



City of Puyallup

Planning Division

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June 12, 2023

Logan Dougherty
 PO Box 47440 (c/o Steve Fuchs)
 Olympia, WA 98500-4

DEVELOPMENT REVIEW TEAM (DRT) LETTER	
DRT #	1
PERMIT #	PLSDP20230027
PROJECT NAME	SR 167/I-5 to SR 161 – New Expressway Project (Stage 2 Project)
PERMIT TYPE	Shoreline Substantial Development Permit
PROJECT DESCRIPTION	WSDOT is submitting this application for a shoreline substantial development permit (SSDP) to construct transportation improvements in the Puyallup River Urban Conservancy shoreline environment in the vicinity of the North Meridian Avenue and SR 512 bridges. These transportation improvements are a component of the SR 167/I-5 to SR 161 – New Expressway Project (Stage 2 Project), which is the third and final stage of the SR 167 Phase 1 Completion Project. See Project Description in Attachment 2 for detailed description of work.
SITE ADDRESS	SR 167/I-5 to SR 161
PARCEL #	
ASSOCIATED LAND USE PERMIT(S)	
APPLICATION DATE	March 08, 2023
APPLICATION COMPLETE DATE	March 30, 2023
PROJECT STATUS	<u>Active Development Review Team (DRT) review case – resubmittal required.</u> Please address review comments below and resubmit revised permit materials and by responding in writing to the remaining items that need to be addressed.
APPROVAL EXPIRATION	N/A – Active permit application, not approved

CONDITIONS	<p>Active permit application, not approved;</p> <p>Pursuant to PMC 20.11.022 regarding inactive applications, any and all pending land use applications or plat applications shall be deemed null and void unless a timely re-submittal is made to the City within 1 year of issuance of this Development Review Team (DRT) comment letter.</p> <p>DRT review letters typically identify requested corrections, studies or other additional required pieces of information necessary to demonstrate conformance with the City’s adopted development standards and codes.</p> <p>Subsequent applicant re-submittals shall make a good faith effort to respond to each request from this letter in order for the application to remain active. The failure to provide timely responses or lack of providing the requested material(s) within the 1-year window following DRT comment letter issuance shall be grounds for expiration, thus deeming the pending application null and void with or without a full or partial refund of application fees.</p>
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The City has completed the review of the above-mentioned permit submittal. All of your review comments, conditions, and redlined plans can be found on the [City’s permit portal](#). Redlined plans can be found on the City’s Permit Portal in the “Reviews” section under “Documents Returned for Corrections”. Below please find the permit submittal review comments from your review team and re-submittal instructions. Should you have any questions regarding the review comments, please contact the plan reviewer associated with the comment listed below.

Re-submittal Instructions

To resubmit, you must respond to all comments in a written response letter and submit a letter of transmittal. Letter of transmittal and response letter must be submitted to the ‘resubmittal form’ item listed in the submittal items list. Avoid using "upload additional docs" unless there is NO submittal item available for your document. Please Note: If you do not resubmit as instructed your re-submittal will be rejected. If you have any questions about how to resubmit, please contact the permit center.

- 1 Log in to your permits portal and navigate to the status page for this permit under the “My Items” tab by selecting the “Upload Submittals” button under the permit number.
- 2 For each submittal item listed re-submit a new version of the submittal item by clicking the “New Version” button next to the file name of the original file submitted. DO NOT click the ‘browse’ button unless the document you are submitting for that submittal item is not a new version of the originally submitted document.
- 3 Click ‘Upload Documents’ at bottom of the page.

How to use this letter

This review letter includes two sections: **“Corrections”** and **“Conditions”**.

The **“Corrections”** section includes all items that the applicant must address to comply with the Puyallup Municipal Code (PMC) and city standards. Items listed in under **Action Items** require a resubmittal under this permit for further review by the Development Review Team (DRT); your application is not approved. Please make those updates to the proposed plans and resubmit for review. Please include a response letter outlining how you have revised your proposal to meet these items for ease of plan check by DRT members.

The **“Conditions”** are items that will govern the final permit submittal(s) for the project. Please be aware that these conditions will become conditions of the final permits and/or recommendations to the Hearing Examiner, if applicable.

If you have questions regarding the action items or conditions outlined in this letter, please contact the appropriate staff member directly using the phone number and/or email provided.

Corrections

Planning Review - Nabila Comstock; (253) 770-3361; NComstock@PuyallupWA.gov

- Chapter 4, Section C 2.1 Public Access (k) states:

"Incorporate signage and informational kiosks into public access locations, where appropriate, to enhance public education and appreciation of shoreline ecology and areas of historic or cultural significance."

In addition to providing wayfinding signs, please include a proposal to provide at least one public education sign along the SUP that provides information about the river and/or shoreline.

- In previous correspondence, it was agreed that a consistency memo for critical area would be submitted with the shoreline substantial development application to summarize impacts and proposed mitigation within city limits and would include attachments for project wide wetland and stream report and mitigation plans. Please include this consistency memo in your re-submittal.
- Please submit Section 106 SHPO concurrence documentation for the Stage 2 Project Cultural Resources Survey for previously unsurveyed areas of the area of potential effects as noted would be included in your response to SMP Chapter 5 - B.2.
- Please update the conceptual landscape plan to include a notation that the landscaping coverage must be established with 65% native vegetation between permitted uses/structures and the OHWM to the extent feasible so that at construction, the requirement is not lost. If possible, please provide a more detailed draft landscape plan.
- For Levee Road realignment/shifting of the SUP crossing, choose to either:
 1. Submit both Levee Road realignment options in your re-submittal.
 - a. You can try to account for the worst case scenario (proposal with the presumed most impacts) in your re-submittal. If you need to show both options, that is okay, but we would need you to encapsulate the impacts for both, include figures that show where the shoreline is in relation to the proposed realignment options, and include a letter regarding how both would operate & affect the SUP as well as when you would expect either option to be constructed.
 2. We can continue with our review of the existing shoreline application with your added conduit modification and when you are ready, come back and apply for a new SSDP permit with the realignment option WSDOT has decided to move forward with.
 - a. The new application would need to address how it affects the approved SSDP scope of work, etc.
- In a comment response letter, please address how this permanently impacted buffer will be mitigated/addressed. If this has been addressed in one of the mitigation reports, please cite this section in your response [JARPA excerpts, project impact plan view]
- Please attach the e-mail dated June 24, June 27, and July 5, 2022 between the City of Puyallup Planning department and Ecology shoreline representative that includes the agreement that the proposed drainage improvements are considered an ancillary element of the transportation use as referenced in the SMP Consistency Letter Chapter 7 (O.3.b.).

- Chapter 7, Section 7.H.3. (a) states:

"Filling, grading, and excavation is allowed in the Puyallup River Urban Conservancy and the Clarks Creek Urban Conservancy environments only in association with a permitted use. Filling, grading, and excavation is prohibited in the Natural environment. Fill waterward of the OHWM shall require a Shoreline Conditional Use permit. Where allowed, filling, grading and excavation shall be the minimum necessary to accommodate the development and shall cause no impacts to ecological functions, including protection of channel migration processes"

In your response, you states that no fill will be placed waterward of the OHWM. The figure in the floodplain impacts & mitigation report (pg. 19) does not show where the OHWM is. In order to help staff confirm that this is factual, please submit a figure that displays the OHWM and where fill is being placed.

- Chapter 7, Section K.2 (a-d) addresses Restoration Policies. Staff is unable to adequately address the proposed mitigation addressed in this section without the critical area consistency memo. In addition to submitting a critical area consistency memo, please also address what the mitigation addressed in this section is referring to to assist with clarification. The response to this section was that it is N/A. Based on this response, I assume that no mitigation is necessary within the shoreline jurisdiction area because no impacts will be within the shoreline jurisdiction area? The stormwater outfall is within the shoreline area - how is this being addressed in this section?
- In response to Chapter 7, Section L.3 (c), you state that the design-build contractor that will be hired will be required to provide a final geotechnical documentation package and final design consistent with WSDOTs Geotech Design Manual and that it will include provisions of development associated with steep slopes. Will this be addressed in the Critical Area Consistency Memo? Or will this documentation be provided in future permitting to assist with addressing the compliance with shoreline stabilization requirements per the SMP?
- Chapter 7, Section L.3 (f) states:

"Trees and vegetation shading streams and rivers shall be retained or replanted when shoreline stabilization is placed or replaced."

In your response, you state that trees and vegetation shading the Puyallup River will be retained to the greatest extent possible in the outfall replacement area. Please provide a draft plan of what trees are proposed to be removed/retained/replanted wtihin the outfall area.

Engineering Review - Mark Higginson; (253) 841-5559; MHigginson@PuyallupWA.gov

- LEVEE AND OUTFALL
 - Provide approval/acknowledgment from Pierce County for the work occurring adjacent to, or within the limits of the existing levee system.

Engineering Traffic Review - Bryan Roberts; (253) 841-5542; broberts@PuyallupWA.gov

- Possible improvements near Levee Rd may exceed the blue impact area as shown here. Since the final design of this intersection and build-out of the Shared Use Path are currently unknown, the shoreline permit should include these areas. Additionally, the City wants the design builder to have the ability to pursue these options if feasible.
 - (1) Shift Levee/Levee intersection farther east
 - (2) Replace Levee/Levee intersection with a roundabout.
 - (3) Provide a grade separated under-crossing at Levee Rd (City Preference and consistency with WSDOT Target Zero safety goals & strategies))

[Att_3_VicinityMap_SitePlans]
- Will there be adequate conduit installed on underside of bridge to facilitate future signal interconnect? I believe WSDOT was looking at feasibility/cost even though the traffic analysis showed there would be challenges integrating current WSDOT & Puyallup systems together.

[Att_3_VicinityMap_SitePlans]

Conditions

Condition Category	Condition	Department	Condition Status
	Public notice sign must be posted on site in a publicly visible location.	Planning Division	Resolved
	Signed Affidavit must be provided.	Planning Division	Resolved
	SHORELINE APPLICATION SUBMITTALS <ul style="list-style-type: none"> • For the final version of the ‘Floodplain Impacts and Mitigation in the City of Puyallup’ report, verify and incorporate review comments as noted in the March 2023 draft report. 	Engineering Division	Open
	PERMITTING <ul style="list-style-type: none"> • Any portion of the proposed project that is outside WSDOT ROW limits and within the jurisdiction of the City of Puyallup will require a permit issued by the City Engineering Department. WSDOT, or the contractor obtaining the permit on behalf of WSDOT, will be required to post bonding, license, and insurance pursuant to Puyallup Municipal Code, Title 11. (NOTE: On the SR167 Puyallup River Bridge Replacement Project, a mutually agreed Construction Agreement was executed between WSDOT and the City as an alternative to the required bonding and insurance requirements of Title 11) • Refer to DRT Letter dated May 25, 2023 associated with Pre-Application PLPRE20220154, for additional criteria to be incorporated into any future 	Engineering Division	Open

Condition Category	Condition	Department	Condition Status
	City issued engineering permit.		

Sincerely,
Nabila Comstock
Assistant Planner
(253) 770-3361
NComstock@PuyallupWA.gov