applicant shall provide a Temporary Erosion and Sedimentation Control Plan (TESCP) designed pursuant to the State Department of Ecology's Erosion and Sediment Control Requirements, outlined in Volume II of the 2001 Stormwater Management Manual.
5. The applicant shall obtain a Critical Areas Exemption (RMC 4-3-050C5dii) to allow the placement of the stormwater management facility partially in the stream buffer of May Creek once the parcel it is on has been annexed by the City of Renton, and prior to commencement of construction on that parcel.
6. The applicant shall obtain a Critical Areas Exemption (RMC 4-3-050C5diii) to allow the placement of part of the stormwater outfall in the Flood Hazard Area of May Creek once the parcel it is on has been annexed by the City of Renton, and prior to commencement of construction on that parcel.
7. The applicant shall submit to the Development Services Division project manager, a clearing plan for the area around the detention pond and outfall facility prior to awarding of the contract for construction. The area to be cleared for the detention and drainage facilities shall be the minimum amount necessary to construct the facilities.
8. The applicant shall submit to the Development Services Division project manager, a planting plan for all areas that will be disturbed during construction of the detention pond and outfall facility, outside the footprint of the facilities, prior to awarding of the contract for construction. The planting plan shall show the proposed new vegetation in all areas that were disturbed by construction. A professional, qualified in the use of native vegetation, shall plan and carry out the revegetation.
9. The applicant shall obtain a Critical Areas Modification to allow grading of protected slopes and the construction of a retaining wall and road once the parcel it is on has been annexed by the City of Renton, and prior to commencement of construction on that parcel.

Additional mitigation measures will be recommended by staff when additional information has been received from the applicant.

Advisory Notes to Applicant:

The following notes are supplemental information provided in conjunction with the environmental determination. Because these notes are provided as information only, they are not subject to the appeal process for environmental determinations.

Fire

1. Maintain emergency access at all times.

Parks

1. Conversion of IAC-funded park land needs to be finalized prior to construction.
- Maintenance responsibility needs to be determined and funding for maintenance programmed and budgeted.

D. ENVIRONMENTAL IMPACTS

In compliance with RCW 43.21 C. 240, the following project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

1. Earth

Impacts: Construction of the widened road, the detention vault and the detention pond will require excavation and grading. The proposed retaining wall along the west side of the road at the north end of the project area would also require excavation and filling. Construction of the detention pond and retaining wall would take place in areas with sensitive and protected steep slopes. A Critical Areas Exemption will be required for this work. The possible impacts of disturbing the soils for the proposed work in the slopes include erosion, sedimentation, and sliding. The applicant has submitted a geotechnical report completed by GeoEngineers, Inc. of Redmond, WA on January 27, 2005. The report describes how possible impacts and risks could be avoided and minimized during the project construction phase. The Conclusions and Design Recommendations section of the report provides recommendations on the design and construction of the street, the retaining wall and the detention facilities.

Mitigation Measures:

1. The applicant shall follow the submitted geotechnical report by GeoEngineers, Inc. dated January 27, 2005.
2. The applicant shall provide a Temporary Erosion and Sedimentation Control Plan (TESCP) designed pursuant to the State Department of Ecology's Erosion and Sediment Control Requirements, outlined in Volume II of the 2001 Stormwater Management Manual.

Policy Nexus: N/A

2. Air / Noise

Impacts: During construction, dust and exhaust from construction equipment would occur. Trucks needed to haul debris and fill would cause dust and emit exhaust. Short-term noise from construction equipment would occur during the duration of construction, and be limited to the hours of 7:00 AM to 8:00 PM. The applicant submitted an Air Quality Discipline Report, completed by Widener & Associates on May 20, 2005, which lists impacts and mitigation measures. The mitigation measures include maintaining construction equipment in good working order, using best management practices to control fugitive dust, and following a traffic mitigation plan during construction. The applicant also submitted a Noise Report completed by Widener & Associates on October 20, 2004, which analyzes the construction noise and future noise environment and proposes mitigation. The report states that construction noise will be minimized by limiting work hours to the hours between 7 am and 10 pm, enforcing the City noise ordinance and utilizing the best available noise abatement technology on construction equipment. The Noise Report does not recommend noise abatement for the long-term noise impacts of the project. The report states that the cost of such measures would be cost prohibitive given the scale and location of the project. In addition to the measures listed in the noise and air reports, the equipment and construction of this project would be required to meet federal, state, and local emissions and noise regulations; therefore no further mitigation is recommended.

Mitigation Measures:

1. The applicant shall follow the recommendations made in the Noise Report completed by Widener & Associates for the project, dated October 20, 2004.
2. The applicant shall follow the recommendations made in the Air Quality Discipline Report completed by Widener & Associates for the project dated May 20, 2005.

Policy Nexus: N/A

3. Water

Impacts: Impacts to water would include an increase in surface water runoff. The applicant is required by the Renton Municipal Code to provide water detention and treatment, which will reduce the impact to the streams. A Final Hydraulic Technical Information Report completed by Berger/Abam Engineers Inc. on November 2, 2005 makes recommendations for water quality and flow control to meet the requirements of the Washington State Department of Ecology Storm Water Management Manual for Western Washington, 2001. The applicant will be required to follow this report and meet code requirements. Staff does not recommend any further mitigation of impacts from new surface water runoff through SEPA.

Mitigation Measures: No further mitigation measures are proposed.

Policy Nexus: N/A

4. Plants

Impacts: Areas surrounding the proposed detention facility near May Creek will require clearing of vegetation. The Critical Areas Exemptions that will be granted to complete the part of the work in the buffer of May Creek will contain conditions that require that the amount of vegetation disturbance be kept at the minimum necessary. It will require that any areas where vegetation is removed or disturbed that lie outside of the footprint of the new facility be revegetated. Staff recommends as a mitigation measure that the applicant be required to meet the same requirements in the area outside of the buffer where the pond would be built also to mitigate for removal of a large amount of vegetation in proximity to May Creek.

The area of steep slopes along the northwestern side of Duvall that would be graded to widen the road and construct a large retaining wall would also require the removal of vegetation. The Critical Areas Exemption to grade these slopes for road widening will also require that the amount of disturbance be kept to a minimum and that disturbed areas outside the footprint of the new structures be replanted with native vegetation.

Mitigation Measures:

1. The applicant shall submit to the Development Services Division project manager, a clearing plan for the area around the detention pond and outfall facility at the time of submittal for construction permits. The area to be cleared for the detention and drainage facilities shall be the minimum amount necessary to construct the facilities.
2. The applicant shall submit to the Development Services Division project manager, a planting plan for all areas that will be disturbed during construction of the detention pond and outfall facility, outside the footprint of the facilities, prior to the issuance of building permits. The planting plan shall show the proposed new vegetation in all areas that were disturbed by construction. A professional, qualified in the use of native vegetation, shall plan and carry out the revegetation.

Policy Nexus: N/A

5. Animals

Impacts: Increasing the impervious area substantially in the Honey Creek and May Creek sub-basins has the potential for impacting fish in both of these streams. Providing surface water management according to the 2001 DOE Stormwater Management Manual, including water detention and water quality treatment, will reduce the possibility of impacts to an acceptable level.

Removing vegetation to build the detention pond and surface water outfall above May Creek also has the potential of degrading the natural drainage function and impacting fish habitat. The water quality facilities though, would provide an important service in improving the quality of the increased runoff from the street before the surface water enters the stream. This benefit outweighs the impact from a loss of vegetation necessary to build the facilities. Clearing only the vegetation that is absolutely necessary to construct the facilities would further limit any possible impact to the creek. The Critical Areas Exemptions to place the surface water outfall facility in the stream buffer and Flood Hazard Area will contain a condition to keep the amount of vegetation removed to a minimum, and to revegetate disturbed areas with appropriate native vegetation. Staff has also recommended as a mitigation measure under Section 4. *Plants*, above, that revegetation also be required outside of the stream buffer around the detention pond.

Mitigation Measures: No further mitigation is recommended.

Policy Nexus: SEPA

7. Transportation

Impacts: Widening of the road would cause short-term negative impacts to traffic in the vicinity of the project. The applicant is required by the City of Renton Municipal Code to provide a Traffic Control Plan to minimize and mitigate these short-term impacts. Staff does not recommend further mitigation.

The long-term impacts to traffic are expected to be improved traffic flow. An analysis of the alternatives and final recommendations are contained in the Duvall Avenue Corridor Traffic Analysis Report – Final Report prepared by Mirai Associates in August 2004. Staff does not recommend any mitigation measures for the long-term impacts to traffic.

Mitigation Measures: No further mitigation is recommended.

Policy Nexus: N/A

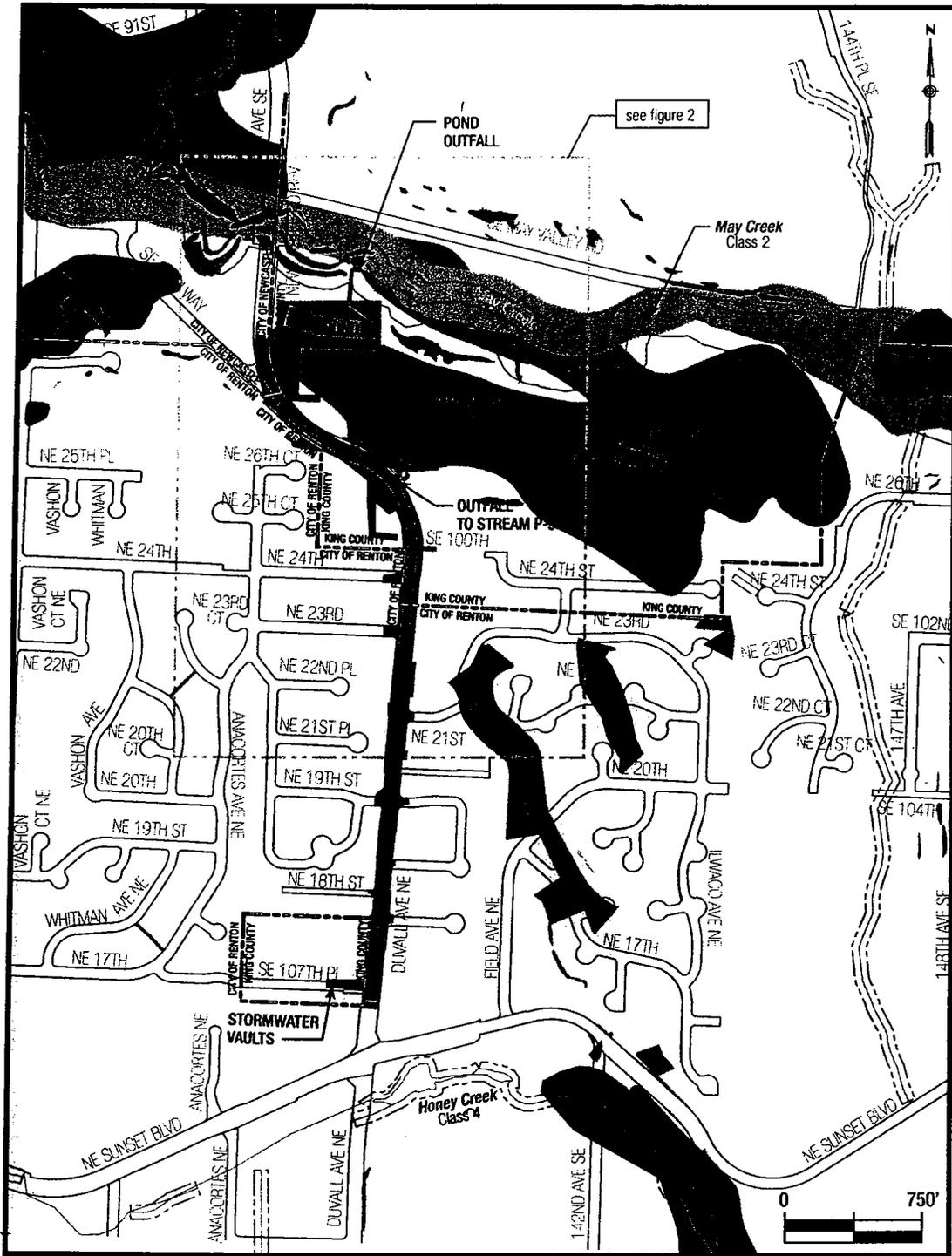
E. COMMENTS OF REVIEWING DEPARTMENTS

The proposal has been circulated to City Departmental / Divisional Reviewers for their review. There were comments by City Reviewers. Where applicable, these comments have been incorporated into the text of this report as Mitigation Measures and/or Notes to Applicant.

- Copies of all Review Comments are contained in the Official File.**
 Copies of all Review Comments are attached to this report.

Environmental Determination Appeal Process

Appeals of the environmental determination must be filed in writing on or before 5:00 PM on September 15, 2006. Appeals must be filed in writing together with the required \$75.00 application fee with: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98055. Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110.B. Additional information regarding the appeal process may be obtained from the Renton City Clerk's Office, (425) 430-6510.



Critical Areas Map
Duvall Avenue Reconstruction Project

Figure 1 of 2

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|--|-------------------------|--|-------------------------------|
| | AQUIFER PROTECTION ZONE | | CLASS 5 STREAM |
| | FLOOD HAZARD AREA | | POND |
| | EROSION HAZARD AREA | | NEW DUVALL AVE ALIGNMENT |
| | LANDSLIDE HAZARD AREA | | EXISTING DUVALL AVE ALIGNMENT |
| | MODERATE | | CITY/COUNTY BOUNDARIES |
| | HIGH | | STREAMS |
| | SLOPES OVER 40% | | 100' STREAM BUFFER |
| | KING COUNTY | | 35' STREAM BUFFER |
| | CITY OF RENTON | | CULVERT |
| | CITY OF NEWCASTLE | | RETAINING WALL |
| | | | CONSTRUCTION AREA |

Note: There are no seismic or coal hazard areas in the vicinity of the Duvall Avenue Reconstruction Project

