



August 8, 2023

Barb Kincaid
 City of DuPont
 Department of Community Development
 1700 Civic Drive
 DuPont, WA 98327

RE: DuPont 243
 Response to May 12, 2023 Comment Letter for DuPont 243 Project
 City File Numbers: PLNG2022-031 and -032
 Our Job No. 18666

Dear Ms. Kincaid:

We have revised the plans and technical documents for the above-referenced project in accordance with your comment letter dated May 12, 2023. Enclosed are the following plans and documents for your review and approval:

1. One (1) each electronic file revised Architectural Site Plan dated July 17, 2023
2. One (1) each electronic file Dumpster Location Approval dated July 31, 2023
3. One (1) each electronic file revised Land Use Application dated August 4, 2023
4. One (1) each electronic file revised SEPA Checklist dated August 4, 2023
5. One (1) each electronic file revised Noise Study dated July 21, 2023
6. One (1) each electronic file revised Landscape Planting Plan dated August 2, 2023.
7. One (1) each electronic file revised Traffic Impact Analysis dated July 27, 2023
8. One (1) each electronic file revised Tree Retention Plan dated August 6, 2023
9. One (1) each electronic file revised Photometric Plan dated July 25, 2023
10. One (1) each electronic file revised Cultural Resources Plan dated July 25, 2023
11. One (1) each electronic file revised Geotechnical Report dated August 1, 2023
12. One (1) each electronic file revised Bat Habitat Reconnaissance dated July 19, 2023
13. One (1) each electronic file revised Site Specific Sewer Information Letter Application dated July 31, 2023
14. One (1) each electronic file revised Civil Engineering Plans dated August 4, 2023
15. One (1) each electronic file revised Stormwater Site Plan dated August 4, 2023
16. One (1) each Sequalitchew Trail Visual Analysis dated August 6, 2023.

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The following outline provides each of your comments in *italics*, along with a narrative response describing how each comment was addressed:

A. General Comments

1. *The submitted plans depict future improvements on the eastern parcel (Lot 3) and in some instances the plans for development of Lot 3 are described (cul-de-sac construction, tree removal for example). The SEPA Checklist, however, describes only the portion of the proposal occurring on Lots 1 and 2. The City recently received a pre-application meeting request with documents showing a development proposal for Lot 3. When two proposals consist of common aspects (access, geography, stormwater, ownership, etc.), agencies may wish to analyze “similar actions” in a single environmental document (WAC 197-11-060(3)(c)). Your options are:*
 - (a) *So that the proposal is clearly and properly defined, remove all future buildings depicted on Lot 3 from the project plans and wait until the SEPA environmental review is completed for Lots 1 and 2 before submitting SEPA and permit applications for Lot 3; or*
 - (b) *Have one combined SEPA process for both projects. Under scenario (b) you would have to provide a combined SEPA checklist describing both projects. The land use applications under scenario (b) could be completed separately/independently in a phased manner, or could be combined if you prefer.*

Response: This project will proceed with option (a). All potential development depicted on Lot 3 has been removed from the plans. We are electing to wait until the SEPA environmental review is completed for Lots 1 and 2 before submitting SEPA and permit applications for Lot 3.

B. DMC 25.45 Performance Standards

1. *DMC 25.45.030 Provides the required performance standards:*

- (a) *The City previously commented that the outdoor storage requirements would apply to the trailer parking area. After further conversation, the SEPA mitigation measures that were applied to the previous proposal (Mitigation Measures 3, 8 and 9, see attached), would likely serve to mitigate for the noise, lighting impacts associated with the trailer parking area. See SEPA, below.*

Response: Comment acknowledged. Please see the attached noise study and photometric plan for an analysis of any offsite impacts from the proposed project.

- (b) *Based on previous comments, the trash enclosure for Building B was relocated to avoid being adjacent to the Sequalitchew Creek Trail. The proposed trash enclosure is still within close proximity (approximately 20 feet) to the Sequalitchew Creek Trail and requires screening in accordance with DMC 25.90.030(3) due to the trail being a high use area. You may propose screening in your resubmittal, or the City will condition the approval to provide screening. During building permit review the enclosure will be evaluated for compliance with DMC Chapter 25.100.*

Response: Building B and its associated trash enclosure have been removed from the plans.

(c) The previous comment regarding noise levels in accordance with DMC 9.09 (Sound and Vibration) was acknowledged. You submitted a Noise Study which has been sent out for peer review. We will provide the peer review comments when received.

Response: Comment acknowledged. Any additional comments received from peer review of the noise study will be addressed at that time.

C. Landscaping, DMC 25.90

1. *DMC 25.90.030(3) requires a moderate buffer between parking lots and adjacent public right-of-way. DMCC 25.10.020.060 defines a buffer as a strip of trees, shrubs, and ground cover of sufficient height, width, and density to screen, within three years of planting. For moderate buffers the screening level at three years is to be 50 percent. Berms, grade separations, walls, and fences may be incorporated to achieve up to 50 percent of the minimum screening. Parking lots are located adjacent to the right of way and are required to provide the moderate buffer screening. The plans depict the moderate buffer screening in a strip adjacent to the parking stalls. Within the Lot 2 area, existing vegetation is proposed to be retained in the north sector and the areas that are already cleared are proposed for “erosion-control hydroseed” mix. It does not appear as though any other landscaping is proposed within Lot 2. **Revise the landscape plans to add trees within Lot 2 in the areas that were either already cleared or will be cleared/graded for the proposal. Revise the hydroseed mix in Lot 2 from erosion-control to turfgrass lawn.***

Response: Landscape plans have been revised to show trees within Lot 2, moderate buffer adjacent to right-of-way instead of parking stalls, and lawn area as turfgrass lawn instead of erosion-control hydroseed.

D. Parking Comments, DMC 25.95

A revised parking analysis was provided on Sheet A0.1 and describes a total of 138 spaces for Building A and 58 spaces for Building B for a total of 196 spaces. In addition, 47 trailer parking spaces are provided. The SEPA checklist states that 90 to 120 persons are anticipated to work at the completed development depending on the type of tenants. The City parking code allows between .3 and 1.0 parking spaces per worker at maximum shift for the proposed use. The City will condition the project to provide the proposed worker statistics at the time of building permit application demonstrating compliance with Chapter 25.95.

Response: Comment acknowledged. Proposed worker statistics will be provided at the time of the building permit application.

E. Tree Comments, DMC 25.120

*We cannot evaluate tree retention using the existing trees and statistics for an off-site area. The improvements, grading and tree retention should only be shown for the western parcel improvements. **Revise all plans and the WFCI Tree Retention Report to remove the eastern parcel improvements and tree calculations.***

Response: All eastern parcel improvements and tree calculations have been removed from the

tree retention report and landscape sheets.

- a. As mentioned above in Section A.1, update the WCFI tree retention report to show a project area of 19.65 acres including the correct two parcel numbers. Revise the summary of landmark trees, including those to be removed, to be specific to the 19.65-acre property.*

Response: Report was updated using parcels 0119266005 & 0119266006. Total project acreage is 19.65-acres. The Landmark tree summary has been updated to include only trees on the two parcels.

- b. A previous comment requested that the tree retention plan table for Type 1 be revised or clarified to only include trees that are within the Dupont 243 area. This was not updated and therefore the comment remains.*

Response: The Type I summary table has been updated to include trees only within the boundaries of the two project parcels.

- c. Landscape Plans state a tree retention of 225 trees, but the tree retention report exhibits show a total of 227 trees to be retained. Update tree retention amounts to be consistent across all landscape plans, tree retention plans, and the tree retention report.*

Response: All tree retention quantities and calculations reflect those shown in most recent tree protection plan.

- d. Tree Retention Plan Map (Attachment 1) depicts the non-project area, which is inconsistent with the narrative. Revise the narrative to match Attachment 1. It also depicts Type I overlapping the project and non-project area, which means that some of the Type I trees retained (or removed) are within the non-project area. Update Attachment 1 and the report tree accounting to only include trees to be retained within the 19.65-acre project area.*

Response: The exhibit in Attachment 1 has been updated to include only the project area. The non-project area has been removed and currently only includes the 19.65-acre project area.

- e. The Landmark Trees section on page 4 states that one landmark Oregon White Oak will be removed. Attachment 2 on the Tree Retention Plan only shows one landmark fir tree to be removed in Area D, but does not show the Oregon White Oak to be removed in Area A. Update Attachment 2 in the WCFI report to locate the Landmark OWO tree to be removed in Area A.*

Response: Attachment A was updated showing the location of Landmark tree #12 that will be removed as cited in the Landmark Tree section. The tree is not in Area A but located in the new right-of-way of Sequalitchew Road.

f. *The site plan in Attachment 2 has not been updated and shows the trash enclosure for Building B adjacent to Sequalitchew Creek Trail. **Update the site plan in Attachment 2.** A landmark tree shown to be retained on the WCFI report Attachment 2 (south of and adjacent to the trash enclosure for Building A on the western portion of the site) is not depicted on the Sheet L2 or the grading plans. **Update all plans to be consistent with attachments shown in the WCFI report.***

Response: All existing trees to be removed or retained match those shown in most recent tree protection plan

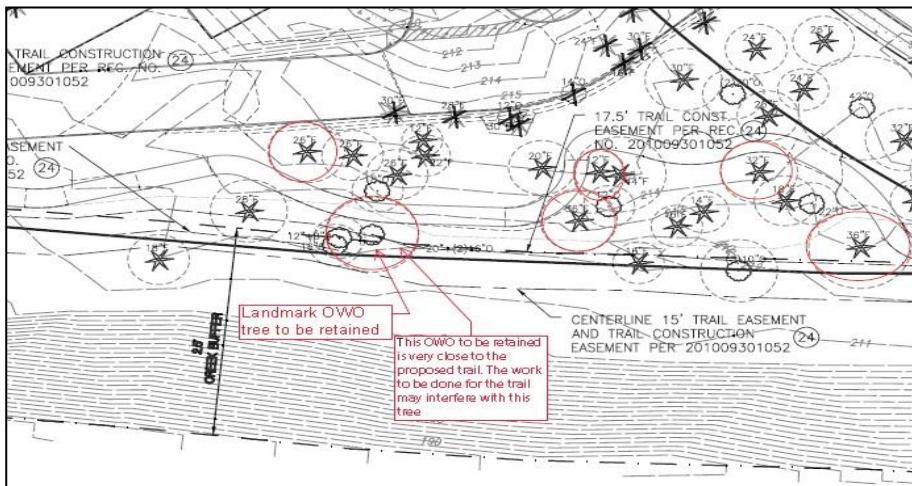
g. *Sheets L1 and L2 of the Landscape Plans (Tree Retention Plan) depicts grading contours, tree types and locations, the tree protection radius, and which trees are to be saved versus removed. DMC 25.120.030(5) requires no clearing, grading, trenching, cutting, impervious surfacing, or other construction within the drip line of any tree to be retained. There are numerous trees depicted as to be retained with the required tree protection radius, but the radius falls within proposed grading or impervious surfaces. **Revise Sheets L1 and L2 to depict trees that require special protection methods to ensure their survival. Add the tree protection requirements provided in the WCFI Tree Protection Report to the Tree Retention Plans. Also add the measures described in DMC 25.120.030(5) and DMC 25.120.030(7) to the plans.***

Response: Trees whose CRZs are impacted by proposed trail construction are called out on landscape plan sheets with reference to tree protection measures found in the most recent tree protection plan, and those measures and the measures described in DMC 25.120.030(5) and DMC 25.120.030(7) have been added to sheet L1.

h. *Sheet L2 depicts the Existing Landmark Oregon White Oak to be removed within the Sequalitchew Road right of way with two call out locations, however, one tree is depicted. **Correct the notation on Sheet L2.***

Response: This notation has been corrected.

i. Sheet L2 depicts a *landmark Oregon White Oak* to be retained with its tree protection radius falling within the relocated and paved Sequalitchew Creek Trail (See Figure 1 below). It is assumed this tree is intended to be protected during trail construction, but it is not clear if the tree will survive. **WFCI shall address the tree protection measures required to save the tree in the WFCI Tree Protection Plan. Provide notes on Tree Protection Plans with the required tree protection, maintenance and monitoring measures for this landmark OWO tree.**



j. **Figure 1 - Tree Protection Radius within proposed grading and impervious surfaces**

Response: The Tree Protection Measures section of the report has been updated to address tree protection, maintenance, and monitoring of trees for the new Sequalitchew Creek Trail.

F. SEPA Requirements

We have the following comments on the SEPA checklist:

a. See the General Comments provided above in Section A. Update SEPA Checklist Item A.7 in accordance with your desired approach for SEPA review of the project as described in Section A.

Response: SEPA checklist item A7 has been updated to be consistent with the revised plans per our response to section A of this comment letter.

b. Section B.7.a *Environmental Health* is not completed correctly. The site is the former location of the DuPont Power Works Company and is located within the Asarco plume boundary. The soils were remediated, however there are known residual concentrations in portions of the property of hazardous substances which exceed the soil and groundwater cleanup levels specific in the Washington Model Toxics Control Act (MTCA). Land use of the property is limited to industrial purposes per the 1999 Department of Ecology Restrictive Covenant. Ecology previously commented (Sept. 12, 2018) that they recommended a soil remediation plan and entrance into the Voluntary Cleanup Program prior to issuance of site development permits followed by obtaining a No Further Action Letter from Ecology. On Oct. 17, 2018 the State Attorney

General provided a letter that stated that the proposed use appears to be allowed under the City of DuPont zoning regulations, Comprehensive Land Use Plan and MTCA. The letter does not clarify remediation/clean up or NFA requirements. These details should be added to Section B.7.

Response: The required information has been added to section B.7.a of the SEPA checklist.

- c. *The Noise Study is currently undergoing peer review. We will provide comments when received.*

Response: Comment acknowledged. Any additional comments received from peer review of the noise study will be addressed at that time.

- d. *The City is concerned about the noise, light and glare impacts of the truck/trailer maneuvering and storage area impacts to the users of Sequalitchew Creek trail and area wildlife. Similar to the prior proposal, the City intends to require SEPA mitigation measures to minimize these impacts (see attachment).*

Response: Comment acknowledged. An updated noise study and photometric plan are included with this resubmittal.

- e. *Section B.7.b of the SEPA Checklist mentions the Noise Study, but does not include specific findings. The revised SEPA checklist states that the noise generated by the proposal is within the City of Dupont noise levels, but the Noise Study states that these levels will be exceeded from 6am- 7am daily. **Update the SEPA checklist response to be consistent with the findings provided in the Noise Study and any comments to be provided by the peer review consultant.***

Response: The SEPA checklist has been updated to mention that the noise study indicates levels beyond the city noise ordinance standards at an onsite portion of Sequalitchew Trail only between the hours of 6am-7am.

- f. *SEPA Checklist item 10 describes that views would be altered but not entirely obstructed. It is our understanding that you have prepared/completed a Visual Analysis. **Please provide a copy of the Visual Analysis.***

Response: A copy of the trail visual analysis is included with this resubmittal.

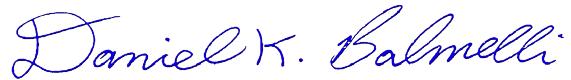
BUILDING DEPARTMENT COMMENTS. Contact Roy Shipman at (253) 912-5216 or rshipman@dupontwa.gov.

FIRE DEPARTMENT COMMENTS. Contact Mike Turner at (253) 666-2760 or mturner@dupontwa.gov.

ENGINEERING AND WATER DEPARTMENT COMMENTS. Contact Barb Kincaid at (253) 912.5393, or bkincaid@dupontwa.gov.

We believe that the above responses, together with the enclosed revised plans and technical documents, address the comments in your letter dated May 12, 2023. Please review and approve the enclosed at your earliest convenience. If you have questions or need additional information, please do not hesitate to contact me at this office. Thank you.

Sincerely,



Daniel K. Balmelli, P.E.
Executive Vice President

DKB/bd
18666c.012
enc: As noted
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