



CITY OF PUYALLUP

Development and Permitting Services

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March 19, 2025

To: Tyler Litzenberger, Vector Development

From: Meredith Neal, Director, Puyallup Development and Permitting Services
Chris Larson, Director, Fife Community Development Department

Re: SEPA Determination of Significance (DS) status – P-21-0136

Mr. Litzenberger,

This letter is intended to follow up with you on the current SEPA review status for your project. We communicated preliminarily in a joint lead agency letter to you on February 16, 2022 that we were likely to issue a Determination of Significance (DS) unless significant resolution to the issues outlined in our letter were confirmed at the time of resubmittal. Further written communication on February 08, 2023 also iterated the continuing complexities related to your application and the considerations related to the on-going consideration of issuing a DS pursuant to the preparation of an EIS on the project.

The most recent resubmittal (December 23, 2024) has resolved some issues related to the SEPA review, notably the site flood analysis, preliminary on-site stormwater design and critical areas report review. However, the complexity of the project has continued to demonstrate to the joint agencies the probable significance of environmental impact of the project, leading us to conclude that a DS may still be warranted.

This letter is meant to outline the key issues related to our review:

- **Transportation –**

- City of Puyallup and Fife staff (KPG Psomas representing Fife's traffic review) completed a review of the updated October 21, 2024 technical memo on the Freeman Road E/N Levee Road E intersection (Kimley-Horn) and additional transportation information found in the resubmitted Civil drawing set dated December 20, 2024. KPG/Psomas and Puyallup staff reviewed the May 23, 2024 Kimley-Horn memorandum and provided review comments in a memorandum dated August 14, 2024. The June 2024 Traffic Impact Analysis (TIA) has not been updated. The revised October 21, 2024 memorandum did not address many of the comments provided by KPG/Psomas and Puyallup staff. The previous comments from the August 14, 2024 review memorandum have not been addressed.
- Please see the updated review memo from KPG and Puyallup staff (dated 02/04/25). In that memo, you will see direct guidance regarding the requirement for intersection improvements at Levee Road and Freeman Road, which has remained unchanged and has not yet been addressed.

“The City of Fife’s and the City of Puyallup’s preferred improvement for the Freeman Road E/N Levee Road E intersection is a southbound left turn lane, southbound right turn lane, eastbound left turn lane, an eastbound

receiving/acceleration lane for the southbound left turn lane, and maintaining stop control only for southbound Freeman Road E. This alternative results in LOS D or better for all land use alternatives. This improvement maintains traffic flows on N Levee Road E and provides a two-stage left turn for vehicles from southbound Freeman Road E. (...) . Please provide a conceptual design for this alternative. Include analysis of adequate sight distance for southbound Freeman Road E. Show the sight distance triangle and relationship to the right of way line on the north side of N Levee Road E. ”

A new design is necessary to proceed with the project, consistent with the guidance above. If existing ROW is not available or obtainable by the applicant to accommodate the necessary improvements, it is probable that a Significant Adverse Unavoidable Impact would occur, requiring study of the issue in an EIS.

- **Utility routing –**

- The updated application indicates utilities (domestic water, sanitary sewer and stormwater) would be routed through public ROW (south on Freeman Road and east on Levee Road) to connect with existing public utilities in Puyallup.
 - Pierce County has not supplied preliminary acceptance of placement of utilities in the Puyallup River levee. City staff reached back out to Pierce County staff (Brandon Smith) in late-February.
 - For SEPA purposes, we need to ensure:
 - Placement of new utilities in these ROW alignments do not preclude Fife from also placing utility services without forcing Fife to violate separation standards, in Fife ROW (Freeman Road).
 - Pierce County is satisfied that appropriate easements are available and that placement of new utilities in the river levee (Levee Road) will not decrease the level of safety provided by the levee system in this area,
 - Placement of public utilities to serve the site will not create a gift of public funds and/or place an undue burden on the public to maintain long term.
 - Ensure that capacity exists in the downstream sanitary and storm systems to allow discharge to these public mains.
 - Fife’s water and sewer system remain available for extension to the site with an expansion of the service boundaries. It is not entirely clear why; besides timing, this has not been further analyzed. The lineal footage of improvements is half that of the Levee Rd option. The applicant could also potentially recoup costs through a latecomer agreement, which does not realistically exist with connection to Puyallup utilities.

- **Tribal coordination –**

- Fife and Puyallup staff reached out to the Puyallup Tribe staff to review the most recent submittal documents. As you are aware, the proposed project is within the Puyallup Tribe’s reservation boundaries. Per the Puyallup Tribe of Indians Land Claims Settlement of 1990, the Cities of Fife and Puyallup have a responsibility to consult with the Tribe on

all major projects within the 1873 Survey Area, in which this project qualifies as one. Additionally, the site plan identifies improvements on Tribal property which are subject to TEPA standards and regulatory review by the Tribe. Delineating that jurisdiction between the Cities of Fife and Puyallup and the Tribe is part of the joint regulatory authority and it is collectively of the City of Fife, Puyallup, and the Tribe's job to coordinate where SEPA and TEPA jurisdiction exists.

- Concerns remain regarding temporary construction/slope encroachment and the possibilities of necessary construction related easements for the PTOI property (NE corner of Levee and Freeman) and tribal lands held in trust near the project site.
- Concerns regarding water quality related to discharge of 6PPD water pollutants remain.

- **Noise –**

- Noise analysis must be conducted to conclude in SEPA that no significant adverse impacts will occur in relation to noise from on-site operations (truck idling, truck movements, loading door operations and HVAC equipment are central issues to be studied). The joint agencies propose to conduct the study using a consultant, administered through a pay agreement with you (similar to the Mitigation Banking Instrument (wetland credits) consistency study).

To address the concerns outlined above, we need to receive detailed technical reports and design plans that adequately address these issues and convincingly demonstrate that the project will not result in significant environmental impacts. In the absence of such information, our conclusion, as the Co-Lead SEPA representatives for Fife and Puyallup, is that it may be necessary to issue a Determination of Significance (DS) and prepare an Environmental Impact Statement (EIS) as the next step.

Please let us know if you have any questions regarding this communication. We are available to meet virtually, or in person, to discuss further.



Meredith Neal
City of Puyallup
Director, Development and Permitting Services



Chris Larson
City of Fife
Director, Community Development

Cc: Chris Beale, Senior Planner, City of Puyallup
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Robert Barandon, Interim Director of Planning, Puyallup Tribe