

August 21, 2023

WSDOT Correspondence No. 167-0414

Nabila Comstock, Assistant Planner
City of Puyallup Development and Permitting Services Department
333 S. Meridian
Puyallup, WA 98371

**Subject: City of Puyallup Shoreline Substantial Development Permit Application
(PLSDP20230027)
SR 167/I-5 to SR 161 – New Expressway Project (Stage 2 Project)**

Dear Ms. Comstock:

The Washington State Department of Transportation (WSDOT) received comments from the City of Puyallup (City) Planning, Engineering, and Engineering Traffic Divisions, in a letter dated June 12, 2023, on the Puyallup Shoreline Substantial Development Permit (SSDP) application (PLSDP20230027) for the SR 167/I-5 to SR 161 – New Expressway Project (Stage 2 Project). Included in this comment response letter are a description of project updates, a list of attachments included in this re-submittal, and responses to the City's 6/12/23 comments.

Project Updates

- Educational Signage
 - As requested in City Comment #1, received on 6/12/23, WSDOT will include a public education sign along the Tacoma to Puyallup shared use path (SUP) within the City's shoreline jurisdiction that provides information about the Puyallup River and/or shoreline. This sign will likely be located where the new Tacoma to Puyallup SUP connects to the existing Riverwalk Trail south of the Puyallup River. As this improvement would be located landward of existing paved surfaces, in an area already proposed for Project impacts, no additional critical area impacts or vegetation removal would occur. This project update is therefore considered to be in compliance with the Shoreline Master Program (SMP) Consistency Review submitted in the original SSDP application on March 10, 2023.

- Potential Realignment of Levee Road (City Comment #5 and #13)
 - As noted in City comments #5 and #13, WSDOT may propose to realign Levee Road to create a westward shift in location of the Tacoma to Puyallup SUP crossing. See Attachment 13, Potential Levee Road Realignment Figures, for the potential realignment options. The magenta line displayed on these figures depicts the City's shoreline jurisdiction. The potential realignment options would

expand Levee Road into the existing gravel road shoulder area, and would therefore not result in new critical area or buffer impacts. Either realignment of Levee Road, however, would require additional removal of vegetation within the shoreline jurisdiction, outside of critical areas and buffers. Vegetation removal would be consistent with Attachment 2, Code Review, Chapter 5, Section E.2 and E.3.

- Conduit Installation on Underside of North Meridian Avenue/SR 161 Puyallup River Bridge:
 - WSDOT is proposing to install conduit on the underside of the North Meridian Avenue/SR 161 Puyallup River Bridge to support future signal interconnections between the North Meridian Avenue/SR 167 and North Meridian Avenue/River Road traffic signals. As established for similar proposed work on the SR 512 Puyallup River Bridge in Attachment 2, Code Review, Chapter 5, Section O.2 and O.3., this project element is ancillary to the transportation use. Any ground disturbance necessary to complete this work would occur landward of existing paved surfaces on both sides of the Puyallup River, and is therefore outside of the riparian buffer and would not result in impacts to critical areas. Work would take place from adjacent upland locations.

Attachments

The following shoreline application materials are enclosed for your review:

- Attachment 3 – Shoreline Vicinity Map and Site Plans – UPDATED
- Attachment 6a – Wetland and Stream Assessment Report Addendum – NEW
- Attachment 7 – Wetland and Stream Mitigation Plan – UPDATED
- Attachment 8 – Technical Memorandum on Floodplain Impacts and Mitigation – UPDATED
- Attachment 10 – Preliminary Puyallup River Stormwater Outfall Design Detail – UPDATED
- Attachment 13 – Potential Levee Road Realignment Figures – NEW
- Attachment 14 – Critical Areas Consistency Memo – NEW
- Attachment 15 – Section 106 SHPO Concurrence – NEW
- Attachment 16 – Correspondence w/ Chris Beale and Maria Sandercock related to proposed drainage improvements – NEW
- Attachment 17 – Pierce County North Puyallup Outfall Review – NEW

Responses to City Comments Received 6/12/23

Corrections

Planning Review

City Comment #1: 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.

WSDOT Response: WSDOT will include a public education sign along the Tacoma to Puyallup SUP that provides information about the river and/or shoreline. This sign will likely be located where the Tacoma to Puyallup SUP connects to the Riverwalk Trail south of the Puyallup River.

City Comment #2: In previous correspondence, it was agreed that a consistency memo for critical areas 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.

WSDOT Response: The Critical Areas Consistency Memo, which describes critical area impacts and mitigation within the City of Puyallup and throughout the Stage 2 corridor (within and outside of shoreline jurisdiction), is included in this re-submittal as Attachment 14. An addendum to the project-wide wetland and stream report is included in this re-submittal as Attachment 6a, and a revised version of the mitigation plan is included as Attachment 7.

Within the code review included as Attachment 2, critical area compliance within shoreline jurisdiction is described in Chapter 5, Section C.2 and C.3.

See also response to City Comment #6, which provides an in-depth description of impacts and mitigation provided for proposed shoreline impacts.

City Comment #3: 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.

WSDOT Response: Section 106 SHPO concurrence is included in this re-submittal as Attachment 15.

City Comment #4: 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.

WSDOT Response: Proposed work associated with the Stage 2 Project is almost entirely landward of existing paved surfaces and existing uses. The minimal vegetated areas between the proposed elements of the Stage 2 Project and the OHWM are outside of the Stage 2 Project impact area line.

The minimal work area waterward of existing paved surfaces, which is associated with the stormwater outfall replacement, is proposed on the north bank of the Puyallup River. The disturbed areas of the revetment banks will be restored with 100% native shrub species, as noted in Attachment 2, Code Review, Chapter 5, Section E.3.b. See also response to Comment #11, below. The proposed restoration plans have been reviewed by the County.

The Design-Builder will be responsible for preparing the final landscape plan.

City Comment #5: 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.

WSDOT Response: WSDOT has provided a project update to include potential Levee Road realignment options. See “Project Updates” section above, as well as Attachment 13, Potential Levee Road Realignment Figures. See also the response to City comment #13.

The potential realignment options would realign Levee Road into the existing gravel road shoulder area and would therefore not result in new critical area or buffer impacts. Either realignment of Levee Road, however, would require additional removal of vegetation within the shoreline jurisdiction, outside of critical areas and buffers. Vegetation removal would be required for the roadway expansion into the existing vegetated area north of

Levee Road. Vegetation removal would be consistent with Attachment 2, Code Review, Chapter 5, Section E.2 and E.3.

City Comment #6: 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]

WSDOT Response: See Attachment 2, Code Review, response to Chapter 5, Section C.3.a. Also see Attachment 7, Wetland and Stream Mitigation Plan (WSMP), Table 45 and Section 4.2.2.5 Buffer Mitigation. Within the City of Puyallup, in the Puyallup River basin, 22.71 acres of buffer mitigation will be provided. Mitigation will compensate for 5.45 acres of buffer impact within the City in the Puyallup River basin, less than 0.1 acres of which is in the Puyallup shoreline jurisdiction resulting from the stormwater outfall replacement. The area impacted by the outfall replacement work will be restored with native shrubs in the rebuilt revetment face, as described in Attachment 2, Code Review, Chapter 5, Section E.3.b. Within the City of Puyallup, four mitigation sites are proposed: East Wapato RRP, Puyallup North, Puyallup South, and Freeman Road (see WSMP Table 46). See Figures 3, 4-G, 4-J, 4-K, and 4-L in the WSMP.

City Comment #7: Please attach the email 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.).

WSDOT Response: The email correspondence is included in this re-submittal as Attachment 16.

City Comment #8: 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 state 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.

WSDOT Response: An updated figure is included in the updated version of Attachment 8, Technical Memorandum on Floodplain Impacts and Mitigation. The Puyallup River OHWM has been added. Additionally, the OHWM has been added to Attachment 3, Vicinity Map and Site Plans, as well as a note that no fill or ground-

disturbing activities will occur waterward of the OHWM. As described in Attachment 2, Code Review, Section 3, Project Description, and the Project Updates section above, work is proposed on the existing North Meridian Avenue and SR 512 bridges above the Puyallup River but does not include any ground-disturbing activity or fill placement waterward of the OHWM.

City Comment #9: 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 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?

WSDOT Response: See response to City Comment #6.

City Comment #10: 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?

WSDOT Response: The Critical Area Consistency Memo (Attachment 14) does not provide information regarding development associated with steep slopes. Within the code review included as Attachment 2, shoreline stabilization compliance is described in Chapter 5, Section L.2 and L.3. Shoreline stabilization is not anticipated as there is an existing levee and levee revetment in this location, which will be re-built in place. The Design-Builder will be required to prepare final geotechnical documentation, which can be provided to City engineers upon submittal of City engineering permit applications.

City Comment #11: 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 within the outfall area.

WSDOT Response: Within the outfall replacement area, up to two trees may require removal to allow for the proposed outfall replacement. Whether these trees will be removed will depend on the stormwater outfall replacement method, which will be determined by the Design-Builder.

As stated in Note #2 of Attachment 10, Stormwater Outfall Detail, re-built areas of the revetment face rock will be dressed with topsoil and planted with native live stakes, consistent with levee revetment design details (as requested by Pierce County). Additionally, a note has been added to the Stormwater Outfall Detail to note that vegetation removal shall be limited to the greatest extent possible and that up to two trees may be removed waterward of North Levee Road to allow for the outfall replacement.

Engineering Review

City Comment #12: Levee and Outfall: Provide approval/acknowledgment from Pierce County for the work occurring adjacent to, or within the limits of the existing levee system.

WSDOT Response: The preliminary stormwater outfall replacement design has been reviewed by Pierce County. See correspondence attached as Attachment 17.

Engineering Traffic Review

City Comment #13: 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]

WSDOT Response: WSDOT has provided a project update to include potential Levee Road realignment options (1) and (2). WSDOT will not be moving forward with Option (3) “Provide a grade separated under-crossing at Levee Rd” due to design and permitting challenges, complications associated with modifying the existing 100-year old levee system, and potential flood risks created by a hydraulic opening in the levee. See also response to City Comment #5.

City Comment #14: 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]

WSDOT Response: WSDOT proposes the installation of conduit on the underside of the North Meridian Avenue bridge over the Puyallup River. See “Project Updates” section above, as well as updated Attachment #3, Shoreline Vicinity Map and Site Plans.

Conditions

Planning

City Condition #1: Public notice sign must be posted on site in a publicly visible location.

WSDOT Response: Completed 4/24/23.

City Condition #2: Signed Affidavit must be provided.

WSDOT Response: Completed 4/24/23.

Engineering

City Condition #3: 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.

WSDOT Response: See updated version of Attachment 8, Floodplain Impacts and Mitigation in the City of Puyallup.

City Condition #4: 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 City issued engineering permit.

WSDOT Response: Noted.



Per RCW 47.01.485, WSDOT requests that the City make a final determination on the project's permits no later than 90 calendar days after the submission of a complete permit application. Please contact Logan Dougherty at DoughLo@wsdot.wa.gov or 425-213-3654 if there are any questions about the subject application, WSDOT's response, or the attachments to this letter.

Sincerely,

A handwritten signature in black ink that reads "Steve D. Fuchs".

Steve Fuchs, P.E.
SR 167 Completion Project | Project Manager
WSDOT Puget Sound Gateway Program

SF:ld,ve

Enclosure: Attachments 3, 6a, 7, 8, 10, 13-17

cc: Vivian Erickson, Logan Dougherty, HNTB
Mark Ewbank, Christina Merten, Greta Murdoff, George Ritchotte, Herrera
Courtney Soderquist, WSDOT
Aaron Fieser, WSP USA
Project File