

Extended Work Hours Granted

City Manager Limited Noise Control Work Hour Waiver

City Manager approval of a waiver request, received on May 8, 2018 from Lakepointe Covington LLC, of the provisions of CMC 8.20.020(2)(i). The request is for extended work hours to allow the unloading of fill in the Lakepointe Urban Village Subarea between 8:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on weekends or Federal holidays. This approval is limited to the importing of fill material associated with the approved Washington State Department of Natural Resources (DNR) surface mining reclamation permit (#70-011069). No spreading or compaction of fill or other activities may occur on site during the extended work hours.

This request was reviewed based on the criteria provide in CMC 18.20.020(2)(i) and CMC 14.60.160(4).

Applicant:

Brian Ross
President & CEO of Oakpointe LLC
Operating Manager for Lakepointe Covington Inc.

Location of project: Lakepointe Urban Village Subarea

Evaluation:

Per the submittal, importing of fill on site is requested during extended work hours to obtain approximately 4 million cubic yards of fill from a source that that restricts the export of soil to hauling at night. Nighttime work is necessary to receive fill from this site and to minimize disruptions to commuting traffic. Importing of fill during the extended work hours is anticipated to continue through December 2021.

The applicant has indicated that their contractor, Goodfellow Bros., Inc. will be importing 25 truckloads per hour on average of clean soil by truck and trailer from various construction projects in the region. A Revised Reclamation Noise Study, dated February 7, 2019, was prepared by Ramboll consistent with CMC 14.60.160(4) for the proposal to transport fill to the site via haul trucks and dumping it and included specific mitigation recommendations to limit the impacts to residences to the south of the Subarea and sensitive habitat areas in the critical areas in the northern portion of the Subarea. With the proposed noise mitigation measures, the importing of fill on site at night could comply with the applicable nighttime noise limits of 50 dBA and proposed noise goal of 45 dBA for the sensitive habitat areas.

Mitigation Methods proposed by the applicant to be implemented during extended work hours:

1. Spotters will be used to direct dump trucks on site during the expanded work hours.
2. Spotters will ensure dump truck are following pre- determined night-time truck routes within the reclamation limits, as shown on the attached Night Work Haul Route Map.

3. Horns will not be allowed or used by any equipment or trucks during the extended work hours except in the event of an emergency at night.
4. If a truck becomes stuck while unloading fill on-site during the extended work hours a rubber-tired machine may be used to assist from time to time.
5. There will be no slamming of truck tailgates.
6. Prior to exiting the Subarea all dump trucks will be empty and run through a wheel wash (see attached Night Work Haul Route Map for location) to remove any foreign debris and prevent track out on to public roadways.
7. A water truck will be used as necessary to keep any fugitive dust down during nighttime operations.
8. A 600' setback for all nighttime activities shall be established from the edge of the wetland buffer This setback will be flagged with reflective delineators, subject to the city's Development Engineers approval. No activity (e.g. employees, trucks, equipment) shall be allowed within 600 feet of the edge of the wetland buffer setback during the extended work hours.
9. Prior to the commencement of any nighttime work, a 16-foot high, 550- foot long noise barrier shall be constructed, inspected and subject to city approval, along the west side of the site driveway, extending from the site entrance southward. The noise barrier shall be solid to the ground and constructed of materials having a minimum density of 4 lbs/ sq. ft.
10. The contractor plans to have a minimum of four (4) light plants set up on-site at any given time during the extended work hours for increased visibility. These light plants shall not be facing toward any houses or wetlands around the perimeter of the site. These light plants will be well marked and will have barricades around them for safety. (see attached Night Work Haul Route Map for location which may vary depending on the locations of the fill material being stockpiled).
11. All equipment utilized during the extended work hours shall be equipped with Ecco Part # EA5200, White Noise Backup Alarms.
12. During nighttime operations, equipment will be staged in the middle of the Lakepointe Urban Village Subarea. No equipment associated with nighttime fill unloading activities will be stored around the edges of the project during the extended work hours.
13. The designated contact during the extended hours for any emergencies that might arise at and/or for the public to contact with concerns is:

Michael McNiven - 253-455-3675
Goodfellow Bros.
22035 SE Wax Road Suite 14
Maple Valley, WA 98038

Decision

Based on the evaluation above, subject to the terms and conditions provided for in the approved DNR Reclamation Permit dated July 13, 2016, the request for extended work hours is **APPROVED WITH CONDITIONS**, as noted:

1. All of the 13-mitigation measures proposed by the applicant and listed in the preceding Evaluation section shall be adhered to.

2. Turn off trucks and equipment when not in use. Minimize idling of equipment and trucks.
3. All trucks and equipment shall be rigorously maintained in accordance to manufactures' specifications.
4. All dump truck and equipment operators shall be trained to avoid unnecessarily loud actions in the vicinity of noise sensitive areas (e.g. critical area habitat, and residences).
5. At the entrance to the Subarea off SR 18 and at the 4 dead ends at 189th Ave SE 191st Place SE, 193rd Place, SE Timberlane Blvd., applicant shall visibly post his or her name, address and phone number or the name, address, and phone number of a designated person whom the public can contact during the expanded work hours, to report complaints or violations. The applicant's designated person must be available during the expanded work hours to answer the phone and if necessary visit the site to address any reported complaints or violations.
6. Written notification shall be provided by the applicant via US Mail to all property owners within 300 feet of any parcel with in the Subarea where fill activity will occur at night. Furthermore, doorhangers shall be placed on all residential structures located within 300 feet of any parcel where fill activity will occur. Notification shall be done at least three days prior to commencement of nighttime work. Notification shall include the name and phone # of the identified contractor contact that can be reached during extended nighttime hours when fill is being imported on-site. The notice should also include information about the future development planned within the Subarea and reason for the nighttime work. Confirmation when this notification has taken place shall be provided to the city.
7. The City shall have the opportunity to review and comment on the form and content of the notifications identified in condition 6 above, prior to distribution. A draft notification shall be provided to the City for review at least 10 working days prior to the start of importing fill at night.
8. The applicant or their identified contractor shall retain a record of any public comment or complaints received during the extended work hours and shall notify the city (attention Nelson Ogren, Development Review Engineer) the next business day if they have received a night-time citizen complaint associated with fill activities. A spread sheet of public complaints including the person's name and contact information and the nature of the complaint and what if any measure the contractor has or will take to resolve the issue shall be kept for the entirety of the nighttime fill activity and made available to the city upon request.
9. Consistent with CMC 14.60.160 related to fill material:
 - All fill material shall be inspected and approved by the geotechnical engineer prior to the material arriving on site. All imported fill material received from other than a commercial borrow site shall be accompanied by a clean soil questionnaire stating that the material is free of hazardous wastes. Recycled concrete shall not be used. Fill shall be "clean" and free of contaminants pursuant to Chapters 173-204 and 173-340 WAC or fill shall be obtained from a Washington State Department of Ecology approved site. Only earth materials which have no rock or similar irreducible material with a maximum dimension greater than 12 inches shall be used. All on-site materials used as fill on the site shall conform to the specifications identified in the approved soils report.
 - The ground surface shall be prepared during normal working hours to receive fill by removing vegetation and unsuitable soil and material such as concrete rubble, topsoil, tree stumps, and brush. Where slopes receiving fill are steeper than five horizontal to one vertical, the fill material shall be benched into sound bedrock.
 - All fill material shall be compacted during normal working hours to a firm and unyielding condition to a density of 95 percent of maximum density per ASTM D-1557, modified proctor.

10. Noise monitoring reports shall be provided to the City (attention Nelson Ogren, Development Review Engineer) once a week to start. The city reserves the right to request more frequent reports if it is determined that more frequent monitoring is necessary. The applicant shall ensure noise levels are monitored at the property boundaries by a technician using instruments as outlined in CMC 14.60.160(b).
11. All lighting shall be limited to the lowest intensity that allows for the unloading of fill to be carried out in a safe manner. The lights shall be shielded and directed so that illumination affects only the premises of the site and does not result in glare outside of the area where fill is being unloaded or trucks wheels are being washed.
12. All vehicles leaving the site shall comply with RCW 46.61.655 Dropping load, other materials—Covering:
 - (1) No vehicle shall be driven or moved on any public highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction.
 - (2) No person may operate on any public highway any vehicle with any load unless the load and such covering as required thereon by subsection (3) of this section is securely fastened to prevent the covering or load from becoming loose, detached, or in any manner a hazard to other users of the highway.
 - (3) Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall be covered so as to prevent spillage. Covering of such loads is not required if six inches of freeboard is maintained within the bed.
 - (4)(a) Any person operating a vehicle from which any glass or objects have fallen or escaped, which would constitute an obstruction or injure a vehicle or otherwise endanger travel upon such public highway shall immediately cause the public highway to be cleaned of all such glass or objects and shall pay any costs therefor.
 - (b) Any vehicle with deposits of mud, rocks, or other debris on the vehicle's body, fenders, frame, undercarriage, wheels, or tires shall be cleaned of such material before the operation of the vehicle on a paved public highway.
 - (5) The state patrol may make necessary rules to carry into effect the provisions of this section, applying such provisions to specific conditions and loads and prescribing means, methods, and practices to effectuate such provisions.
 - (6) Nothing in this section may be construed to prohibit a public maintenance vehicle from dropping sand on a highway to enhance traction, or sprinkling water or other substances to clean or maintain a highway.
 - (7)(a)(i) A person is guilty of failure to secure a load in the first degree if he or she, with criminal negligence, fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1), (2), or (3) of this section and causes substantial bodily harm to another.
 - (ii) Failure to secure a load in the first degree is a gross misdemeanor.
 - (b)(i) A person is guilty of failure to secure a load in the second degree if he or she, with criminal negligence, fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1) or (2) of this section and causes damage to property of another.

(ii) Failure to secure a load in the second degree is a misdemeanor.

(c) A person who fails to secure a load or part of a load to his or her vehicle in compliance with subsection (1), (2), or (3) of this section is guilty of an infraction if such failure does not amount to a violation of (a) or (b) of this subsection.

13. In addition to the use of water trucks on-site to mitigate dust from the unloading activities, all required permits from the Puget Sound Clean Air Agency shall be obtained and complied with. A copy of any approved permit shall be provided to the city (attention Nelson Ogren, Development Review Engineer)
14. In the event of an on-site spill, the contractor shall provide notification to the Washington State Department of Ecology, the City of Covington, and City of Kent, identifying that the spill is located on an aquifer protection area.
15. A copy of this waiver approving extended work hours for importing fill shall be kept on the project site at all times.

This evaluation was the result of staff review and approval of extended work hours is good through December 31, 2021. If the accuracy of the information submitted and/or approval conditions are not complied with, then the waiver to the Noise Control to allow extended work hours may be voided. Additional submittal, review, and fee may be required for reinstatement.

Signature: _____


Regan Bolli, City Manager
City of Covington

Date: 6/11/19

City Staff Contact:

Nelson Ogren, PE
Development Review Engineer
253-480-2443(Direct)
206-571-9707(Cell)
nogren@covingtonwa.gov

Attachments:

- 1) Night Work Haul Route Map
- 2) Revised Reclamation Noise Study, Feb. 7, 2019
- 3) SEPA Notice of Adoption and Addendum SEPA19-05
- 4) Request to City Manager for Extended Work Hours

Prepared for:

Lakepointe Covington LLC

Prepared by:

Ramboll US Corporation
Lynnwood, Washington

Date

February 27, 2019

LAKEPOINTE SITE REDEVELOPMENT REVISED RECLAMATION NOISE STUDY

RAMBOLL

Received

MAY 08 2019

City of Covington

B19-0075

CONTENTS

1. Introduction	2
2. Noise Level Terminology and Human Hearing	2
3. Noise Regulations	3
3.1 Existing Sound Levels	5
4. Operational Noise Impacts	8
4.1 Methodology and Assumptions	8
4.1.1 Description of Noise Sources.....	8
4.1.2 Noise Model Used	8
4.2 Model-Calculated Sound Levels	8
5. Mitigation	10
6. Conclusion	11

TABLES

Table 1. WAC Maximum Permissible Environmental Noise Levels (dBA)	4
Table 2. Measured Existing Sound Levels (dBA).....	5
Table 3. Modeled Sound Levels of Noise Sources – No Mitigation (dBA)	10

FIGURES

Figure 1. SLM and Model Receptor Locations.....	6
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APPENDICES

Appendix A: Sound Level Measurement Data	
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1. INTRODUCTION

This report presents an updated noise impact assessment conducted by Ramboll US Corporation (Ramboll) of proposed nighttime reclamation activities associated with the Lakepointe Development in Covington, Washington. (Daytime activities were not considered as part of this noise study.) The Lakepointe Development will be located on the site of an old gravel mine and requires substantial amounts of fill to bring the site to its final grade. The reclamation activities include transporting fill to the site via haul trucks and dumping it.

Lakepointe Covington LLC (Lakepointe) has requested an amendment to the Covington Municipal Code 8.20 to allow application of a request for nighttime reclamation activities on the development site. The Covington noise code currently prohibits construction-related activities during the hours between 8 PM and 7 AM on weekdays and between 6 PM and 9 AM on weekends and holidays. In consideration of Lakepointe's requested amendment, the City of Covington has asked for a noise impact assessment to be conducted to support a SEPA checklist.

2. NOISE LEVEL TERMINOLOGY AND HUMAN HEARING

Noise is sometimes defined as unwanted sound; this analysis uses the terms noise and sound more or less synonymously. The human ear responds to a very wide range of sound intensities that are measured in units called decibels (dB). The dB scale is a logarithmic rating system that accounts for the large differences in audible sound intensities. From the context of human perception, this scale represents a doubling of loudness as an increase of 10 dB – a 70-dB sound level would sound about twice as loud as a 60-dB sound level. People generally cannot detect differences of 1 dB. People can detect differences of 2 or 3 dB in ideal laboratory situations but would probably not notice such a change in a typical outdoor environment. Most people probably would perceive a 5-dB change under normal listening conditions.

As mentioned above, the dB scale used to describe noise is logarithmic. On this scale, a doubling of sound-generating activity causes a 3-dB increase in the average sound produced by that source, but not a doubling of the loudness of the sound (which requires a 10-dB increase). For example, if traffic along a road is causing a 60-dB sound level at a nearby location, a doubling of the number of vehicles on this same road would cause the sound level at this same location to increase to 63 dB. However, such an increase might not be discernible in a complex acoustical environment such as a typical outdoor environment.

When addressing the effects of noise on people, the frequency response of the human ear, or those frequencies that people hear best, must be considered. Sound measuring instruments are therefore often designed to weight sounds based on the way people hear.

The frequency weighting most often used to evaluate environmental noise is "A" weighting because it best reflects how humans perceive sound. Measurements from instruments using this system are reported in dBA. Unless specified otherwise, noise levels in this chapter are given in dBA.

Relatively long, line sources – like product conveyors – emit cylindrical sound waves. Because these sound waves spread cylindrically, sound levels from such sources decrease at a rate of 3 dBA with each doubling of distance from the source. Sound waves from discrete events or stationary point sources (such as a dozer) spread as a sphere, and sound levels from such sources decrease 6 dBA per doubling of the distance from the source. Conversely, moving half the distance closer to a source increases sound levels by 3 and 6 dBA for line and point sources, respectively.

For any noise source, several factors affect the efficiency of sound transmission traveling from it, which in turn affects the potential noise impact at off-site locations. Important factors include the distance from the source, the frequency of the sound, the absorbency and roughness of the intervening ground (or water) surface, the presence or absence of obstructions and their absorbency or reflectivity, and the duration of the sound.

3. NOISE REGULATIONS

The project is located within the City of Covington, Washington. Chapter 8.20 of the Covington Municipal Code (Noise Control) identifies public disturbance noises. Construction noise affecting residential properties between 8 PM and 7 AM weekdays and between 6 PM and 9 AM weekends and holidays is considered a public disturbance.

Although the City identifies public disturbance noises, it does not identify quantitative noise limits applied to specific noise sources. Therefore, the noise level standards identified in Chapters 173-60 of the Washington Administrative Code (WAC) are applicable to this site.

Chapter 173-60-40 of the WAC limits the levels and durations of noise crossing property boundaries (**Table 1**). Allowable "maximum permissible" sound levels depend on the Environmental Designation of Noise Abatement (EDNA) of the source of the noise and the EDNA of the receiving property. WAC 173-60-030 stipulates that EDNA land classification shall conform to land uses unless a local jurisdiction has adopted a program in which EDNA classifications are based on zoning. The City of Covington has not specified EDNAs based on zoning. Generally, residential properties are considered Class A EDNAs, commercial properties are considered Class B EDNAs, and industrial properties are considered Class C EDNAs.

Table 1. WAC Maximum Permissible Environmental Noise Levels (dBA)

EDNA of Noise Source	EDNA of Receiving Property		
	Class A (L25) ^(a) (Day/Night)	Class B (L25)	Class C (L25)
Class A	55/45	57	60
Class B	57/47	60	65
Class C	60/50	65	70

^(a) Limits for noise received in Class A EDNAs are reduced by 10 dBA during nighttime hours (10 PM to 7 AM).
Source: WAC 173-60-040

The project site has historically operated as a gravel mine and is considered a Class C EDNA. The surrounding residential receiving properties are considered Class A EDNAs. The applicable noise limits for a Class C noise source affecting Class A receiving properties are 60 dBA during daytime hours (7 AM to 10 PM) and 50 dBA at night (10 PM to 7 AM).

The WAC "maximum permissible" noise levels can be exceeded for certain periods of time: up to 5 dBA for no more than 15 minutes in any hour, up to 10 dBA for no more than 5 minutes of any hour, or up to 15 dBA for no more than 1.5 minutes of any hour. These allowed short-term increases can be described and measured in terms of the percentage of time a certain level is exceeded using a statistic called an interval "Ln." For example, the hourly L25 represents a sound level that is exceeded 25 percent of the time, or 15 minutes in an hour. Similarly, L8.33 and L2.5 are the sound levels that are exceeded 5 and 1.5 minutes in an hour, respectively. The "maximum permissible" levels are not to be exceeded by more than 15 dBA at any time, and compliance with this limit is usually assessed using a metric called the Lmax, which is the maximum short-term sound level over a given time interval.

The WAC noise rule identifies a number of noise sources or activities that are exempt from the noise limits shown in **Table 1**. The following sources are among those specifically exempted:

- sounds created by motor vehicles on public roads when individual vehicles are subject to performance standards regulated by WAC 173-62 (motor vehicle fleet performance standards)
- sounds created by warning devices not operating continuously for more than five minutes (such as back-up alarms on vehicles)
- sounds originating from temporary construction sites during all hours when the noise is received in Class B or C EDNAs and during daytime hours when received in Class A EDNAs

As indicated above, WAC 173-60-050 exempts temporary construction noise from the WAC noise limits during daytime hours (i.e., between 7 AM and 10 PM), but the nighttime noise limit of 50 dBA would apply to construction occurring outside of the hours of 7 AM to 10 PM.

3.1 Existing Sound Levels

Ramboll measured sound levels in the vicinity of the project site from May 22 to 23, 2018 and from November 5 to 6, 2018. Measurements were taken at six locations representing residential properties and wildlife habitat areas potentially affected by nighttime reclamation activities. Measurements were taken using Larson Davis Class 1 sound level meters (Model LxT). The meters had been factory certified within the previous 12 months and were field calibrated immediately prior to the measurements. The microphones of the meters were fitted with wind screens and set approximately 5 feet above the ground (at a typical listening height).

The measured sound levels are summarized in [Table 2](#), and the sound level measurement locations are depicted on [Figure 1](#). Details of hourly sound level measurements are found in Appendix A.

Table 2. Measured Existing Sound Levels (dBA)

Location	Time of Day ^(a)	Range of Hourly Sound Levels ^(b)				
		Leq	Lmax	L2.5	L8.3	L25
SLM1	Day	49-61	63-88	53-70	51-64	49-58
	Night	46-64	65-93	51-69	49-61	47-57
SLM2	Day	46-53	61-72	50-58	48-56	46-54
	Night	43-54	55-76	46-55	45-54	43-53
SLM3	Day	47-58	65-81	52-64	49-62	48-60
	Night	45-53	54-70	49-56	48-55	46-54
SLM4	Day	48-52	62-73	52-58	50-54	49-52
	Night	43-54	54-83	47-59	46-57	44-55
SLM5	Day	51-59	62-75	56-62	55-61	53-60
	Night	48-59	59-82	55-62	53-61	49-60
SLM6	Day	44-57	59-79	48-61	46-59	44-57
	Night	39-54	48-72	43-62	42-56	40-53

^(a) "Day" refers to the hours between 7 AM and 10 PM, and "Night" to the hours between 10 PM and 7 AM.

^(b) The Leq is the "energy-averaged" sound level. The Lmax is the-highest measured sound level. The L2.5, L8.3, and L25 levels are defined previously in this report in the discussion of the regulatory noise limits.

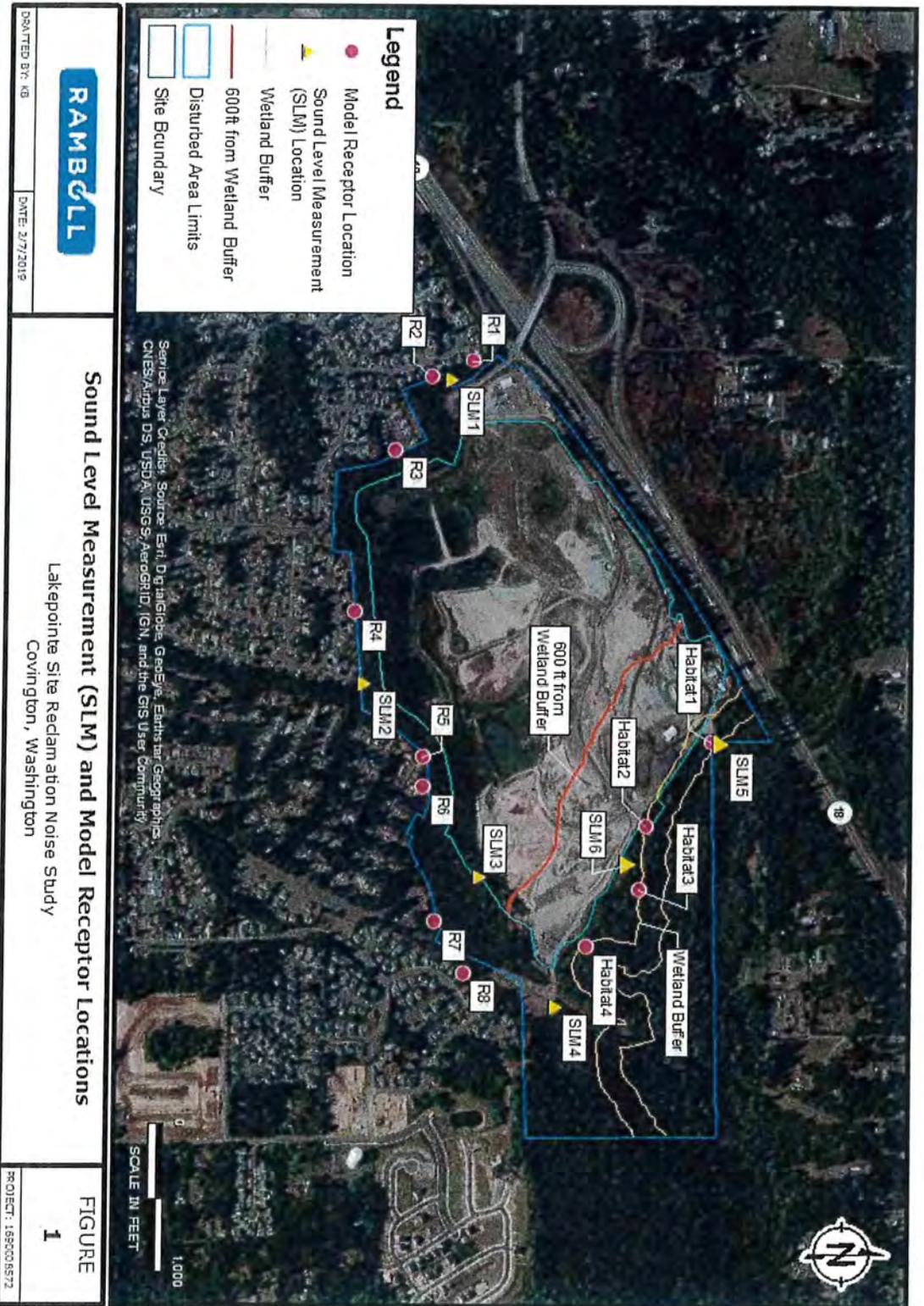


Figure 1. SLM and Model Receptor Locations

SLM1 is primarily affected by noise from vehicles on the highway (SR18). However, as can be seen in the detail in Appendix A, SLM1 was affected by unusual, loud events in the middle of the night (i.e., between midnight and 1 AM and again between 3 and 4 AM). These events were loud enough, and of a long enough duration, to affect the hourly average L_{eq} , particularly between 3 and 4 AM. Other nighttime levels are generally around 50 dBA, except between 2 and 3 AM, when the level dropped to 46 dBA. Daytime noise levels included current reclamation operations in the eastern half of the site as well as operation of the asphalt plant in the NE corner. At SLM1, the primary noise source due to on-site operations would be traffic entering and exiting the site via the site driveway.

SLM2 and SLM3 are also affected, although to a lesser extent, by noise from SR18. The daytime and nighttime patterns are typical of locations affected by traffic. However, SLM2 appears to have been affected by local events (possibly traffic or other local activity) between the hours of 5 and 7 AM. The nighttime levels at SLM2 and SLM3 are generally in the mid-40s dBA. Daytime noise levels included current reclamation operations in the eastern half of the site as well as operation of the asphalt plant in the NE corner.

At SLM4, the typical diurnal traffic patterns are less evident. The nighttime hours include both the loudest periods (i.e., low to mid 50s dBA between 10 PM and 1 AM) and the quietest periods (i.e., mid 40s dBA between 1 and 4 AM), which is unusual. This could be due to wildlife, which often produces nocturnal noise. Daytime noise levels included current reclamation operations in the eastern half of the site.

SLM5 and SLM6 were taken to characterize the sound levels near the Jenkins Creek Habitat corridor, northeast of the proposed reclamation activities. SLM5 is within 450 feet of SR18 (i.e., the dominant noise source in the project vicinity) and is also affected by noise from the asphalt plant operating in the NE corner of the site. Both SR18 and the asphalt plant produce noise during daytime and nighttime hours.

SLM6 is approximately 1,800 feet from SR18. During the day, it is affected by noise from existing on-site activities (i.e., reclamation activities) and to a lesser extent by traffic on SR18. At night, when no reclamation activities are occurring, the sounds were mostly due to distant traffic and natural sources.

4. OPERATIONAL NOISE IMPACTS

Ramboll considered the noise implications of nighttime reclamation activities. The methods and results of the study follow.

4.1 Methodology and Assumptions

4.1.1 Description of Noise Sources

The primary noise source associated with nighttime reclamation activities would consist of up to 25 haul trucks per hour importing material. The haul trucks would arrive, dump the material, and leave. The sound level of a gravel truck dumping a load of gravel was measured by Ramboll for a previous project. The resulting sound level was 69 dBA at a distance of 50 feet. This sound level was reduced by 3.8 dBA to account for the amount of time the trucks would be actively dumping the gravel, estimated to be 1 minute per truck, or 25 minutes of an hour. Sound levels of haul trucks arriving and departing from the active portion of the site on the on-site roads were based on emission levels developed for the Federal Highway Administration (FHWA) Traffic Noise Model (TNM). These arrival and departure sound levels were added to the truck dumping sound levels when calculating the overall hourly sound level of reclamation activities.

4.1.2 Noise Model Used

Noise prediction of the reclamation sources was completed using the CadnaA noise model. CadnaA is a computer tool that calculates sound levels after considering the noise reductions or enhancements caused by distance, topography, varying ground surfaces, trees and foliage, atmospheric absorption, and meteorological conditions. The model uses algorithms that comply with the international standards in ISO-9613-2:1996. However, noise from trucks was estimated using the FHWA Traffic Noise Model (TNM) module available in the CadnaA model.

The modeling process includes the following steps: (1) characterizing the noise sources; (2) creating 3-dimensional maps of the site vicinity to enable the model to evaluate effects of distance, topography, and ground types on noise attenuation; and (3) assigning equipment and activity sound levels to appropriate locations. CadnaA then constructs topographic cross-sections to calculate sound levels in the vicinity of a project.

4.2 Model-Calculated Sound Levels

Since nighttime construction activities are not exempt from the noise limits, Ramboll considered the potential for on-site noise sources to comply with the nighttime noise limit of 50 dBA applicable at nearby residences, as identified in Chapter 173-60 of the WAC.

For the sensitive Jenkins Creek Habitat corridor, we included four receptor locations (Habitat1 through Habitat4 in **Figure 1**). These receptors are located on or near the

boundary of the wetland buffer and represent the habitat area. For purposes of this study, and in consideration of the potential sensitivity of the corridor, a goal of 45 dBA was set for these receptors. This limit was set after consultation Wetland Resources, Inc., which found that although a majority of wildlife groups will not be disturbed at levels of 50 dBA, birds may be affected by levels over 45 dBA.¹

For the assessment, 25 haul trucks per hour were assumed to enter and exit the site via the existing site driveway and access the active reclamation areas.²

Ramboll considered trucks operating at the expected reclaimed/final grade (384 to 410 feet in elevation), based on preliminary grading plans provided by the contractor, which represents the worst-case scenario. Activity at the existing or mid-grades would be expected to receive some reduction from the intervening walls of the pit. Within this scenario, multiple on-site truck routes were considered to identify the loudest route at each model receptor location. The active reclamation areas would be 600 feet or farther from the eastern property boundary during nighttime reclamation activities.

Table 3 presents the model-calculated results and the applicable noise limit (or goal). As shown in **Table 3**, the model-calculated sound levels would not comply with the applicable nighttime noise limit at all off-site locations. Therefore, Ramboll considered the potential effectiveness of noise mitigation measures.

¹ Communication with Hailey Starr, Wetland Resources, Inc. 11/21/2018.

² Although this noise analysis considered a worst-case hourly truck volume of 25 trucks, the average hourly truck volume expected during nighttime reclamation activities is 12 trucks per hour, according to the contractor based on the past 2 years of trucking activity.

Table 3. Modeled Sound Levels of Noise Sources – No Mitigation (dBA)

Receptor	Modeled Sound Levels ^(a)		L25 Noise Limit/Goal
	No Mitigation	With Mitigation	
R1	58	50	50
R2	53	46	50
R3	49	49	50
R4	49	49	50
R5	49	49	50
R6	47	47	50
R7	41	41	50
R8	39	39	50
Habitat 1	44	44	45 ^(b)
Habitat 2	45	45	45 ^(c)
Habitat 3	42	42	45 ^(c)
Habitat 4	41	41	45 ^(c)

Note: Shaded cells indicate model-calculated sound levels exceed the applicable noise limit or internal goal.

^(a) The model-calculated sound levels are estimated as hourly Leq's. With fairly continuous truck activity, the Leq can be used to estimate the potential L25 due to on-site sources.

^(b) This location is on the boundary with a residential property, where the applicable nighttime noise limit is 50 dBA. However, this location represent the Jenkins Creek Habitat corridor. Therefore, a noise goal of 45 dBA was applied to protect sensitive wildlife populations.

^(c) These locations represent the Jenkins Creek Habitat corridor but are located well within the project boundaries. Therefore, noise limits do not apply at these locations. However, because the corridor has been identified as a sensitive receiver, a goal of 45 dBA for nighttime reclamation activities was established to protect sensitive wildlife populations.

5. MITIGATION

Because the model-calculated sound levels of unloading activity did not demonstrate compliance with the applicable noise limit, Ramboll considered the effectiveness of mitigation.

Review of the model-calculated sound levels indicate that trucks entering and exiting the site are the dominant noise source at receptor locations R1 and R2. Under this scenario, the model-calculated sound level with 25 trucks entering and exiting the site via the driveway is 53 to 58 dBA at the nearest residences west of the driveway, represented by R1 and R2. This level exceeds the nighttime noise limit of 50 dBA, and Ramboll considered a 16-foot high noise barrier on the west side of the site driveway, extending from the site entrance southward for approximately 550 feet. A noise barrier should be solid to the ground and

constructed of materials having a minimum density of 4 lbs/sq ft (e.g., double-sided wood panel, ecology blocks).

Table 3 identifies the model-calculated sound levels with the proposed driveway wall in the "With Mitigation" scenario. As can be seen in the table, the model-calculated sound levels with the proposed noise mitigation measures indicate that nighttime reclamation activities could comply with the applicable nighttime noise limits and the proposed noise goal for the sensitive habitat areas.

6. CONCLUSION

With the proposed 16-foot high driveway noise barrier and with a nighttime truck setback of 600 feet from the wetland buffer, the model-calculated sound levels of nighttime reclamation activities demonstrate compliance with the nighttime noise limit of 50 dBA or habitat goal of 45 dBA, whichever is applicable.

APPENDIX A: SOUND LEVEL MEASUREMENT DATA

Table A- 1. Measured Sound Levels at SLM1 (dBA)

Date	Time	Leq	Lmax	L2.5	L8.3	L25
5/22/2018	13:00:00	57.2	76.2	65.7	62.1	54.6
5/22/2018	14:00:00	59.3	78.8	66.8	63.7	57.5
5/22/2018	15:00:00	61.2	88.3	69.7	64.3	58.4
5/22/2018	16:00:00	55.4	76.3	63.1	56.1	52.3
5/22/2018	17:00:00	55.1	80.9	61.9	57.0	52.9
5/22/2018	18:00:00	52.1	72.1	57.9	53.5	51.3
5/22/2018	19:00:00	54.3	70.1	61.2	59.8	53.8
5/22/2018	20:00:00	49.5	63.3	57.9	51.2	49.1
5/22/2018	21:00:00	49.5	63.7	53.3	51.7	49.8
5/23/2018	22:00:00	50.8	72.2	57.0	51.3	49.6
5/23/2018	23:00:00	49.8	75.6	55.6	50.9	48.5
5/23/2018	00:00:00	53.7	84.4	59.6	53.1	50.1
5/23/2018	01:00:00	51.8	77.1	57.1	51.7	48.9
5/23/2018	02:00:00	46.3	64.5	51.0	49.1	47.0
5/23/2018	03:00:00	63.6	92.7	68.5	59.9	51.0
5/23/2018	04:00:00	49.9	67.1	54.4	52.2	50.3
5/23/2018	05:00:00	56.7	75.8	63.4	59.4	56.8
5/23/2018	06:00:00	58.1	75.6	65.2	60.7	57.0
5/23/2018	07:00:00	55.9	74.4	64.2	58.6	54.1
5/23/2018	08:00:00	57.0	78.5	65.2	61.3	55.0
5/23/2018	09:00:00	57.7	76.9	66.3	62.4	55.8
5/23/2018	10:00:00	56.6	79.9	64.7	60.5	54.6
5/23/2018	11:00:00	57.8	81.4	66.1	62.6	56.1

SLM1 - Along west property boundary

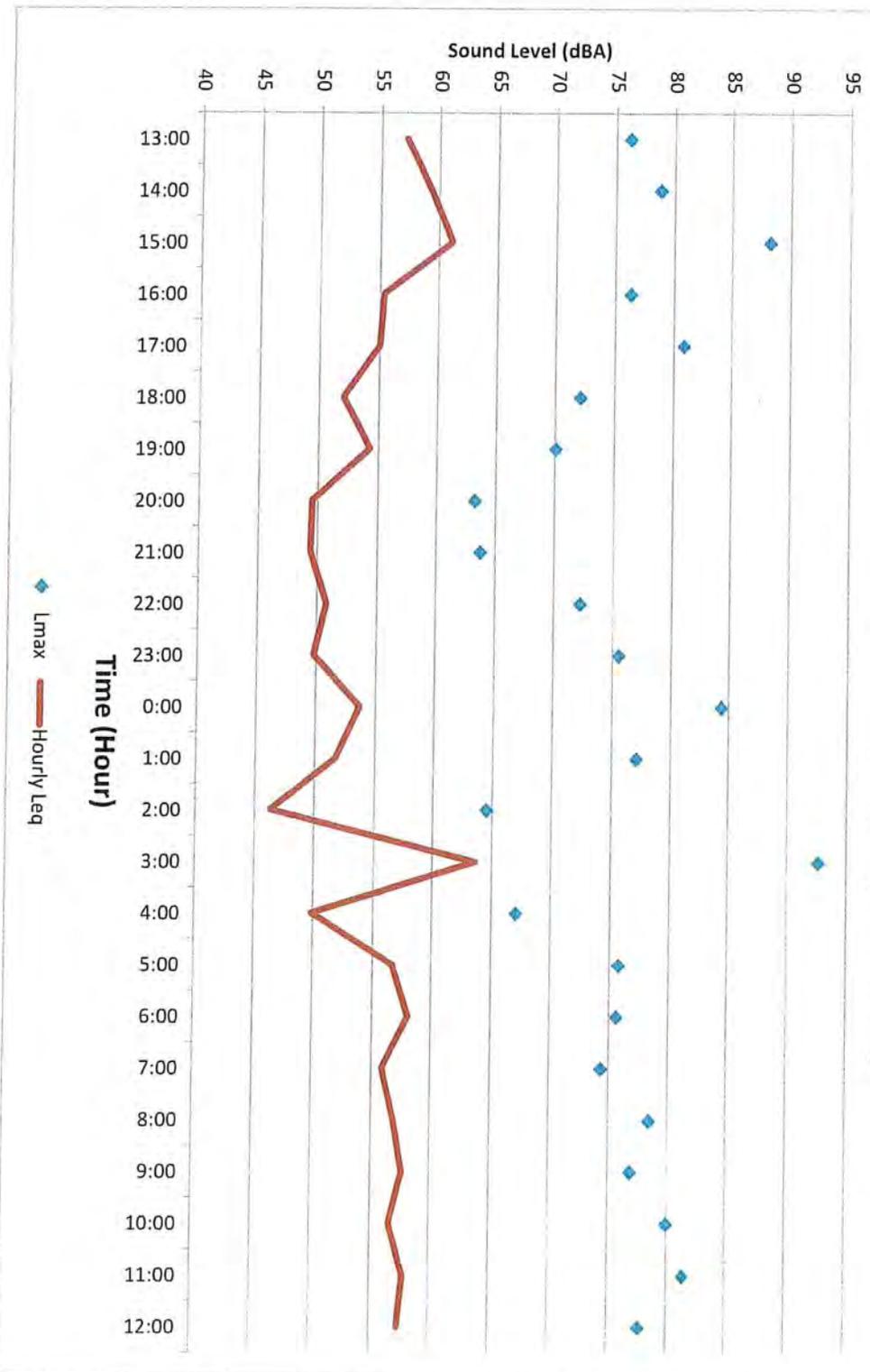


Table A- 2. Measured Sound Levels at SLM2 (dBA)

Date	Time	Leq	Lmax	L2.5	L8.3	L25
5/22/2018	13:00:00	50.2	68.2	54.9	52.3	50.3
5/22/2018	14:00:00	50.5	69.1	54.2	51.0	49.6
5/22/2018	15:00:00	50.6	62.5	54.5	52.7	51.1
5/22/2018	16:00:00	50.3	61.1	54.2	52.6	51.1
5/22/2018	17:00:00	49.8	67.2	54.5	51.4	49.9
5/22/2018	18:00:00	49.4	72.0	53.5	50.8	49.3
5/22/2018	19:00:00	49.5	67.7	56.9	50.6	47.7
5/22/2018	20:00:00	46.2	71.4	50.1	47.8	46.2
5/22/2018	21:00:00	46.5	64.4	49.8	48.4	47.0
5/23/2018	22:00:00	46.9	56.6	50.6	49.0	47.7
5/23/2018	23:00:00	45.9	57.2	50.2	48.3	46.6
5/23/2018	00:00:00	45.9	57.0	51.0	49.0	46.9
5/23/2018	01:00:00	44.5	54.6	49.9	47.9	45.2
5/23/2018	02:00:00	43.1	55.3	48.2	46.0	43.7
5/23/2018	03:00:00	43.0	58.5	46.3	44.8	43.4
5/23/2018	04:00:00	45.6	59.4	51.3	48.5	45.9
5/23/2018	05:00:00	52.2	72.6	55.4	53.7	52.1
5/23/2018	06:00:00	53.6	76.3	55.0	53.9	52.9
5/23/2018	07:00:00	51.0	63.1	54.8	53.2	51.4
5/23/2018	08:00:00	52.4	65.9	57.6	55.4	53.0
5/23/2018	09:00:00	52.3	64.2	57.2	55.1	53.2
5/23/2018	10:00:00	52.9	67.3	57.3	55.3	53.5
5/23/2018	11:00:00	53.2	66.2	57.8	55.7	53.9
5/23/2018	12:00:00	52.9	66.5	57.9	55.6	53.4

SLM2 - Along south property boundary

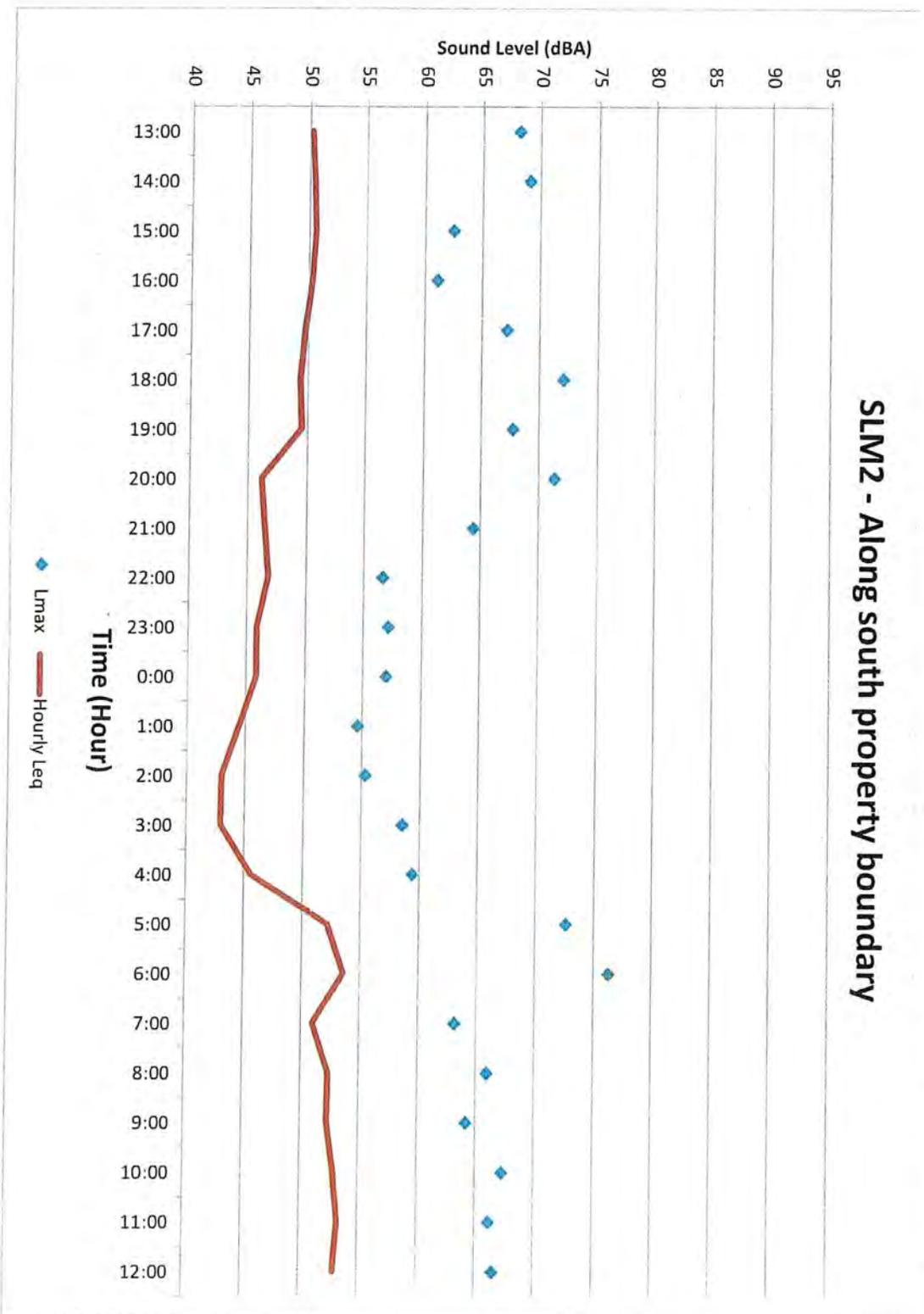


Table A- 3. Measured Sound Levels at SLM3 (dBA)

Date	Time	Leq	Lmax	L2.5	L8.3	L25
5/22/2018	13:00:00	54.9	71.7	58.9	57.5	55.7
5/22/2018	14:00:00	56.2	69.9	60.3	58.8	57.1
5/22/2018	15:00:00	57.1	72.7	62.4	59.9	57.8
5/22/2018	16:00:00	58.5	70.1	63.6	61.9	59.5
5/22/2018	17:00:00	50.9	67.3	54.1	52.6	51.4
5/22/2018	18:00:00	49.9	65.1	53.9	51.9	50.3
5/22/2018	19:00:00	50.3	73.2	55.9	51.1	48.5
5/22/2018	20:00:00	47.4	64.6	51.5	49.3	47.8
5/22/2018	21:00:00	48.4	65.3	52.0	50.5	49.0
5/23/2018	22:00:00	49.3	58.0	52.4	51.0	49.9
5/23/2018	23:00:00	48.2	57.5	51.3	50.0	48.9
5/23/2018	00:00:00	46.3	55.5	50.3	49.0	47.3
5/23/2018	01:00:00	45.6	53.7	49.8	48.5	46.5
5/23/2018	02:00:00	44.8	54.3	49.3	47.6	45.8
5/23/2018	03:00:00	45.3	60.9	49.1	47.5	45.8
5/23/2018	04:00:00	48.1	70.4	52.8	50.2	48.1
5/23/2018	05:00:00	52.6	64.6	56.0	54.9	53.6
5/23/2018	06:00:00	52.9	63.4	56.0	54.8	53.6
5/23/2018	07:00:00	56.5	72.0	61.6	59.0	57.1
5/23/2018	08:00:00	57.0	81.0	60.3	58.9	57.3
5/23/2018	09:00:00	57.2	78.0	61.6	59.8	57.9
5/23/2018	10:00:00	56.6	76.1	62.8	59.9	56.8
5/23/2018	11:00:00	57.5	72.0	61.6	59.9	58.1
5/23/2018	12:00:00	56.5	70.7	60.4	58.9	57.3

SLM3 - 450 feet north of 198th Ave SE

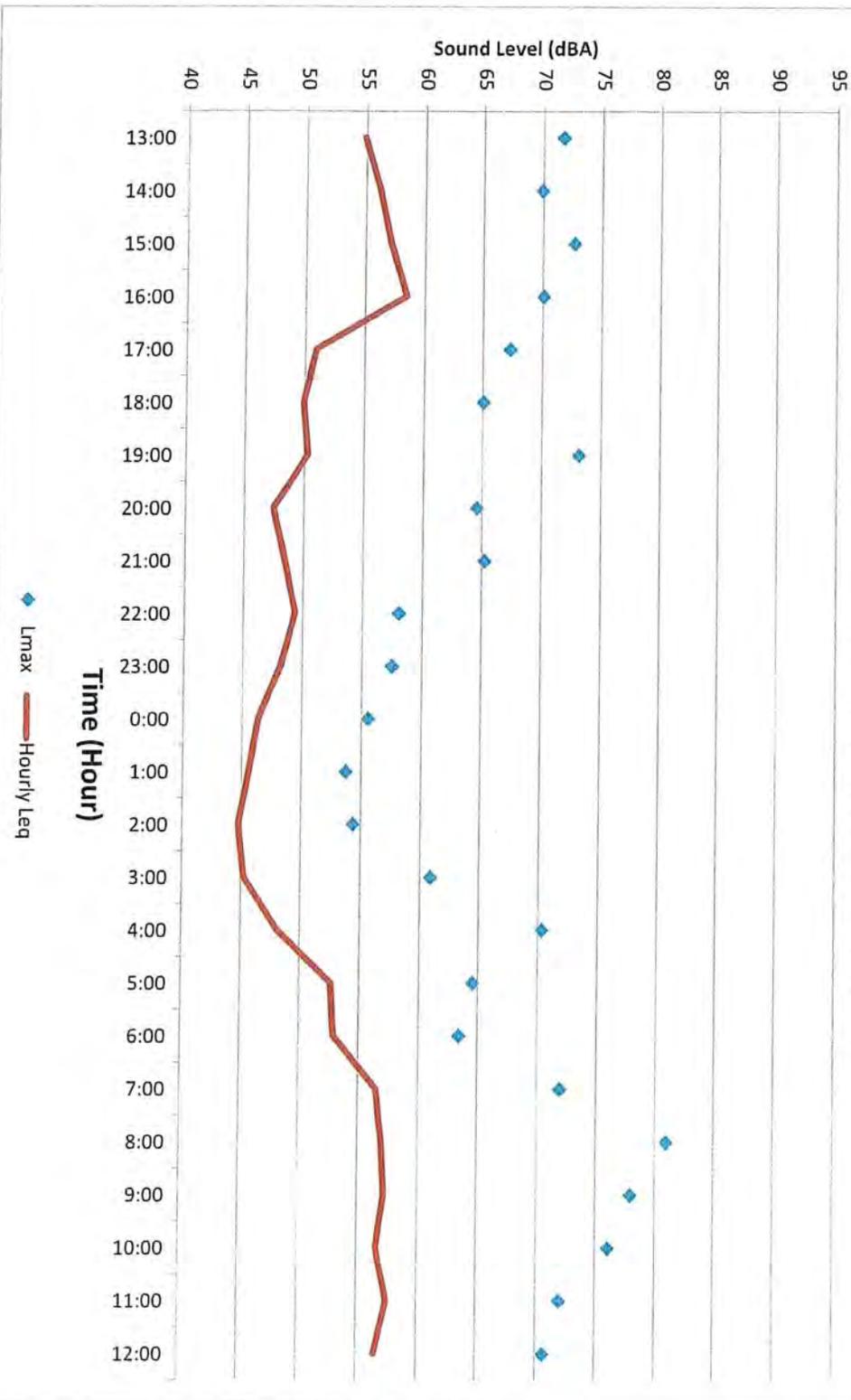
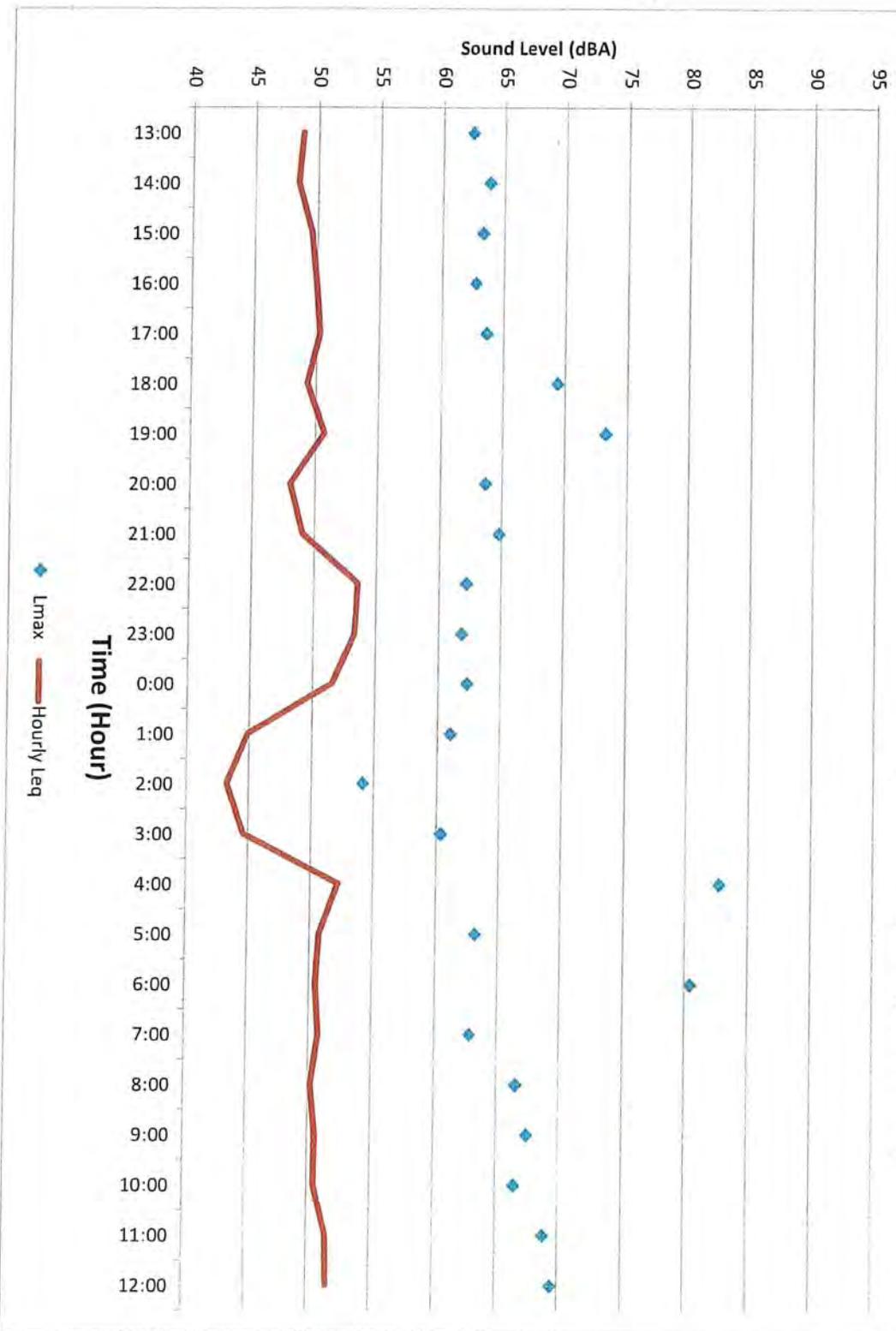


Table A- 4. Measured Sound Levels at SLM4 (dBA)

Date	Time	Leq	Lmax	L2.5	L8.3	L25
5/22/2018	13:00:00	48.8	62.4	53.8	50.5	48.7
5/22/2018	14:00:00	48.4	63.8	52.1	50.5	49.0
5/22/2018	15:00:00	49.6	63.3	53.5	51.2	49.7
5/22/2018	16:00:00	50.0	62.7	54.0	52.0	50.4
5/22/2018	17:00:00	50.3	63.6	54.5	52.6	50.7
5/22/2018	18:00:00	49.3	69.4	53.5	51.2	49.3
5/22/2018	19:00:00	50.7	73.3	56.5	51.9	49.0
5/22/2018	20:00:00	48.0	63.7	52.4	50.4	48.6
5/22/2018	21:00:00	49.1	64.8	53.2	51.5	49.8
5/23/2018	22:00:00	53.5	62.2	58.5	57.2	55.2
5/23/2018	23:00:00	53.3	61.8	58.5	57.3	55.2
5/23/2018	00:00:00	51.5	62.3	58.2	56.6	53.3
5/23/2018	01:00:00	44.9	61.0	51.0	47.3	44.9
5/23/2018	02:00:00	43.2	54.1	47.4	45.8	44.2
5/23/2018	03:00:00	44.6	60.4	48.8	46.9	45.2
5/23/2018	04:00:00	52.2	82.7	56.0	53.0	50.1
5/23/2018	05:00:00	50.8	63.2	54.3	52.7	51.3
5/23/2018	06:00:00	50.5	80.4	53.2	52.0	51.0
5/23/2018	07:00:00	50.8	62.8	55.5	53.7	51.7
5/23/2018	08:00:00	50.2	66.5	57.3	54.0	50.0
5/23/2018	09:00:00	50.6	67.4	57.5	53.7	50.5
5/23/2018	10:00:00	50.5	66.5	57.2	53.1	50.3
5/23/2018	11:00:00	51.5	68.8	57.0	54.0	51.8
5/23/2018	12:00:00	51.6	69.4	57.3	54.0	51.5

SLM4 - Northeast of SLM3 along natural gas right of way



February 7, 2019

Ramboll

Table A- 5. Measured Sound Levels at SLM5 (dBA)

Date	Time	Leq	Lmax	L2.5	L8.3	L25
11/5/18	12:00:00	58.7	71.7	61.4	60.5	59.4
11/5/18	13:00:00	58.0	72.1	60.8	59.9	58.8
11/5/18	14:00:00	58.9	70.7	61.9	60.8	60
11/5/18	15:00:00	57.7	66.0	60.5	59.7	59
11/5/18	16:00:00	56.7	63.1	59.8	58.9	58
11/5/18	17:00:00	55.8	64.1	59.1	58.0	57
11/5/18	18:00:00	54.5	63.1	57.8	56.7	55
11/5/18	19:00:00	53.2	62.2	57.6	56.2	54
11/5/18	20:00:00	52.4	66.1	57.3	55.8	54
11/5/18	21:00:00	51.4	63.4	56.4	54.8	53
11/5/18	22:00:00	50.4	75.3	55.9	54.2	52
11/5/18	23:00:00	50.4	67.5	56.2	54.3	51
11/6/18	00:00:00	48.8	61.1	55.8	53.8	49
11/6/18	01:00:00	48.6	64.3	55.6	53.3	49
11/6/18	02:00:00	48.2	59.0	55.4	53.0	49
11/6/18	03:00:00	50.2	61.2	56.7	54.7	52
11/6/18	04:00:00	53.3	65.3	58.7	56.8	54
11/6/18	05:00:00	57.4	70.1	61.2	59.9	59
11/6/18	06:00:00	58.9	82.4	61.6	60.6	60
11/6/18	07:00:00	58.7	74.2	61.3	60.4	60
11/6/18	08:00:00	58.4	70.3	61.4	60.3	59
11/6/18	09:00:00	56.9	74.8	60.5	59.3	58
11/6/18	10:00:00	57.5	69.6	60.9	59.7	59
11/6/18	11:00:00	56.4	69.6	59.6	58.6	57

SLM5 - NE Property Boundary, ~450 feet south of SR 18

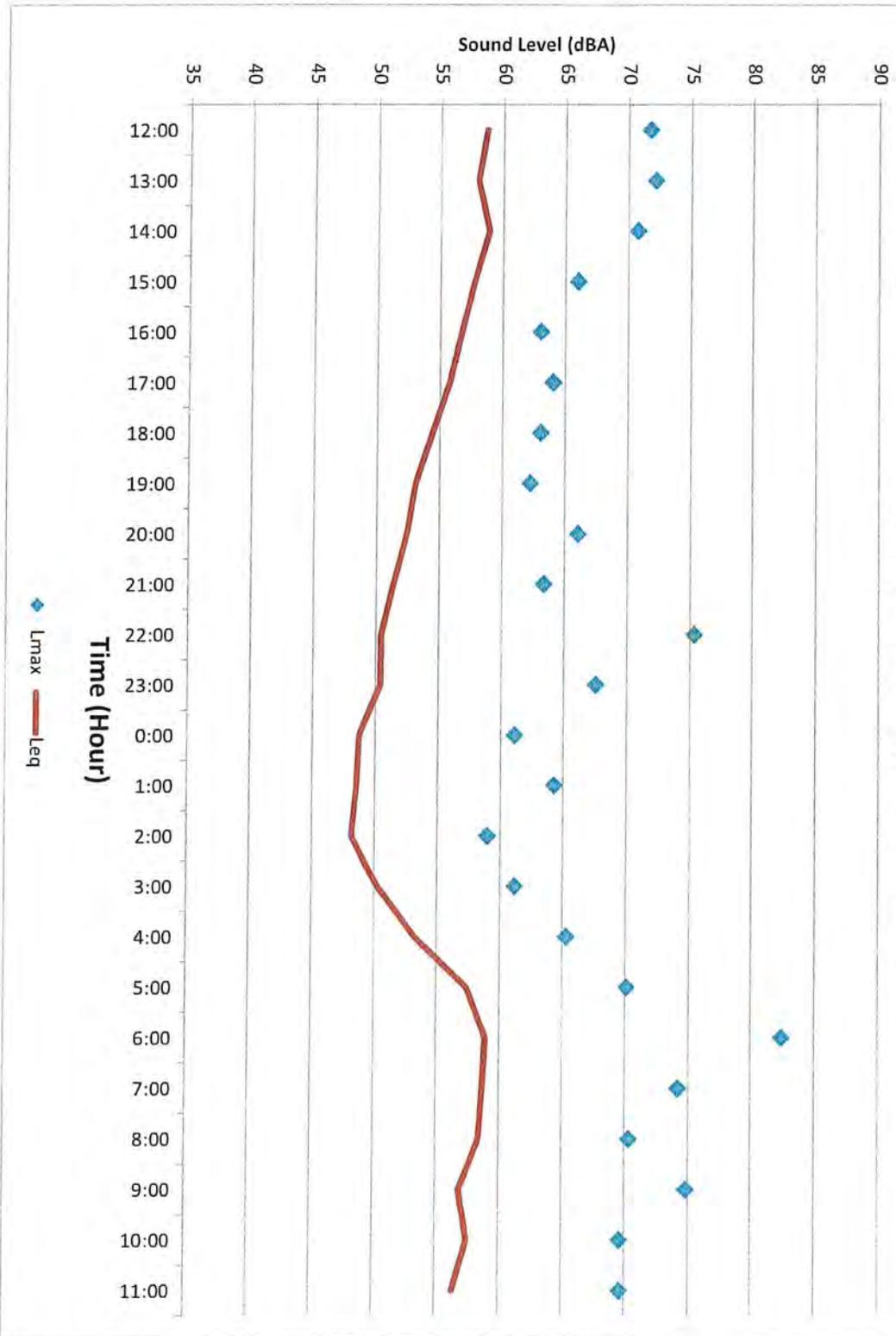
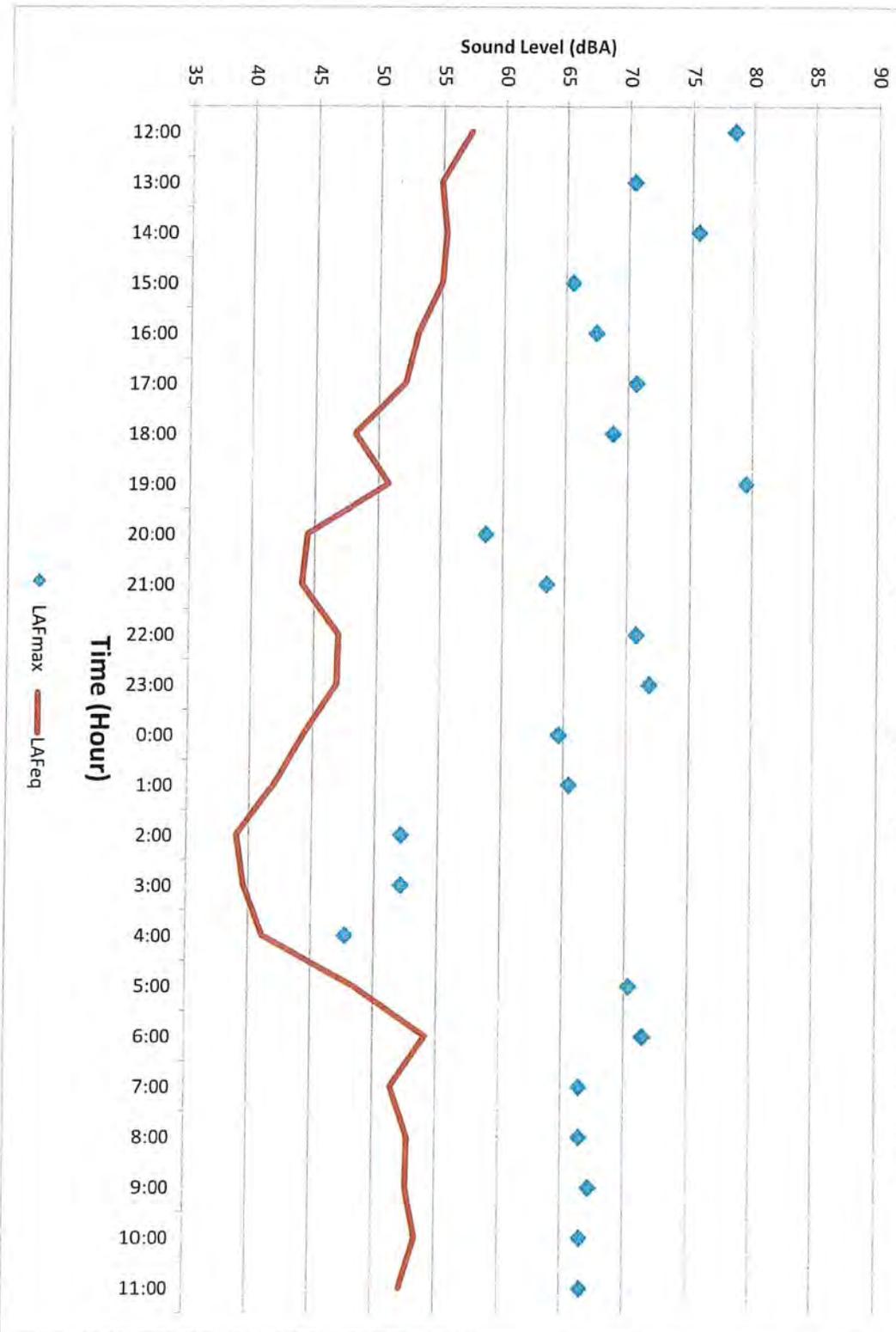


Table A- 5. Measured Sound Levels at SLM6 (dBA)

Date	Time	Leq	Lmax	L2.5	L8.3	L25
11/5/18	12:00:00	57.3	78.4	61.0	58.7	56.8
11/5/18	13:00:00	54.9	70.4	58.9	57.3	55.7
11/5/18	14:00:00	55.3	75.5	59.5	57.4	55.7
11/5/18	15:00:00	55.0	65.5	59.8	57.5	55.5
11/5/18	16:00:00	53.2	67.4	58.0	56.0	53.8
11/5/18	17:00:00	52.2	70.6	58.8	54.2	51.0
11/5/18	18:00:00	48.2	68.8	54.0	50.0	47.7
11/5/18	19:00:00	50.8	79.5	53.6	48.5	46.3
11/5/18	20:00:00	44.4	58.6	47.7	46.4	45.1
11/5/18	21:00:00	44.0	63.5	49.7	45.7	43.5
11/5/18	22:00:00	47.0	70.7	53.8	49.3	44.8
11/5/18	23:00:00	46.9	71.8	53.5	49.2	45.3
11/6/18	00:00:00	44.3	64.6	52.3	45.7	41.7
11/6/18	01:00:00	42.0	65.5	48.7	45.8	40.8
11/6/18	02:00:00	39.0	52.1	45.2	41.6	39.6
11/6/18	03:00:00	39.6	52.1	43.2	42.1	40.6
11/6/18	04:00:00	41.2	47.7	44.2	43.1	41.9
11/6/18	05:00:00	48.4	70.3	54.2	48.9	46.0
11/6/18	06:00:00	54.2	71.5	62.0	56.3	53.1
11/6/18	07:00:00	51.4	66.5	56.4	54.2	51.8
11/6/18	08:00:00	52.8	66.5	57.8	55.8	53.6
11/6/18	09:00:00	52.7	67.3	57.3	55.4	53.4
11/6/18	10:00:00	53.5	66.6	58.7	56.1	53.9
11/6/18	11:00:00	52.3	66.6	57.1	54.9	52.9

SLM6 - NE Property Boundary, ~1,400 feet south of SR 18



**Lakepointe Site Redevelopment
Revised Reclamation Noise Study**

February 7, 2019

Ramboll



December 17, 2018

Oakpointe Land Covington, LLC.
Attn: Colin Lund
10220 NE Points Drive, #310
Kirkland, WA 98033

RE: Assessment of Impacts to Wildlife within the Jenkins Creek Habitat Corridor

This letter addresses concerns regarding potential impacts to wildlife within the Jenkins Creek Habitat Corridor associated with a requested amendment to the Covington Municipal Code 8.20. The requested amendment to the City code would allow for nighttime reclamation activities on the development site. The Jenkins Creek Habitat Corridor extends to the northeast portion of the subject site and includes Jenkins Creek, wetlands, and associated buffer areas. This corridor is fairly large in size and is primarily located off-site to the north and northeast of the subject property.

The requested amendment for allowance of nighttime activities has no direct physical impacts to this habitat corridor, as all activities will take place within the limits of existing disturbance. The primary concern with extending reclamation activities into and throughout nighttime hours is that potential indirect effects to wildlife inhabiting the Jenkins Creek Habitat Corridor may result from increased noise levels. However, implementation of proposed noise mitigation measures will avoid such impacts, as determined through a review of best available science.

According to the City of Covington Municipal Code Section 18.65.350 (Fish and Wildlife Habitat Conservation Areas) the City regulates areas with State or Federally Designated Endangered, Threatened, and Sensitive Species having primary association, State Priority Habitats, Areas Associated with State Priority Species, and Habitats and Species of Local Importance.

Per Washington State Department of Fish and Wildlife PHS maps, no Endangered, Threatened or Sensitive species are mapped within the Jensen Creek Corridor. Therefore, it is likely the proposed project will not impact special status species. The only Priority Species and Habitats mapped by PHS within this corridor is regular concentration areas by elk (*Cervus elaphus*). Based on best available science, a majority of taxonomic wildlife groups are not disturbed by noise levels less than 50 dBA (Shannon et. al 2016; Francis 2013; Kaseloo 2004). This includes mammals, reptiles, amphibians, invertebrates, and fish. Therefore, elk are not expected to be disturbed by the new nighttime noise reclamation activities. Avian species are an exception, they experience changes in song characteristics, reproduction, abundance, stress hormone levels, and

Wetland Resources, Inc. - (425) 337-3174
9505 19th Ave SE, Everett, WA 98208

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Oakpointe Land Covington - Lakepointe Site Redevelopment
Wildlife Assessment Letter - WRI #14087

Received

MAY 08 2019

City of Covington

B19-0075

species richness at levels ≥ 45 dBA SPL (Shannon et. al 2016). Although protected avian species are not mapped in the corridor by PHS, the quality of habitat found there provides potential use of Priority Species such as the Pileated Woodpecker (*Dryocopus pileatus*). The Pileated Woodpecker along with the Vaux's Swift (*Chaetura vauxi*), Purple Martin (*Progne subis*), and cavity nesting ducks were noted in the Hawk Property Planned Action Final Environmental Impact Statement (EIS) as species that may decline through land use changes on the subject property (Covington 2013). In order to ensure that these Priority Species are not disturbed, Wetland Resources recommends a noise level limit of 45 dBA along the corridor's boundary, as a disturbance threshold based on best available science. The *Revised Reclamation Noise Study* prepared by Ramboll US Corporation dated December 13, 2018 uses 45 dBA as a metric to not exceed and has effectively designed a mitigation plan to assure this is met (Ramboll US Corporation 2018). Therefore, the noise level associated with the nighttime reclamation activities shall not exceed the disturbance threshold. This measure provides conservative assurance that any potentially present WDFW Priority avian species will not be disturbed. Please see the *Revised Reclamation Noise Study* and the discussion below for more information pertaining to the noise analysis and mitigation measures.

The noise study prepared by Ramboll has been updated to account for noise impacts to Jenkins Creek habitat corridor and Jenkins Creek wetland. The report includes measuring existing sound levels near the corridor and wetland (SLM5 and SLM6), modeling sound level of noise sources produced during nighttime activity along the corridor and wetland (Habitat 1, 2, 3, and 4), proposed mitigated noise levels, and a revised noise limit (reduced from 50 dBA to 45 dBA) for the corridor and wetland. In order to ensure noise levels do not exceed 45 dBA along the corridor, a distance setback mitigation measure is proposed. The mitigation measure includes a nighttime truck setback of 600 feet from the wetland buffer. This setback will ensure that no nighttime work will be performed within 600 feet from the wetland buffer. As mentioned in the study, this mitigation measure will ensure that project noise will not exceed 45 dBA. Thus, maintaining the noise level below the documented disturbance thresholds of birds and other wildlife species.

CONCLUSIONS

No direct or indirect impacts are expected to occur to the Jensen Creek Corridor as part of the nighttime reclamation activities amendment. Elk (WDFW Priority Species) are the only mapped Priority Species within the Jensen Creek Corridor. This species' disturbance threshold is above the 45 dBA noise limit proposed along the corridor and therefore, should not be disturbed by the change in noise levels. Although, the Hawk Property Planned Action Final EIS identified several Priority avian species that may be disturbed by changed land use of the subject site, the noise analysis prepared by Ramboll quantifies that noise levels will not exceed 45 dBA along the corridor's edge with the proposed mitigation measure implemented. Therefore, project noise levels will not exceed documented disturbance thresholds for species that may use the Jenkins Creek Habitat Corridor, and no impacts to wildlife are expected for this project.

USE OF THIS LETTER

This Wildlife Assessment Letter is supplied to Oakpointe Land Covington as a means of determining potential impacts to wildlife within the Jensen Creek Corridor. This letter is based largely on readily observable conditions and, to a lesser extent, on readily ascertainable conditions. No attempt has been made to determine hidden or concealed conditions. Reports may be adversely affected due to the physical condition of the site and the difficulty of access, which may lead to observation difficulties.

The laws applicable to wetlands, streams, and wildlife are subject to varying interpretations and may be changed at any time by the courts or legislative bodies. This report is intended to provide information deemed relevant in the applicant's attempt to comply with the laws now in effect.

The work for this report conforms to the standard of care employed by wetland ecologists. No other representation or warranty is made concerning the work or this report, and any implied representation or warranty is disclaimed.

Wetland Resources, Inc.



Hailey Starr
Associated Ecologist & Wildlife Biologist



Scott Walters, PWS
Associate Wetland Ecologist & Wildlife Biologist

REFERENCES

- Covington, City of. 2018. 18.65.350 Fish & Wildlife Habitat Conservation Areas. Title 30 Environmentally Critical Areas. Covington Municipal Code.
- Covington, City of. 2013. Hawk Property Planned Action Final Environmental Impact Statement. November 2013. Covington, WA.
- Francis, C. D. and J. R. Barber. 2013. A framework for understanding noise impacts on wildlife: An urgent conservation priority. *Front Ecol Environ* 11(6) 305 – 313.
- Kaseloo, Paul. 2004. Synthesis of Noise Effects on Wildlife Populations. U.S. Department of Transportation Federal Highway Highway Administration (FHWA). Publication No. FHWA-HEP-06-016.
- Ramboll US Corporation. 2018. Lakepointe Site Redevelopment – Revised Reclamation Noise Study. December 13 2018. Lynnwood, WA.
- Shannon, Graeme, M. F. McKenna, L. M. Angeloni, K. R. Crooks, K. M. Fristrup, E. Brown, K. A. Warner, M. D. Nelson, C. White, J. Briggs, S. McFarland, and G. Wittemyer. 2016. A synthesis of two decades of research documenting the effects of noise on wildlife. *Biological Reviews* 91: 982 – 1005.
- Washington Department of Fish & Wildlife. 2018. Priority Habitat and Species (PHS) Interactive Map. <http://apps.wdfw.wa.gov/phsontheweb/>



Adoption of Existing Environmental Document and Addendum SEPA19-06

Description of current proposal Request to the City Manager for a waiver to allow extended work hours to import fill at night for a State of Washington Department of Natural Resources approved Reclamation Permit (#70-011068 Black River S&G) with associated mitigation measures (e.g. construction of a 550' long, 16' high noise wall on-site (B19-0075).

Proponent Lakepointe Covington Inc.

Location of current proposal The Lakepointe Urban Village Subarea is located southeast of State Route 18 and its intersection with SE 256th Street, on the north side of Covington and consists of Parcel No. 1922069041, 3022069001, 2022069152, 2922069162, 2022069012, and 3022069090 in Covington, King County, WA.

Title of document(s) being adopted Determination of Nonsignificance (DNS) for Code Amendments to CMC 8.20 Noise Control and CMC 14.60 Clearing and Grading, (SEPA18-03) along with other associated environmental documents including Hawk Property Planned Action Environmental Impact Statement, (SEPA13-01); Determination of Significance and Adoption of Existing Environmental Document for the Lakepointe Urban Village Development Agreement and Zoning Map Amendment, (SEPA17-01); Addendum (noise related) to the 2013 Hawk Property Non Project EIS, (SEPA17-02);.

Agency that prepared document being adopted City of Covington

Date adopted document(s) was prepared SEPA 18-03 was issued on March 1, 2019. The other associated environmental documents include the following dates: November 14, 2013; March 24, 2017; and April 11, 2017

Description of documents (or portion) being adopted Determination of Nonsignificance (DNS) for Code Amendments to CMC 8.20 Noise Control and CMC 14.60 Clearing and Grading, (SEPA18-03) along with the Hawk Property Planned Action Final EIS and associated Determinations and Addenda. Applicable mitigation measures from the DNS (SEPA18-03) will be incorporated into this proposal.

If the document being adopted has been challenged (WAC 197-11-630), please describe:

Not applicable.

These documents are available to be read at:

The Determination of Nonsignificance (DNS) for Code Amendments to CMC 8.20 Noise Control and CMC 14.60 Clearing and Grading, (SEPA18-03) is available for review at <https://apps.ecology.wa.gov/separ/Main/SEPA/Record.aspx?SEPANumber=201901070>.

The Hawk Property Planned Action EIS, Adoption of the PA EIS and Addendum for the Development Agreement and Addendum for Noise is available for review at this website: <https://www.covingtonwa.gov/lakepointe/developmentagreement.php>.

The building permit and SEPA checklist submitted with the subject proposal are also available for reference online via Citizens Connect: permits.covingtonwa.gov/citizen. Search B19-0075.

ADOPTED ENVIRONMENTAL DOCUMENT MODIFIED: An addendum to the adopted DNS (SEPA18-03) issued for code amendments to CMC 8.20 and CMC 14.60 and Hawk

Property Planned Action EIS has been prepared by the City of Covington for this proposal. This addendum, was prepared in accordance with WAC 197-11- 625. SEPA regulations state that an addendum may be prepared to address new project-related environmental information that does not substantially change the analysis of significant impacts (see WAC 197-11- 600(4)(c). An addendum is defined in the State's SEPA Rules as follows: "An environmental document used to provide additional information or analysis that does not substantially change the analysis of significant impacts and alternatives in the existing environmental document."

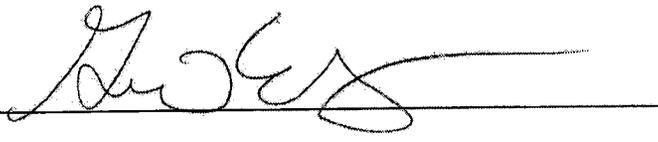
ENVIRONMENTAL INFORMATION: This addendum includes the Noise Assessment included with SEPA18-03 and its recommended mitigation that was prepared for the proposal to allow extended construction hours within the Lakepointe Urban Village Subarea thereby permitting the import of fill material during nighttime hours to complete the work outlined in the approved DNR Reclamation Permit.

The City of Covington has identified, adopted, and added to the DNS (SEPA18-03) and other associated environmental documents and concluded its appropriate for this proposal after independent review. The document meets the City of Covington's environmental review needs for the current proposal and will accompany the proposal to the decision maker.

This Adoption Notice and Addendum is issued under WAC 197-11- 630(3)(c) and 197-11-625. There will be no agency action for seven days of the date of this notice.

Name of agency adopting document and preparing the Addendum City of Covington

Responsible official
Gina Estep, SEPA Official, Community Development Director
City of Covington
16720 SE 271st Street
Covington, WA 98042-4964
253-480-2441
Gestep@ covingtonwa.gov

Date of Issuance 6/10/19 Signature 

SEPA ADDENDUM

SEPA19-06 | June 10, 2019

Proposal

Lakepointe Covington LLC has submitted a request to the City of Covington City Manager pursuant to CMC 8.20.020(2)(i) allow expanded work hours between 8:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on Saturdays, Sundays or Federal holidays in order to import fill material to the Lakepointe Urban Village Subarea to implement an approved Washington State Department of Natural Resources (DNR) surface mining reclamation permit. The proponent has submitted a building permit application to implement noise mitigation measures (e.g. construction of a 550' long, 16' high noise wall on-site (B19-0075).

Purpose of the Addendum

The City of Covington has prepared this Addendum in order to evaluate and disclose potential environmental impacts and mitigating measures associated with the Proposal.

This Addendum builds on the analysis contained in the prior SEPA determinations, but does not significantly change the analysis, or identify new or significantly different impacts consistent with WAC197-11-625. The Addendum analysis indicates that the Proposal will result in similar impacts as prior EISs and SEPA determinations.

The SEPA submitted with the application is available for reference online via Citizens Connect: permits.covingtonwa.gov/citizen. Search B19-0075.

Because the Proposal is supported by a Noise Assessment that addressed the special criteria provided for in CMC 14.60.160(4)(a) and includes recommended mitigation methods to minimize noise impacts to nearby residential dwellings and critical areas designed to assure compliance with the Covington Municipal Code to reduce potential impacts to the natural and built environment, no new impacts beyond those studied previously are anticipated.

Documents Addended

This addendum provides supplemental information to the City of Covington Hawk Property Planned Action Environmental Impact Statement (Final EIS), November 14, 2013, together with subsequent addenda in 2015, and DNS for Code Amendments to CMC 8.20 Noise Control and CMC 14.60 Clearing and Grading.

The Hawk Property EIS addressed the City's second major center of mixed-use growth in eastern Covington and studied the proposal in the context of citywide growth and transportation effects.

The Determination of Nonsignificance (DNS) for Code Amendments to CMC 8.20 Noise Control and CMC 14.60 Clearing and Grading, (SEPA18-01) addresses noise and mitigation relevant to the current proposal.

A. BACKGROUND**1. Name of proposed project, if applicable:**

Lakepointe Night-time Fill Activity including construction permit for sound wall and application for fill activity during expanded work hours.

2. Name of applicant:

Lakepointe Covington Inc.
3025 112th Avenue NE, Suite 100
Bellevue, WA 98004

3. Address and phone number of applicant and contact person:

Lakepointe Covington Inc.
c/o Oakpointe LLC (Contact: Robert Schwindt)
3025 112th Avenue NE, Suite 100
Bellevue, WA 98004

4. Date checklist prepared:

April 16, 2019

5. Agency requesting checklist:

City of Covington

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

Construction of the sound wall will start as soon as all applicable permits and approvals are obtained. Following construction of the wall and provided all other applicable permits and approvals have been obtained, night-time fill activities are anticipated to begin in May 2019 and continue through December 2021.

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

Yes. This proposal is part of the Lakepointe Urban Village Development, for which there will be future development over 15 years.

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

The Hawk Property Planned Action EIS, July 26, 2013 (the "DEIS") and The Hawk Property Planned Action Final EIS, November 14, 2013 (the "FEIS") describe mitigation for probable environmental impacts for the Lakepointe Urban Village Development of which this project is a part. Supplemental to the DEIS and FEIS, and the information in this checklist, are the following technical studies specific to this project:

- a) Lakepointe Site Redevelopment – Revised Reclamation Noise Study by Ramboll US Corporation, December 13, 2018
- b) Assessment of Impacts to Wildlife within the Jenkins Creek Habitat Corridor by Wetland Resources, December 17, 2018
- c) Lakepointe Pit Reclamation – "Night Operational Work Plan" by Goodfellow Brothers, Inc., April 24, 2019
- d) Supplement Comments from Applicant re: Review of Reclamation Noise Study & SEPA Checklist dated December 17, 2018
- e) SEPA Determination of Non-Significance (DNS) (SEPA18-03; LA18-0005)

819.0075

dated February 21, 2019

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.**

Yes. An existing DNR Surface Mine Reclamation Permit #70-011069 was issued in 2016, which authorizes surface mine reclamation within the Lakepointe Urban Village Development.

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

The following approvals/permits will likely be needed for this proposal:

- SEPA Threshold Determination--The City of Covington
- Expanded Work Hours Application for Fill Activity Permit Approval--The City of Covington
- Building Permit for Noise Barrier--The City of Covington

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. (Lead agencies may modify this form to include additional specific information on project description.)**

The proposal seeks approval of night-time fill activities on the Lakepointe Urban Village Development site associated with an approved DNR Reclamation Permit (#70-011069). Specifically, the proposal will allow the delivery of clean fill material associated with reclamation activities to be conducted at night during the hours of 8pm and 7am on weekdays and 6pm and 9am on weekends. Additionally, the proposal includes building permit approval for the construction of noise mitigation walls on the site approximately 550 feet long and 16 feet high.

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 site is located within the City limits of Covington at 18808 SE 256th Street.

B. ENVIRONMENTAL ELEMENTS

1. Earth

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

Mostly flat.

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

The area of reclamation having been extensively excavated for gravel mining, the topography of the site has been substantially altered over time. 15 percent slopes are within the reclamation area.

- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, and muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.**
The USDA Natural Resource Conservation Service Soil Survey, indicates the soil types at the property, primarily consist of Everett gravelly sandy loam with 0 to 5 percent slopes at the western portion of the site and 5 to 15 percent slopes at the eastern portion of the site.
- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**
No
- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**
During night-time fill hours, the applicant intends to import approximately 2 million cubic yards of fill material. Night-time fill hours will only include the unloading of fill material, all grading and compaction will occur during normal day-time work hours.
- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**
Limited erosion could occur; however, temporary erosion and sedimentation control (TESC) measures are in place as part of the site reclamation.
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**
N/A
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**
The site is operating under a Department of Natural Resource (DNR) Reclamation Permit. As part of the reclamation, a series of erosion control measures are in place and routinely inspected by DNR.
2. **Air**
- a. **What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, and industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.**
It is anticipated that haul trucks and heavy equipment operation will generate exhaust emissions. Additionally, dust particulates generated primarily by construction equipment and construction activities will be produced during this phase of this project.
- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**
No
- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**
Prior to leaving the site all trucks will run through a wheel wash and then exit the site. A water truck will be used to keep any fugitive dust down during trucking operations.

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, and wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

On-site surface water resources include Jenkins Creek and two wetlands (Wetlands A and B).

- 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.**

Not associated with the delivery of fill materials during night-time hours.

- 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 material.**

No fill or dredge material will be placed in or removed from wetlands.

- 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 within a 100-year floodplain? If so, note location on the site plan.**

No.

- 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.

b. Ground:

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

No.

- 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.**

None.

c. Water runoff (including stormwater):

- 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.

Storm water will be routed to existing on-site facilities.

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

No.

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

The applicant intends to comply with the provisions of the existing DNR Permit No. 70-011068.

4. Plants

- a. **Check or circle types of vegetation found on the site:**

Deciduous tree: alder, maple, aspen, other

Evergreen tree: fir, cedar, pine, other

Shrubs Grass Pasture

Crop or grain

Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, or other

Water plants: water lily, eelgrass, milfoil, other

Other types of vegetation

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

None.

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

Based on available mapping, no rare plants are known to exist within the Lakepointe Urban Village Development site.

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

See Assessment of Impacts to Wildlife within the Jenkins Creek Habitat Corridor by Wetland Resources, December 17, 2018 proposing a 600' setback from the Jenkins Creek wetlands buffer.

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:**

N/A

Birds: hawk, heron, eagle, songbirds, or other: _____

Mammals: deer, bear, elk, beaver, or other: _____

Fish: bass, salmon, trout, herring, shellfish, or other: _____

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

Per Washington State Department of Fish and Wildlife PHS maps, no Endangered, Threatened or Sensitive species are mapped within the Jensen Creek Corridor.

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

No.

- d. **Proposed measures to preserve or enhance wildlife, if any:**

See Assessment of Impacts to Wildlife within the Jenkins Creek Habitat Corridor by Wetland Resources, December 17, 2018. Mitigation measures include a nighttime truck setback of 600 feet from the wetland buffer. The noise analysis quantifies a noise level goal of 45 dBA along the corridor's edge with the proposed mitigation measures implemented.

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.**

Liquid fuels will be used to power construction equipment to complete the project.

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

No.

- 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:**

Limiting idling construction equipment will reduce the amount of fuel used during construction.

7. Environmental health

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

Although it is unlikely that environmental health hazards would be encountered under normal working conditions, construction equipment could potentially pose a threat to environmental health via leaky equipment, spills during refueling, and leaky containers stored on-site for construction equipment maintenance. All project related activities will meet all current local, county, state and federal regulations.

- 1) **Describe special emergency services that might be required.**

None

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

State regulations regarding safety and the handling of hazardous materials will be enforced during the hauling activities. Equipment refueling areas will be located in areas where a spill could be quickly contained, and where the risk of the hazardous material entering surface water is minimized.

b. Noise

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

Highway 18 adjacent to the west is primary source of noise in the vicinity.

- 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 hour's noise would come from the site.**

The proposal will allow certain noise generating reclamation activities associated with delivery of clean fill material to be conducted at night during the hours of 8pm and 7am on weekdays and 6pm and 9am on weekends. See discussion in "Lakepointe Site Redevelopment – Revised Reclamation Noise Study by Ramboll US Corporation" dated December 13, 2018.

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

No direct or indirect impacts are expected to occur to the Jensen Creek Corridor as part of the nighttime reclamation activities. Mitigation measures include a 16-foot tall noise barrier for the site access driveway and a nighttime truck setback of 600 feet from the wetland buffer. Additionally, no hauling is proposed on adjacent residential streets. See discussion in "Lakepointe Site Redevelopment – Revised Reclamation Noise Study by Ramboll US Corporation" dated December 13, 2018. All equipment utilized during expanded hours shall be equipped with Ecco Part # EA5200, White Noise Backup Alarms. Equipment will be staged in the middle of the Lakepointe Urban Village site. No equipment will be stored around the edges of the project site during night operations.

8. **Land and shoreline use**

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

The property is an existing gravel mining reclamation site.

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

No.

- c. **Describe any structures on the site.**

An asphalt batch plant and a concrete batch plant are located on the site. Additional structures include two maintenance facilities, two offices, a rock crusher, and a wash plant.

- d. **Will any structures be demolished? If so, what?**

No.

- e. **What is the current zoning classification of the site?**

There are multiple zoning districts on the site including R-6, R-12, MR and RCMU.

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

The City of Covington Comprehensive Plan identifies the property as the Lakepointe Urban Village Subarea.

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

N/A

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

On-site surface water resources include Jenkins Creek and two wetlands (Wetlands A and B).

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

The contractor plans to have a crew of 3-4 employees working during the night.

- j. **Approximately how many people would the completed project displace?**
None.

- k. **Proposed measures to avoid or reduce displacement impacts, if any:**
N/A

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

Standards and regulations in the City adopted Comprehensive Plan have been adopted to be compatible with existing and projected land uses and plans. Additionally, the Lakepointe Urban Village Development Agreement ensures future compatibility with adjoining land uses.

9. Housing

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

N/A

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

N/A

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

N/A

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?**

N/A

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

N/A

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

N/A

11. Light and glare

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

Night work hours will allow certain reclamation activities to be conducted at night during the hours of 8pm and 7am on weekdays and 6pm and 9am on weekends that could produce light and glare impacts to adjoining residential and Jensen Creek Habitat Corridor areas without the implementation of the mitigation measures described in subsection (d) below.

- b. **Could light or glare from the finished project be a safety hazard or interfere**

with views?

No.

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

None.

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

Light and glare impacts to adjoining residential and Jensen Creek Habitat Corridor areas will be limited with the use of hoods to shield the work lights and direct it away from residential areas and the habitat corridor. Additionally, a 16-foot tall noise barrier will be provided along the site driveway and a nighttime truck setback of 600 feet from the wetland buffer. It is anticipated that this barrier and truck setbacks will also assist to limit light and glare impacts to residential properties and habitat corridor.

12. Recreation

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

N/A

b. **Would the proposed project displace any existing recreational 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:**

None proposed.

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.**

None known.

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

None.

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

This project will comply with all applicable local, state and federal laws.

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.**

SR-18 and SR-516 are within the City of Covington as well as multiple public and private roads and rights-of-way. The site will be accessed via SR-18 and the SE 256th St interchange.

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

No

- c. **How many parking spaces would the completed project have? How many would the project eliminate?**
None.
- 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).**
No.
- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**
No.
- f. **How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.**
It is anticipated that there will be an average of 25 additional trucks per hour during the proposed nighttime reclamation activities.
- g. **Proposed measures to reduce or control transportation impacts, if any:**
None proposed.

15. 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.**
No.
- b. **Proposed measures to reduce or control direct impacts on public services, if any.**
None proposed.

16. Utilities

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.**
Electricity, natural gas, water, refuse service, telecommunications, sanitary sewer, etc. are generally available within the City.
- 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.**
N/A

C. SIGNATURE

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE. I UNDERSTAND THAT THE LEAD AGENCY IS RELYING ON THEM TO MAKE ITS DECISION.

Signature:  4/25/2019
Date

Submitted:

.....



April 24, 2019

Regan H. Bolli
City Manager
City of Covington
16720 SE 271st Street, Suite 100
Covington, WA 98042

RE: APPLICATION FOR FILL ACTIVITY DURING EXPANDED WORK HOURS

Dear Mr. Bolli:

Pursuant to CMC 8.20.020(2)(i) and CMC 14.60.160(4), Lakepointe Covington Inc. ("Applicant") requests approval to allow nighttime unloading of fill, on the Lakepointe Urban Village site (King County Parcel Nos. 3022069001, 0222069152, 2922069162, 2022069012, 3022069090, 1922069041) related to the approved DNR Surface Mining Reclamation Permit. (Permit # 70-011069) as outlined in detail below.

Duration and Hours of Requested Nighttime Work:

Applicant requests that the City of Covington approve the following expanded hours to unload fill on site: between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and 6:00 p.m. and 9:00 a.m. on Saturdays and Sundays from May 2019 through December 2021.

Why is Nighttime Work Necessary?

The approved DNR Surface Mining Reclamation will require substantial quantity of imported fill. The source of fill is other ongoing construction project in the region that have an excess of fill. Some of these other sources are restricted to hauling at night. Nighttime work is necessary to receive fill from restricted sites and to minimize disruptions to commuting traffic. Accepting fill at night will help expedite the vision of the adopted sub area plan.

Detailed Description of Activities that will be Undertaken in the Requested Expanded Hours:

Applicant's contractor, Goodfellow Bros., Inc., (GBI), will be importing 25 truckloads per hour on average of clean soil by truck and trailer from various construction projects including the Microsoft redevelopment project to the site during the above described expanded work hours. GBI will direct dump trucks using spotters to ensure trucks are following pre-determined night-time truck routes as shown on the Night Work Haul Route Map included with this application. In the event a truck becomes stuck, a rubber tired machine may be used to assist from time to time. All trucks will then run through the wheel

3025 112TH AVENUE NE
SUITE 100
BELLEVUE, WA 98004

WWW.OAKPOINTE.COM

B19-0079

wash located in the central portion of the site near Highway 18 and exit the site. A rubber-tired grader will be used to maintain haul roads only as needed. GBI plans to have a crew of 3-4 employees working during the night. The nighttime stockpiled soil will then be placed and compacted during the day in a permanent fill area on the project site.

Mitigation Methods:

Noise Wall

A noise wall will be constructed at the entrance of the Lakepointe Urban Village project along the west side of the driveway to mitigate/reduce equipment noise during night time operations. The noise study prepared by Ramboll has provided the necessary height and density specifications to keep planned nighttime activities at or below 50dba. This noise wall will be approximately 550 feet long, spanning 16 feet tall, and will have a minimum density of 4lb/sqft to absorb the noise generated from night operations. GBI plans to accomplish this minimum density requirement by adding new steel H beams, with a framed in double-sided plywood wall.

Nighttime Wetland Buffer Setback (600')

There is a 600' wetland buffer setback required at night on the East end of the Lakepointe Urban Village site. GBI will flag this area off with reflective delineators during night work hours to keep employees, trucks, and equipment out of this area.

Backup Alarms

All equipment utilized during expanded hours shall be equipped with Ecco Part # EA5200, White Noise Backup Alarms. Truck routs will be planned to minimize the need for unnecessary backing up.

Equipment Staging Area

Equipment will be staged in the middle of the Lakepointe Urban Village site. No equipment will be stored around the edges of the project site during night operations.

Additional Rules for Night Work

GBI is implementing additional rules for night work to reduce noise levels. Equipment and truck horns will not be allowed or used unless of an emergency at night. There will be no slamming of truck tailgates permitted during night operations. No tracked machines or vibratory compactors will be allowed. GBI will have spotters to direct trucks along the determined truck circulation routes and dump locations throughout each night.

In addition to the above topics that CMC 8.20.020(2)(i)(A) requires included in any request for approval of nighttime work, CMC 14.60.160(4) requires any application to allow the unloading of fill material during expanded work hours to address the following:

Noise Assessment (CMC 14.60.160(4)(a)):

A noise study dated February 2, 2019 was prepared at the request of the Applicant by Ramboll US

Corporation for the proposed night-time fill activities associated with the Lakepointe Urban Village site. A copy of this noise study is included within this application.

Noise Levels Shall Comply with WAC 173-60 (CMC 14.60.160(4)(b)):

The above referenced noise study shows that with appropriate mitigation noise associated with the proposed nighttime fill operations will comply with WAC 173-60.

Lighting (CMC 14.60.160(4)(c)):

GBI plans to have a minimum of 4 light plants set up on the Lakepointe Urban Village site at any one given time during the night time hours for increased visibility. These light plants will not be facing towards any houses or wetlands around the perimeter of the site. These light plants will be well marked and will have barricades around them for safety. The attached Night Work Haul Route Map indicates locations of these light plants depending on locations of material being stockpiled.

Vehicle Preparation (CMC 14.60.160(4)(d)):

All trucks leaving the reclamation site during the nighttime will be empty and prior to entering public highway shall go through the existing wheel wash to remove any foreign debris.

Dust Control (CMC 14.60.160(4)(e)):

A water truck will be used as required to keep any fugitive dust down during nighttime operations.

Contact (CMC 14.60.160(4)(f)):

A designated name, address, and phone number will be posted on the Lakepointe Urban Village Site and provided should any emergencies arise and/or for the public to report any. This designated contact is: Michael McNiven Goodfellow Bros. 22035 SE Wax Rd, Suite 14, Maple Valley, WA 98038 Phone # 253-455-3675.

Applicant sincerely appreciates the City of Covington's consideration of its application for fill activity during expanded work hours. If you have any questions regarding the information included with this application or need any follow-up, please do not hesitate to contact us at 425-898-2100.

Very Truly Yours,



Brian Ross
President & CEO of Oakpointe LLC,
Operating Manager for Lakepointe Covington Inc.