# *LAKEPOINTE MIXED USE MASTER PLAN*

## *Final Supplemental Environmental Impact Statement*

*King County Department of Development and Environmental Services*

*July 1998*

King County
Department of Development
and Environmental Services
900 Oakesdale Avenue Southwest
Renton, WA 98055-1219

DDES

July 14, 1998

RE: Lakepointe Master Plan Final Supplemental Environmental Impact Statement

Dear Interested Reader:

The Lakepointe Mixed Use Master Plan is a proposal to develop the 50-acre Kenmore Pre-Mix site at the north end of Lake Washington. Approval is being requested for a Master Plan, a Commercial Site Development Permit, and a Shoreline Substantial Development Permit. Approval would allow retail, commercial, office, and residential uses on the site as well as a marina and a new public street (Lakepointe Way NE) connecting SR 522 and 68th Ave NE when subsequent construction permits are reviewed and approved. The applicant is also exploring funding mechanisms for road improvements. A Draft Supplemental Environmental Impact Statement (EIS) evaluating the proposal was published on November 4, 1997, for public review and comment, and a public meeting was held on December 8, 1997, to receive oral comments on the Draft. This Final Supplemental EIS responds to comments received. The Draft and Final documents comprise a Supplemental EIS for the 1992 Executive Proposed Northshore Community Plan Update EIS and should be used together with that document to evaluate the Lakepointe proposal.

Updated transportation, fisheries, and air quality studies were prepared for the Final Supplemental EIS in response to comments on the Draft Supplemental EIS. In addition, the applicant has revised the Proposed Action to reduce the amount of in-water and over-water structures in the inner harbor, to reduce the overall amount of paved surface on the site, and to increase the amount of natural and landscaped area.

According to the analyses presented in the Supplemental EIS, key unavoidable significant adverse impacts are anticipated due to cumulative increases in traffic volumes and congestion at certain intersections in the area, an increase in the scale of building heights, and noise both during and after construction that would be perceived by on-site residents and businesses. The proposal would result in changes to the natural environment within and immediately adjacent to the site as well. Changes would include increased stormwater runoff, increased input of pollutants to site runoff, establishment of new in-water and over-water structures in the inner harbor, and an increase in human activity in proximity to

shorelines on the site. The Lakepointe site is located at a critical point in the route that salmonids must follow as they migrate to and from their spawning grounds in the Lake Washington Basin, and impacts to salmonids have become even more significant with the potential listing of Chinook under the Endangered Species Act next year. The Supplemental EIS identifies mitigation measures to address probable significant adverse environmental impacts of the development and notes which significant adverse impacts cannot be mitigated.

Key environmental issues and options facing the decision makers include:

- The impacts of additional traffic on area roadways not immediately adjacent to the Lakepointe site and the benefits of a new roadway that would bypass and draw traffic away from the intersection of NE Bothell Way and 68th Ave NE.

- The visual impacts of tall buildings on the Lakepointe site and the economic benefits of a business and residential center on the site.

- The impacts of shoreline development on fish and wildlife and the benefits of allowing the public more access to the shoreline area.

- Provision of safe pedestrian and bicycle connections between the Lakepointe site and adjacent properties, transit stops, and the Burke-Gilman Trail.

- Mitigation measures necessary to protect future residents of the site from noise during phased construction and from noise of vehicular and air traffic after construction.

Thank you for your interest and participation in the environmental review of the Lakepointe proposal.

Sincerely,

Marilyn E. Cox
Responsible Official

# LAKEPOINTE MIXED USE MASTER PLAN

*FINAL SUPPLEMENTAL*
*ENVIRONMENTAL IMPACT STATEMENT*

King County
Department of Development and Environmental Services

July 14, 1998

# FACT SHEET

**PROJECT TITLE**

Lakepointe Mixed Use Master Plan

**PROPOSED ACTION**

The Proposed Action is for the approval of a Master Plan, Commercial Site Development Permit, and Shoreline Substantial Development Permit. The proposed Master Plan is designed to be consistent with the intent of development conditions established in the 1993 Northshore Community Plan Update and Area Zoning. The Master Plan would dictate the general development pattern and uses for the entire 50-acre site. The Commercial Site Development Permit application, which provides more specific development details for certain aspects of site development, has been submitted for development on 45 acres of the site. Because the specific uses of a 5-acre portion of the site have not been determined, only general information can be provided at this time as to that portion of the site plan.

Proposed development described in the Commercial Site Development Permit application consists of phased development of 1,200 residential units, 205,588 square feet of professional office space, 438,627 square feet of retail and commercial space, a marina with 26 boat slips on the southern side of the inner harbor, 4,464 parking stalls, and construction of a new public street connecting NE Bothell Way and 68th Ave NE. The Master Plan and Shoreline Permit applications include a total of 52 boat slips; 26 on the southern side and 26 on the northern side

Open space on the site, as defined by the applicant, would total 21.2 acres and would include natural open space, public park area, pedestrian walkways and trails, and a public amphitheater. The open space areas on the site would provide public access and viewpoints to Lake Washington and the Sammamish River. The applicant defines open space as area not included in buildings or roadways.

**ALTERNATIVES**

Two alternatives to the Proposed Action are analyzed in this Supplemental Environmental Impact Statement (EIS). Alternative 1, Conceptual Master Plan Illustrated in the Northshore Community Plan, would be consistent with the original conceptual Master Plan illustrated in the Northshore Community Plan. This conceptual plan was shown in the Northshore Community Plan for purposes of illustrating the intent of the Plan. Alternative 1 includes 1,000 residential units and 500,000 square feet of commercial space. Building heights and the elevation of the roadway connecting NE Bothell Way and 68th Ave NE would also differ from the Proposed Action. Under Alternative 1, NE 175th St would intersect at-grade with the west side of Lakepointe Way NE and NE 175th St would be vacated between Lakepointe Way NE and 68th Ave NE.

Under Alternative 2, the No Action Alternative, existing industrial and storage uses would continue on the site. The goal of the Northshore

Community Plan of establishing a pedestrian-oriented mixed-use development on the site would not be met.

**LOCATION**

The site is located in the Kenmore area of unincorporated King County, near the intersection of NE Bothell Way (SR 522) and 68th Ave NE. The site is approximately bounded by Lake Washington to the west, the Sammamish River channel to the south, 68th Ave NE to the east and NE Bothell Way to the north. On August 31, 1998, the City of Kenmore will incorporate and the site will be located within the City of Kenmore.

**PROPONENT/APPLICANT**

Pioneer Towing Company
P.O. Box 82298
Kenmore, WA 98028
Owner Representative: Mike Gleason

**LEAD AGENCY**

King County Department of Development and Environmental Services
900 Oakesdale Ave SW
Renton, WA 98055-1219

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King County Department of Development and Environmental Services

**PROJECT MANAGER**

Priscilla Kaufmann, Planner
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King County Department of Development and Environmental Services

**REQUIRED APPROVALS**

*King County*

--Master Plan Permit (required by the Northshore Community Plan P-Suffix Conditions)
--Shoreline Substantial Development Permit (required by KCC Title 25)
--Binding Site Plan for subdividing land for condominiums (required by KCC Title 19.34)
--Clearing and Grading Permits (required by KCC Title 16.82)
--Building Permits for all structures, including, but not limited to, buildings, signs, fences over six feet in height (required by KCC 16.04)
--Variance from the King County Road Standards (required by KCC 14.42)
--Fire System Permits for fire systems, including, but not limited to, water main extensions, sprinklers, and alarms (required by KCC Title 17)
--Right-of-Way Use Permits (required by KCC 14.28)
--Boundary Line Adjustment or a Short Subdivision (required by KCC 19.08)

*Other Possible King County permits*

--Variance from the Surface Water Design Manual to use the draft Manual update and for depth of pipes and water quality (KCC Title 9).
--Commercial Site Development Permit (KCC Title 21A.41) (Optional)

*Other Agencies*

--Section 404 Permit, U.S. Army Corps of Engineers
--Hydraulic Project Approval, Washington Dept. of Fish and Wildlife

--Baseline General Permit for Stormwater, Washington Dept. of Ecology
--Water Quality Modifications Permit, Washington Dept. of Ecology
--Remediation of Hazardous Wastes under the Model Toxics Control Act (MTCA), Washington Dept. of Ecology

**PREVIOUS ENVIRONMENTAL DOCUMENTS**

This Supplemental EIS supplements information provided in the Draft and Final EIS documents prepared for the Northshore Community Plan adopted in 1993. These documents are available for review at the King County Department of Development and Environmental Services.

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**LOCATION OF BACK-GROUND INFORMATION**

Information in project files is available at King County Department of Development and Environmental Services.

**DATE OF FINAL SEIS ISSUANCE**

July 14, 1998

**FINAL SEIS PURCHASE PRICE**

Copies of the Final Supplemental EIS are available for public review at several libraries—Kenmore, Bothell, Lake Forest Park, Shoreline, Bellevue, Kingsgate, Kirkland, Redmond, Richmond Beach, Woodinville, the downtown Seattle Public Library, and the Muckleshoot Library. Copies of the Final Supplemental EIS may be reviewed or purchased by interested parties at the King County Department of Development and Environmental Services (DDES). The purchase price for the Final Supplemental EIS is $14.00. Postage costs for mailing the Final Supplemental EIS ($5.00) should also be added to the document cost if mailing is requested. Please send your request to: King County DDES, 900 Oakesdale Ave SW, Renton, WA 98055-1219, with a check made payable to "King County Office of Finance."

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# CHAPTER ONE

## *Summary*

# CHAPTER ONE

# SUMMARY

The Lakepointe Mixed Use Master Plan is a proposal to develop the 50-acre Kenmore Pre-Mix site at the north end of Lake Washington. Approval is being requested for a Master Plan, a Commercial Site Development Permit, and a Shoreline Substantial Development Permit. The applicant is also exploring various funding mechanisms for road improvements. A Draft Supplemental Environmental Impact Statement (EIS) evaluating the proposal was published on November 4, 1997, for public review and comment, and a public meeting was held on December 8, 1997, to receive oral comments on the Draft. This Final Supplemental EIS responds to comments received. The Draft and Final documents comprise the Supplemental EIS for the Lakepointe proposal and should be used together with the 1992 EIS for the Executive Proposed Northshore Community Plan Update to evaluate the Proposed Action.

## SUMMARY OF THE PROPOSED ACTION

The Lakepointe Mixed Used Master Plan (Proposed Action) consists of several related actions. Approvals are being requested for:

- A Master Plan for phased development of the entire 50-acre site which includes Building Areas A through H, Phases 1 through 7. The Master Plan outlines design guidelines and development standards for a mixed-use community consisting of residential, commercial, office, and open-space uses. The Master Plan is intended to be a blueprint for future development of the site.

- A Commercial Site Development Permit for a 45-acre portion of the site which includes Building Areas A through G, Phases 1 through 6. The CSDP defines phasing lines, the approximate location and square footage of each building, building heights, residential development standards (such as density and types of residential units), the approximate location of drainage facilities, parking design, open space, trails, and recreation space.

- A Shoreline Substantial Development Permit for all development within 200 feet of the Ordinary High Water Mark of the Sammamish River, Lake Washington, and the inner harbor within Building Areas A through H, Phases 1 through 7. The applicant is not proposing the construction of any buildings in Building Area H under this permit. Rather, the request is for development activities in the channel such as reconstructing bulkheads and constructing wharfs and moorage slips as part of the plan for the marina.

- Funding of transportation improvements. The applicant is exploring funding mechanisms for the construction of Lakepointe Way NE, NE Lakepointe Blvd, and other transportation improvements, which are estimated to total more than $29 million. Funding mechanisms being explored include a Road Improvement District or a Transportation Benefit District. Either would allow public funds to be used for roadway improvements and would make provision for assessing property owners who benefit from the roadways. The improvements would become public roadways under either scenario, and the Metropolitan King County Council would need to approve whichever mechanism is chosen.

Development proposed under the requested CSDP would consist of 1,200 residential units, 205,588 square feet of professional office space, 438,627 square feet of retail and commercial space, 4,464 parking spaces, a 27-slip marina, approximately 21 acres of open space, and construction of a new public street (Lakepointe Way NE) connecting SR 522 and 68th Ave NE. The uses and square footage for Building Area H in the Master Plan would be determined at a future time and would include an additional 26 boat slips in the marina.

## SUMMARY OF ALTERNATIVES

The State Environmental Policy Act (SEPA) requires an EIS to evaluate reasonable alternatives to the Proposed Action that could feasibly attain an applicant's objectives but at a lower environmental cost. Two alternatives are analyzed in the Lakepointe Supplemental EIS:

- Alternative 1 is a mixed use plan consistent with the Conceptual Master Plan illustrated in the Northshore Community Plan. Development under this alternative would include 1,000 residential units and 500,000 square feet of commercial space. Various other components of this alternative would differ from the proposal.

- Alternative 2 is the No Action Alternative, which assumes that the existing industrial and storage use of the site would continue for the foreseeable future.

## SPONSOR'S OBJECTIVES

The primary objectives of the Lakepointe Master Plan, as formulated by the applicant are as follows:

- Provide for alternative uses for the property that provide financial return superior to that offered by the existing property uses.

- Develop a mixed use residential and commercial project consistent with the goals and policies of the Growth Management Act, the Northshore Community Plan, and the King County Comprehensive Plan.

- Develop a mixed use project incorporating uses, building heights, forms and locations that conform to current and projected market needs and that will support the complete range of mitigation identified in the P-suffix conditions for the project.

- Provide significant opportunities for public access to shorelines of the Sammamish River and Lake Washington consistent with the development needs of the project and the applicable P-suffix conditions.

- Allow for the implementation of long-term transportation solutions for the Kenmore area, including the dedication of necessary right-of-way and construction of NE Lakepointe Boulevard, consistent with the mixed use development objectives for the site and based on the project's fair-share responsibilities.

- Establish an expedited permit review process for ultimate project development, while maintaining flexibility in the Master Plan concept to meet changing market needs and development conditions.

## ENVIRONMENTAL REVIEW

The Draft Supplemental EIS, published on November 4, 1997, describes the Proposed Action and the two alternatives, evaluates environmental impacts, and identifies mitigation measures. Comment letters on the Draft Supplemental EIS were received from agencies and citizens through December 19, 1997, and a public meeting was held on December 8, 1997, to receive oral comments. The applicant has revised the Proposed Action in response to comments received. The proposed changes reduce the amount of in-water and over-water structures in the inner harbor, reduce the overall amount of paved surface on the site, and increase the amount of natural and landscaped area. The changes are explained in more detail in Chapter 2 of this Final Supplemental EIS. Additional transportation, natural resources, and air quality studies, completed in response to comments, are summarized in Chapter 3. The comment letters and a transcript of the public hearing are published in Chapter 4, and responses to each comment are provided.

## MAJOR CONCLUSIONS AND ISSUES TO BE RESOLVED

The Lakepointe Mixed-Use Master Plan would change the character of the site from industrial and storage uses to a mixed-use master planned community. As identified in the RELATIONSHIP TO PLANS AND POLICIES section of the Draft Supplemental EIS, the Master Plan has been designed to be consistent with the intent of the development plans, policies, and regulations established in the Northshore Community Plan for mixed-use development on the site.

According to the analyses presented in the Supplemental EIS, key unavoidable significant adverse impacts are anticipated due to cumulative increases in traffic volumes and congestion at certain intersections in the area, an increase in the scale of building heights, and noise increases during construction that would be perceived by on-site residents and businesses. The proposal would result in changes to the natural environment within and immediately adjacent to the site as well. Changes would include increased stormwater runoff, increased input of pollutants to site runoff, establishment of new in-water and over-water structures in the inner harbor, and an increase in human activity in proximity to shorelines on the site. The Lakepointe site is located at a critical point in the route that salmonids must follow as they migrate to and from their spawning grounds in the Lake Washington Basin, and impacts to salmonids have become even more significant with the potential listing of Chinook under the Endangered Species Act next year. The Supplemental EIS identifies mitigation measures to address the probable significant adverse environmental impacts of the development.

Key environmental issues and options facing the decision makers include:

- The impacts of additional traffic on area roadways and the benefits of a new roadway that would bypass and draw traffic away from the intersection of NE Bothell Way and 68th Ave NE.

- The visual impacts of tall buildings on the Lakepointe site and the economic benefits of a business and residential center on the site.

- The impacts of shoreline development on fish and wildlife and the benefits of allowing the public more access to the shoreline area.

- Provision of safe pedestrian and bicycle connections between the Lakepointe site and adjacent properties, transit stops, and the Burke-Gilman Trail.

- Mitigation measures necessary to protect future residents of the site from noise during phased construction and from noise of vehicular and air traffic after construction.

## Transportation

This EIS evaluates the transportation impacts from Building Areas A through G of the Lakepointe proposal. (When a development proposal is received for Building Area H, an additional transportation analysis will need to be prepared.) The properties comprising Building Areas A through G were granted Regional Business zoning in 1994 based on a transportation analysis which assumed that development on the site would generate no more than 14,200 average daily trips. The analysis also assumed that Lakepointe Way NE would be constructed at-grade (not elevated) and would intersect with NE 175th St.

An updated transportation analysis was prepared for the Lakepointe Final Supplemental EIS. It is included in Appendix C and summarized in Chapter 3. Based on the applicant's Preferred Design Alternative, the revised traffic analysis assumes that some residents would work and shop on-site, 200 residential units would be dedicated to senior housing in perpetuity, and residents and workers on the Lakepointe site would use transit rather than personal vehicles when going to and from work. The resulting analysis indicates that Building Areas A through G would generate an average of 12,700 new daily trips. In addition, under the current proposal, Lakepointe Way NE would be constructed as an elevated roadway passing over NE 175th St, thus creating a different pattern of traffic flow in the area.

### *Trip Generation and Roadway Capacity*

The updated analysis indicates that with or without the Lakepointe project, at a growth rate of two percent per year along the SR 522 corridor, traffic operations in the Kenmore area will deteriorate by the year 2005. Although the Lakepointe development would place 12,700 new daily trips on area roadways, with the construction of Lakepointe Way NE, overall traffic operations in the year 2005 during the AM peak period would be comparable to the No Action alternative. This is based on an analysis of three travel corridors -- between SR 104 and 80th Ave NE via SR 522, between SR 104 and NE 170th St via the intersection of SR 522/68th Ave NE, and between SR 104 and NE 170th St via SR 522 and Lakepointe Way NE. However, overall traffic operations along those same corridors would deteriorate in the PM peak period with the Proposed Action despite the new Lakepointe Way NE connection. Travel time and delay would increase and average speed would decrease. Congestion would increase at all intersections analyzed other than SR 522/68th Ave NE and 68th Ave NE/NE 175th St. This is especially true at intersections not immediately adjacent to the Lakepointe site, and, in some cases, the impact would be significant.

Data from the queuing analysis (Table 32B) and the LOS analysis (Table 31A) indicates that in the year 2005, without the project, PM peak-hour traffic returning eastbound on SR 522 to Kenmore may back up to the Acacia Park Cemetery. With the project, PM peak-hour delay at SR 522/61st Ave NE would be greater than without the project, and traffic may back up to the intersection of SR 522/NE 145th St at the

Seattle/Lake Forest Park city limits. Without the project, PM peak-hour traffic at 68th Ave NE/NE 170th St travelling into Kenmore may back up one-quarter to one-half mile. With the project, PM peak-hour delay would be greater than without the project, and traffic may back up one-half mile to almost one mile.

In addition, the impacts identified in the transportation analysis (1998 Update) are based on the assumption that certain projects listed in the 1997 King County Capital Improvement Program will be constructed, and project trip generation has been reduced by 975 trips based on assumed transit use by residents and workers on the Lakepointe site. If neither of these occurs, then transportation impacts may be substantially greater, and additional environmental review may be required when construction permits are submitted for review and approval.

The SR 522 corridor between SR 104 and 80th Ave NE is fully built out with no apparent additional capacity increases available without significant right-of-way purchases and/or construction of grade-separated roadways with ramps. While the Lakepointe project would include the construction of Lakepointe Way NE and a significant amount of other transportation improvements, the proposed development would result in significant adverse traffic impacts that cannot be mitigated.

### *Timing of Transit Improvements*

A Transportation Mitigation Agreement (TMA) will comprise part of the permit approval for Building Areas A through G of the Master Plan and the Commercial Site Development Permit. The applicant's draft TMA (June 1, 1998) indicates that some transportation improvements that are needed to comply with NSCP P-suffix conditions and to mitigate significant adverse impacts of the Lakepointe proposal would be dependent upon acquisition of easements and right-of-way by King County (or the City of Kenmore after incorporation), or their funding and construction would be the responsibility of King County or other agencies. The NSCP envisioned that the Lakepointe development would be transit-oriented and designed to provide a connection to the business and residential areas adjacent to the site, especially the north of SR 522. To accomplish this, the NSCP P-suffix conditions require the Lakepointe applicant to construct the transit stops and to provide a fair share of the cost of construction of the pedestrian bridge when it is built. However, construction of the transit stops is dependent upon acquisition of easements and right-of-way. King County will need to decide whether construction permits and certificates of occupancy should be withheld until the transit stops have been constructed.

In addition, at the time of publication of this Final Supplemental EIS, neither King County, the new City of Kenmore, nor WSDOT has any plan or funding in place to construct the pedestrian bridge. Instead, the applicant is proposing to provide an at-grade crossing of SR 522 just east of the intersection of SR 522 with Lakepointe Way NE. The decisionmakers will need to determine whether or not an at-grade crossing provides safe access to required transit facilities and to business and residential areas on the north side of SR 522, and whether an at-grade crossing will encourage Lakepointe residents and patrons to use transit rather than personal vehicles in accordance with trip-reduction assumptions.

### *Public/Private Maintenance Responsibilities*

The Proposed Action includes construction of an elevated roadway, Lakepointe Way NE, which the applicant proposes to dedicate as a public roadway after construction. It would become the responsibility of the City of Kenmore to maintain the public roadway. However, the roadway would be constructed on top of and be supported by underlying structures privately owned by the Lakepointe developer. It is not

clear at this time what kind of mechanism is available to the City of Kenmore to ensure that the property owner adequately maintains the structures beneath Lakepointe Way NE in a manner that would ensure the structural integrity of the elevated roadway. The City of Kenmore will have to decide whether it is prudent to assume responsibility for Lakepointe Way NE without assurances in place for maintenance of the supporting structures.

### *Parking Standards*

The King County Code (KCC 21A.18) and the NSCP P-suffix conditions set different standards for the provision of parking on the Lakepointe site. The code sets a minimum number of 4,338 off-street parking spaces for the Lakepointe applicant's Preferred Design Alternative while the P-suffix conditions set a maximum number of 4,609 off-street parking spaces for the development. The revised drawings submitted on May 22, 1998, for the Commercial Site Development Permit indicate that the applicant's Preferred Design Alternative would include a total of 4,464 off-street parking spaces at build-out of Phase 6, which is more than the minimum required by code and less than the maximum set by the P-suffix conditions.

In addition to requirements for total parking on the site, the P-suffix conditions establish a maximum number of allowed off-street parking spaces for each of the subdistricts identified in the NSCP -- waterfront, residential, and commercial. The number of parking spaces proposed for the waterfront district in the Preferred Design Alternative (1,454) is more than allowed by the P-suffix conditions (1,355) and less than required by code (1,708). The applicant is requesting that the parking inventory for the proposed development be reviewed comprehensively rather than by discrete districts.

King County must consider the different parking standards -- the minimum number established by King County Code and allowed modifications, the maximum number established by the P-suffix conditions, and the number required in each subdistrict. Based on this analysis, King County will establish the appropriate number of parking spaces for each subdistrict and for the development as a whole.

### *Funding of Transportation Improvements*

A Transportation Mitigation Agreement (TMA) for Building Areas A through G of the Master Plan and the Commercial Site Development Permit will establish which transportation improvements the Lakepointe applicant is responsible for funding, constructing, and maintaining. The applicant's draft TMA indicates that they would fund and construct roadways and pedestrian and bicycle facilities on-site as well as turn lanes on adjacent roadways and redesign of the intersection of the Burke-Gilman Trail with NE 175th St. Transit improvements funded by the applicant would include construction of two enhanced transit stops -- one on the south side of SR 522 and one on the north side. The applicant would pay a "fair share" of the cost of constructing the pedestrian bridge over SR 522 at such time as other funding sources become available and right-of-way and easements are acquired. The applicant is requesting that Lakepointe's "fair share" be based only on the number of Lakepointe residents using the bridge to access transit facilities. King County must decide whether the number of pedestrians using the bridge to reach commercial and retail services on the Lakepointe site should be considered an "impact" and be factored into Lakepointe's "fair share."

The applicant is exploring mechanisms for financing the construction of Lakepointe Way NE, NE Lakepointe Blvd, and other transportation improvements, which are estimated to total more than $29 million. In order for a Road Improvement District (RID) to be established, it would have to be approved

by the Metropolitan King County Council prior to incorporation by the City of Kenmore. A Transportation Benefit District (TBD) could be established by either King County or the City of Kenmore, before or after incorporation, with an interlocal agreement between the two. Both the RID and TBD would allow public funds to be used for roadway improvements and would make provision for assessing property owners who benefit from the roadways. The County and City Councils will need to assess the risk and the benefits of committing public resources in the establishment of an RID or TBD.

## Convenient Pedestrian Connections

The NSCP envisioned that the mixed-use development for the Lakepointe site would be pedestrian oriented and designed to provide a convenient pedestrian connection to transit facilities and adjacent sites, especially to the business and residential areas north of SR 522 and to nearby park facilities, such as Rhododendron Park east of 68th Ave NE (NSCP Policy K-11). Several issues related to pedestrian circulation must be resolved.

### *Pedestrian Access and Crossing of SR 522*

The NSCP states that the "design objective is to provide a key pedestrian linkage between north and south Kenmore near [the intersection of SR 522 and 68th Ave NE] with the preferred improvement being a pedestrian overpass" (NSCP, page 179). At the time of publication of this Final Supplemental EIS, however, no plan or funding is in place to construct the pedestrian bridge. Instead, the applicant is proposing to provide an at-grade crossing of SR 522 just east of the intersection of SR 522 with Lakepointe Way NE. The decisionmakers will need to determine whether the proposed at-grade crossing and proposed pedestrian facilities connecting the site to 68th Ave NE meet the intent of the P-suffix requirement to provide pedestrian linkages into other parts of Kenmore.

Specific design details for the pedestrian connection between the area south and west of Lakepointe Way NE and the proposed at-grade crossing have not been provided. Options include providing access via the Burke-Gilman Trail which would pass under Lakepointe Way NE or directing pedestrians away from the Trail and onto sidewalks along Lakepointe Way NE. The Burke-Gilman Trail is a multi-purpose trail for use by all non-motorized methods of travel; however, pedestrian crossings of a trail heavily used by bicyclists will contribute to user conflicts. Directing pedestrians onto an urban arterial may cause user conflicts as well. When construction permits are submitted for review and approval, the City of Kenmore will have to consider the wisdom and safety impacts of routing pedestrians across the Burke-Gilman Trail versus routing pedestrians onto Lakepointe Way NE.

### *Pedestrian Access and Improvements to the Kenmore Bridge*

Access between residences and amenities, such as Rhododendron Park, on the south side of the Sammamish River is possible only by crossing the Kenmore Bridge. While neither the P-suffix conditions nor the transportation analyses for the Proposed Action have identified impacts that require specific improvements to the Kenmore Bridge, provision of non-motorized access and linkages to adjacent sites is a P-suffix requirement. Thus the proposal should be designed to accommodate such access.

## Visual Impacts of Tall Buildings

The applicant is proposing to modify the P-suffix conditions related to building height for the Lakepointe Master Plan (see the discussion on page 2-33 through 2-37 in the Draft Supplemental EIS) and building height requirements within shoreline jurisdiction.

King County must determine whether the applicant's proposed modifications meet the requirements of NSCP P-suffix condition #16.i which allows modifications to P-suffix conditions based on changed conditions related to proposed project plans, or if the modifications would result in a development which has equal or greater overall environmental benefits, and if the modifications meet the goals and intent of both the P-suffix conditions and the NSCP. The applicant has provided a description of how they feel the modifications meet these criteria. The applicant compares the Proposed Action to the development anticipated in the NSCP, and describes the Proposed Action as increasing building heights in some areas of the site in exchange for reducing building heights in the western area of the site, increasing public shoreline access and views throughout the development, and increasing setbacks from the Sammamish River while meeting the goals and intent of both the P-suffix conditions and the NSCP.

King County must also determine whether the proposed increase in heights is consistent with the Shoreline Master Program which allows modifications if the view of a substantial number of residences will not be obstructed, if permitted by the applicable provisions of the underlying zoning, and if the proposed development is water related (KCC 25.16.030).

Because of the size and scope of the proposed development, Lakepointe would become a dominant feature in the landscape. However, no residential properties lie immediately adjacent to the Lakepointe site. King County will have to consider the distance, orientation, and topographic separation of Lakepointe and residences in the area to determine whether territorial views of Lake Washington, the Sammamish River, and hillsides would be obstructed by the Lakepointe development as proposed.

The underlying zoning for the site is Regional Business with P-Suffix Development Conditions and Special District Overlay Demonstration Project Area (RB-P/SODPA), and Industrial/Potential RB-P/SODPA (see Draft Supplemental EIS, pages 2-2 and 2-3, 3-119, and 3-135 through 3-154). King County has determined that the proposed project is a permitted use in the RB-P/SODPA zone, as defined in KCC 21A and the NSCP. (Approval of a rezone would be required to actualize the potential zoning in the Industrial portion of the site.) KCC 21A allows building heights to exceed the base height of 65 feet in the RB zone "when portions of the structure building which exceed the base height limit provide one additional foot of street and interior setback for each foot above the base height limit ..." If the proposed buildings are designed to meet this criterion, they would meet the requirements of the RB zone. The P-suffix zoning requirements related to building height and proposed modifications are explained above and in the Draft Supplemental EIS on pages 2-33 through 2-37.

King County's Shoreline Master Program (KCC 25.08.600) defines "water-related" as a use which "Promotes the public's enjoyment of or access to the water" and includes "residential development, boat sales or restaurants." The Lakepointe development would include residential development, restaurants, and pedestrian walkways to promote the public's enjoyment of and access to the water.

## Noise

The analysis in the Draft Supplemental EIS (pages 3-81 to 3-102) indicates that residents and businesses on the Lakepointe site would be subject to significant noise impacts from pile driving during construction as well as to significant noise impacts from Kenmore Pre-Mix activities as long as the plant is in operation. Residents and businesses on the Lakepointe site would also be subject to ongoing noise impacts from seaplane takeoffs and traffic along adjacent roadways after buildout. King County Comprehensive Plan (KCCP) policies U-101 and U-515 state that King County should encourage urban development that creates and maintains healthy communities and reduces the impact of motorized transportation. King County will need to determine whether to require mitigation to address noise impacts during construction, and decide whether mitigation, such as covenants or Notice on Title and noise insulation in building construction, should be required to address noise impacts after construction, consistent with the KCCP policies.

## Fish, Wildlife, and Public Access

### *Fisheries Resources*

The Lakepointe site is located at a critical point in the route that millions of salmon follow as they migrate between the Pacific Ocean and their spawning grounds in the Lake Washington Basin (see Figure 1A). Regulatory agency and tribal biologists have expressed concern about the proposed Lakepointe development primarily because of the proximity of the site to the mouth of the Sammamish River coupled with declining salmon runs in the region and in the Lake Washington watershed.

Subsequent to publication of the Lakepointe Draft Supplemental EIS, another fisheries analysis (CH2M Hill, 1998) was prepared under King County's direction. The analysis indicates that each year about five million salmon fry and smolts travel down the Sammamish River on their way to Lake Washington and ultimately to the ocean. They become very concentrated at the mouth of the Sammamish River and are particularly vulnerable to predation during this migration. Coho and Chinook salmon as well as steelhead trout populations are at historically low numbers, and development-related activities in the watersheds are considered a primary cause of their decline. The proposed listing of fall Chinook in Puget Sound as threatened under the Endangered Species Act has alerted the entire region that changes need to be made to reverse these declines, and has heightened the concern of regulatory agencies and tribes.

Predation on juvenile salmonids during migration has been identified as the primary concern of regulatory agency and tribal biologists. An analysis prepared for the Final Supplemental EIS indicates that predation on juvenile salmonids by bass that would result from the Lakepointe development are difficult to ascertain with certainty because the behavioral characteristics of juvenile salmon around piers, docks, builkheads, and floats are not well understood. The applicant, in response to concerns, has reconfigured the proposed marina in the inner harbor to reduce the area of over-water structures, the lineal feet of bulkhead, and the number of in-water pilings. To further ensure less impact, the Final Supplemental EIS analysis includes a recommendation that the floating docks be detached from the shoreline by about five to ten feet; human access to the docks would be via above-water walkways. This modification would produce an open-water area along the shoreline where juvenile salmonids could pass without being directly exposed to predators around the dock perimeter. Glass prisms added to the floating piers and native vegetation plantings along the shoreline in the inner harbor are also

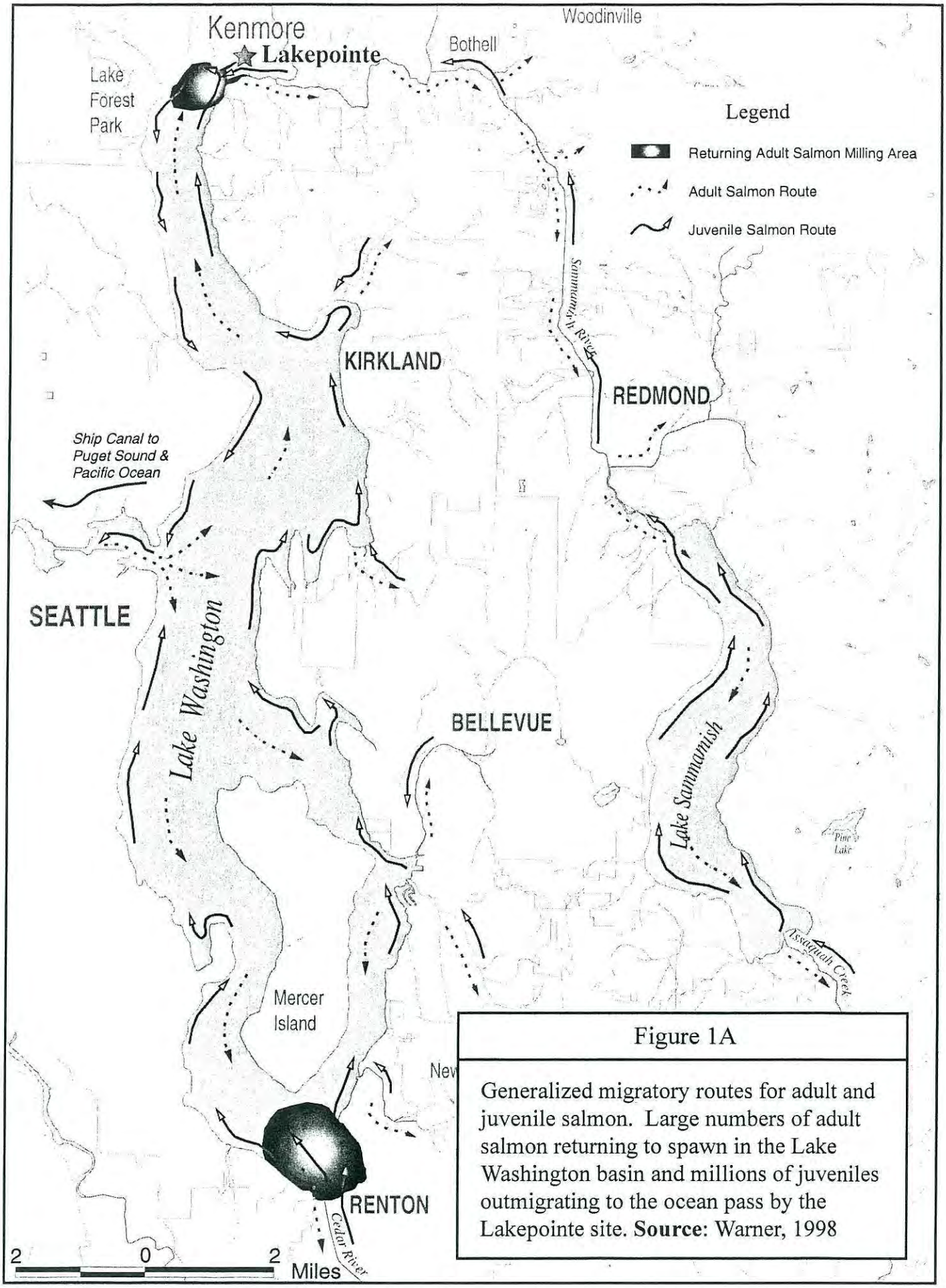


Figure 1A

Generalized migratory routes for adult and juvenile salmon. Large numbers of adult salmon returning to spawn in the Lake Washington basin and millions of juveniles outmigrating to the ocean pass by the Lakepointe site. **Source**: Warner, 1998

recommended to ensure less impact. King County will need to decide whether providing this suggested mitigation would reduce adverse impacts to fisheries resources to a level of nonsignificance.

### *Public Access Trails and Heron Habitat*

The Lakepointe site lies within the NSCP Natural Resource Protection Area, and great blue herons have been observed feeding in the project vicinity in the shallow water habitat along the Lake Washington shoreline, in the inner harbor, and near the island across the Sammamish River from the Lakepointe site. The applicant is proposing to construct pedestrian trails and three viewpoints within the 100-foot sensitive areas buffer along the Sammamish River shoreline. King County biologists have indicated that the trails would have an adverse impact on the buffer and on heron habitat, but that the trail system would be allowed provided that no trails be built in the western 600 feet of the shoreline.

## Air Quality

An air quality analysis (MFG, 1998) was prepared for the Lakepointe Final Supplemental EIS. It is included in Appendix A and summarized in Chapter 3. Under the Federal Clean Air Act, the Puget Sound Regional Council and the Washington State Department of Transportation cannot adopt, approve, or accept any transportation improvement plans, programs, or projects unless they conform to the State Implementation Plan for achieving federal health-based air quality standards. The PSRC establishes and maintains the Regional Transportation Improvement Program (TIP) to meet the requirements of state and federal transportation law. Lakepointe Way NE meets the criterion of being a principal arterial in an urban area with a population of more than 5,000, and thus must be included in the PSRC's TIP before it can be constructed. King County has not yet submitted the Lakepointe Way NE project to the PSRC for inclusion in the TIP; based on discussions with the PSRC, King County has determined that the most appropriate time to submit the project for inclusion would be at the engineering design stage.

## Toxic and Hazardous Materials

The Lakepointe site has been found by the Washington State Department of Ecology (DOE) to contain toxic and hazardous materials which must be remediated in accordance with the Model Toxics Control Act. The Lakepointe applicant has been working with DOE to develop an agreed-upon clean-up plan for the site; however, at the time of publication of this Final Supplemental EIS, a remediation plan had not been finalized. The NSCP P-suffix conditions require that "Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements." Approval of the permits being reviewed in this Supplemental EIS will not allow any actual site work or construction to be undertaken, and, prior to any construction permits being issued, a remediation plan must be approved by DOE.

The environmental analysis in this Supplemental EIS is based on the assumption that some areas of the Lakepointe site will be capped and hazardous materials in other areas will be removed. In addition, questions remain about how to accomplish below-grade construction for facilities such as drainage and utilities in those areas that would be capped. If the DOE approved plan is not consistent with the assumptions in the EIS analysis, or if below-grade construction cannot be designed and accomplished in a manner that avoids disturbing hazardous materials that have been capped, then redesign of the proposal and additional environmental review may be required.

## Permit Issuance and What is Allowed

The drawings submitted to King County for review and approval of the Master Plan, Commercial Site Development Permit, and Shoreline Substantial Development Permit are designed to a level of detail that allows King County to evaluate whether the proposed uses and overall design of the Proposed Action are consistent with the NSCP P-suffix conditions and Shoreline Master Program. However, engineering drawings providing the level of detail needed for King County to approve actual construction on the site have not been submitted. Thus, approval of these permits by King County will not allow any clearing, grading, or construction of facilities to take place. Prior to any such activity, detailed design drawings will need to be submitted, reviewed, and approved by the City of Kenmore.

# SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS THAT CANNOT BE MITIGATED

### *Transportation*

Despite the construction of Lakepointe Way NE, overall traffic operations during the year 2005 would deteriorate significantly in the Kenmore area during the PM peak hour. Overall delay would be one-and-a-third to one-and-one-half times greater with the project than without it. In addition, congestion at more distant intersections would increase significantly during both the AM and PM peak hours with the Proposed Action. While the Lakepointe project would include the construction of Lakepointe Way NE and a significant amount of other transportation improvements, the proposed development would result in significant adverse traffic impacts that cannot be mitigated.

### *Visual Impacts*

The scale of buildings on the site would increase from existing one- and two-story buildings to buildings up to ten-stories high, and some views of skylines and surrounding hillsides would be obscured.

### *Noise*

Residents and businesses on the Lakepointe site would be subject to significant noise impacts from pile driving during construction as well as to significant noise impacts from Kenmore Pre-Mix activities as long as the plant is in operation. Residents and businesses on the Lakepointe site would also be subject to significant adverse noise impacts from seaplane takeoffs and traffic along adjacent roadways both during construction and after buildout.

### *Fish*

The results of the fisheries analyses prepared for the Lakepointe Supplemental EIS are inconclusive. Predation on juvenile salmonids by bass is of concern, but the extent of predation is difficult to ascertain with certainty because the behavioral characteristics of juvenile salmon around piers, docks, bulkheads, and floats are not well understood. The applicant has reconfigured the proposed marina in the inner harbor to reduce the area of over-water structures, the lineal feet of bulkhead, and the number of in-water pilings. Impacts could be further reduced by constructing floating docks detached from the shoreline by about five to ten feet with above-water walkways; this would produce an open-water area along the

shoreline where juvenile salmonds could pass without being directly exposed to predators around the dock perimeter. Glass prisms added to the floating piers and native vegetation plantings along the shoreline in the inner harbor are also recommended to ensure less impact. Based on the studies provided for review, if the revised marina is redesigned further to provide detached docks with glass prisms and native vegetation along the shoreline, where possible, in the inner harbor, no significant adverse impacts to fisheries resources are anticipated.

### *Air Quality*

Construction would result in localized increases in particulates and carbon monoxide during the seven- to ten-year construction period and would contribute to long-term increases in carbon monoxide concentrations in the vicinity of the site. A determination of whether or not the project conforms with the State Implementation Plan for achieving federal health-based air quality standards will be made at the design stage for Lakepointe Way NE when the project is submitted for inclusion in the Regional Transportation Improvement Program.

### *Water*

Construction related pollutant impacts would be controlled with no significant impacts anticipated provided that measures are implemented through the MTCA process to separate water, sewer, and storm drain facilities from contaminated soils, and to minimize impacts from pile driving through contaminated soils.

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **EARTH**<br>**Impacts** | | |
| Site topography would be altered during demolition of existing buildings, shallow excavation for buildings and garages (at or above grade), and fill for a portion of the embankments for the NE Lakepointe Way intersections with NE Bothell Way and 68th Ave. NE. | Similar to the Proposed Action, except that more excavation of contaminated soils would be necessary to construct underground parking garages. | No impact. |
| Placement of fill would compress underlying peat soils which could cause new areas of settlement at the surface. | Similar to the Proposed Action. | No impact. |
| Construction of the Proposed Action would result in the potential for erosion/sedimentation impacts to Lake Washington and the Sammamish River during construction. | Similar to the Proposed Action. | Existing erosion conditions would continue. |
| Seismic hazards posed by loose or soft soils could result in liquefaction and strong ground motion during a major earthquake, necessitating use of pile foundations for all structures. | Same as the Proposed Action. | No impact. |
| **Mitigation Measures**<br>***Required by Code*** | | |
| 1) Additional field explorations, laboratory tests and geotechnical engineering studies recommended by the geotechnical consultant would be accomplished as part of specific design review for structures, utility systems and shoreline enhancements associated with the Proposed Action. This additional analysis is necessary to formulate structure-specific geotechnical criteria for suitable foundation types, site preparation, lateral and vertical pile capacities and utility construction, as well as for specific information on retaining walls, bulkheads, utility support, settlement of soils, pavement support for parking areas and other aspects. Subsequent geotechnical engineering studies would provide detailed foundation design recommendations and appropriate pile test programs. | Same as the Proposed Action. | None. |
| 2) A temporary erosion and sedimentation control plan (TESCP) would be developed for construction operations. Erosion control measures that would be called for in the plan include: | Same as the Proposed Action. | None. |
| *Construction entrance* – A rock-stabilized temporary entrance pad will be installed at all entrances to the site to minimize mobilization of sediment by construction vehicles. An appropriately drained washing pad for trucks leaving the site is also recommended. | Same as the Proposed Action. | None. |
| *Filter Fabric Fences* – Filter fabric fences will be installed in accordance with the King County Surface Water Drainage Manual (SWDM) in locations where sheet wash occurs and any additional areas identified in the TESCP. | Same as the Proposed Action. | None. |
| *Drainage Control Measures and Sedimentation Ponds* – Temporary sedimentation ponds will be installed. Grassed-lined swales with straw bale barriers and/or silt fences would be placed in the swales to filter any sediments leaving the sedimentation ponds. | Same as the Proposed Action. | None. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **EARTH**<br>**Mitigation Measures (Continued)** | | |
| *Plastic Sheeting* – Plastic sheeting will be used as a temporary cover for stockpiles not in use, or if severe weather conditions are anticipated. | Same as the Proposed Action. | None. |
| *Hydroseeding and Mulching* – Soil areas greater than 5,000 square feet left unworked more than 48 hours during the wet season (October 1 through March 31) will be covered with heavy application of mulch, or plastic sheeting, in accordance with the King County SWDM. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 3) Pile foundation support onto relatively incompressible dense sand and gravels underlying the site would be provided to adequately support the proposed facilities. Additional geotechnical engineering studies would provide detailed foundation design recommendations and appropriate pile test programs. | Same as the Proposed Action. | None. |
| 4) Erosion potential associated with pile driving would be reduced through the use of precast concrete or steel displacement-type piling to reduce the amount of required soil cutting. | Same as the Proposed Action. | None. |
| 5) Utilities would be designed and installed in a manner to accommodate possible settlement of soils. Some overexcavation (on the order of 1 to 2 feet) and replacement of unsuitable fill soil beneath utilities would occur; the extent of overexcavation would depend largely on the type and size of the utility and its sensitivity to settlement. Flexible connections would be provided where the utilities connect to the project structures. | Same as the Proposed Action. | None. |
| 6) Suitable fill soils would be provided under paved areas to provide a stable surface for pavement support, and reduce potential degradation due to settlement of soils. Geogrid reinforcement would be provided where appropriate beneath pavement and sidewalk sections to reduce potential impacts from differential settlement of soils. | Same as the Proposed Action. | None. |
| 7) To address methane gas presence, additional engineering studies would determine whether methane mitigation measures are warranted. Measures could include a "plug" of low-permeability backfill in utility trenches, and a low-permeability seal around driven piles. A vapor barrier and increased crawl space ventilation could be provided beneath the enclosed structures. The HVAC design could include active ventilation of all ground floor rooms so that gas accumulation does not occur. | Same as the Proposed Action. | None. |

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|---|---|---|
| **EARTH**<br>**Mitigation Measures (Continued)**<br>***Proposed by Applicant*** | | |
| 8) To minimize the potential for vibration impacts to off-site structures, it is proposed that off-site structures adjacent to the proposed pile driving activities be monitored, with detected vibration compared to acceptable ground surface accelerations for various structures (i.e. vibration poses less potential impact to pile-supported structures). For the adjacent structures, it is proposed that documentation of existing conditions be established through photographs, surveys and measurement of existing cracks. Prior to the initiation of pile driving, a test pile program to identify the most efficient pile and hammer types, would implemented. The need for possible bracing or reinforcement of nearby structures could be accomplished pending resolution of the test pile program. | Same as the Proposed Action. | None. |
| ***Potential*** | | |
| 9) Prior to any permits being issued by King County, the applicant shall provide documentation showing that measures to prevent contaminated materials from coming into contact with humans, surface water and groundwater have been identified, evaluated, and required as part of the MTCA cleanup plan. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| The Proposed Action would significantly alter the site through grading and construction of roads, residential and commercial facilities. Some level of ground surface vibration would be unavoidable during pile driving. With successful implementation of the proposed mitigation measures, no significant unavoidable adverse impacts to on-or off-site areas are expected. | Same as the Proposed Action. | No impact. |
| **AIR QUALITY**<br>**Impacts** | | |
| During construction, dust from excavation and grading would contribute to ambient concentrations of suspended particulates. | Similar to the Proposed Action. | Uses related to sand/gravel processing, construction and vehicle operation/storage would continue to generate particulates, carbon monoxide and other pollutants. |
| The Proposed Actions would generate additional carbon monoxide, particulates and other automobile-related air pollutants by increasing traffic volumes on the site and in the vicinity. Air quality modeling indicates that no exceedances of Air Quality standards would occur at area intersections. | Less than the Proposed Action due to less overall traffic volumes. | Same as above. |

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|---|---|---|
| **AIR QUALITY (Continued)**<br>**Mitigation Measures**<br>***Required by Code*** | | |
| 1) Contractors would be required to adhere to PSAPCA's Regulation 1 on Fugitive Dust Emissions, including measures such as wetting down exposed soils, covering or wetting transported earth materials, washing of truck tires and undercarriages, and prompt cleanup of spills or tracked soils on public roads. | Same as the Proposed Action. | None. |
| 2) Construction of the SR522/Lakepointe Way NE intersection will require an air quality analysis to determine conformity of the Proposed Actions with National Ambient Air Quality Standards. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 3) Emissions from construction equipment and trucks would be reduced by using well-maintained equipment. Avoiding prolonged periods of vehicle idling and engine-powered equipment would also reduce emissions. | Same as the Proposed Action. | None. |
| 4) Trucking materials to and from the project area would be scheduled to minimize congestion during peak travel times. This would minimize secondary air quality impacts caused by traffic having to travel at reduced speeds. | Same as the Proposed Action. | None. |
| 5) Dust produced by construction would be reduced by several techniques. Areas of exposed soils such as storage yards and construction roadways could be sprayed with water or other dust suppressants. Roads and other areas that might be exposed for prolonged periods could be paved, planted with a vegetation ground cover, or covered with gravel. The amount of soils carried out of the construction area by trucks would be reduced by wheel washing and covering dusty truck loads. Finally, soil that does escape the construction area on exiting vehicles would be reduced with an effective street-cleaning effort. | Same as the Proposed Action. | None. |
| 6) Measures to reduce traffic generation (i.e., implementation of a Transit Management Plan to identify transit options, establishment of a transit stop on SR 522, and connection to the regional trail system) would reduce CO emissions. | | |
| **Unavoidable Adverse Impacts** | | |
| Construction of the Proposed Action would result in localized increases in particulates and carbon monoxide during the seven- to ten-year construction period and would contribute to long-term increases in carbon monoxide concentrations in the vicinity of the site. | Similar to but less than the Proposed Action. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **WATER**<br>**Impacts**<br>***Surface Water*** | | |
| Development of the Proposed Action would increase the area in impervious surfaces and decrease the area available for stormwater infiltration. | Same as the Proposed Action. | No impact. |
| With full development of the proposal, flows from the 25-year storm would be 26 cfs compared to 16 cfs under existing conditions. | Because of the greater area of impervious surfaces, the volume of stormwater runoff would be higher than under the Proposed Action. | No impact. |
| Construction of the Proposed Action would result in the potential for soil erosion/sedimentation to Lake Washington and the Sammamish River. Upon full development, erosion from the site would cease. | Same as the Proposed Action. | Existing erosion conditions would continue. |
| Construction of the marina would result in short-term turbidity in the inner harbor. | Same as the Proposed Action. | Existing barge use of the inner harbor would continue. |
| Concentrations of fecal coliforms, lead, copper and cadmium in water discharged from the site could exceed state water quality standards prior to dilution in receiving bodies. Dilution would bring all discharges within standards. | Concentrations of fecal coliforms, lead, copper and cadmium would be lower than under the Proposed Action. | Existing pollutant input from existing industrial activities would continue. |
| ***Groundwater*** | | |
| Impervious surfaces would decrease the area in pervious surfaces and decrease infiltration to groundwater. | The greater amount of impervious surfaces would result in less infiltration to groundwater than under the Proposed Action. | No impact. |
| **Mitigation Measures** | | |
| ***Surface Water Quantity*** | | |
| ***Required by Code*** | | |
| 1) All runoff generated by the proposed development would be directed to a storm drainage system which would collect, treat (through an oil/water separator, wetpond, biofiltration swales), and discharge runoff to one location in the inner harbor, one location at Lake Washington, and three locations along the Sammamish River. | Same as the Proposed Action. | None. |

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|---|---|---|
| **WATER (Continued)**<br>**Mitigation Measures** | | |
| ***Surface Water Quality***<br>***Construction*** | | |
| ***Required by Code*** | | |
| 2) King County requires that specific mitigation measures and protocols be followed during the construction phase(s) of development. | Same as the Proposed Action. | None. |
| 3) Required mitigation measures would be outlined in the Temporary Erosion and Sedimentation Control Plan (TESCP) that would be submitted to King County DDES with the site Engineering Plans. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 4) The following mitigation measures would be implemented, in addition to provisions required by the King County Surface Water Design Manual: | Same as the Proposed Action. | None. |
| a. Construction runoff (e.g., concrete wastes, equipment oils) would be collected in sumps (catchment areas with no outlets) and disposed of in approved off-site locations. | Same as the Proposed Action. | None. |
| b. Inclusion of a water quality/TESCP inspector as part of the TESCP. | Same as the Proposed Action. | None. |
| c. Use of sediment ponds during construction to retain runoff (KPFF, 1996). Swales (with silt fencing or straw bale barriers) would be used to convey overflow to surface waters (KPFF, 1996). | Same as the Proposed Action. | None. |
| ***Surface Water Quality*** | | |
| ***Potential*** | | |
| 5) Provisions for accidental spill response cleanup and notification procedures could be included in contractor agreements. | Same as the Proposed Action. | None. |
| 6) Prior to any permits being issued by King County, the applicant could provide documentation showing that measures to prevent contaminated materials from coming into contact with surface water and groundwater have been identified, evaluated, and required part of the MTCA cleanup plan. | Same as the Proposed Action. | None. |
| 7) A sewage pumpout station shall be provided in the marina for the use of residents, and hotel guests using the marina. | Same as the Proposed Action. | None. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **WATER (Continued)**<br>**Mitigation Measures** | | |
| ***Post-Construction*** | | |
| ***Required by Code*** | | |
| 8) The applicant will maintain all private drainage facilities in accordance with King County SWM requirements. | Same as the Proposed Action. | None. |
| 9) Use of water quality treatment facilities meeting the requirements of the 1990 KCSWDM and adopted subsequent revisions. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 10) Use of the draft KCSWDM (1996) design manual criteria for water quality facilities, which exceed the 1990 KCSWDM criteria, including: | Same as the Proposed Action. | None. |
| a. Use of a wetpond sized in accordance with draft methodology for treatment of the high use vehicular areas, | Same as the Proposed Action. | None. |
| b. Use of a biofiltration swale meeting draft King County Core Requirement #8 (King County 1996) that would be enhanced with biofiltration prior to sand filtration, and | Same as the Proposed Action. | None. |
| c. Use of BMPs as required by King County Special Requirement #4 (King County 1996), water quality source controls. Source controls identified in the Stormwater Pollution Control Manual (King County 1995) would be employed such as roofing of dumpster areas. | Same as the Proposed Action. | None. |
| 11) Installation and maintenance of a coalescing plate oil/water separator for runoff meeting draft King County manual definition for high use areas (King County 1996). | Same as the Proposed Action. | None. |
| ***Surface Water Quality*** | | |
| 12) Boat moorage would be restricted to recreational users. No live-aboards would be allowed in the marina. | Same as the Proposed Action. | None. |
| 13) The marina would not include a fuel dock. | Same as the Proposed Action. | None. |
| 14) Runoff from rooftops would bypass water quality facilities, which would increase facility treatment capacity for runoff from roadways and parking lots. | Same as the Proposed Action. | None. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **WATER (Continued)**<br>**Mitigation Measures**<br><br>***Potential Measures*** | | |
| 15) If the biofiltration swales are to be located over contaminated soil (as determined by DOE), a modified underdrain, as shown in Figure 6.3.1c of the 1996 Draft Manual, with an impervious membrane separating the contaminated soil from the underdrain "drain rock" could be considered as an alternative to the standard design. | Same as the Proposed Action. | None. |
| 16) Wet street sweeping of exposed parking areas. | Same as the Proposed Action. | None. |
| 17) Stenciling storm drains to read "Dump No Waste Drains To Lake." | Same as the Proposed Action. | None. |
| 18) Post, promote and educate boat owners about regulations concerning illegal discharges of waste holding tanks. | Same as the Proposed Action. | None. |
| 19) Preclude underwater cleaning of the any boat in the inner harbor. | Same as the Proposed Action. | None. |
| 20) Prohibit the use of roof-top materials such as copper and zinc which can contaminate roof-top runoff. | Same as the Proposed Action. | None. |
| 21) Provide further restrictions of the use of fertilizers and pesticides on the site. | Same as the Proposed Action. | None. |
| 22) Provide restrictions on the type of above water-line work on boats. | Same as the Proposed Action. | None. |
| 23) Prior to any permits being issued by King County, the applicant could provide documentation showing that measures to prevent contaminated materials from coming into contact with surface water and groundwater have been identified, evaluated, and required as part of the MTCA cleanup plan. | Same as the Proposed Action. | None. |
| 24) A sewage pump-out station could be provided for users of the marina. | Same as the Proposed Action. | None. |
| ***Groundwater Quality*** | | |
| 25) Prior to any permits being issued by King County, the applicant could provide documentation showing that measures to prevent contaminated materials from coming into contact with surface water and groundwater have been identified, evaluated, and required as part of the MTCA cleanup plan. | Same as the Proposed Action. | None. |

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|---|---|---|
| **WATER (Continued)**<br>**Unavoidable Adverse Impacts** | | |
| ***Surface Water Quantity***<br>No significant impacts are anticipated. | Same as the Proposed Action. | No impact. |
| ***Surface Water Quality***<br>All construction-related erosion from each development phase would be contained on-site with no sediment discharge to adjacent waters. Construction related pollutant impacts would be controlled with no significant impacts anticipated. | Same as the Proposed Action. | No impact. |
| Post-construction stormwater runoff would be controlled and treated through wetponds, oil/water separators and/or sand filters. Concentrations of four contaminants, lead, copper, cadmium and fecal coliforms, at discharge from water quality facilities may exceed water quality standards prior to dilution in the inner harbor, Lake Washington or the Sammamish River. With dilution in the receiving waters, no significant water quality impacts would be anticipated. | Same as the Proposed Action. | No impact. |
| ***Groundwater Quantity***<br>None are anticipated. | None are anticipated. | No impact. |
| ***Groundwater Quality***<br>None are anticipated provided that measures are implemented through the MTCA process to separate water, sewer, and storm drain facilities from contaminated soils, and to minimize impacts from pile driving through contaminated soils. | None are anticipated. | No impact. |
| **PLANTS AND ANIMALS**<br>**Impacts** | | |
| ***Plants***<br>The Proposed Action would not result in any direct impacts to the two existing on-site wetlands. However, the proposed trail would impact 7,470 sq. ft. of wetland buffer (4,744 sq. ft. of non-vegetated area and 2,725 sq. ft. of vegetated area). | Similar to the Proposed Action. | No impact. |
| Three trees meeting the "significant tree" criteria as defined in the NSCP would be removed to accommodate the public access trail along the Lake Washington shoreline. | Similar to the Proposed Action. | No impact. |
| 6,500-sq. ft. of trail and 1,900-sq. ft. of public view platform area would be established in the Sammamish River buffer (the majority of this area is currently non-vegetated). | Similar to the Proposed Action. | No impact. |
| Limited human intrusion would occur into selected portions of the heron habitat area setback. | Similar to the Proposed Action. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
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| **PLANTS AND ANIMALS (Continued)**<br>**Impacts** | | |
| ***Fisheries*** | | |
| Approximately 9,504 sq. ft. of fixed surface area and 35,385 sq. ft. of floating surface area would be located in the inner harbor (compared to 8,938 sq. ft. and 37,443 sq. ft. under existing conditions, respectively). The proposed over-water structures would cast approximately 5 percent less shade than existing conditions. | Similar to the Proposed Action. | No impact. |
| The Proposed Action would eliminate approximately 140 in-water pilings from the inner harbor, a decrease of approximately 35 percent over existing conditions. | Similar to the Proposed Action. | No impact. |
| The Proposed Action would increase the perimeter of over-water structure in the inner harbor, increasing the exposure of juvenile salmonids to ambush predators. | Similar to the Proposed Action. | No impact. |
| Bottom paint from boats moored in the marina could leach anti-fouling compounds (used to limit growth of fouling organisms) into the inner harbor. No measurable effect of anti-fouling compounds from bottom paints upon salmonid fishes is anticipated. | Similar to the Proposed Action. | Existing industrial support (barge) use in the inner harbor would continue. |
| Indirect impacts to fisheries from increased lighting and boat traffic could occur. With proposed mitigation, significant impacts would not be anticipated. | Similar to the Proposed Action. | Existing industrial and storage area lighting would continue. |
| Increased public access to Lake Washington and the Sammamish River could add to fishing pressure on these waters. | Similar to the Proposed Action. | No public access to the shoreline would continue. |
| Noise from construction, including noise from pile driving, and occupation (including marine activity), could be detected by salmonids. No significant impact to salmonids would be anticipated. | Similar to the Proposed Action. | No impact. |
| **Mitigation Measures**<br>**Plants** | | |
| ***Proposed by Applicant*** | | |
| 1) An additional 0.17 acre area adjacent to the southern portion of the Wetland A buffer would be designated as part of the Wetland A buffer to compensate for public access trail/firelane construction through this buffer. This expansion of the vegetated wetland buffer, as well as enhancement of the existing vegetated wetland and wetland buffer, including blackberry removal and control, would provide improved wildlife habitat along the Lake Washington shoreline. | Same as the Proposed Action. | None. |
| 2) Plantings would be used to control movement through most portions of the shoreline, heron habitat, and wetland buffer areas (e.g. dense plantings, addition of native thorny species). | Same as the Proposed Action. | None. |

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|---|---|---|
| **PLANTS AND ANIMALS (Continued)**<br>**Mitigation Measures** | | |
| **Plants** | | |
| 3) A buffer of 100 to 130 feet would be provided along most portions of the Lake Washington and Sammamish River shoreline to provide additional plantings and to compensate for the trails and public view platforms proposed along the Sammamish River. | Same as the Proposed Action. | None. |
| 4) The proposal would retain the three cottonwood trees located within the vegetated strip along the sites Sammamish River shoreline which meet the Department of Fish and wildlife definition of potential eagle perch trees. | Same as the Proposed Action. | None. |
| **Fisheries** | | |
| ***Proposed by Applicant*** | | |
| 5) Project structures within or overhanging the ordinary high water mark along the Sammamish River and the Lake Washington shoreline, the two most significant fish habitat areas along the property, would be avoided. | Same as the Proposed Action. | None. |
| 6) Fueling facilities, boat haul-out areas and boat yards at the marina would be prohibited. | Same as the Proposed Action. | None. |
| 7) Live-aboard marina residents would not be allowed. | Same as the Proposed Action. | None. |
| 8) Any consideration of a breakwater or wave board arrangement would include shoreline openings for unimpeded fish passage. | Same as the Proposed Action. | None. |
| 9) In-water construction within the Ordinary High Water Mark would be precluded during the juvenile salmonid outmigration period. | Same as the Proposed Action. | None. |
| 10) The level of incident light reaching the shoreline and inner harbor areas, would be minimized through directional lighting and shading. Safety lighting along trails and the marina piers would be designed low to the ground and lampshades that cover the water side of the lamps to deflect glare from the water would be installed. Existing lighting along the north shore of the Sammamish River and along the inner harbor would be removed as industrial uses of the site are phased out. | Same as the Proposed Action. | None. |
| 11) Illegal discharges of waste holding tanks from watercraft would be minimized by posting, promoting and educating boat owners about the appropriate regulations. | Same as the Proposed Action. | None. |
| 12) The effects of leaching anti-fouling paints would be minimized by discouraging underwater cleaning of watercraft in the inner harbor through moorage leasehold covenants. | Same as the Proposed Action. | None. |

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| **PLANTS AND ANIMALS (Continued)**<br>**Mitigation Measures** | | |
| **Fisheries** | | |
| 13) The adverse effects of increased shading of shallow water habitat would be mitigated with large openings, grating, clearstory and/or glass structures in overwater decking. Where surface openings are not practical, under-wharf lighting would be used. | Same as the Proposed Action. | None. |
| 14) The adverse effects of potentially increasing salmonid predator habitat would be mitigated by 1) increasing the amount of shallow water habitat available for refuge (see mitigation measure below), 2) increasing habitat complexity by adding large rock, boulder/cobble, substrate adjacent to the pilings to increase spaces for salmonid hiding/refuge habitat; and 3) surfacing shallow beach areas with appropriate substrate to increase refuge habitat for salmonids. | Same as the Proposed Action. | None. |
| 15) The amount of shallow water habitat in the inner harbor would be increased by 3,000 sq.ft. by removing 115 ft. of bulkhead along the eastern portion and returning the beach area to a gradual slope. The deck work in this area would be opened to allow light penetration below or artificial lighting would be installed beneath the overhang to make this habitat productive for salmonids. This effort would create additional shallow water (<10ft.) littoral area that does not currently exist. | Same as the Proposed Action. | None. |
| 16) The unusable in-water structures including pilings and decaying bulkhead stumps in the river, lakefront and inner harbor areas would be removed. | Same as the Proposed Action. | None. |
| ***Potential*** | | |
| 17) The submerged debris including car tires, cement blocks, and other industrial debris along the Lake Washington shoreline could be removed. | Same as the Proposed Action. | None. |
| 18) A turf management plan to minimize the amount of herbicide and fertilizers used to maintain proposed grass areas could be prepared. | Same as the Proposed Action. | None. |
| 19) A plan to specify low impact blackberry control techniques could be prepared. | Same as the Proposed Action. | None. |
| 20) Placement of above-ground drainage facilities (manholes/structures) within the river shoreline buffer could be mitigated by plantings of taller grasses around such structures and lining of swales with native vegetation. | Same as the Proposed Action. | None. |
| 21) The floating docks could be detached from the shoreline by 5 to 10 feet, producing an open water area along the shoreline where juvenile salmonids could pass without being directly exposed to predators around the dock perimeter. | Same as the Proposed Action. | None. |

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| **PLANTS AND ANIMALS (Continued)**<br>**Mitigation Measures** | | |
| 22) Glass prisms could be added to the floating piers to increase lighting levels beneath the piers. | Same as the Proposed Action. | None. |
| 23) Native vegetation could be planted, where possible, along the shoreline of the inner harbor. | Same as the Proposed Action. | None. |
| 24) The construction of a breakwater at the mouth of the inner harbor could be prohibited. | Same as the Proposed Action. | None. |
| 25) Ampitheater lighting could be designed to prevent direct illumination of the water. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| The Proposed Action would impact a portion of the Wetland A buffer; expanded shoreline buffer along the Lake Washington and Sammamish River shoreline would increase the amount of wildlife habitat on the site and would compensate for this loss. No significant impacts to plant or wetland communities are anticipated. | Same as the Proposed Action. | None. |
| With the proposed mitigation measures (including creation of shallow water habitat and provision of open water area along shoreline, glass prisms, and planted native vegetation), significant impacts to salmonid fish populations are not anticipated. | Same as the Proposed Action. | None. |
| The Proposed Action would increase human activity in the vicinity of heron feeding habitat area. | Same as the Proposed Action. | None. |
| **NOISE**<br>**Impacts** | | |
| Construction activities, including pile driving, use of heavy equipment and transport of construction materials, would generate significant noise through most of the 7-year construction period. These activities would generate maximum sound levels that would be higher than existing levels experienced by receivers to the north, west, and possibly the south in the worst case. | Similar to the Proposed Action, except shorter construction period. | No impact. |
| Future on-site residents would receive construction noise as later phases are built. | Similar to the Proposed Action. | No impact. |
| Future on-site residents in Buildings C-1, C-2, and D would be most exposed to noise from industrial activity at the pre-mix plant, and could be subjected to noise exceeding acceptable levels for residential uses. | Similar to the Proposed Action. | No impact. |
| Some future on-site residents of proposed Building A would be subject to traffic noise levels from 68th Ave. NE and from seaplane operations exceeding those usually considered acceptable for residential uses according to EPA guidelines and county limits for other noise sources. However, because traffic noise is exempt from the King County Noise Ordinance, no exceedance of standards in the noise code would occur. | Similar to the Proposed Action. | No impact. |

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| **NOISE (Continued)**<br>**Mitigation Measures**<br><br>***<u>During Construction</u>***<br>***Required by Code*** | | |
| 1) Consistent with King County noise limits, construction activities would be limited to daytime hours to the extent practicable. This restriction would include all noisy start-up and preparatory activities like starting engines before 7:00 a.m. A possible exception to this restriction could be the construction of some of the on-site roadway system, which could require a round-the-clock work schedule. Noise from any work during nighttime hours (after 10 p.m.) received in residentially zoned areas would be subject to the nighttime noise limits in the King County code. | Same as the Proposed Action. | None. |
| ***Potential*** | | |
| 2) Because construction noise during daytime hours is exempt from the limits in the King County noise code, no mitigation is required in order to comply with the county noise limits. However, because the potential for on- and off-site noise impacts from uncontrolled construction noise sources is high, and because the construction of the proposed project would take place over at least 6 years, measures to reduce potential noise impacts are warranted. The applicant has indicated that some or all of the following measures could be implemented to reduce construction noise. | Same as the Proposed Action. | None. |
| 3) Construction noise could be reduced with properly sized and maintained mufflers, engine intake silencers, engine enclosures, and by turning off idle equipment and confining activities to normal daytime hours. The construction contract could specify that mufflers be in good working order and that engine enclosures be used on equipment when the engine is the dominant source of noise. | Same as the Proposed Action. | None. |
| 4) Stationary equipment could be placed as far away from sensitive receiving locations as possible. Where this is not feasible, or where noise impacts could still be significant, portable noise barriers could be placed around the equipment with the opening directed away from the sensitive receiving property thereby reducing sound levels by approximately 10 dBA. These measures are especially effective for engines used in pumps, compressors, welding machines, and similar equipment that operates continuously and contributes to high, steady background noise levels. | Same as the Proposed Action. | None. |
| 5) Substituting hydraulic or electric models for impact tools such as jack hammers, rock drills and pavement breakers could also reduce construction and demolition noise. Although backup alarms are exempt from the noise ordinances, where feasible, equipment operators could drive forward rather than backward to minimize noise from this source. Noise from material handling could also be minimized by requiring operators to lift rather than drag materials where feasible. | Same as the Proposed Action. | None. |

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| **NOISE (Continued)**<br>**Mitigation Measures** | | |
| 6) Ambient-sensitive vehicle back-up alarms, which sample the ambient sound level when a vehicle is about to back up and emit a signal only 10-dBA louder than the existing level (as opposed to emitting a signal at a preset, maximum level), could be used on the site. Construction contracts could require the use of such devices to reduce the noise perceived at off-site locations and thereby reduce possible annoyance. | Same as the Proposed Action. | None. |
| 7) Prior to construction of permanent dwelling units on the Lakepointe site, the applicant could provide an acoustical consultant on-site to monitor noise levels and ensure that noise generated during construction does not violate the King County noise code. | Same as the Proposed Action. | None. |
| ***Pile Driving Noise***<br>***Potential*** | | |
| 8) Pile driving would be limited to weekdays between the hours of 9 a.m. and 5 p.m. This would limit this noise source to those times of the day the those days of the week when most people are most likely to be away from home. This time restriction also would limit pile driving to times when other noise sources would make the addition of pile-driving noise least noticeable. | Same as the Proposed Action. | None. |
| 9) Vibratory hammers or hydraulic jack drivers would be used to the extent possible to reduce pile-driving noise by eliminating the impact noise usually associated with pile installation. However, both alternative methods are limited in the pile types they can install and the soil types in which they can be used. Vibratory hammers are most effective in stable, granular soils using non-displacement piles such as h-sections and open-end pipes. Hydraulic jack drivers are suitable for sheet piles, installed in straight lines in cohesive soils. Vibratory hammer pile drivers would be employed to the extent use of such devices is reasonably practicable. | Same as the Proposed Action. | None. |
| 10) Where use of vibratory hammers is not possible, the following measures would be employed to the extent practicable.<br>a. Insert a wooden or plastic dolly between the pile head and the hammer.<br>b. Apply a damping compound to steel piles to reduce the vibration/ringing.<br>c. Shroud the lower part of the hammer, this is not generally considered very effective.<br>d. Silence exhaust gas pulsations from the engines of diesel-powered hammers.<br>e. Remove any unnecessary hanging chains; fix any loose bolts, panels, or over-slack leader guides.<br>f. Use a cushioned method in conjunction with a "heavy hammer-short drop" practice. This requires using interference fit guides to prevent kicking, rolling and vibration in the pile. While the overall sound level is NOT substantially reduced, the nature of the sound may be less annoying to people.<br>g. Regular equipment service and maintenance. | Same as the Proposed Action. | None. |

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| **NOISE (Continued)**<br>**Mitigation Measures** | | |
| 11) Use of a Hoesch Noise Abatement Tower would limit noise from pile driving. This device encloses the hammer and driven pile. It was designed to provide the maximum sound level reduction with minimum possible weight. The composite panel is comprised of a 'sandwiched" layer of 2 mm steel, 0.4 mm plastic, and 1.5 mm steel. A polyurethane layer 150 mm thick is foamed on the inner walls of the panels. This enclosure can reduce impact pile driving noise by up to 20 dBA. Drawbacks include the difficulty of using this device on uneven ground, slopes, or in water. This mitigation also can be prohibitively expensive. | Same as the Proposed Action. | None. |
| ***Existing Plant Noise***<br>***Potential*** | | |
| 12) The existing concrete plant operation is complying with the existing county noise rules based on existing zoning. However, the proposed development of residential buildings on the site would require consideration of some means to reduce the effects of noise from the existing concrete plant. As a part of the building permit review process, analysis and mitigation of noise conditions may be warranted. | Same as the Proposed Action. | None. |
| ***Ongoing Noise Impacts***<br>***Potential*** | | |
| 13) Future residents of the Lakepointe site will be subjected to ongoing noise impacts from seaplane operations and traffic. Mitigation could include a covenant or Notice on Title advising property owners of the Aviation Easement filed with King County on August 30, 1996. Mitigation could also include sound insulation in building construction for all residential structures that would be subjected to noise levels exceeding EPA guidelines. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| Sound levels from the existing pre-mix plant would exceed the daytime noise limits for industrial sources affecting residential receivers, without some form of mitigation (e.g., noise from the pre-mix plant could impact some residents of the proposed Master Plan). Residents and businesses on the Lakepointe site would be subject to significant noise impacts during all phases of construction, and seaplane operations and traffic would be onging sources of noise after project build-out. | Same as the Proposed Action. | No impact. |

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| **TOXIC AND HAZARDOUS MATERIALS (Continued)**<br>**Proposed Site Cleanup** | | |
| Prior to issuance of any construction permits, a phased remediation plan for the areas determined by DOE to be contaminated and warranting cleanup must be approved. The specifics of the site remediation plan are currently being determined by the DOE in cooperation with the landowner, under the guidelines of the Model Toxic Control Act. (MTCA). The environmental impacts of site cleanup would be identified as part of the DOE review process under the MTCA. | Same as the Proposed Action. | The MTCA procedures and standards to be followed would be the same as under the Proposed Action. However, residential standards would not have to be met because the site would remain industrial use. |
| **Mitigation Measures** | | |
| 1) The site cleanup would be implemented to reduce or eliminate the potential for exposure of humans to contaminated soils, per DOE requirements. Specific cleanup measures would be determined by the DOE through the MTCA process. | Same as the Proposed Action. | Industrial cleanup standards would be required to be met. |
| **Mitigation Measures** | | |
| 2) Prior to any permits being issued by King County, the applicant will provide documentation to King County showing that measures to prevent contact with contaminated material have been required. | Same as the Proposed Action. | Same as Proposed Action. |
| 3) Prior to any construction permits being issued, the applicant shall provide written documentation to the City of Kenmore that the Seattle-King County Department of Public Health is satisfied that the site has been or will be abated to their satisfaction. | Same as the Proposed Action. | Same as the Proposed Action. |
| 4) When engineering plans for pile driving are submitted to the City of Kenmore for review and approval, the plans shall ensure that appropriate measures are provided to contain hazardous materials. If the MTCA remediation plan approved by the Washington Department of Ecology includes an engineered cap to contain hazardous materials, and if it is proposed to drive piles through the cap, then in areas where the cap is perforated, it shall be resealed in order to preclude significant adverse impacts. | Same as the Proposed Action. | Same as the Proposed Action. |
| **Unavoidable Significant Adverse Impacts** | | |
| The potential for any unavoidable significant adverse impacts of the cleanup will be identified in the MTCA review process, based on the method of cleanup agreed to by DOE and the applicant. If an engineered cap is the method selected, no significant adverse impacts are anticipated from project construction provided that the mitigation measures identified in the Earth and Water sections of this Supplemental Draft EIS are implemented. | Same as the Proposed Action. | Impacts resulting from cleanup to industrial standards would be identified through MTCA. |

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| **LAND AND SHORELINE USE**<br>**Impacts** | | |
| The Proposed Action would result in phased redevelopment and intensification of development on the site and displacement of existing industrial uses. The overall site character would become more urban and consist of a mix of uses. | Similar to but less than impacts of the Proposed Action. | No impact. |
| Phase 7, the last phase that would displace the Kenmore Pre-Mix, would require a rezone to accommodate planned retail, commercial and/or residential uses. | Similar to the Proposed Action. | No impact. |
| The proposed building area of approximately 2,400,000 square feet would increase the height and bulk of structures on the site. | Similar to the Proposed Action, except total building area would be approximately 200,000 square feet less than the Proposed Action. | No impact |
| The proposed land uses would generate a high level of activity on the site throughout the day. | Lesser increase in activity levels than the Proposed Action. | No impact. |
| **Mitigation Measures** | | |
| 1) No specific mitigation measures are required to address identified direct land use impacts other than the features incorporated into the proposal in order to be consistent with the intent of NSCP P-suffix conditions. To ensure that indirect land use impacts are effectively controlled, King County and area cities will implement their adopted land use plans, policies and regulations to guide the location, type, and intensity of future growth. | Same as the Proposed Action | None. |
| 2) Implementation of the Proposed Action would result in the intensification of development on the site and displacement of some existing uses. The proposal would be consistent with King County land use designations and policies addressing where urban growth should occur. The analysis in this section concludes that no significant unavoidable adverse impacts are anticipated. | Same as the Proposed Action. | None. |
| **POPULATION AND HOUSING**<br>**Impacts** | | |
| At buildout, the Proposed Action would attract approximately 2,250 new residents to the Northshore Community Planning Area. | At buildout, Alternative 1 would attract approximately 1,875 new residents. | The residential needs of the projected Northshore population would need to be accommodated elsewhere in the Northshore area. |
| At buildout, the Proposed Action would add approximately 1,200 multi-family dwelling units, including 400 senior housing units, to the Northshore Community Planning Area. | At buildout, Alternative 1 would add approximately 1,000 multi-family dwelling units, 200 fewer than the Proposed Action. | The housing needs of the projected Northshore population would need to be accommodated elsewhere in the Northshore area. |

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| **POPULATION AND HOUSING (Continued)**<br>**Mitigation Measures**<br>***Required by Code*** | | |
| The Proposed Action would provide approximately 120 affordable housing units consistent with the P-suffix requirements in the 1993 Northshore Community Plan Update. | Alternative 1 would provide approximately 100 affordable housing units. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| With the proposed mitigation measures, no unavoidable significant adverse population or housing impacts are expected. | Similar to the Proposed Action, except less population growth and less provision of housing. | No impact. |
| **AESTHETICS, LIGHT & GLARE**<br>**Impacts** | | |
| The aesthetic/visual character of the site would change from an industrial character with one- to two-story buildings to a mixed-use pedestrian-oriented development with nine- to ten-story buildings. Most of the development would be visible from surrounding properties and adjacent roads. | Similar to the Proposed Action, except lesser building area and heights consistent with P-suffix conditions. Viewers from the south could perceive less visual building scale, while viewers from Lake Washington could perceive greater visual building scale. | Existing industrial character of the site would continue. |
| The Master Plan proposes to modify the building heights set forth in P-suffix conditions, which would allow higher buildings closer to the River, and at future phase buildings in Area H adjacent to NE 175th St. and NE Bothell Way. This would be somewhat offset by reductions in maximum building heights in the west central portion of the site. | Height limits consistent with P-suffix conditions (see above impact). | No impact. |
| The Proposed Action would result in elimination of existing lighting and the establishment of new light sources for parking lots, trails/walkways, commercial building and signage, and from automobile traffic. | Similar to but less impact than the Proposed Action. | No impact. |
| **Mitigation Measures**<br>***Required by Code*** | | |
| 1) Proposed Design Guidelines are intended to establish an overall and consistent design character for buildings, landscaping, lighting and signage to ensure a harmonious design relationship among the various site uses, and to develop a visual link to Kenmore. | Same as the Proposed Action. | None |
| ***Proposed by Applicant*** | | |
| 2) The vegetated buffer along the Lake Washington and Sammamish River shorelines would be preserved, expanded and enhanced to provide a visual buffer between the site and off-site areas to the south and west, and to minimize lighting impacts on fisheries resources. | Same as the Proposed Action. | None. |
| 3) Standards for wattage and shielding of lights would be included in the Master Plan Design Guidelines to minimize light impacts to off-site properties. | Same as the Proposed Action. | None. |

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| **AESTHETICS, LIGHT AND GLARE (Continued)**<br>**Mitigation Measures**<br>***Potential*** | | |
| 4) Low reflective glass could be used to minimize glare to area motorists. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| The scale of building heights on the site would increase from existing one- or two-story buildings to buildings up to ten-stories high, and some views of skylines, Lake Washington and the Sammamish River, and surrounding hillsides would be obscured. | Same as the Proposed Action. | No impact. |
| **HISTORIC AND CULTURAL PRESERVATION**<br>**Impacts** | | |
| It is possible but not likely that unknown resources of cultural significance could be unearthed during proposed construction. | Same as the Proposed Action. | It is possible but not likely that historic or cultural resources could be unearthed by future industrial activities on the site. |
| **Mitigation Measures**<br>***Proposed by Applicant*** | | |
| 1) If archaeological resources are discovered during construction, the King County Cultural Resources Division, the State Office of Archaeological and Historic Preservation, and appropriate tribes would be notified, and the significance of the findings would be determined. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| No unavoidable significant adverse impacts are expected. | Same as the Proposed Action. | No impact. |
| **TRANSPORTATION**<br>**Impacts** | | |
| The Proposed Action would include additions to the area roadway network, including bypass roadway (Lakepointe Way NE) connecting SR522 and 68th Avenue NE. | Similar to the Proposed Action. | Existing roadway system and congestion patterns would remain. |
| The Proposed Action would generate 12,686 daily trips, including 692 A.M. and 1,329 P.M. peak-hour trips by the year 2005. | Alternative 1 would generate approximately 14,212 daily trips. | Existing 1,116 daily trips would continue. |
| Under the Proposed Action, the following intersection movements would have traffic volumes exceeding queue capacity in the year 2005:<br><br><u>A.M. peak-hour</u> – SR 522/SR 104 westbound through; SR 522/61st Ave NE westbound through; SR 522/68th Ave NE westbound through and northbound left and through; SR 522/80th Ave NE southbound left-through-right; 68th Ave NE/NE 175th St southbound left-through; 68th Ave NE/Lakepointe Way NE southbound through-right; and 68th Ave NE/NE 170th St westbound right turn. | | Level of service at area intersections would decline from existing conditions. |

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| **TRANSPORTATION (Continued)**<br>**Impacts** | | |
| P.M. peak-hour - SR 522 eastbound through and left-turn movements of SR 522/61st Ave NE; SR 522 westbound left-turn movement of SR 522/Lakepointe Way; Lakepointe Way northbound left-turn movement of SR 522/Lakepointe Way; 68th Ave NE northbound right-turn at SR 522/68th Ave NE; SR 522 eastbound left-turn and through movements at SR 522/80th Ave NE; 68th Ave NE southbound right-turn and through movement of 68th Ave NE/Lakepointe Way; and 68th Ave NE southbound left-turn movement of 68th Ave NE/NE 170th St (Simonds Rd). | | |
| With the addition of Lakepointe Way NE to the roadway network, with Lakepointe traffic, overall traffic operations in the A.M. peak period would be comparable to what they would be without the project. However, in the P.M. peak period, overall traffic operations would be worse with the project than they would be without it, especially at intersections not immediately adjacent to the Lakepointe site. | Similar to the Proposed Action. | No new bypass roadway (Lakepointe Way NE) would be provided. Vehicle movement along area roadways would be slower than under the Proposed Action. |
| A.M. level of service in the year 2005 with the Proposed Action at the intersection of SR 522/68th Ave NE would improve from LOS F to E; level of service at the intersection of 68th Ave NE/NE 175th St would improve from LOS F to D; however, level of service at the intersection of 68th Ave NE/NE 170th St would decrease from LOS E to F. P.M. level of service in the year 2005 with the Proposed Action would be the same as No Action conditions, however, delay would increase at the intersections of SR 522/SR 104, SR 522/61st Ave NE, SR 522/80th Ave NE and 68th Ave NE/NE 170th, and decrease at SR 522/68th Ave NE and 68th Ave NE/NE 175th St. Total travel time would increase and system speed would decrease. | Similar to the Proposed Action. | Level of service at area intersections would decline from existing conditions. |
| Construction of the Proposed Action would generate approximately 250 off-site vehicle and truck trips per day during the construction period. Traffic associated with existing uses would be eventually eliminated from the site; during the final phases of construction, construction trips would be less than the trips associated with the eliminated uses. | Similar to the Proposed Action. | No impact. |
| The Proposal would generate demand for area transit, pedestrian, and bicycle facilities. Transit facilities, including transit stops would be provided in the first phase of construction. Pedestrian and bicycle facilities, including sidewalks, trails, crosswalks and connections to existing pedestrian routes and trailhead facilities in the area would be provided. | Similar to the Proposed Action. | No new pedestrian, bicycle or transit facilities would be provided. |
| The marina would increase the number of boats which could conflict with seaplanes. Because no small maneuverable boats, which could interfere with seaplane takeoff/landings, would be allowed at the marina, no significant impacts to seaplane operations is anticipated. | Similar to the Proposed Action. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **TRANSPORTATION (Continued)**<br>**Mitigation Measures** | | |
| 1) Required, proposed, and potential mitigation measures have been revised and are listed below. Mitigation measures will be established in a Transportation Mitigation Agreement signed by King County and the applicant as part of the Master Plan approval. The agreement will also establish the phasing and timing of implementation if mitigation measures. | Same as the Proposed Action. | None. |
| ***Required by Code*** | | |
| 2) Lakepointe Way NE connecting SR 522 and 68th Ave NE<br>a. Construct a five-lane roadway with a landscaped median.<br>b. The applicant proposes to construct the roadway as a principal arterial, thus turn channels, turn pockets, bicycle facilities, and barrier-free sidewalks along the roadway are required.<br>c. Lower the Burke-Gilman Trail and construct a grade-separated crossing under Lakepointe Way NE; provide a 12-foot clearance, and minimize grade changes along the trail.<br>d. Lower NE 175th St and construct a grade-separated crossing of Lakepointe Way NE. | Same as the Proposed Action. | None. |
| 3) Lakepointe Way NE at SR 522 – Provide signalization and reconfiguration of the intersection. | Same as the Proposed Action. | None. |
| 4) Lakepointe Way NE at 68th Ave. NE:<br>a. Provide signalization and improvements to the intersection<br>b. Construct northbound left-turn and left-through lanes on 68th Ave NE. | Same as the Proposed Action. | None. |
| 5) Provide frontage improvements along SR 522 and 68th Ave NE, including sidewalks. | Same as the Proposed Action. | None. |
| 6) Pay Mitigation Payment System (MPS) fees as determined by King County. | Same as the Proposed Action. | None. |
| 7) Construct enhanced transit stops on the north and south sides of SR 522 between Lakepointe Way NE and 68th Ave. NE, including seating areas, weather protection, landscaping, and walkways, and provide access from the stops to the Burke-Gilman Trail and residential areas on the Lakepointe site, consistent with King County and WSDOT standards. | Same as the Proposed Action. | None. |
| 8) Provide a fair-share contribution for the construction of a pedestrian bridge over SR 522 in the vicinity of the transit stops, subject to approval by WSDOT, and provide a touchdown location on the Lakepointe site for the bridge. | Same as the Proposed Action. | None. |
| 9) Develop and implement a Transportation Management Plan (TMP) approved by King County. Strategies to be considered in the TMP include transit subsidies, parking fees, and rent abatement. | Same as the Proposed Action. | None. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **TRANSPORTATION (Continued)**<br>**Mitigation Measures** | | |
| 10) Provide a fair-share contribution to the construction of a new park-and-ride facility in the Kenmore area, or provide 50 commuter parking stalls in a location accessible to the southern enhanced transit stop, as determined in the approved TMP. Provision of a shuttle bus connecting the SR 522 transit stops with residential areas on the Lakepointe site may be required as part of the TMP. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 11) Construct Lakepointe Way NE as an elevated principal arterial. | Same as the Proposed Action. | None. |
| 12) Lakepointe Way NE at SR 522:<br>a. Construct the intersection to provide dual, north-to-west, left turn lanes and single, north-to-east, right-turn lane. | Same as the Proposed Action. | None. |
| b. Construct a separate right-turn lane on eastbound SR 522 south of the transit-only lane.<br>c. Construct crosswalks on the south and east approaches to the intersection.<br>d. Provide pedestrian-actuated phasing, as determined by King County and WSDOT. | Same as the Proposed Action. | None. |
| 13) Lakepointe Way NE at 68th Ave NE:<br>a. Widen 68th Ave NE within the existing right-of-way from the north end of the Kenmore Bridge to Lakepointe Way NE.<br>b. Construct through lanes on the northbound approach.<br>c. Construct single left-turn and double right-turn lanes on eastbound approach.<br>d. Provide pedestrian-actuated phasing, as determined by King County and WSDOT. | Same as the Proposed Action. | None. |
| 14) On the north leg of 61st Ave NE with SR 522 intersection, construct an exclusive southbound-to-eastbound, left-turn lane, and implement a southbound-to-westbound, right-turn phase overlap. | Same as the Proposed Action. | Same as the Proposed Action. |
| 15) At the intersection of 68th Ave NE and NE 170th St, provide a signal phase overlap for the southbound-to-eastbound, left-turn lane and the westbound-to-northbound, right-turn lane. | Same as the Proposed Action. | None. |
| 16) At the intersection of 80th Ave NE with SR 522, restripe the southbound approach to provide separate left-turn and right-turn lanes. | Same as the Proposed Action. | None. |
| 17) Lakepointe Way NE at NE Lakepointe Blvd:<br>a. Construct dual, left-turn lanes for traffic exiting the Lakepointe site.<br>b. Construct new access roads to replace the east leg of the NE 175th St/65th Ave NE intersection.<br>c. Signalize the intersection and provide pedestrian-actuated phasing. | Same as the Proposed Action. | None. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **TRANSPORTATION (Continued)**<br>**Mitigation Measures**<br>***Proposed by Applicant*** | | |
| 18) Limit the moorage at the marina to moorage for residents, their guests, and hotel guests, consistent with the Kenmore Air Harbor agreement, in order to reduce the number of transient boat trips associated with the marina and to minimize conflicts with seaplane operations. | Same as the Proposed Action. | None. |
| 19) Limit long-term moorage to boats 30 feet or longer in order to minimize conflicts between small, fast, or highly maneuverable boats (such as runabouts and jet skis) and seaplanes during takeoff and landing. | Same as the Proposed Action. | None. |
| 20) Construct over-water marina structures near the Kenmore Air Harbor terminal to no more than the maximum height above the water surface that will allow the main wing of a seaplane to pass over the structure. | Same as the Proposed Action. | None. |
| ***Potential*** | | |
| 21) Design and construct the proposed eastbound, separate right-turn lane from SR 522 to Lakepointe Way NE with adequate storage capacity to prevent blockage of the eastbound through transit lane on SR 522. | Same as the Proposed Action. | None. |
| 22) Extend shared use of the eastbound transit-only lane on SR 522 from Lakepointe Way NE back to 61st Ave NE. | Same as the Proposed Action. | None. |
| 23) Prohibit left-turn access to and from SR 522 in the vicinity of its intersection with Lakepointe Way NE and 65th Ave NE in order to reduce conflicts with traffic patterns created by the new lane configurations. | Same as the Proposed Action. | None. |
| 24) If an at-grade pedestrian crossing of SR 522 is provided across the east leg of Lakepointe Way NE, the applicant shall provide a raised pedestrian walkway between the north side of the crosswalk and the northern transit stop. | Same as the Proposed Action. | None. |
| 25) To minimize user conflicts, pedestrian and/or bicycle facilities shall not be provided on the elevated roadway, Lakepointe Way NE, an urban arterial. This would require a variance to King County Road Standards. | Same as the Proposed Action. | None. |
| 26) Reconstruct the south leg of the SR 522/61st Ave NE intersection to improve operations and safety. | Same as the Proposed Action. | None. |
| 27) Provide dual left-turn pockets from eastbound SR 522 to southbound 68th Ave NE. | Same as the Proposed Action. | No impact. |
| 28) Provide dual left-turn pockets from westbound SR 522 to southbound 68th Ave NE. | Same as the Proposed Action. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **TRANSPORTATION (Continued)**<br>**Mitigation Measures**<br>***Potential*** | | |
| 29) The present alignment of NE 175th St shall remain open to 68th Ave NE only while the Kenmore Pre-Mix plant continues operation. When the Kenmore Pre-Mix plant ceases operation, NE 175th St shall be realigned to curve southward to connect with Lakepointe Way NE at its intersection with NE Lakepointe Blvd. Adjacent land owners to the east shall retain direct access from NE 175th St to 68th Ave NE, but that portion of NE 175th St will terminate at a cul-de-sac. | Same as the Proposed Action. | No impact. |
| 30) Provide left-turn lanes from northbound 68th Ave NE to NE 175th St, and eliminate the northbound right-turn lane at this intersection. | Same as the Proposed Action. | No impact. |
| 31) Provide a fair-share contribution toward construction of non-motorized access to the Lakepointe site from the south via 68th Ave NE and the Kenmore Bridge over the Sammamish River. | Same as the Proposed Action. | No impact. |
| 32) Provide a fair-share contribution toward construction of the SR 522 Multi-Modal Project proposed for construction by WSDOT. | Same as the Proposed Action. | No impact. |
| **Unavoidable Significant Adverse Impacts** | | |
| The level of service (LOS) at the intersection of SR522 and 68th Ave. NE is currently at LOS F and is projected to continue to operate at LOS F in the year 2005 with or without the Proposed Action. There is no apparent improvement to capacity that can be made to this intersection without major right-of-way acquisition and local business disruption. Traffic queues would continue to exceed the storage capacity at several locations and affect the traffic operation at adjacent intersections. Overall traffic operations in the Kenmore area would deteriorate more in the P.M. peak hour with the Proposed Action despite the new Lakepointe Way NE connection and other traffic mitigation that would be provided. | Similar to the Proposed Action. | No impact. |
| **PUBLIC SERVICES—FIRE**<br>**Impacts** | | |
| The Proposed Action would generate additional fire protection and emergency service demands on Fire District 16. The estimated buildout population would generate approximately 151 calls per year, and the commercial/office uses would generate approximately 97 calls per year (based on District 16 call rates) for a total of 248 calls per year. | Alternative 1 would generate approximately 126 residential calls per year and 75 commercial/ office calls per year, for a total of 201 calls per year, 47 fewer than the Proposed Action. | No impact. |
| District 16 does not expect significant adverse impacts on facilities, equipment or staffing, assuming that adequate built-in fire protection features are provided. | Fewer impacts overall on District 16 facilities, equipment and staffing, due to lower call volume. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **PUBLIC SERVICES --FIRE**<br>**Mitigation Measures**<br>***Required by Code*** | | |
| 1) All proposed structures would be designed to meet up-to-date fire safety/prevention standards, including those in the Uniform Fire Code and other applicable King County fire safety/prevention regulations. | Same as the Proposed Action. | None. |
| 2) The site plan would provide adequate fire/emergency vehicle access to all portions of the site via fire lanes, as required by King County. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 3) Tax revenues generated by development would be available to contribute to future staff and equipment improvements in Fire District 16 (NSCP Draft EIS, 1991). | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| Population, employment and recreational uses associated with the Proposed Action would increase fire protection and emergency aid demands in Fire District 16. With the proposed mitigation measures, no unavoidable significant adverse impacts are expected. | Less impact than the Proposed Action, due to less population and employment. | No impact. |
| **PUBLIC SERVICES—POLICE**<br>**Impacts** | | |
| The Proposed Action would generate additional demands for police protection from the King County Sheriff's Department. The estimated buildout population would generate approximately 594 additional police calls for service annually. | Alternative 1 would generate approximately 495 police calls for service, 99 fewer than the Proposed Action. | No impact. |
| The buildout population would generate demand for approximately 2.2 additional officers and associated equipment, using unofficial officer-to-population ratios. | Alternative 1 would generate demand for approximately 1.9 officers and associated equipment. | No impact. |
| ***Proposed by Applicant*** | | |
| 1) Security measures, including secured areas and adequate lighting, would be provided during construction, to reduce or eliminate potential problems such as material theft or vandalism. | Same as the Proposed Action. | None. |
| 2) Adequate lighting of outdoor public areas and parking garages on the developed site would enhance overall security and public safety. | Same as the Proposed Action. | None. |
| 3) On-site security personnel hired directly by on-site employers would enhance overall security and public safety. | Same as the Proposed Action. | None. |
| 4) Tax revenues generated by development would be available to contribute to future staff and equipment improvements in the King County Sheriff's Department. | Same as the Proposed Action. | None. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **PUBLIC SERVICES – POLICE**<br>**IMPACTS**<br>***Potential*** | | |
| 5) Community crime prevention programs could be developed, which could reduce the demand for police services from the Proposed Action. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| Population, employment and recreational uses associated with the Proposed Action would increase police protection demands on the King County Sheriff's Department. With the proposed mitigation measures, no unavoidable significant adverse impacts are expected. | Less impact than the Proposed Action, due to less population and employment. | No impact. |
| **PUBLIC SERVICES—SCHOOLS**<br>**Impacts** | | |
| The 800 non-senior housing units would generate approximately 213 additional students in the Northshore School District at buildout. Enrollment growth would occur gradually with phased development of the Proposed Action. | The 900 non-senior housing units would generate approximately 239 students at buildout, 25 more than the Proposed Action. | No impact. |
| If the projected District-wide lack of permanent capacity occurs, the students generated by the Proposed Action would represent a significant impact on District facilities by contributing to over capacity conditions. | Slightly greater facility impacts than the Proposed Action. | No impact. |
| **Mitigation Measures** | | |
| ***Proposed by Applicant*** | | |
| 1) The applicant would coordinate with the Northshore School District regarding provision of school bus access and student collection points. | Same as the Proposed Action. | None. |
| 2) Tax revenues generated by development would be available to contribute to future facility and staffing improvements in the Northshore School District. | Same as the Proposed Action. | None. |
| *Potential* | | |
| 3) If the City of Kenmore has not adopted school mitigation fee legislation, pay impact fees to the Northshore School District. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| The Proposed Action would generate additional student enrollments in the Northshore School District, contributing to forecasted total student populations that could exceed the permanent facility capacity of the District. With the proposed mitigation measures, no unavoidable significant adverse impacts are expected. | Slightly greater enrollment impacts than the Proposed Action. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **PUBLIC SERVICES—PARKS AND RECREATION**<br>**Impacts** | | |
| The Proposed Action would result in increased use of existing recreational facilities and generate some demand for additional recreation facilities. Using the County Park Plan's local park acreage standard of 7.5 acres per 1,000 residents, the Proposed Action would generate the need for 16.9 acres of additional local park space. | Alternative 1 would generate the need for 14.1 acres of additional local park space. | No impact. |
| The Proposed Action's residents would contribute to the need for approximately ½ of an additional baseball and softball field, and approximately ¼ of a soccer field and basketball/sport court. If senior citizens are not counted as contributing to athletic facility needs, the resulting demand would be for approximately 0.4 of additional baseball and softball fields, and approximately 0.2 of soccer field and basketball/sport court. | Alternative 1 residents would contribute to the need for approximately 0.4 of an additional baseball and softball field, and approximately 0.2 of a soccer field and basketball/sport court. If seniors are not counted, the resulting demands would be for 0.05 or 0.1 less of these facilities. | No impact. |
| The Proposed Action would provide open space and accommodate several types of recreation with pedestrian walkways and trails, open grassy areas, benches, cover view platforms, children's play area, amphitheater, boating facilities, trailhead facilities at the Burke-Gilman Trail and waterfront access. Determination of conformance with King County recreation standards and applicable P-Suffix conditions would be made as part of construction permit review. | Alternative 1 would provide less open space and less waterfront access than the Proposed Action. | No impact. |
| **Mitigation Measures**<br>***Required by Code*** | | |
| 1) The Proposed Action would be required to comply with the on-site recreation area requirements of King County Code 21A.14. | Same as the Proposed Action. | None. |
| *Proposed by Applicant* | | |
| 2) The Proposed Action would provide numerous outdoor recreation features such as outdoor park area, shoreline access trail, waterfront amenities, amphitheater, water viewing platforms, paths and gardens that would be accessible to the general public and on-site residents (including senior citizens) for passive recreation uses. | Same as the Proposed Action. | None. |
| 3) If the City of Kenmore determines that the proposal does not meet all open space and recreation standards, some redesign of the project and/or a fee-in-lieu may be required. | Same as the Proposed Action. | None. |
| 4) The Proposed Action would provide a direct link to the Burke-Gilman Trail that would allow residents to use the regional trail system for bicycling, rollerblading and walking. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| According to King County Park Plan guidelines, the Proposed Action would generate added demand for active recreational facilities in the Northshore area. | Similar to impacts of the Proposed Action, except demand for 14.1 acres of local parks and active recreation facilities. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **PUBLIC SERVICES—LIBRARIES**<br>**Impacts** | | |
| Development of the Proposed Action would result in an increased demand for library services at the Kenmore branch and possibly the Bothell, Lake Forest and Shoreline branches of the King County Library System. Such increases in demand could contribute to the need for improvements in the library facility at Kenmore. | Similar to but less impact than the Proposed Action. | No impact. |
| **Mitigation Measures** | | |
| 1) Tax revenues generated by development would be available to contribute to future improvements in the King County Library System. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| The Proposed Action would generate additional demands on the King County Library System, including the Kenmore Library. With the proposed mitigation measures, no unavoidable significant adverse impacts are expected. | Similar to but less impact than the Proposed Action. | No impact. |
| **UTILITIES—WATER SUPPLY**<br>**Impacts** | | |
| The Proposed Action would result in total water demand of approximately 173-174 million gallons per year, or approximately 475,000 gallons per day. The Northshore Utility District would be able to supply the needed volumes of water. | Approximately 80 percent as much water demand as the Proposed Action. | No impact. |
| ***Required Measures*** | | |
| 1) As part of the permit review process, the King County Fire Marshal would verify that adequate water is available from the Northshore Utility District to provide the fire flow volumes required by the Proposed Action. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| No unavoidable significant water system impacts are expected. | Similar to but less than the Proposed Action. | No impact. |
| **UTILITIES—SEWER/SOLID WASTE**<br>**Impacts** | | |
| ***Sewer*** | | |
| The Proposed Action would result in total wastewater volumes of approximately 160 million gallons per year or about 440,000 gallons per day. The Northshore Utility District would be able to accommodate the additional wastewater volumes. | Approximately 80 percent as much wastewater volume as the Proposed Action. | No impact. |

| Proposed Action—Lakepointe Mixed Use Master Plan | Alternative 1—Conceptual Master Plan in Northshore Community Plan | Alternative 2—No Action |
|---|---|---|
| **UTILITIES – SEWER/SOLID WASTE**<br>**IMPACTS**<br>***Solid Waste*** | | |
| The Proposed Action would generate an estimated 1,512 tons of solid waste per year, or about 4.1 tons per day. Eastside Disposal would provide solid waste services. | Approximately 80 percent as much solid waste generation as the Proposed Action. | No impact. |
| **Mitigation Measures** | | |
| ***Required by Code*** | | |
| 1) Sewer lines outside of proposed structures would be sized using design criteria provided by the Northshore Utility District and the Washington State Department of Ecology's *Criteria for Sewage Works Design.* Sewer lines inside the buildings would be sized using the Uniform Plumbing Code. | Same as the Proposed Action. | None. |
| 2) Construction, demolition and land clearing debris would be transported to approved disposal locations. | Same as the Proposed Action. | None. |
| ***Proposed by Applicant*** | | |
| 3) The applicant would coordinate with Eastside Disposal to arrange provision of recycling services to the site. | Same as the Proposed Action. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| No unavoidable significant sewer or solid waste impacts are expected. | Similar to but less than the Proposed Action. | No impact. |
| **UTILITIES—ENERGY**<br>**Impacts** | | |
| Puget Sound Energy indicates that the existing electrical and natural gas systems have adequate capacity to serve the Proposed Action. | Approximately 80 percent as much demand for electricity and natural gas as the Proposed Action. | No impact. |
| **Mitigation Measures** | | |
| None proposed. | None proposed. | None. |
| **Unavoidable Significant Adverse Impacts** | | |
| No unavoidable significant electricity or natural gas impacts are expected. | Similar to but less than the Proposed Action. | No impact. |

# CHAPTER TWO

## *Description of Changes to the Proposed Action and Additional Mitigation Measures*

# CHAPTER TWO

# CHANGES TO THE PROPOSED ACTION AND ADDITIONAL MITIGATION MEASURES

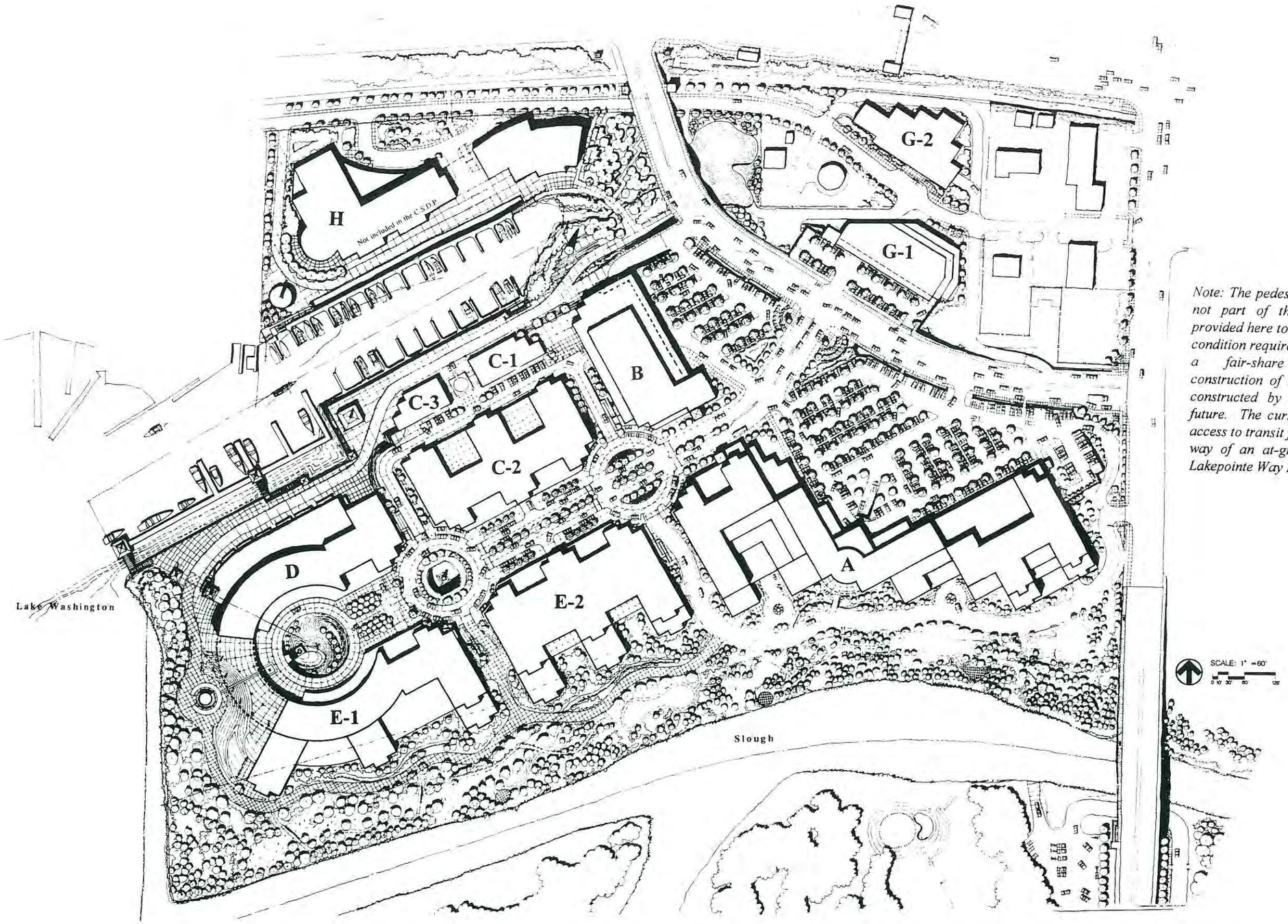
The applicant has made changes to the Proposed Action in response to comments received on the Draft Supplemental EIS and ongoing review by King County of the proposed Master Plan, Commercial Site Development Plan, and Shoreline Substantial Development Permit applications. The following section describes changes made subsequent to the issuance of the Draft Supplemental EIS. The proposed changes reduce the amount of in-water and over-water structures in the inner harbor, reduce the overall amount of paved surface on the site, and increase the amount of natural and landscaped area as compared to the original proposal. The revised site plan is illustrated in Figure 3-A.

## PROPOSED CHANGES TO THE MARINA

Comments received on the Draft Supplemental EIS have resulted in changes to the proposed marina plan. The marina plan, as described and analyzed in the Draft Supplemental EIS, contained 53 long-term moorage slips. The marina as revised would still contain 53 long-term moorage slips, but would substantially decrease the amount of in-water and over-water structures in the inner harbor. This decrease in in-water and over-water structures has been proposed to reduce the amount of shading and potential salmonid predator habitat in the marina compared to that under the marina plan described in the Draft Supplemental EIS. Refer to Chapter 3 for a summary of the updated fisheries analysis prepared for this Final Supplemental EIS.

The reduction in in-water and over-water structures would primarily result from a proposed reduction in the width of marina piers, reduction in the width of the boardwalk along the southern edge of the marina to eliminate water overhang, and elimination of the circular restaurant building at the western end of the inner harbor to eliminate the water over-hang associated with this structure (restaurant use originally proposed for this building would be relocated to building D). In addition, the existing bulkhead at the eastern end of the inner harbor, which was to be retained under the marina plan as described in the Draft Supplemental EIS, would be removed, and a more natural shoreline area would be provided.

The existing and proposed extent of over-water and in-water structures was illustrated in Table 16 of the Draft Supplemental EIS. The table has been revised to include the following: existing inner harbor conditions data as described in the Draft Supplemental EIS; updated existing inner harbor conditions data based on new information (inclusion of an existing covered moorage dock and tug and commercial boat berthing area discovered to be located on the site); proposed amount of marina structures described and analyzed in the Draft Supplemental EIS; and proposed marina structures under the revised marina plan.




*Note: The pedestrian bridge over SR 522 is not part of the proposed action; it is provided here to illustrate the NSCP P-suffix condition requirement that the applicant pay a fair-share contribution toward construction of the bridge if the facility is constructed by some other entity in the future. The current proposal is to provide access to transit facilities north of SR 522 by way of an at-grade crossing just east of Lakepointe Way NE.*

Source: Callison Partnership

| | | |
|---|---|---|
| **HUCKELL/WEINMAN ASSOCIATES, INC.** | Lakepointe Mixed-Use Master Plan | Figure 3A<br>Site Plan |

**Table 16 -A**

**Summary of Shoreline Treatments and Water Structures Under Existing Conditions, Marina Described in DSEIS and Revised Marina**

| | Existing Draft SEIS | Existing Updated | Proposed Draft SEIS | Proposed Current |
|---|---|---|---|---|
| Area of Surface Water Overhang (sq. ft) | 7,642 | 8,938* | 32,488 | 9,504 |
| Area of Floating Material | | | | |
| Floats | 7,795 | 7,795 | 12,700 | 9,340 |
| Boats | 25,800 | 29,648** | 14,632 | 26,045 |
| **TOTAL Shaded Area** | **41,237** | **46,381** | **59,820** | **44,889** |
| Lineal feet of Bulkhead | 1,131 | 1,131 | 1,016 | 1,016 |
| Number of In-Water pilings | 365 | 395 | 449 | 255 |

Source: Beak Consultants, 1998

* Surface water overhang and number of pilings increased due to inclusion of an existing private covered moorage dock that is located within the site. These structures were assumed to be off-site in the Draft Supplemental EIS.

** The amount of floating boat surface area increased to include tug berthing areas, commercial vessel berthing and other miscellaneous boat moorages shown in photographic documentation of the inner harbor during spring 1996. These areas were not incorporated into previous estimates of boat surface water coverage in the Draft Supplemental EIS.

As indicated in Table 16-A, the number of in-water piles, lineal feet of bulkhead, and total shaded area under the revised marina plan would be less than under the updated existing conditions and less than under the marina plan described and analyzed in the Draft Supplemental EIS. Specifically, under the revised plan, there would be a 43-percent reduction in in-water pilings and a 25-percent reduction in total shaded area compared to the marina plan described and analyzed in the Draft Supplemental EIS. Under the revised plan, the proposed number of in-water pilings would be reduced to 64 percent of the number of existing pilings. The total lineal feet of bulkhead under the revised marina plan would be the same as that described and analyzed in the Draft Supplemental EIS, which is 90 percent of existing conditions. Total shaded area would be reduced to 97 percent of existing shaded area.

## PROPOSED CHANGES TO OPEN SPACE

Under the revised site plan, the originally proposed hardscape pedestrian stair and plaza linking the eastern end of the inner-harbor with Lakepointe Way NE would be replaced with a landscaped and natural area (see Figure 3-A). Under the revised plan, the outfall from the proposed two-celled water quality pond, which was originally planned to be piped under the pedestrian stair and plaza area to the eastern end of the inner-harbor, would flow from the pond to the eastern end of the inner-harbor via a stream course created in the proposed landscaped/natural area. The proposed landscaped/natural space

would result in 0.2 acre of natural area and 0.7 acre of landscaped area compared to 0.9 acre of impervious surface that would result from the pedestrian stair and plaza. Table 1-A summarizes the updated land use on the site by acreage.

**Table 1-A**
**Proposed Uses by Acreage**

| Use | Site Acreage | Site Percentage |
|---|---|---|
| Built Area (buildings and roadways) | 23.2 | 51.6 |
| Paved Sidewalks, Trails and Esplanade | 4.8 | 10.7 |
| Unpaved Trails | 0.6 | 1.3 |
| Paved Public Space (amphitheater) | 0.7 | 1.6 |
| Landscaped Open Space | 9.0 | 20.0 |
| Natural Open Space | 5.7 | 12.7 |
| King County Pump Station | 0.6 | 1.3 |
| Stormwater Retention Area | 0.4 | .9 |
| TOTAL | **45** | **100** |

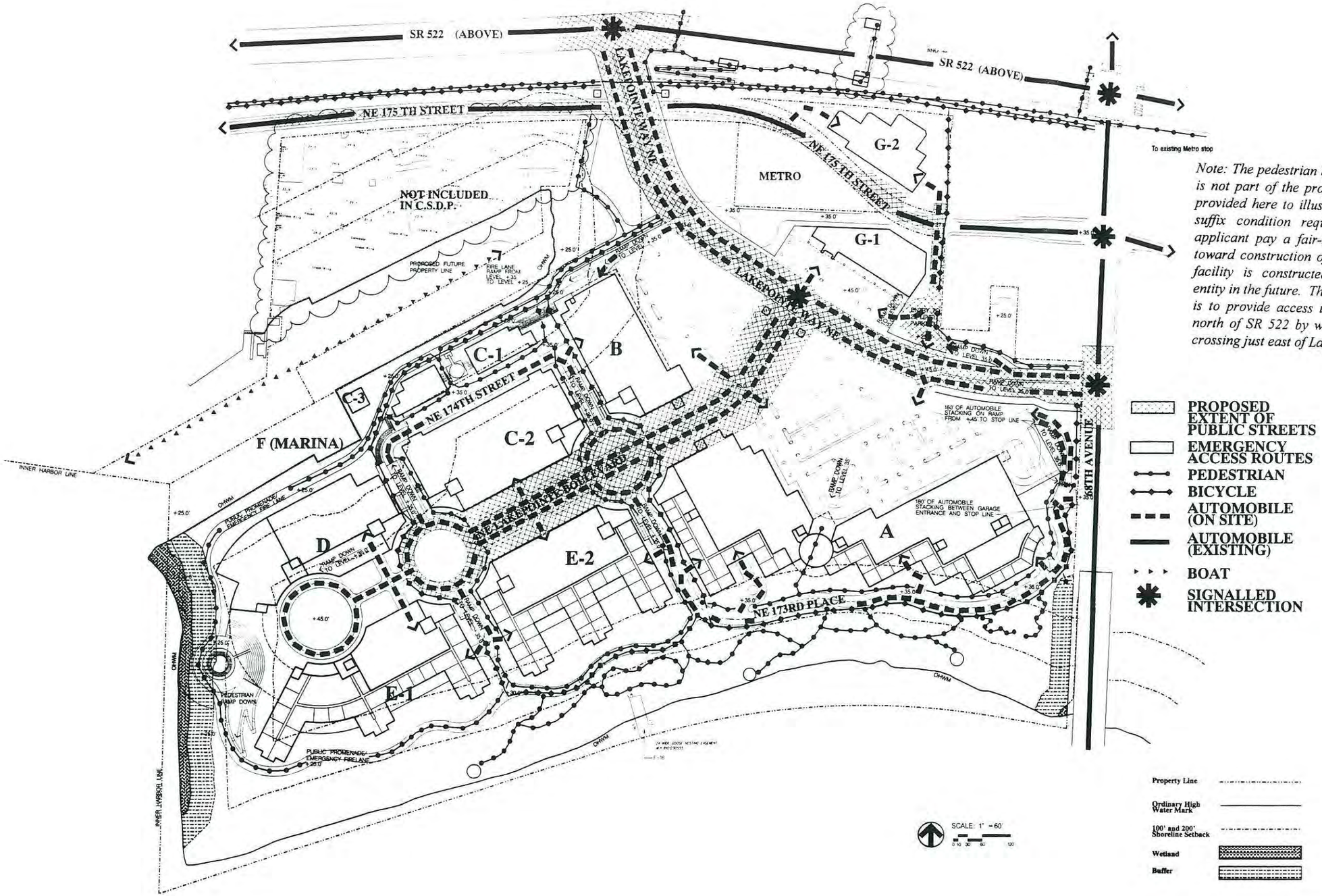
Source: Callison Architecture, Inc. 1998.
(Note: total does not include Building Area H)

## PROPOSED CHANGES TO NON-VEHICULAR CIRCULATION

The pedestrian stair originally proposed to connect the elevated Lakepointe Way NE to the marina boardwalk is now proposed to be removed and replaced with landscaped/natural area. The pedestrian connection originally provided by the stair would be maintained by a northern sidewalk along the ramp that would connect Lakepointe Way NE to the proposed parking area under Building B. Refer to Figure 8-A, Site Circulation Map, for an illustration of the revised pedestrian connection.

As part of the proposed relocation of the space associated with the circular restaurant building at the western end of the inner harbor (to eliminate the water-overhang associated with this structure), a portion of Building D would be changed. The first floor circular pavilion located at the northwest corner of Building D would be reconfigured to form a continuous facade along this portion of the building. As a result of these proposed changes to the plan of Building D, the pedestrian connection between the marina boardwalk and the Lake Washington shoreline trail would be realigned in a more direct route (see Figure 8-A).

The site plan included in the Draft Supplemental EIS showed a pedestrian and bicycle path through the hardscape plaza at the eastern end of the marina that would connect the Burke-Gilman trail to the marina boardwalk. Under the revised site plan, the pedestrian path would remain, but this bicycle link would be realigned. With the proposed replacement of the plaza with natural/landscaped area, the bicycle linkage would be provided by a bicycle lane along the lower level of Lakepointe Way (at elevation 25) that would extend from 175$^{th}$ Ave NE to the marina boardwalk. Refer to Figure 8-A for an illustration of proposed bicycle connections.




*Note: The pedestrian bridge over SR 522 is not part of the proposed action; it is provided here to illustrate the NSCP P-suffix condition requirement that the applicant pay a fair-share contribution toward construction of the bridge if the facility is constructed by some other entity in the future. The current proposal is to provide access to transit facilities north of SR 522 by way of an at-grade crossing just east of Lakepointe Way NE.*

Source: Callison Partnership

| | | |
|---|---|---|
| **HUCKELL/WEINMAN ASSOCIATES, INC.** | Lakepointe Mixed-Use Master Plan | Figure 8A<br>Site Circulation Plan |

## ADDITIONAL MITIGATION MEASURES

Subsequent to the issuance of the Draft Supplemental EIS, additional Potential Mitigation Measures have been identified. Mitigation related to air quality, transportation, and fisheries is included in Chapter 3 of this document. Additional mitigation measures related to other types of impacts are listed below.

### Water

- A sewage pumpout station shall be provided in the marina for the use of residents, guests of residents and hotel guests using the marina.

### Noise

- Prior to construction of permanent dwelling units on the Lakepointe site, the applicant shall provide an acoustical consultant to monitor noise levels and ensure that noise generated during construction does not violate the King County Noise Code.

### Toxic and Hazardous Materials

- When engineering plans for pile driving are submitted to the City of Kenmore for review and approval, the plans shall ensure that appropriate measures are provided to contain hazardous materials. If the MTCA remediation plan approved by the Washington Department of Ecology includes an engineered cap to contain hazardous materials, and if it is proposed to drive piles through the cap, then in areas where the cap is perforated, it shall be resealed in order to preclude significant adverse impacts.

- Prior to any construction permits being issued, the applicant shall provide written documentation to the City of Kenmore that the Seattle-King County Department of Public Health is satisfied that the site has been or will be abated to their satisfaction.

### Public Services

- If the City of Kenmore has not adopted school mitigation fee legislation, pay impact fees to the Northshore School District.

# CHAPTER THREE

## *Response to Major Issues*

# CHAPTER THREE

# RESPONSE TO MAJOR ISSUES

The following section discusses major issues identified by agencies and the general public during the Draft Supplemental EIS comment period. Major issues include air quality, fisheries resources, and transportation. Many of the responses to comments provided in Chapter 4 of this document (Comment Letters and Responses) refer the reader back to appropriate portions of this chapter for a detailed discussion of the issues raised.

## AIR QUALITY

This section summarizes the findings of air quality modeling and analysis conducted by McCulley, Frick & Gilman, Inc., in response to comments received on the Draft Supplemental EIS. The full analysis is included as Appendix A to this Final Supplemental EIS.

### AFFECTED ENVIRONMENT

Air quality is generally assessed in terms of whether concentrations of air pollutants are higher or lower than ambient air quality standards set to protect human health and welfare. Three agencies have jurisdiction over the ambient air quality in the project area: the U.S. Environmental Protection Agency (EPA), the Washington Department of Ecology (DOE), and the Puget Sound Air Pollution Control Agency (PSAPCA). These agencies establish regulations that govern both the concentrations of pollutants in the outdoor air and contaminant emissions from air pollution sources. Although their regulations are similar in stringency, each agency has established its own standards. Unless the state or local jurisdiction has adopted more stringent standards, the EPA standards pertain. Applicable federal, state, and local air quality standards are listed in Table 8A.

In order to measure existing air quality, DOE and PSAPCA maintain a network of monitoring stations throughout the Puget Sound region. Generally these stations are placed where there may be air quality problems, and so they are usually in or near urban areas or close to specific large air pollution sources. Other stations in more remote areas provide an indication of regional air pollution levels. Based on monitoring information collected over a period of years, the state (DOE) and federal (EPA) agencies designate regions as being "attainment" or "nonattainment" areas for particular air pollutants. Attainment status is therefore a measure of whether air quality in an area complies with the National Ambient Air Quality Standard (NAAQS) (Table 8A).

## Table 8A
## Ambient Air Quality Standards

| Pollutant | National | | Washington State | PSAPCA |
|---|---|---|---|---|
| | Primary | Secondary | | |
| **Total Suspended Particulate Matter** | | | | |
| Annual Geometric Mean ($\mu g/m^3$) | | | 60 | |
| 24-Hour Average ($\mu g/m^3$) | | | 150 [a] | |
| **Inhalable Particulate Matter ($PM_{10}$)** | | | | |
| Annual Average ($\mu g/m^3$) [b] | 50 | 50 | 50 | 50 |
| 24-Hour Average ($\mu g/m^3$) | 150 [c] | 150 [c] | 150 [d] | 150 [d] |
| **Fine Particulate Matter ($PM_{2.5}$)** | | | [g] | [g] |
| Annual Average ($\mu g/m^3$) | 15 [e] | 15 [e] | | |
| 24-Hour Average ($\mu g/m^3$) | 65 [f] | 65 [f] | | |
| **Sulfur Dioxide ($SO_2$)** | | | | |
| Annual Average (ppm) | 0.03 | -- | 0.02 | 0.02 |
| 24-Hour Average (ppm) | 0.14 [a] | -- | 0.10 [a] | 0.10 |
| 3-Hour Average (ppm) | -- | 0.50 [a] | -- | -- |
| 1-Hour Average (ppm) | -- | -- | 0.25 [h] | 0.25 [h] |
| 1-Hour Average (ppm) | -- | -- | 0.40 [a] | 0.40 |
| **Carbon Monoxide (CO)** | | | | |
| 8-Hour Average (ppm) [a] | 9 | 9 | 9 | 9 |
| 1-Hour Average (ppm) [a] | 35 | 35 | 35 | 35 |
| **Ozone ($O_3$)** | | | | |
| 8-Hour Average (ppm) | 0.08 [i] | 0.08 [i] | [g] | [g] |
| 1-Hour Average (ppm) | 0.12 [j] | 0.12 [j] | 0.12 [d] | 0.12 [d] |
| **Nitrogen Dioxide ($NO_2$)** | | | | |
| Annual Average (ppm) | 0.053 | 0.053 | 0.05 | 0.053 |
| **Lead (Pb)** | | | | |
| Quarterly Average ($\mu g/m^3$) | 1.5 | 1.5 | | 1.5 |

**Notes: $\mu g/m^3$** = micrograms per cubic meter; **ppm** = parts per million; blank cells indicate no standard.

All values not to be exceeded except as noted; all averages arithmetic except TSP annual geometric mean.

(a) Not to be exceeded more than once per year
(b) Attainment based on 3-year average
(c) Attainment based on 3-year average of the 99th percentile of 24-hour $PM_{10}$ concentrations
(d) Attainment if expected number of events above this limit is equal to or less than one
(e) Attainment based on 3-year average of annual arithmetic mean $PM_{2.5}$ concentrations from single or multiple community-oriented monitors
(f) Attainment based on 3-year average of the 98th percentile of 24-hour $PM_{2.5}$ concentrations
(g) Not yet established
(h) Not to be exceeded more than twice in seven consecutive days
(i) Attainment based on 3-year average of the 4th highest daily maximum 8-hour ozone concentration
(j) Federal 1-hour ozone standard to lapse in each existing nonattainment area after attainment demonstration based on existing standard as per note (d). This standard therefore no longer applies in the Puget Sound region of Washington.

Typical sources of air pollution in the area of the Lakepointe site include vehicular traffic, existing industrial sources, and residential wood-burning devices. Existing industrial sources include the concrete batch plant on the northwest corner of the site and the sand and gravel storage and distribution facility in the southeast corner. Residential wood burning in the vicinity of the site produces a variety of air contaminants, including large quantities of inhalable and fine particulate matter ($PM_{10}$ and $PM_{2.5}$). The focus of this analysis is potential changes in emissions related to transportation sources because these sources would be most directly affected by the Proposed Action. Because woodstoves for heating would not be included in the Proposed Action, wood smoke would not be a major potential source of air pollution.

With vehicular traffic, the air pollutant of major concern is carbon monoxide. Of the various vehicular emissions, carbon monoxide is the pollutant emitted in the largest quantity for which an ambient air standard exists. Consequently, this analysis focuses on potential concentrations of carbon monoxide. Other pollutants generated by traffic include the ozone precursors: hydrocarbons and nitrogen oxides. Inhalable and fine particulate matter also is emitted in vehicle exhaust and generated by tire action on pavement (or unpaved areas), but the amounts of $PM_{10}$ generated by individual vehicles are small compared with other sources (e.g., a wood-burning stove). Sulfur oxides and nitrogen dioxide also are emitted by motor vehicles, but concentrations of these pollutants are usually not high except near large industrial facilities.

## Carbon Monoxide (CO)

Carbon monoxide is the product of incomplete combustion. It is generated by transportation sources and other fuel-burning activities like residential space heating, especially heating with solid fuels like coal or wood. Carbon monoxide is usually the pollutant of greatest concern related to transportation sources because it is the pollutant emitted in the greatest quantity for which short-term health standards exist. Short-term standards (as opposed to annual-average standards) are often the controlling, or most restrictive NAAQSs. There are two air quality standards for carbon monoxide: a 1-hour average standard of 35 parts per million (ppm) and an 8-hour average standard of 9 ppm. These levels may be exceeded once per year without violating the standard (Table 1).

Unlike ozone, carbon monoxide is a pollutant whose impact is usually highly localized. The highest ambient concentrations of carbon monoxide usually occur near congested roadways and intersections during periods of cold temperatures (autumn and winter months), light winds, and stable atmospheric conditions. Such weather conditions reduce the mechanisms that disperse pollutants emitted into the air.

The Lakepointe site was within the carbon monoxide nonattainment area established in 1991 that encompassed a large portion of the Everett-Seattle-Tacoma urban area (Federal Register 1991, page 56846). This designation required PSAPCA and DOE to develop strategies and plans to work toward complying with the ambient standards, and affected transportation planning and emission control policies throughout the nonattainment area.

Because no monitoring stations have recorded violations of the standards in recent years, the EPA recently redesignated the Central Puget Sound region as attainment for carbon monoxide. EPA also approved the associated maintenance plan to insure the area remains attainment for the carbon monoxide NAAQS. That plan relies on continuing the existing vehicle Inspection and Maintenance program (Ecology 1997). The project study area is therefore within a carbon monoxide maintenance area.

Under state and federal air quality conformity rules, transportation projects in carbon monoxide nonattainment or maintenance areas must be analyzed in detail to ensure they will not create a new violation of a standard nor exacerbate an existing problem. Because carbon monoxide impacts occur so close to the source, it is not possible to extrapolate carbon monoxide concentrations from regional data or distant monitors. The closest carbon monoxide monitoring station is on Northgate Way, and carbon monoxide levels measured at this station cannot be meaningfully applied to conditions near the Lakepointe site. Since there are no carbon monoxide monitoring data for the Lakepointe area, there are no definitive indications of existing carbon monoxide concentrations.

The existing air quality near the project site was analyzed using dispersion modeling at the five intersections with the greatest potential to generate the highest concentrations. Please refer to Appendix A of this Final Supplemental EIS for more information regarding the analytical method. The five signalized intersections that would be most affected by project traffic or by proposed revisions in the road system near the site were examined. Near each intersection, dispersion modeling indicates the existing (1997) maximum 1-hour carbon monoxide concentrations are below the NAAQS of 35-ppm. Converting 1-hour concentrations to represent 8-hour carbon monoxide level using a 0.7 "persistence factor," the existing worst-case maximum 8-hour levels near three intersections may reach or exceed the 9-ppm standard.

## Ozone

Ozone is a highly reactive form of oxygen created by sunlight-activated chemical transformations of nitrogen oxides and volatile organic compounds (hydrocarbons) in the atmosphere. Unlike carbon monoxide concentrations which tend to occur very close to the emission source(s), ozone problems tend to be regional in nature because the atmospheric chemical reactions which produce ozone usually occur over a period of time. During the lag time between emission and ozone formation, ozone precursors can be transported far from their sources. Transportation sources are one of a number of sources that produce the precursors to ozone.

During the summer of 1990, ozone concentrations exceeded the 0.12 ppm NAAQS then in effect several times at monitoring stations in both Enumclaw and Lake Sammamish State Park. As a result of these violations, EPA designated all of Snohomish, King, and Pierce counties as nonattainment for ozone. The ozone nonattainment area was reduced in size in late 1992 to include all of Pierce County, all of King County except a small portion in the northeast corner, and the western portion of Snohomish County (Federal Register 1992, page 56777). The project area is within the ozone nonattainment area established in 1992, but no ozone concentrations exceeding the NAAQS have been recorded since 1994 (DOE 1997).

The EPA recently announced its determination that the Puget Sound Ozone Nonattainment area has attained the public health-based NAAQS for ozone. Based on this determination, EPA redesignated the Puget Sound area to attainment, and approved the associated air quality maintenance plan (DOE 1997). This plan includes measures to continue controlling ozone emissions and is intended to assure the standard is maintained for at least ten years. The site is therefore in an ozone maintenance area.

Effective September 16, 1997, EPA implemented a new federal standard for ozone (Table 8A). The new standard lowers the allowed ambient concentration and extends the averaging time from 1 to 8 hours. Both factors make the new 8-hour standard more stringent than the existing 1-hour standard. The 1-hour standard remains in effect in existing nonattainment areas until that standard has been attained, at which point, the new standard becomes effective. Because the Puget Sound region is now classed as a

maintenance area under the old 1-hour ozone standard, the 1-hour standard has been rescinded for this area, and the new 8-hour ozone standard now applies. Monitoring data compiled and reported by PSAPCA and DOE indicate Puget Sound region ozone levels from 1995 through 1997 complied with the new 8-hour ozone standard (PSAPCA 1998).

## Inhalable Particulate Matter (PM10)

Federal, state, and local regulations set limits for particles less than or equal to about 10 micrometers in diameter (Table 8A). This fraction of particulate matter, called $PM_{10}$, is important in terms of potential human health impacts, because particles of this size can be inhaled deeply into the human lung. $PM_{10}$ is generated by industrial activities and operations, fuel combustion sources like residential wood burning, motor vehicle engines and tires, and other sources. Such sources occasionally cause high $PM_{10}$ levels in the Puget Sound region, and several areas in Seattle and Tacoma have in the past been declared nonattainment areas because $PM_{10}$ concentrations sometimes exceed health standards.

The site area is included in a $PM_{10}$ attainment area and, given the lack of major sources, it is likely that $PM_{10}$ concentrations are below the limits set by the health standards most of the year. During prolonged periods of stagnant meteorological conditions, however, it is possible that $PM_{10}$ emissions from vehicles, residential solid-fuel space heating, and existing industrial sources in the study area could elevate $PM_{10}$.

The closest $PM_{10}$ monitoring station is in Lake Forest Park. $PM_{10}$ concentrations from this monitor have complied with the old form of the 24-hour $PM_{10}$ over the last 7 years.[1] Review of the last 3 years of published data (through 1996) indicates the highest 24-hour $PM_{10}$ concentrations at this station are typically about 60% of the concentration allowed by the 24-hour ambient air quality standard (PSAPCA 1998).

## Fine Particulate Matter (PM2.5)

Effective September 16, 1997, EPA implemented a new federal standard for particulate matter less than or equal to 2.5 micrometers (microns) in diameter (Table 8A). This fine fraction of particulate matter mass is called $PM_{2.5}$, and is a subset of $PM_{10}$. Such small particles (e.g., a typical human hair is about 100 microns in diameter) can be breathed deeply into lungs, and are thought to represent the most dangerous particle size fraction in terms of human health.

There are no $PM_{2.5}$ data for the project study area. But because some of the particulate matter emitted by industrial sources and most of the particulate matter emitted by residential wood burning and vehicle exhaust emissions are in this size range, it is likely that the preponderance of wintertime emissions in the area are $PM_{2.5}$. PSAPCA $PM_{2.5}$ monitoring data for several locations in the central Puget Sound region indicate $PM_{2.5}$ levels will likely comply with the new $PM_{2.5}$ 24-hour standard (65 $\mu g/m^3$). These same data are less conclusive regarding compliance with the new annual average standard (15 $\mu g/m^3$) (PSAPCA 1998).

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[1] The particulate matter standards have recently been revised to the values presented in Table 8A. The previous form of the standard for particulate matter less than 10 micron in diameter was slightly *more* stringent than the new form.

## IMPACTS OF THE PROPOSED ACTION

### Potential Air Quality Impacts During Construction

During construction, dust from excavation and grading would contribute to ambient concentrations of suspended particulate matter. The construction contractor(s) would have to comply with the Puget Sound Air Pollution Control Agency's Regulation I, Section 9.15 requiring reasonable precautions to avoid dust emissions. This environmental protection may include applying water or dust suppressants during dry weather. Other potential dust control measures include street cleaning to prevent dirt, mud, and other debris from being deposited on paved roadways open to the public.

Construction would require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would slightly degrade local air quality, but their emissions and resulting concentrations would be substantially less than emissions from traffic normally in and around the site area.

Some phases of construction could cause odors detectable to some people off-site. This would be particularly true during paving operations using tar and asphalt. The construction contractor(s) would have to comply with the PSAPCA regulations requiring the best available measures to control the emissions of odor-bearing air contaminants (Regulation I, Section 9.12). Such odors probably would be short-term.

Construction equipment, material hauling, and detours for excavation and grading could affect traffic flow in the project area. If construction delays traffic enough to substantially reduce travel speeds in the area, general traffic-related emissions would increase.

### Potential Air Quality Impacts from Project Operation

In the case of transportation projects that generate vehicular traffic or modify the transportation system, the major air pollutant of concern is carbon monoxide. Of the various vehicular emissions, carbon monoxide is the pollutant emitted in the largest quantity for which an ambient air standard exists. Therefore, carbon monoxide is the primary focus of this analysis.

Traffic related to the Proposed Action and revisions to the transportation system could affect carbon monoxide emissions in a carbon monoxide maintenance area. Consequently, the potential air quality effects are subject to state and federal air quality conformity rules, as noted previously. These rules are intended to ensure that projects and actions affecting air quality will conform to existing plans and time tables for attaining conformity and maintaining federal health-based air quality standards. The dispersion modeling conducted for this analysis constitutes a project-level conformity study.

### Method of Analysis

Two standard computerized tools were used to evaluate potential air quality impacts of the proposed Lakepointe project in the buildout and future design years as defined by the State Conformity Rule. First, peak-hour pollutant emission rates due to traffic in the project area were computed using the MOBILE5A Mobile Source Emissions Model (EPA 1993a). The MOBILE5A input parameters were consistent with those used in the development of the CO Washington State Implementation Plan (SIP)

and the carbon monoxide Maintenance Plan in accord with Ecology and PSAPCA recommendations. Refer to Appendix A for more information regarding the analytical methodology.

Second, vehicle emission factors from MOBILE5A and assumed worst-case meteorological conditions were used as input to the CAL3QHC dispersion model (EPA 1992a) to calculate ambient carbon monoxide concentrations near signalized intersections. The CAL3QHC model estimates carbon monoxide concentrations at model "receptors" near roadway intersections based on emissions from free-flowing and queued traffic under different wind and atmospheric stability conditions. Calculated carbon monoxide concentrations were then compared with pertinent air quality standards.

According to the EPA guidelines, quantitative analyses must be performed when a project's traffic affects congested signalized intersections. Congested intersections operating at level-of-service (LOS) "D" or worse have the greatest potential to generate high carbon monoxide levels.[2]

## Road/Intersection Configurations Analyzed

The air quality modeling conducted for this analysis was coordinated with environmental officials at King County and the Washington Department of Transportation (WSDOT) through direct and written communications.

Dispersion modeling was used to examine the potential air quality implications of traffic near four existing intersections and one future intersection that would be developed as part of the Proposed Action. The analysis of existing conditions and future No Action Alternative examined the three SR-522 intersections with SR-104 (Ballinger Way NE), 61st Ave NE, and 68th Ave NE, and the intersection of 68th Ave NE with NE 175th St. The analysis of the future implications of the proposed project examined these same intersections and additionally included the intersection of SR-522 with Lakepointe Way NE. Due to their proximity (less than 1,000 feet apart), the analysis considered the potential interactions of the two intersections on 68th Ave NE (with SR-522 and with NE 175th St) together in a single modeling configuration for each alternative.

It is important to note that the modeling of *all* scenarios (including Existing Conditions and future No Action) considered the implementation and use of dedicated transit lanes in both directions on SR-522. These lanes are already in place, and so will be present with either future scenario. These lanes are used only by transit vehicles except for right-turning at intersections, which effectively moves much of the traffic away from sidewalk hot-spot modeling "receptor" locations, resulting in lower calculated carbon monoxide concentrations.

## Modeling Results

Table 8B displays the results of the CAL3QHC dispersion modeling for existing conditions (1997) and the Project and No Action alternatives in the project's year of opening (2000) and a future "design" year (2010). The reported 1-hour concentrations in Table 8B include a 3-ppm background level to account for

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[2] Level of service (LOS) represents the general progression of traffic through an intersection based on the weighted average per vehicle delay. LOS varies from "A" (good progress with little delay) to "F" (very poor progress with extensive delay). Refer to the traffic section of the EIS for more information.

emissions from other sources in the area. The modeled 1-hour concentrations were converted to represent 8-hour concentrations using a "persistence factor" of 0.7 to reflect both meteorological and traffic variability over an 8-hour period. This conversion factor is based on EPA and local agency recommendations, and it may provide a conservative estimate of 8-hour carbon monoxide concentrations.

### *Existing Conditions*

Dispersion modeling indicates existing peak 1-hour concentrations near all four intersections examined are far below the 35-ppm 1-hour limit (Table 8B). However, converting the 1-hour concentrations to represent 8-hour concentrations results in worst-case 8-hour concentrations reaching or exceeding the 9-ppm limit at locations near all four intersections. (Note that because the intersections of 68th Ave NE with SR-522 and with NE 175th St were considered in a single modeling scenario, only the most-affected receptor is reported to represent both intersections.) Near the 68th Ave NE intersections, the calculated 8-hour concentration reaches 10.0 ppm. Near the SR-522 intersection with 61st Ave NE the highest 8-hour concentration reaches the 9-ppm limit. Near the intersection of SR-522 with SR-104 (Ballinger Way NE) the calculated 8-hour level reaches 10.2 ppm.

**Table 8B.**
**Calculated Maximum Peak-Hour & 8-Hour Carbon Monoxide Concentrations** (ppm)

| Modeled Intersection | Averaging Time | 1997 Existing | 2000 Opening Year Alternatives | | 2010 Design Year Alternatives | |
|---|---|---|---|---|---|---|
| | | | No Action | With Project | No Action | With Project |
| 68th Ave NE w/ SR-522 ***and*** 68th Ave NE/NE 175th St | 1-hour (35 ppm limit) | 14.3 | 13.2 | 12.6 | 10.9 | 10.1 |
| | 8-hour (9 ppm limit) | **10.0** | **9.2** | 8.8 | 7.6 | 7.1 |
| SR-522 w/ 61st Ave NE | 1-hour (35 ppm limit) | **12.8** | **9.4** | **10.2** | 8.1 | 8.7 |
| | 8-hour (9 ppm limit) | 9.0 | 6.6 | 7.1 | 5.7 | 6.1 |
| SR-522 w/ SR-104 (Ballinger Way NE) | 1-hour (35 ppm limit) | 14.5 | 10.9 | 11.2 | **9.7** | **10.0** |
| | 8-hour (9 ppm limit) | **10.2** | 7.6 | 7.8 | 6.8 | 7.0 |
| SR-522 w/ Lakepointe Way | 1-hour (35 ppm limit) | | | **10.5** | | **9.1** |
| | 8-hour (9 ppm limit) | | | 7.4 | | 6.4 |

**Note**: Eight-hour concentrations were calculated from the modeled 1-hour CO concentration using a 0.7 persistence factor.
Bold font represents a calculated CO concentration exceeding the 9.0-ppm 8-hour ambient air quality standard.
Shaded cells indicate intersection does not currently exist and would not exist with future No Action.

**Source: CAL3QHC dispersion modeling by McCulley, Frick & Gilman, Inc.**

### *Opening Year Alternatives*

The years identified for air quality analysis were specifically determined by the regulations of the State Air Quality Conformity Rule, administered jointly by WSDOT, WSDOE and the Puget Sound Regional Council (PSRC). Because of the dictates of the Conformity Rule, the analysis years of the air quality analysis do not match those analyzed in the Transportation sections of the Draft and Final Supplemental EIS documents. To provide the future traffic volumes for the analysis years, additional transportation modeling, based on the transportation modeling provided for the updated transportation analysis, was performed.

#### 2000 No Action

Due to the continuing emission control Inspection and Maintenance (I&M) program and expected increasing efficiencies in vehicle engines, projected vehicle emission rates are lower in 2000 than in 1997. Such decreases in emissions would offset expected increases in peak-hour vehicle volumes, and corresponding increases in carbon monoxide concentrations. Calculated worst-case 1-hour carbon monoxide concentrations are far below the 35-ppm limit at all locations examined (Table 8B). The highest calculated 8-hour concentration occurs near the combined intersections of 68th Ave NE with both SR-522 and NE 175th St. This level would still slightly exceed the 9-ppm limit, but would be lower than existing conditions. The calculated 8-hour concentrations at the other intersections (SR 522/61st Ave NE and SR 522/SR 104) are far below the level allowed by the standard.

#### 2000 Project Year of Opening

Traffic modeling indicates constructing NE Lakepointe Way as part of the Proposed Action would divert traffic away from the intersections of 68th Ave NE with both SR-522 and NE 175th St, which would in turn reduce carbon monoxide levels near these intersections (Table 8B). The calculated maximum 8-hour carbon monoxide concentration near this set of intersections falls below the 9-ppm standard, and so represents an improvement in air quality compared with the No Action Alternative. Calculated 8-hour carbon monoxide levels near the other two existing intersections are somewhat higher than with No Action, but remain below the 9-ppm limit. At the new intersection of SR-522 with Lakepointe Way NE, the predicted 1-hour and the 8-hour levels fall below the respective ambient air quality standards.

### *Design Year Alternatives*

#### 2010 No Action

By 2010, the continuing vehicle Inspection and Maintenance (I&M) program and expected increasing efficiencies in vehicle engines would result in even lower projected emission rates than in 1997 or 2000. Such decreases would more than offset expected increases in peak-hour vehicle volumes and corresponding increases in carbon monoxide concentrations. Calculated peak 1-hour and 8-hour carbon monoxide construction at all intersections examined fall far below the respective standards (Table 2).

#### 2010 "Design Year"

With the continuing diversion of traffic away from the intersections of 68th Ave NE with both SR-522 and NE 175th St, calculated 1-hour and 8-hour carbon monoxide concentrations are lower than with No Action. Although calculated peak carbon monoxide levels are slightly higher than with No Action near

the other two existing intersections (SR 522/SR 104 and SR 522/61st Ave NE), predicted 1-hour and 8-hour carbon monoxide concentrations are below the levels allowed by the respective ambient air quality standards. Near the new intersection of SR-522 with Lakepointe Way NE, the predicted 1-hour and the 8-hour are well below the respective ambient air quality standards.

## Conformity With State Implementation Plan

The Federal Clean Air Act requires states to take actions to reduce air pollution in nonattainment areas to the extent that federal health-based standards are not exceeded, and to provide control measures in maintenance areas to assure attainment for at least ten years. The framework for meeting these goals is the State Implementation Plan (SIP). As required by the Federal Clean Air Act, Ecology and PSAPCA submitted both the ozone and the carbon monoxide SIPs to EPA for review, and the plans were approved.

Under section 176(c) of the Clean Air Act, as amended in 1990 and adopted by chapter 70.94 RCW of the Washington Clean Air Act of 1991, the Puget Sound Regional Council (PSRC), as the responsible metropolitan planning organization, and the Washington State Department of Transportation (WSDOT) can not adopt, approve, or accept any transportation improvement plans, programs, or projects unless they conform to the Washington SIPs.

Conformity with a SIP is defined as complying with the plan's purpose of reducing or eliminating the severity and number of violations of an ambient air quality standard, and achieving expeditious attainment of such standards. The federal and state rules and regulations governing conformity are described in 40 CFR parts 51 and 93 and in WAC 174-420.

In accordance with the conformity guidelines, the Puget Sound Regional Council (PSRC) was consulted regarding conformance of the transportation components of the Proposed Action with existing transportation and air pollution control plans. The PSRC indicated that the transportation components of the proposed LakePointe project have not been considered in regional modeling to assess the conformity of the regional Transportation Improvement Program (TIP) (Heffernan 1998).

King County will submit an application to have the Lakepointe Way NE proposal included in the PSRC's Regional Transportation Improvement Program when the engineering plans have been prepared and funding for construction has been secured.

In many circumstances, a site-specific air quality analysis that may include dispersion modeling constitutes a "project-level" conformity review as defined in clean air rules. For the Proposed Action, the modeling analysis described in this section comprises a project-level review, and the following project-level conformity statement applies.

> Local pollutant concentrations related to future action alternatives of the proposed project were predicted using regulatory models and protocols. The highest predicted 8-hour carbon monoxide concentration was 8.8 ppm in the project opening year (2000). This maximum calculated carbon monoxide concentration is less than the 9-ppm 8-hour standard. By the design year (2010) of the project's transportation components, the highest predicted 8-hour carbon monoxide concentration was 7.1 ppm, which is below the health standard. Consequently, the transportation components of the Proposed Action would not increase the frequency or the severity of an existing violation of the carbon monoxide standards, nor create a new violation of carbon monoxide standards. The

transportation elements of the Proposed Action therefore conform at the project level with the purpose and intent of the current SIP, and fulfill the requirements of the federal Clean Air Act Amendments of 1990 and the Washington State Clean Air Act of 1991.

## MITIGATION MEASURES

### Construction Impact Mitigation

- Emissions from construction equipment and trucks can be reduced by using well-maintained equipment. Avoiding prolonged periods of vehicle idling and engine-powered equipment would also reduce emissions.

- Trucking materials to and from the project area could be scheduled to minimize congestion during peak travel times. This would minimize secondary air quality impacts caused by traffic having to travel at reduced speeds.

- Dust produced by construction would be reduced by several techniques. Areas of exposed soils such as storage yards and construction roadways could be sprayed with water or other dust suppressants. Roads and other areas that might be exposed for prolonged periods could be paved, planted with a vegetation ground cover, or covered with gravel. The amount of soils carried out of the construction area by trucks would be reduced by wheel washing and covering dusty truck loads. Finally, soil that does escape the construction area on exiting vehicles would be reduced with an effective street-cleaning effort.

### Operational Impact Mitigation

Because dispersion modeling indicates neither of the action alternatives would result in carbon monoxide concentrations exceeding the 8-hour NAAQS, no mitigation of potential air quality impacts is required.

## UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

None have been identified.

# FISHERIES RESOURCES

This section summarizes the findings of Fisheries Resources Analysis prepared by CH2M HILL. The full analysis is included as Appendix B to this Final Supplemental EIS.

## INTRODUCTION

In response to comments received on the Draft Supplemental EIS and changes made to the Proposed Action, this section provides an updated discussion on existing fisheries resources and provides an updated analysis of the probable impacts of the Proposed Action on those resources based on the revised marina plan. Information provided in the Draft Supplemental EIS and *the Final Lakepointe Technical Report on Natural Resources (Beak Consultants 1997)* is referenced when describing existing conditions and supporting conclusions. The scope of the updated fisheries discussion is to:

- Use only appropriate references
- Qualify and describe uncertainty
- Use fish numbers in terms of density rather than absolute numbers
- Discuss all stocks involved
- Provide a specific species-by-species discussion
- Evaluate total predation if possible
- Consider offsite predation
- Include a discussion of Endangered Species Act (ESA) considerations

The major issues concerning the development-related effects on juvenile salmonids include the following:

- Loss of habitat
- Potential for increased predation
- Potential attraction of predators and creation of predator habitat
- Potential increased production of predators for subsequent dispersal
- Potential increased foraging efficiency of predators
- Water quality impacts

It is appropriate to note the limitations of existing literature and data available for the assessment. For a large lake in a metropolitan area, Lake Washington is surprisingly understudied. That status is currently being rectified with the 3-year-old program (WDFW et. al.) now in progress to study the "sockeye problem." In the 1970s there was a flurry of research activity that generated a number of masters theses and doctoral dissertations that form the bulk of fish ecology information available for use today. Most of the research was (and is) directed at sockeye, because they are the largest salmonid resource in the basin.

## AFFECTED ENVIRONMENT

### Fish Use

#### *Salmonid Fish*

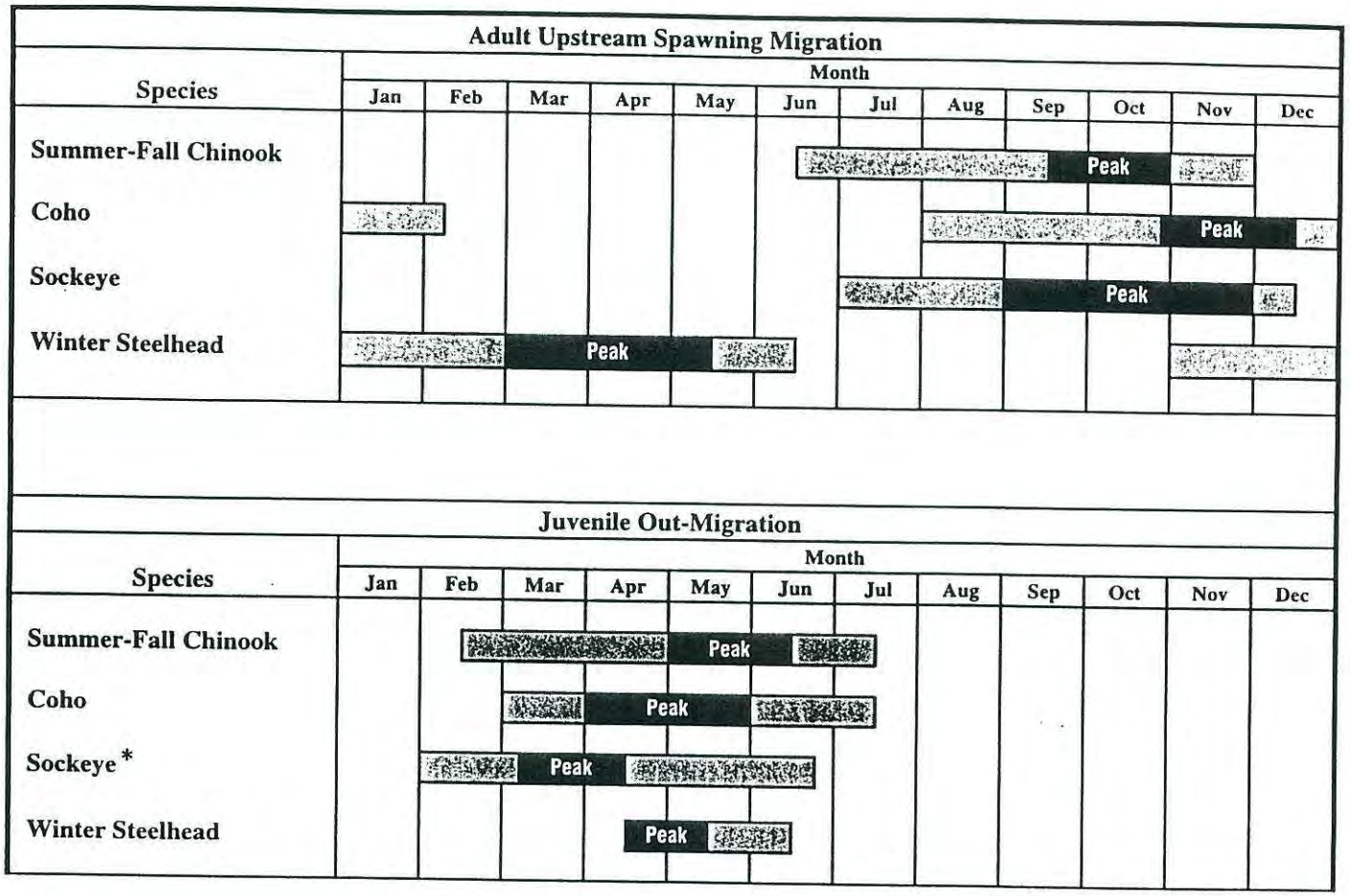
Timing and Distribution. The Sammamish River basin supports several anadromous salmonids, including chinook (Onchorhynchus tshawytscha), coho (O. kisutch), and sockeye salmon (O. nerka), and steelhead (O. mykiss) and cutthroat trout (O. clarki) (Williams et al. 1975; Washington Department of Fish and Wildlife et al. 1994). The Sammamish River system also supports runs of nonanadromous kokanee (O. nerka) salmon and adfluvial cutthroat trout (King County 1993). The mouth of the Sammamish River provides rearing habitat for salmonids and is a migration corridor for adult and juvenile salmon.

The majority of the spawning and rearing activity of salmon and trout migrating past the site occurs in tributaries to the Sammamish River and Lake Sammamish, including Issaquah, North, Swamp, Big Bear, Little Bear, and Cottage Lake creeks. Both natural and artificial production occurs in Issaquah Creek. Timing of the various life history stages of each species is shown in Figure 17A and described below.

Anadromous juveniles produced in this system emigrate through the Sammamish River, passing by the southern edge of the site, before reaching Lake Washington. Washington Department of Fish and Wildlife (WDFW) personnel suspect that outmigrating juvenile salmonids may temporarily hold in the shallow beach area at the western edge of the site before migrating through Lake Washington (Fisher, WDFW, pers. comm., 1996). The migratory habits of juvenile salmonid outmigrants have never been studied at the mouth of the Sammamish River, so it is not known whether sockeye fry or other salmon smolts have a migratory preference. Chinook and coho are known to have a strong shoreline preference and thus would be expected to turn north or south at the river mouth. Sockeye are known to move relatively quickly offshore upon reaching a lake, but some have been found to use shoreline areas for their first month of residence in Lake Washington (Martz et al. 1996).

Adult fall chinook salmon begin entering Lake Washington in early July. River entry and upstream spawning occur from mid-September through October (Williams et al. 1975). Juvenile chinook generally rear in tributaries for 3 months before migrating to sea (Williams et al. 1975), but some juveniles in the Lake Washington system may remain in freshwater for longer periods given the rearing environment provided by the lake (Wydoski and Whitney 1979). Seaward migration occurs from early March to early July (Williams et al. 1975; Martz. et al. 1996).

Adult coho salmon enter Lake Washington as early as August. River entry and spawning in north Lake Washington tributaries occurs from late October to mid-December (Williams et al. 1975). Coho juveniles rear throughout the year in streams and rivers, with very few thought to use Lake Washington for rearing (B. Tweit, WDFW, pers. comm. 1998). Coho smolts migrate to sea between early March and early July as yearlings (Williams et al. 1975).




* *This bar represents the outmigration of sockeye fry into Lake Washington. It does not represent the outmigration of sockeye smolt, which occurs in late April to mid-May (Martz,et al., 1996).*

Source: $CH_2M$ Hill

| | | |
|---|---|---|
| **Huckell/Weinman Associates, Inc.** | **Lakepointe Mixed-Use Master Plan** | **Figure 17A**<br>**Salmon and Steelhead Migration Timing in Lake Washington System** |

Adult sockeye enter Lake Washington in mid-June. River entry and spawning in Lake Washington/Sammamish tributaries take place from early September through November (Williams et al. 1975; Wydoski and Whitney 1979). Lake Washington shoreline spawning occurs between November and mid-January (Wydoski and Whitney 1979). Sockeye fry produced in the Sammamish Basin migrate to Lake Washington from mid-January through April, with the peak of outmigration occurring from early March to mid-April (Seiler and Kishimoto 1997). Sockeye juveniles rear in the lake for 1 or 2 years before migrating to the sea. Peak smolt migration occurs from late April to mid-May (Martz et al. 1996a).

Adult steelhead begin entering Lake Washington in mid-December. Spawning in lake tributaries takes place from early March to early June. Steelhead juveniles typically rear in streams for 1 to 3 years. Seaward migration of smolts occurs from April through June, with the peak of outmigration taking place in mid-April (Wydoski and Whitney 1979). Resident rainbow trout live throughout the year in Lake Washington, spawning in tributary streams about the same time as steelhead.

Three forms of cutthroat trout exist in the Lake Washington basin: anadromous, adfluvial, and fluvial (King County 1993). The fluvial form spend their entire lives in the same stream. The adfluvial form grows to maturity in Lake Washington or Lake Sammamish and return to their natal streams to spawn. The sea-run, or anadromous form, spawns in tributary streams, rear for 2 to 5 years, then migrate to sea where they mature. Sea-run cutthroat spawn from late December to February, whereas resident cutthroat typically spawn from April to early May. Seaward migration of smolts occurs from January through June, but the majority migrate from April through June (Wydoski and Whitney 1979).

The size at migration of juvenile salmonids varies among species and among stocks within a population. Fry typically enter the lower Sammamish River and Lake Washington at a relatively small size. The salmon fry are weak swimmers compared to larger yearling outmigrants and are particularly susceptible to predation. Sockeye migrate into Lake Washington as fry, chinook as subyearling smolts, coho as yearling smolts, and steelhead as 1- and 2-year old smolts.

Salmon Stock Inventory. WDFW and western Washington treaty tribes jointly assembled specific information for the Lake Washington basin in developing a Washington State Salmon and Steelhead Stock Inventory (SASSI). The current status of salmon and steelhead stocks in the basin was evaluated as of 1992 (Washington Department of Fish and Wildlife et al. 1993). This is information summarized in Table 14A and described below.

## Table 14A

## Summary of SASSI Information for Anadromous Stocks of Salmonid Fish Stocks in Lake Washington

| Species | Stock | Stock Status | Stock Origin | Escapement Range | Escapement Average | Notes |
|---|---|---|---|---|---|---|
| Summer/fall chinook | Issaquah Creek | Healthy | Non-native | 500 - 5,000 | 2,000 | Hatchery production<br>Natural production |
| Summer/fall chinook | North Lake Washington tributaries | Unknown | Native | 716 - 3082<br>34 - 524 | 1,731[a]<br>221[a] | Wild production<br>Natural[b] |
| Summer/fall chinook | Cedar River | Unknown | Native | 600 - 4,300 | 1,900 | Wild production |
| Coho | Lake Washington/ Sammamish River tributaries | Depressed | Mixed | Unknown[c] | Unknown[c] | Hatchery and wild production |
| Coho | Cedar River | Healthy | Mixed | Unknown | Unknown | Wild production with some hatchery plants |
| Sockeye | Lake Washington/ Sammamish River tributaries | Depressed | Unknown[d] | 3,601 - 29,713 | | Wild production |
| Sockeye | Lake Washington Beach spawning | Depressed | Unknown | 54 - 103 | | Wild production |
| Sockeye | Cedar River | Depressed | Non-native | 76,000 - 365,000 | | Wild and hatchery production |
| Winter Steelhead | Lake Washington | Depressed | Native | 474 - 1,816 | | |

[a] 5-year average. Source: C. Smith, WDFW.
[b] Natural: hatchery fish spawning in Issaquah Creek.
[c] Presumed to be very low (B. Tweit, WDFW).
[d] Now thought to be native origin based on electrophoresis (J. Ames, WDFW).

Chinook Salmon. Three stocks of summer-fall run chinook salmon have been identified by state and tribal biologists in the Lake Washington System (Washington Department of Fish and Wildlife et al. 1993): the Issaquah Creek, the Cedar River, and the North Lake Washington tributary chinook stocks. The status of the Issaquah Creek stock is healthy, and this stock is supported by hatchery production. An average of 2,000 fish are used as broodstock at the hatchery. Excess escapement and hatchery fish that spawn in Issaquah Creek below the hatchery form a naturalized group; i.e., they spawn and rear naturally

but have hatchery/non-native genetic disposition. The status of the two native stocks is unknown due to insufficient information. Excluding the naturalized hatchery population in Issaquah Creek, chinook spawning escapement to the Sammamish River system ranges from 34 to 524 fish, averaging 221 (C. Smith, WDFW, pers. comm. 1998). The Issaquah Creek naturalized stock averages about 1,700 fish. Hatchery production and naturalized production dominate smolt production in the Sammamish system, with a combined total of roughly 2 million outmigrants (Table 14B). Wild smolt production has been calculated to be about 22,000 fish, based on escapement (C. Smith, WDFW, pers. comm. 1998).

## Table 14B

## Estimated Fry and Smolt Production of Anadromous Salmonids in Sammamish River System

| | Fry/Smolt Production (recent average) | | | |
|---|---|---|---|---|
| **Species** | **Wild** | **Natural[a]** | **Hatchery[b]** | **Total** |
| Chinook | 22,100[c] | 173,000[c] | 1,943,000 | 2,138,100 |
| Coho | 13,398[d] | Unknown | 1,862,000 | 1,875,400 |
| Sockeye | 1,395,000[e] | N/A | N/A | 1,395,000 |
| Steelhead | <1,000[f] | N/A | 13,500[f] | 14,000 |
| Total | 1,431,498 | 173,000[e] | 3,818,000 | 5,422,500 |

[a]Natural spawning refers to hatchery fish spawning and rearing naturally. This occurs extensively in Issaquah Creek, upstream not downstream from the hatchery. Some wild fish might be mixed in with this group.

[b]Average of 1996 and 1997 data only (Beak 1998).

[c]Based on escapement estimates, calculated survival (see Appendix A).

[d]Based on the total Lake Washington outmigrant estimate and apportioned by watershed size (B. Tweit, WDFW, pers. Comm. 5/98).

[e]Average of 1997 and 1998 outmigrant estimates in Sammamish River (D. Seiler, WDFW, pers. Comm. 1998).

[f]Wild production estimate is an optimistic estimate. Hatchery production is the number being reared at Issaquah Hatchery at present for release next spring (S. Foley, WDFW, pers. Comm. 1998).

Coho Salmon. There are two stocks of coho salmon identified in the Lake Washington system: one is supported by the Lake Washington/Sammamish tributaries stock and the other by the Cedar River (Washington Department of Fish and Wildlife et al. 1993). The status of the Lake Washington/Sammamish tributaries stock is considered depressed, while the Cedar River stock is considered to be healthy. Both of these stocks are of mixed native and non-native production. Escapement and production of wild coho in the Sammamish system is unknown but is thought to be quite low due to urban-related impacts (B.Tweit, WDFW, pers. comm. 1998). Egg-to-fry survival has been estimated to be near zero in some years in some streams. Smolt production from the entire Lake Washington system was estimated to be about 77,000 fish for 1997 (B. Tweit pers. comm. 1998). Based on the proportion of watersheds draining into the lake, the production of natural coho smolts from the

Sammamish system would be about 13,400 fish. Hatchery production dominates coho production in the Sammamish system, with about 1.9 million fish produced in recent years.

Sockeye Salmon. There are three stocks of sockeye salmon identified in the Lake Washington basin: the Cedar River, Lake Washington/Sammamish tributaries, and Lake Washington beach spawners. Sockeye were introduced into Lake Washington in 1935 from the Baker River stock, and planting of sockeye in the lake continued until the early 1960s. There is evidence that the beach spawners and northern tributary spawners (primarily Bear Creek) might be native in origin, but they are classified as unknown at this time.

The Lake Washington sockeye run size estimates have varied substantially over the years, ranging between 98,000 and 621,000 fish. The best production years can produce an order of magnitude more returning fish than poor years. There are many factors thought to be involved with this variability in survival, including redd scour from floods, river and lake predation, changes in the plankton community, and competition for forage. Egg-to-fry survival can also vary by an order of magnitude or more between years (J. Ames, D. Seiler, WDFW, pers. comm. 1998)

Approximately 70 percent of the Lake Washington system sockeye spawn in the Cedar River. The remainder spawn primarily in Bear Creek and Issaquah Creek in the Sammamish system, with small numbers scattered in small tributaries. The escapement goal of 350,000 sockeye was met in 1988 and again in recent years. However, all three stocks are considered depressed based on declining escapements. In four of five recent years, run sizes were below 100,000 fish. Fry production from the Sammamish system was estimated to be about 930,000 from about 60,000 spawners in 1996. The 1997 brood year produced about 2,000,000 fry from about 10,000 spawners (D. Seiler, WDFW, pers. comm. 1998). Sockeye from the Sammamish system mostly move into Lake Washington as fry in early spring to rear (Figure 17A). The number rearing to the smolt stage in Lake Sammamish is unknown.

Steelhead Trout. Winter steelhead are managed as a single unit in the Lake Washington basin. This stock is considered a distinct wild winter native steelhead run, although hatchery smolts were also stocked in the system between 1982 and 1992. Wild winter steelhead escapement has ranged from 474 to 1,816 fish since 1983. An escapement goal of 1,600 wild winter steelhead was set for the Lake Washington system in 1985. Escapement since 1985 has averaged 868 fish and only exceeded the goal one time. The status of the stock is considered depressed. At present, escapement is on the rebound, with about 650 spawners observed in the Cedar River in 1997/1998. Escapement to other tributaries is very low in the Sammamish system, with estimated numbers on the order of 2 or 3 fish per stream for tributaries such as Issaquah Creek, Bear Creek, North Creek, and Cottage Creek (S. Foley, WDFW, pers. comm. 1998). Wild smolt production is probably less than 1,000 fish currently (S. Foley, WDFW, pers. comm. 1998).

Site-Specific Surveys. Beak Consultants performed a series of fish surveys at the site in 1996 and 1997 in support of the Draft Supplemental EIS. Methods included electrofishing, gillnetting, snorkeling, and beach seining. Refer to Appendix B of the Draft Supplemental EIS (Beak, 1997), for details on methodology and results.

The methods used by Beak for assessing fish use at the site are considered useful to document presence or absence of fish and to make relative comparisons among sampling sites. However, these methods cannot quantitatively assess fish use with any degree of reliability, for a number of reasons. The beach seining deployed from shore may tend to scare off many fish before they can be caught, and shoreline obstructions required lifting of the net at times. Gillnets may be problematic for quantitative estimates because of deployment inconsistency and high variability in capture rates for different species. Of all of

the methods used, nighttime electrofishing, although infrequent, was probably the most effective. In 1996, a backpack shocker was used from shore for 4 minutes per site on six occasions. A backpack shocker does not have much sampling range and is typically used effectively only in small streams. In 1997, a boat shocker was used in the inner harbor on three occasions, fishing the entire shoreline to the extent possible. However, surveys were limited by floating and submerged structures and the location of various vessels, and the sampling period was brief.

To use the electrofishing data quantitatively to estimate salmon use in the project area, the 1996 data were expanded based on distance and time sampled (end of March to end of June) (refer to Appendix B for a discussion on extrapolation methods). Because the fish were moving through the area on their way out to the lake, it is assumed that the fish were traveling at a cruising speed of 0.325 foot per second. This analysis suggests that salmon use in the inner harbor was 6,847 fish during the period between the first and last sampling dates in 1996 (Table 14C ). Estimates for the Sammamish River shoreline and lakeshore were 17,514 and 20,032 fish, respectively.

## Table 14C

### Estimate of Nearshore Juvenile Salmonid Use in Lakepointe Project Area Using Beak (1998) Electrofishing Data, 1996 Season

| Site | Total Salmonids Collected | Salmonids Caught per Foot (mean) | Length of Shoreline Sampled (feet per day) | Length of Shoreline (feet) | Estimate of Total Salmonid Use | Ratio Compared to River Catch Data (expected) |
|---|---|---|---|---|---|---|
| Sammamish River Shoreline | 28 | 0.0133 | 350 | 2,182 | 17,514 | 1.0 |
| Lakeshore | 41 | 0.0152 | 450 | 727 | 20,032 | 1.14 (0.5) |
| Inner Harbor | 11 | 0.0048 | 50 | 2,000 | 6,847 | 0.39 (0.5) |

These estimates of shoreline fish use in the inner harbor area are a very small proportion of the estimated 5 million juvenile salmonids migrating out of the Sammamish system each year. This large difference could be due to the following: a large proportion of the fish travel offshore; a split-run between river banks; length of overall migration period vs. sampling period; peak abundance of hatchery fish compared to juveniles from natural populations; or significant avoidance of the electrofishing gear by fish along the shoreline.

The conclusion of this estimating exercise is that, at the very least, several thousand outmigrant salmonids use the inner harbor each year. The sampling data suggest that fewer salmonids use the inner harbor compared to the adjacent river shoreline and lakeshore. This is likely due to the shallowness of the shoreline at the mouth of the inner harbor. Many fish might simply pass across the mouth of the harbor on their way to other portions of the lake.

### *Other Fish Species*

Lake Washington contains a wide variety of nonsalmonid fish species, some of which are considered "warm water" species. Easy access to the Sammamish River from Lake Washington makes it likely that many of these lake species occasionally journey into the river. Fish inhabiting Lake Washington and the Sammamish River are both native and non-native in origin (Table 14D ).

## Table 14D

## Lake Washington Fish

| Common Name | Scientific Name | Origin |
|---|---|---|
| Sockeye salmon and kokanee | *Oncorhynchus nerka* | Introduced |
| Chinook salmon | *O. tshawytscha* | Native |
| Coho salmon | *O. kisutch* | Native |
| Cutthroat trout | *O. clarki* | Native |
| Steelhead trout and rainbow trout | *O. mykiss* | Native |
| Squawfish | *Ptychocheilus oregonensis* | Native |
| Rocky Mountain whitefish | *Prosopium williamsoni* | Native |
| Peamouth chub | *Mylocheilus caurinus* | Native |
| Large-scale sucker | *Catostomus macrocheilus* | Native |
| Coastrange sculpin[a] | *Cottus aleuticus* | Native |
| Prickly sculpin | *Cottus asper* | Native |
| Riffle sculpin | *Cottus gulosus* | Native |
| Three-spined stickleback | *Gasterosteus aculeatus* | Native |
| Longfin smelt | *Spirinchus thaleichthys* | Native |
| Pacific lamprey | *Entosphenus tridentatus* | Native |
| Brook lamprey | *Lampetra planeria* | Native |
| River lamprey | *Lampetra fluviatilis* | Native |
| Redside shiner | *Richardsonius balteatus* | Native |
| Large mouthed bass[b] | *Micropterus salmoides* | Introduced |
| Small mouthed bass[b] | *Micropterus dolomeiui* | Introduced |
| Yellow perch[b] | *Perca flavescens* | Introduced |
| Common carp[b] | *Cyprinus carpio* | Introduced |
| Brown bullhead[b] | *Ictalurus nebulosus* | Introduced |
| Black crappie[b] | *Pomoxis nigromaculatus* | Introduced |
| White crappie[b] | *Pomoxis annularis* | Introduced |
| Bluegill[b] | *Lepomis macrocheilus* | Introduced |
| Tench[b] | *Tinca tinca* | Introduced |
| Atlantic salmon[b] | *Salmo salar* | Introduced |
| Goldfish[b] | *Carassius auratus* | Introduced |
| Pumpkinseed sunfish[b] | *Lepomis gibbosus* | Introduced |

[a]The pelagic sculpin frequently found in association with sockeye salmon and long-fin smelt has not been officially identified but might be a subspecies of the coast range sculpin (Wydoski and Whitney 1979).

[B]Introduced species.

Source: Wydoski and Whitney 1979.

The most abundant fish in Lake Washington in terms on numbers are yellow perch, brown bullhead and peamouth chub. The most abundant fish in terms of biomass are sculpins and yellow perch.

In the Pfeifer and Weinheimer study, largemouth bass, squawfish and smallmouth bass represented 9.65, 1.26, and 0.22 percent of the total (Table 14E ).

## Table 14E

## Species, Number, and Relative Abundance of the Aggregate Sample of Warmwater Fish from Lake Washington, 1982

| Species | Number | Percent |
|---|---|---|
| Yellow perch | 1,688 | 41.57 |
| Brown bullhead | 547 | 13.47 |
| Peamouth chub | 491 | 12.09 |
| Black crappie | 479 | 11.80 |
| Largemouth bass | 392 | 9.65 |
| Pumpkinseed | 79 | 1.95 |
| Largescale sucker | 71 | 1.75 |
| Stickleback | 52 | 1.28 |
| Squawfish | 51 | 1.26 |
| Carp | 48 | 1.18 |
| Tench | 44 | 1.08 |
| Sculpin | 43 | 1.06 |
| Rainbow trout | 35 | 0.86 |
| Sockeye salmon | 10 | 0.25 |
| Coho salmon | 10 | 0.25 |
| Longfin smelt | 9 | 0.22 |
| Smallmouth bass | 9 | 0.22 |
| Chinook salmon | 3 | 0.07 |
| Total | 4,061 | 100.00 |

Source: Pfeifer and Weinheimer 1992.

The best method for assessing bass populations is through the use of mark and recapture methods (Pfeifer pers.comm.1998). Two such studies have been done in Lake Washington. Fayram (1996) estimated smallmouth and largemouth bass populations to be 1,001 and 145 in Lake Washington, respectively. Stein calculated a population size for largemouth bass of 2,100. No population estimates have been made for squawfish, but they are known to be very abundant throughout the lake.

At the inner harbor, methods used by Beak Consultants for capturing non-salmonids included electrofishing and gillnetting. In 1996, the most abundant were prickly sculpin (134), three-spine

stickleback (181), and squawfish (53) (Beak Consultants 1997). Four largemouth bass and no smallmouth bass were caught. In 1997, very few fish were caught.

### *Threatened and Endangered Species*

There are at present no fish species in the Lake Washington/Sammamish River system listed as threatened or endangered under the federal Endangered Species Act (ESA) or under the Washington Administrative Code (WAC 232-12-297). Several Pacific salmon species are currently under review for listing including coho, and chinook salmon (Table 14F ). Puget Sound fall chinook were formally proposed for listing as a threatened species in February 1998 by National Marine Fisheries Service (NMFS). It is possible that they will be listed by 1999. This would include fall chinook in the Lake Washington system.

**Table 14F**

**Federal ESA Listing Status for Aquatic Species of Concern in Lake Washington System**

| Species | Federal ESA Status |
|---|---|
| Chinook salmon | Under review for listing; proposed threatened |
| Coho salmon | Under review for listing |
| Sockeye | Not proposed for listing |
| Pacific lamprey | Species of concern |
| River lamprey | Species of concern |
| Bull trout | Under review for listing, proposed threatened |

Source: Beak Consultants 1998.

WDWF publishes a state Species of Special Concern (SSC) list that includes native Washington species listed as State Endangered, State Threatened, State Sensitive, or State Candidate as established by Washington Administrative Code (WAC 232-12-297), as well as species listed or proposed for listing under the federal ESA (discussed in the previous section). Currently, there are no additional Lake Washington fish species on the state SSC list that are not included in the federal list.

## IMPACTS OF THE PROPOSED ACTION

### Introduction

Features of the Proposed Action specific to shoreline areas surrounding the site include: 1) a public shoreline park along the north bank of the Sammamish River; 2) a fixed moorage pier; 3) public plazas

and viewpoints along the northeastern shore of the inner harbor; and 4) floating moorage slips in the eastern half of the inner harbor. The design specifications of the Proposed Action have evolved through the EIS process. To clarify the scope of the current proposal as it pertains to this analysis, shoreline features are quantified in Table 16A

## Table 16A

## Summary of Shoreline Treatments and Water Structures

| | Existing Conditions | | Proposed Marina | | |
|---|---|---|---|---|---|
| | Draft SEIS | Revised | Draft SEIS | Revised | Change from Revised Existing Conditions |
| Area of Surface Water Overhang (sq. ft.) | 7,642 | 8,938[a] | 32,488 | 9,504 | +566 |
| Area of Floating Material | | | | | |
| Floats | 7,795 | 7,795 | 12,700 | 9,340 | +1,545 |
| Boats | 25,800 | 29,648[b] | 14,632 | 26,045 | –3,603 |
| Total Shaded Area | 41,237 | 46,381 | 59,820 | 44,889 | -1,492 |
| Lineal Feet of Bulkhead | 1,131 | 1,131 | 1,016 | 1,016 | -115 |
| Number of In-Water Pilings | 365 | 395 | 449 | 255 | -140 |

Source: Beak Consultants 1998.

[a]Surface water overhang and number of pilings increased due to inclusion of an existing private covered moorage dock that is located within the site. These structures were assumed to be offsite in the Draft SEIS.

[b]The amount of floating boat surface area increased to include tug berthing areas, commercial vessel berthing, and other miscellaneous boat moorages shown in photographic documentation of the inner harbor during spring 1996. These areas were not incorporated into previous estimates of boat surface water coverage in the Draft SEIS.

The concern by regulatory agency and tribal biologists with the Proposed Action stems primarily from the proximity of the site to the Sammamish River mouth and from the status of the salmon runs regionally and in the Lake Washington watershed. About 5 million salmon fry and smolts travel down the Sammamish River on their way to Lake Washington and ultimately to the ocean each year. They become very concentrated at this point and are particularly vulnerable to predation during this migration. Coho and chinook salmon as well as steelhead trout populations are at historically low numbers. Development-related activities in the watersheds are considered a primary cause for their decline. The proposed listing of fall chinook salmon in Puget Sound as threatened under ESA has alerted the entire region that changes need to be made to reverse these declines

## Water Quality

Water quality associated with the Proposed Action is adequately addressed by meeting National Pollutant Discharge Elimination System (NPDES) requirements. Stormwater detention and treatment are

designed to conform with King County Surface Water Management Standards and thus comply with best management practices (BMPs) for surface water.

## Habitat Quality

### *Shallow Water Habitat*

The existing habitat quality along the entire perimeter of the site is degraded to varying degrees. The inner harbor area is seriously degraded with bulkheads, piers, docks, floats, construction debris, abandoned structures, major vessel moorage, and industrial activity. The channel is periodically dredged.

The protected nature of the inner harbor reduces wave action and allows temperatures to rise above that found on adjacent shorelines. This probably attracts bass and other warm water fish that are known to prey on juvenile salmonids.

The Proposed Action would do little to alter the shorelines along the Sammamish River and the lakefront area. A few trees would be removed and others planted. The southern exposure of the river shoreline precludes these trees from creating any shade at present. The inner harbor would be cleared of wood debris, construction debris, abandoned piers, major vessels, and house boats. The overall amount of shading from overhead structures and boats would be reduced. A bulkhead would be removed and replaced with shallow semi-natural shoreline for a length of 115 linear feet. Tug traffic would cease when the Kenmore Pre-Mix plant ceases operation in 10 to 15 years. At that time, turbidity would likely be reduced, although the increased small boat traffic might create similar conditions in shallow water. Overall, it would appear that rearing habitat for salmonids would not be degraded from its present condition.

### *Predation*

Predation has been identified as the primary concern of the state, county, and tribal biologists. The greatest predation rates on juvenile salmonids in Lake Washington are likely from other adult and pre-smolt salmonids fishes, primarily resident cutthroat and rainbow trout (Beauchamp et al. 1992; Beauchamp 1994, Tabor and Chan 1996b). However, some warm water species might also occasionally prey on juvenile salmonids. These species include northern squawfish, largemouth and smallmouth bass, pumpkinseed, black crappie, catfish, prickly scuplin, brown bullhead, and yellow perch. Of these piscivores (i.e. a fish that eats other fish), the squawfish, bass, and sculpin are thought to offer the greatest potential to occasionally prey on small salmonid outmigrants in Lake Washington ( Forester 1968; Stein 1970; Bartoo 1972; Olney 1975; Eggers 1978; Eggers et al. 1978; Tabor and Chan 1996b; Martz et al 1996a,b; Fayram 1996).

The inner harbor is a backwater area that provides spawning and rearing habitat for squawfish, largemouth bass, and perhaps smallmouth bass. The exact number of these species using the inner harbor is not known. However, survey results from three of the above studies showed at least some use by these species, except smallmouth bass. Extensive use by these species in the inner harbor is probable for several reasons. Lake Washington does not have abundant shallow backwater areas that warm up sufficiently in May and June to support successful spawning for either species of bass. Areas that do warm up above 13.0 degrees C in May would be sought out. The abundance of in-water structures would tend to attract ambush predators such as bass throughout the year. Squawfish spawn on rocky substrates,

but little is present in the project area. However, they do tend to concentrate in bays during the spring and summer (Olney 1975).

Juvenile salmonids are present and migrating through the site area at the same time that bass would be present (May and early June). The majority of sockeye fry may pass by the site before bass arrive but the occurrence of chinook and coho smolts is coincident with the expected arrival and metabolic activation of smallmouth and largemouth bass.

***Structures***

Several different types of structures are planned for addition, deletion, or modification as a part of the proposed marina. These include bulkheads, floating docks, fixed pier structures, and boats. Bulkheads currently present would remain with the exception of 115 feet of bulkhead at the eastern end of the harbor that would be removed and replaced with a semi-natural shoreline. With the proposed marina, there would be a decrease in over-water structure in the inner harbor compared to existing conditions (Table 16A). This, in association with a net loss of pilings, would be anticipated to be beneficial to fisheries resources. It is well known that ambush predators such as large- and smallmouth bass associate with structures such as these (Pflug 1981), although other studies have found minimal association (e.g., White 1975).

The behavioral characteristics of juvenile salmon around piers, docks, bulkheads, and floats are not well understood. Most of the information comes, with a few exceptions, in the form of anecdotal visual observations of fish behavior from experienced fisheries biologists. Ratte (1985) observed that pink salmon fry would swim along the shoreline under a pier rather than travel along the perimeter. However, the opposite behavior was observed in chinook salmon and chum salmon smolts in Port Gardner and in Elliot Bay. In those studies (Parametrix, 1984a, 1984b, 1985a, 1985b), chinook and chum smolts traversed the perimeter of the piers and would not venture underneath even if startled. A fish passage study at the Manchester fuel pier (Dames and Moore 1993) found that chum salmon smolts confronted with a relatively high, narrow pier (with good light penetration) would pass under or go around the pier in approximately equal proportions. The configuration of the Manchester fuel pier probably represents the transition point in terms of lighting for salmonid under-pier migration, at least for chum salmon. (It should be noted that the configuration of the Manchester fuel pier is not necessarily similar to the floating structures and pilings of the proposed marina.) There is no reason to believe that salmon smolt migratory behavior around pier structures in the estuarine environment during the first week of marine residence is different from their behavior in fresh water. In both situations, the fish are active migrants.

The limited behavioral observations of salmon around piers suggest that the amount of perimeter of over-water structure rather than surface area would be a better parameter to assess potential impacts of predation. Therefore, the perimeter of over-water structures was measured for the existing configuration of the inner harbor and compared with the proposed configuration. Some of the over-water structures or objects were deleted from consideration as ambush cover because they were too far from shore. These included moored barges for the existing condition and the entire detached pier structure in the proposed design. It was assumed that 10 feet was the maximum striking distance for a bass foraging foray. Because the existing configuration of structures in the inner harbor is for large objects, the surface area is large in comparison to the perimeter. The numerous finger piers of the proposed configuration create a greater perimeter. The perimeter comparison is as follows:

| | |
|---|---|
| Existing structure perimeter: | 1,820 feet |
| Proposed structure perimeter: | 2,675 feet |
| Proposed perimeter along ends of finger piers | 1,150 feet |

If out-migrant salmonid smolts or fry (in the case of sockeye) traverse the perimeter in the shoreline, they would traverse 855 feet additional feet of structure with the Proposed Action. There is no way of knowing how many predators might inhabit 855 feet or how many juvenile salmonids they might eat in the course of the outmigration. Based on the low bass population density in the lake, the number might not be more than a few fish. If the migrating salmon traverse the ends of the finger piers, which is a possibility due to the occupancy of slips with boats, effective perimeter length would be less with the proposed project (1,150 feet) and the potential predation on salmon would be less than under existing conditions. It is likely that a portion of the migrating salmon will traverse the ends of the piers and a portion will travel along the entire perimeter of the slips (i.e. will travel into the slips). The exact proportions of fish exhibiting each behavior pattern is not known.

## Species-by-Species Analysis

In order to give a comprehensive perspective on the issue of predation, a species-by-species discussion is provided.

Cutthroat Trout. Cutthroat trout are important predators of sockeye fry as well as coho and chinook salmon smolts. They are viewed as an important salmonid predator in Lake Washington (Martz et al. 1997; Tabor and Chan 1996) as well as in other sockeye lakes (Beauchamp et al. 1995). They are effective predators for a number of reasons, including compatible temporal (time) and spatial distribution, and a high degree of mobility and abundance. Although cutthroat trout population estimates for Lake Washington and Lake Sammamish have not been made, they are considered fairly abundant (Foley, WDFW, pers. comm. 1998). The niche of cutthroat trout in waters with anadromous forms is well known to include congener piscivory (eating of fish) in the larger fish. Cutthroat trout are cruising predators, at least in lakes, as opposed to sessile or ambush predators. For this reason, the presence or absence of docks, floats, piers offers little habitat value. The diversion of fry and smolts away from the refuge of shallow shorelines might increase predation effectiveness by cutthroat trout, however. Cutthroat trout were collected in the inner harbor and can be assumed to be there post-development.

The uncertainty about the migrational characteristics around the finger piers and the uncertainty as to the relative increase in vulnerability from shoreline diversion precludes judgment as to whether there is a net gain or loss of smolt vulnerability to these predators. Because cutthroat trout are not attracted to warm water and because there are hundreds of docks along the shoreline of Lake Washington, the incremental increase in predation from this project by cutthroat trout is likely to be negligible.

Rainbow Trout. Resident rainbow trout, like cutthroat trout, behave as congener and conspecific predators. The degree of piscivory (eating of fish) in rainbow trout varies with stock. In Lake Washington, rainbow trout were found to exhibit a relatively high degree of piscivory, especially for a hatchery stock (Beauchamp 1990). About 250,000 trout juveniles are planted every year in Lake Washington. The analysis for rainbow trout parallels that given for cutthroat trout.

Northern Squawfish. Northern squawfish are known to be predators of juvenile salmonids and are abundant in Lake Washington. As with cutthroat and rainbow trout, they co-evolved with salmon and thus can be expected to be spatially and temporally in tune with salmonid smolt migratory behavior.

Squawfish are opportunistic feeders showing a high degree of adaptability depending on food availability. When littoral resources are ebbing, they feed on longfin smelt and sockeye offshore (Eggers et al. 1978). When littoral resources are abundant, they exploit inshore resources. It is not surprising that Prickly sculpin, the most abundant fish in Lake Washington in terms of biomass, is extensively exploited by squawfish (Eggers 1978; Martz at al. 1997). Squawfish are known to concentrate and exploit seasonal concentrations of juvenile salmonid out-migrants in situations where the opportunity presents itself. Such is the case in the Columbia River, where squawfish congregate in the tailraces of hydroelectric projects and upper sections of reservoirs to prey on smolts (Beamesderfer et al. 1987; Poe et al. ___). In Lake Washington, squawfish prey heavily on sockeye fry at the mouth of the Cedar River and along the southern end of the lake in spring and early summer. These are bottleneck situations that are efficient to exploit. The same situation would be expected to exist at the mouth of the Sammamish River and adjacent shorelines. Squawfish were found in moderate numbers in the inner harbor.

Squawfish are not ambush-type predators, and in-water or over-water structures would not be expected to increase their habitat. However, the displacement of migration juvenile salmonids into deeper water along the pier faces might increase their vulnerability as with trout. As stated previously, this effect, if any, depends on the behavior of out-migrants in response to the proposed marina design.

Assuming that squawfish are attracted to the inner harbor and that the increased structure perimeter increases smolt vulnerability to predation to some degree, it is likely that a small but unmeasurable loss of salmon outmigrants would occur seasonally due to squawfish. Because the Proposed Action would not create conditions more suitable for squawfish spawning or juvenile rearing, reproduction and dispersal concerns are not warranted for this species.

Largemouth Bass. Largemouth bass are not abundant in Lake Washington (Fayram 1997) but are concentrated in quiet, weedy, silt-bottomed shorelines (Pflug 1981). They are ambush-type predators and thus associate with cover such as vegetation, woody debris, or docks and pilings. In Lake Sammamish, largemouth bass were found to be spatially separated from smallmouth bass for the most part (Pflug 1981). Largemouth bass move into warmer sheltered areas of the lake to spawn in spring. The inner harbor qualifies as a sheltered and warm area of the lake and thus constitutes bass habitat. The Beak surveys found juvenile largemouth bass but no adults. The use of the inner harbor by bass and salmonids overlaps during the months of May and June. This puts largemouth bass in contact with some of the sockeye and most of the coho and chinook out-migration. Largemouth bass are opportunistic feeders. They might not target salmonids but will prey on them when they are available and abundant (Pflug 1981).

The in-water and over-water structures in the inner harbor can be expected to be used by bass as habitat. An increase in structure perimeter can be expected to increase habitat for ambush predators like largemouth bass. The amount of increased predation usage of 855 feet of added perimeter is unknown but probably small. Increased predation to some small but unquantifiable amount could occur in the absence of mitigation.

While the Proposed Action may increase rearing habitat for largemouth bass to a small degree, it is uncertain whether spawning habitat would increase. Largemouth bass spawn in shallow water. In Lake Sammamish, Pflug (1981) found nest sites at depths ranging between 2 and 5 feet in the presence of aquatic vegetation. It would seem as though there might be conflict between the use of shallow depth and the considerable human activity the marina would generate. The marina activity could discourage spawning. There is little reason to believe that the Proposed Action would increase largemouth bass spawning success in the inner harbor.

Smallmouth Bass. According to the work of Stein (1970), Fayram (1997), and Pfeifer and Weinheimer (1992) and judging from trends in bass tournament catches, it appears that the smallmouth bass population is expanding at the expense of largemouth bass in Lake Washington (Pfeifer, WDFW, pers. comm. 1998). Even so, they cannot be considered abundant. Surveys by Beak in 1996 and 1997 did not find any smallmouth bass in the inner harbor, the lakefront area, or at the river mouth. The one night survey by the Muckleshoot Tribe (MIT 1997) in the vicinity likewise did not catch smallmouth (but did catch largemouth). Pfeifer and Weinheimer (1992) surveys in the Kenmore area were in agreement. Largemouth bass do not generally live in sympatry (space and time) with smallmouth bass (Pfeifer and Weinheimer 1992), both have distinct habitat preferences (Pflug 1981; Pflug and Pauly 1984), and smallmouth bass were not found while largemouth bass were. These facts suggest that smallmouth bass may not use the inner harbor. Their preference for rocky or gravel substrate and dropoffs also suggests that they may not use this area.

Prickly Sculpin. Large sculpin are capable of capturing sockeye fry and are known to use this resource at least in the vicinity of the Cedar River (Tabor and Chan 1997). This probably occurs at the mouth of and in the Sammamish River seasonally. Even though their predation rate is not high and limited to the larger individuals, their abundance makes their predation on sockeye significant. Life history and habitat requirements of prickly sculpin in Lake Washington have not been studied to date. Their abundance, wide distribution, and ability to exploit many types of food resources suggests an ability to use a variety of habitats. In the inner harbor, prickly sculpins were captured in numbers second only to sticklebacks. Based on their small size and generalized behavior, it is doubtful that prickly sculpins benefit from the presence of floating docks. Hence, the increase in dock perimeter and reduction in dock surface area would not be anticipated to result in a change in predation by sculpins.

### *Lighting*

Largemouth bass and other predators can be expected to use artificial lighting to some degree to extend feeding opportunities on juvenile salmon. The amount of lighting that currently exists at the Kenmore Pre-Mix plant is sufficient to augment predation. However, the post-development lighting is not expected to be greater than what currently exists, and no significant impact would be anticipated.

## Impact Summary

A summary of the anticipated relationship between the Proposed Action and predation of salmonids by the primary predators in the site vicinity is provided below.

Cutthroat Trout

- Because cutthroat trout are not attracted to warm water and because there are hundreds of docks along the shoreline of Lake Washington, the incremental increase in predation from this project by cutthroat trout is likely to be negligible

Northern Squawfish

- Assuming that squawfish are attracted to the inner harbor and that the increased structure perimeter increases smolt vulnerability to predation to some degree, it is likely that a small but unmeasurable

loss of salmon outmigrants would occur seasonally due to squawfish. Because the Proposed Action would not create conditions more suitable for squawfish spawning or juvenile rearing, reproduction and dispersal concerns are not warranted for this species.

Largemouth Bass

- The in-water and over-water structures in the inner harbor can be expected to be used by bass as habitat. An increase in structure perimeter can be expected to increase habitat for ambush predators like largemouth bass. The amount of increased predation usage of 855 feet of added perimeter is unknown but probably small. Increased predation to some small but unquantifiable amount could occur in the absence of mitigation.

Smallmouth Bass

- The smallmouth bass preference for rocky or gravel substrate and dropoffs and lack of capture of smallbouth bass during site surveys, suggests that they likely do not use the inner harbor.

Prickly Sculpin

- Based on their small size and generalized behavior, it is doubtful that prickly sculpins benefit from the presence of floating docks. Hence, the increase in dock perimeter and reduction in dock surface area would not be anticipated to result in a change in predation by sculpins.

The major fisheries concern associated with the Proposed Action is the potential for project features in the inner harbor to attract resident fish, such as bass, which in turn could prey on the numerous juvenile salmon that pass through the project area each spring. In response to this concern, the applicant has reconfigured the proposed marina features. The result of the revised marina plan is to produce a net reduction in the surface area of over-water structures (docks, boats overhang), fewer lineal feet of bulkhead, and fewer in-water pilings, compared to existing conditions. All of these modifications would be anticipated to reduce the potential to attract predator fish compared to existing conditions.

However, the revised dock configuration also would increase the perimeter of over-water structure in the inner harbor. Because juvenile salmon tend to go around rather than under docks, it is possible that the increased dock perimeter would increase the exposure of juvenile salmonids to ambush predators residing under the docks. However, if boats are moored in the slips between docks, it is likely that the juvenile salmonids would travel along the periphery of the docks, thus being exposed to less predation.

## MITIGATION MEASURES

The revised configuration of the marina features in the inner harbor would be anticipated to eliminate potential new impacts associated with salmonid predation. However, there is some degree of uncertainty in the literature regarding fish behavior. Therefore, to provide additional certainty of nonimpact, it is recommended that a reconfiguration of the floating dock area be considered as listed below.

Potential

- To produce an open water area along the shoreline where juvenile salmonids could pass without being directly exposed to predators around the dock perimeter, the floating docks shall be detached from the shoreline by 5 to 10 feet, and human access to the docks shall be via above-water walkways.
- Glass prisms shall be added to the floating piers to increase lighting levels beneath the piers.
- Native vegetation shall be planted, where possible, along the shoreline of the inner harbor.
- The construction of a breakwater at the mouth of the inner harbor shall be prohibited.
- Amphitheater lighting shall be designed to prevent direct illumination of the water.

## UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

The results of the fisheries analyses prepared for the Lakepointe Supplemental EIS are inconclusive. Predation on juvenile salmonids by bass is of concern, but the extent of predation is difficult to ascertain with certainty because the behavioral characteristics of juvenile salmon around piers, docks, bulkheads, and floats are not well understood. Based on studies provided, if the marina is redesigned to provide detached docks with glass prisms and native vegetation along the shoreline, where possible, in the inner harbor, no significant adverse impacts to fisheries resources are anticipated.

# TRANSPORTATION

Background information for this section is contained in Appendix C, Lakepointe Development Transportation Update, prepared by KJS Associates, Inc (1998 Update).

## INTRODUCTION

An updated transportation analysis (1998 Update) was prepared in response to comments received on the Draft Supplemental EIS. This report should be used in conjunction with the reports listed on page 3-31 of the Draft Supplemental EIS to evaluate the proposal. Based on comments received on the Draft Supplemental EIS, the principal changes provided in the updated analysis include:

- The base year for the traffic analysis has been updated to 1997 conditions; traffic volumes from the previous two reports were based on 1993 conditions.
- A consistent method has been used to distribute local and regional trips generated by the proposed development. The previous reports used different methods for these categories of trips.
- The level of service analysis now incorporates the effects of back-ups from congested downstream intersections at each intersection to provide a less confusing evaluation of conditions through sets of closely spaced signals.
- The ITE trip generation rates for planned land uses under the Proposed Action have been refined to more closely correspond with proposed land uses.

The following table compares the development characteristics which were used as the basis for analysis in each of three different transportation reports (1994 Zoning Analysis, 1997 Lakepointe Report, and 1998 Update).

## Table 26A

## Comparison of Development Characteristics

| Land Use | No Action | 1998 Update | 1997 Lakepointe Report | 1994 Zoning Analysis |
|---|---|---|---|---|
| Residential Units | 0 | (600 mid-rise, 200 condos and 400 Senior) 1,200 | (700 mid-rise, 100 condos and 400 Senior) 1,200 | 1,000 |
| Retail Space | 0 | 191,182 SF | 191,082 SF | 318,000 SF |
| Office Space | 0 | 205,588 SF | 191,830 SF | 150,000 SF |
| Hotel | 0 | 150 Rooms | 150 Rooms | 0 |
| Movie Theater | 0 | 8 Screens | 8 Screens | 6 Screens |
| Health Club | 0 | 36,270 SF | 36,270 SF | 0 |

Source: KJS Associates, 1998

## AFFECTED ENVIRONMENT

### Concurrency Issues

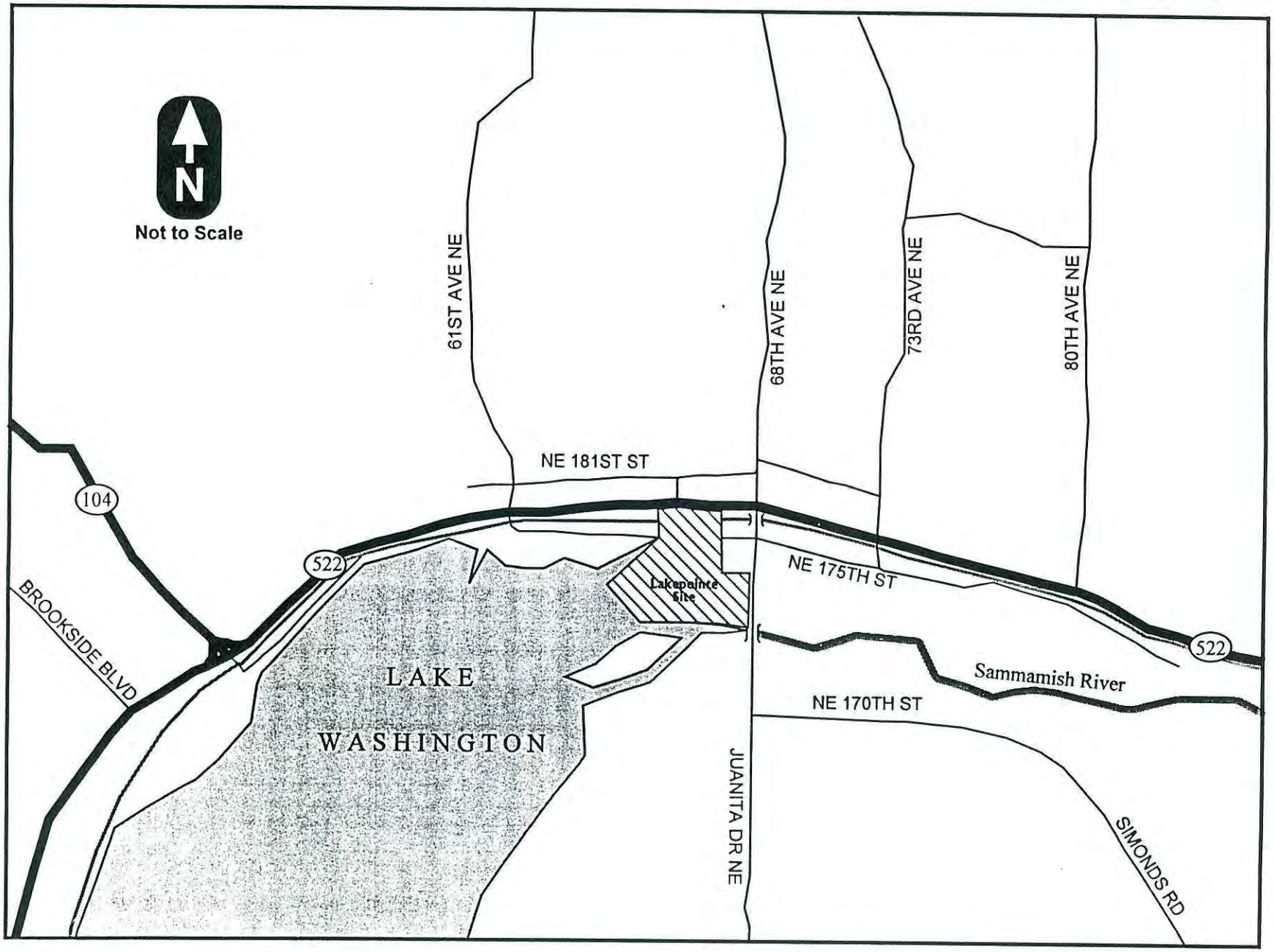
As described in the Draft Supplemental EIS, the site is located in Transportation Service Area 1 as defined in the King County Comprehensive Plan. The significance of this designation is that the Transportation Adequacy Measures (TAMs) for that service area will allow the average of the intersections within the service area to be at LOS F with an average critical link zonal volume-to-capacity (V/C) ratio greater than 1.0 if adequate HOV and transit service is available, which is the case for the site (see Transit and Nonmotorized Facilities Section). Therefore, the Proposed Action meets concurrency per Section 27 of King County Ordinance No. 11617. In the north Lake Washington area, with or without the Proposed Action, it appears that no amount of increase in roadway capacity will be effective in mitigating regional commuter congestion and delays out of LOS F conditions at the critical intersections of SR 522/SR 104 and SR 522/68th Ave NE without major right-of-way acquisition and significant local business disruption.

### Roadway System

The following roadways would be impacted by project traffic and are presented in Figure 30A. (The SR 522, SR 104, 61st Ave NE, 68th Ave NE, 73rd Ave NE and NE 175th St roadways were described on page 3-187 of the Draft Supplemental EIS. The 80th Ave NE and NE 170th St roadways were not described in the Draft Supplemental EIS and are described here.)

- **80th Ave NE** is a north-south minor arterial connecting SR 522 and the residential areas in northeast Bothell.

- **NE 170th Street (Simonds Road)** is an east-west minor arterial connecting residential areas southeast of the site to 68th Ave NE.




Source: KJS Associates, Inc.

| | | |
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 30A**<br>**Existing Roadway Network** |

## 1997 Existing Traffic Volumes

Figures 31A and 32A show the 1997 AM and PM peak-hour turning movement volumes and the average daily traffic (ADT) volumes on the streets surrounding the site.

Background traffic volumes were compiled from the WSDOT Office of Urban Mobility's ongoing SR 522 Corridor Study and from traffic counts conducted by WSDOT in April 1997 at the intersections of SR 522 at 68th Ave NE; NE 175th St at 68th Ave NE; and NE 170th St at 68th Ave NE.

To double check the accuracy of WSDOT volumes and the traffic counts, an additional set of traffic counts in the project area was obtained at the 68th Ave NE, 73rd Ave NE, and 80th Ave NE intersections along SR 522. These counts were conducted in February 1998.

At the 73rd Ave NE and 80th Ave NE intersections, the WSDOT volumes and the February and April traffic counts were all similar in terms of total entering volumes and turning movement volumes.

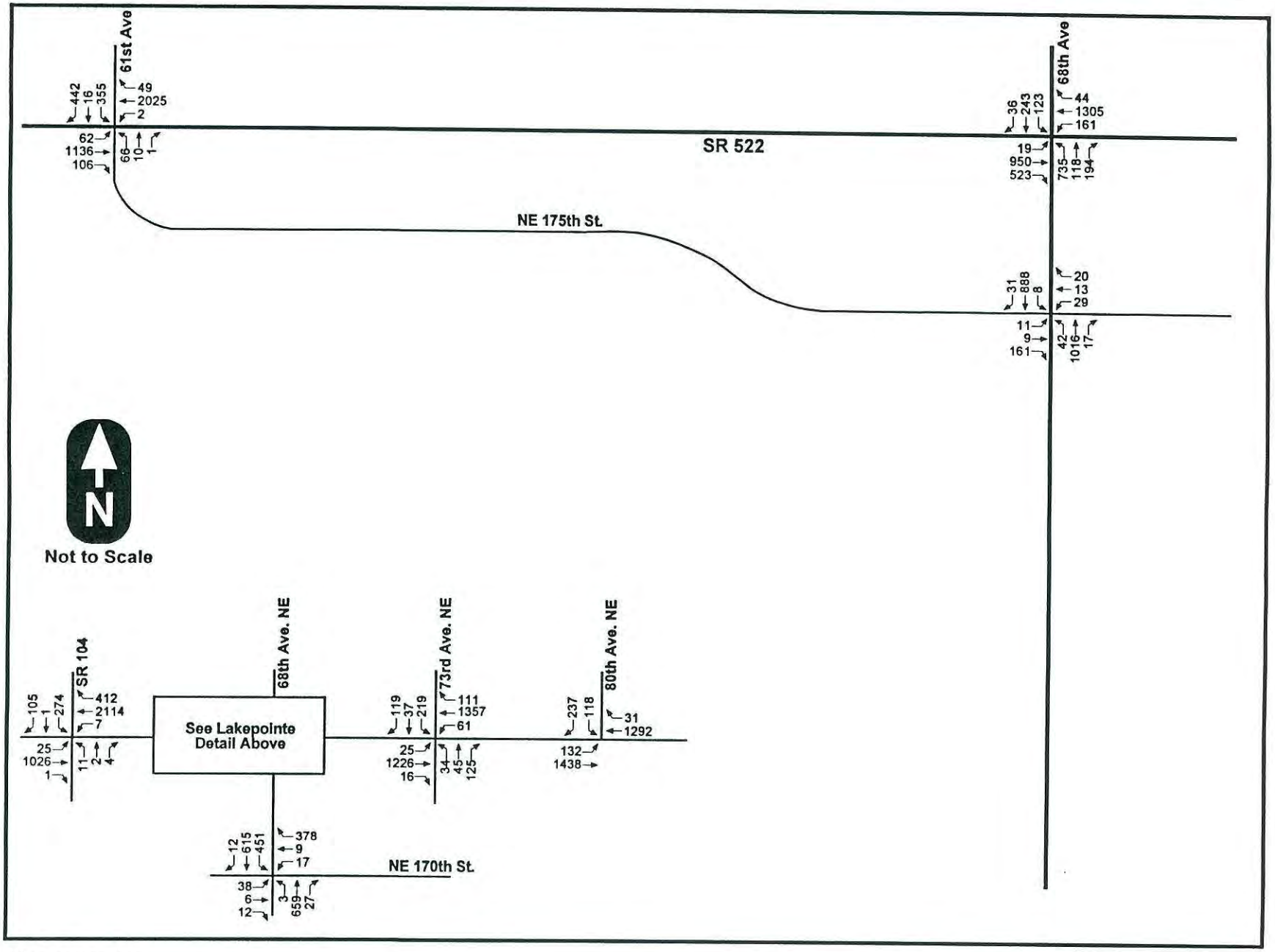
At 68th Ave NE, the February and April traffic counts were similar in terms of both total entering volumes and turning movement volumes. The WSDOT volumes at 68th Ave NE, on the other hand, had a significantly higher total entering volumes, and significant differences between several of the turning movements.

Based on the similarities between the WSDOT, February, and April counts at 73rd Ave NE and 80th Ave NE, each appeared to represent an accurate indication of traffic along the SR 522 corridor. Therefore, the WSDOT volumes were used to ensure consistency with the SR 522 Corridor Study.

At 68th Ave NE, the February and April traffic counts provide a closer match of eastbound and westbound volume when compared to traffic from the 73rd Ave NE count. The counts conducted in April 1998 were selected because they were the most recent data available.

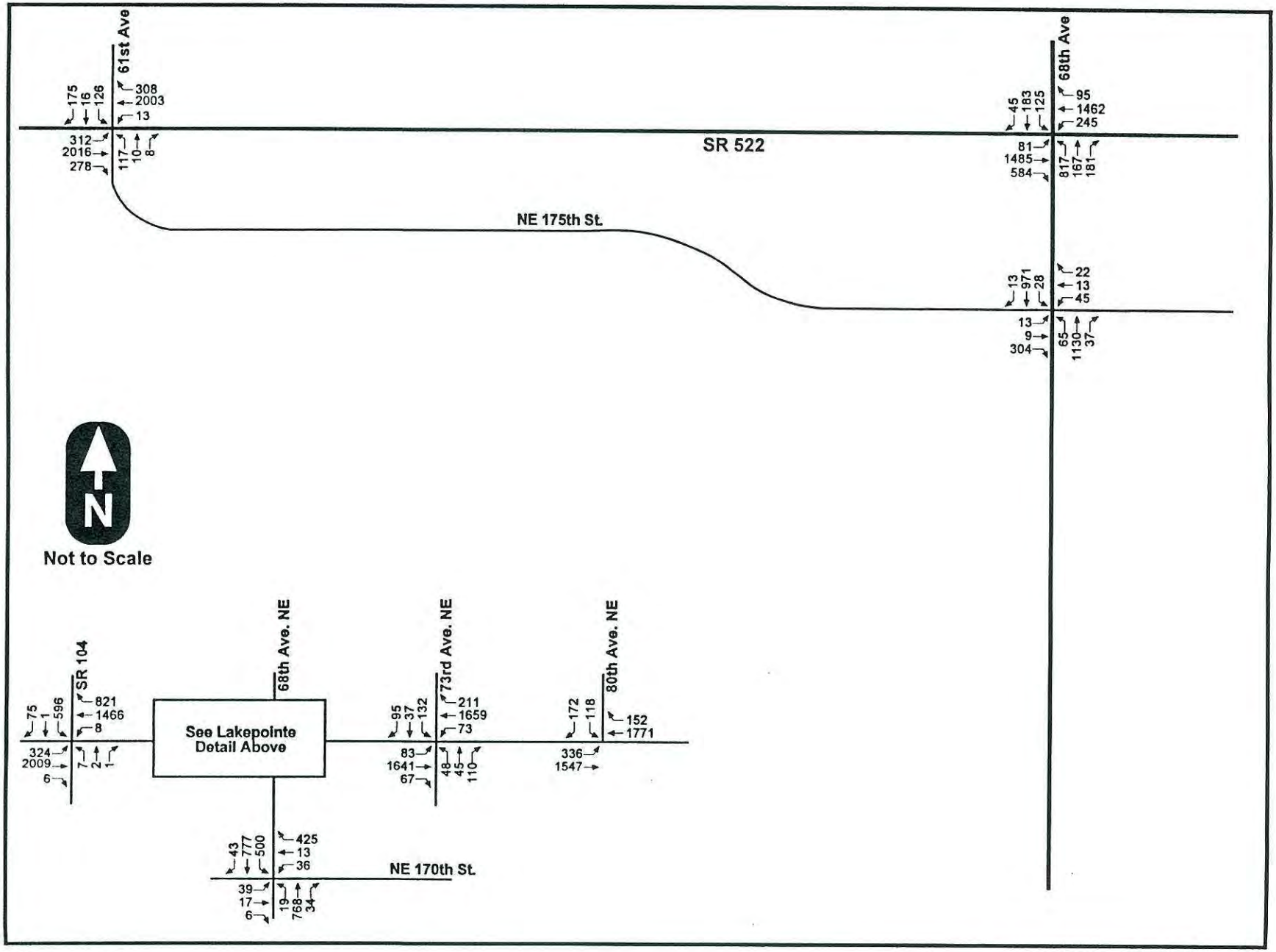
The similarity between the February count and the April count at 68th Ave NE/SR 522 indicated that "spring break" holidays at the University of Washington and other area schools had no noticeable effect on traffic volumes or patterns in the area. Therefore, the April counts conducted at 68thAve NE/NE 175th St and 68thAve NE/NE 170th St were used as well.

Once the complete set of volumes had been selected, traffic flows were adjusted slightly so that the traffic volumes entering and exiting one intersection were similar to the traffic volumes entering and exiting the adjacent intersections. This task ensured that no vehicles "disappeared" from or "appeared" on the system along stretches of road where no driveways or intersections were located.




Source: KJS Associates, Inc.

| | | |
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | Lakepointe Mixed-Use Master Plan | Figure 31A<br>Existing AM Traffic Volumes |




Source: KJS Associates, Inc.

| | | |
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 32A**<br>**Existing PM Traffic Volumes** |

## Accidents

Traffic accident information from 1994 to 1996 (the most recent three-year data set available) was collected from WSDOT and King County for the intersections within the study area. The following summarizes the number of accidents and accident rates at each of the intersections. As indicated by the table, the SR 522 intersections at SR 104 and 68th Ave NE and the 68th Ave NE/NE 175th St intersection have accident rates greater than one accident per million entering vehicles. Though this accident rate is less than the statewide average rate, because of the high traffic volumes, it translates into a high number of incidents each year.

The most common type of accident at all intersections in the study area with the exception of 68th Ave NE/NE 175th St are rear-end accidents. These types of accidents are typical when congested conditions are prevalent. At the 68th Ave NE/NE 175th St intersection, accidents involving vehicles making a left turn were the most prevalent. Two factors that may contribute to that type of accident are the northbound queuing from the SR 522 intersection combined with a high through volume in the southbound direction. The 68th Ave NE/NE 175th St intersection was ranked number 2 in the 1996 King County Traffic Engineering High Accident Location study, with recommendations to add left-turn lanes on 68th Ave NE and eliminate the northbound right-turn lane.

**Table 26B**

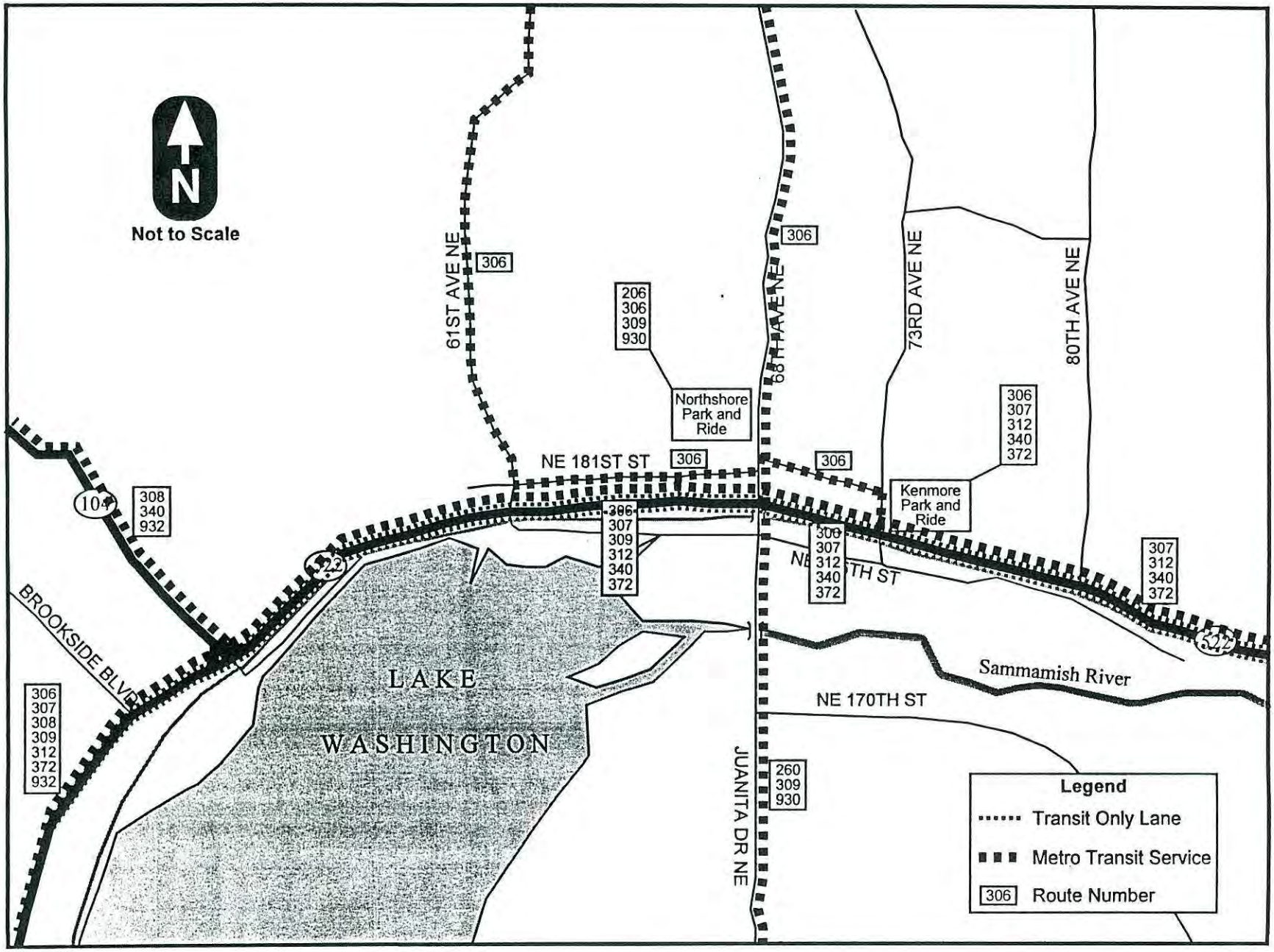
**1994-1996 Accident Rates**

| Intersection | Average Number of Accidents per Year | Accident Rate (Acc. per MEV) | Most Common Accident Type (percent of total) |
|---|---|---|---|
| SR 522 @ SR 104 | 21.00 | 1.08 | Rearend (76%) |
| SR 522 @ 61st Ave NE | 17.00 | 0.87 | Rearend (53%) |
| SR 522 @ 65th Ave NE | 7.33 | 0.45 | Rearend (21%) |
| SR 522 @ 68th Ave NE | 23.67 | 1.19 | Rearend (59%) |
| SR 522 @ 73rd Ave NE | 14.67 | 0.95 | Rearend (48%) |
| SR 522 @ 80th Ave NE | 11.00 | 0.74 | Rearend (48%) |
| 68th Ave NE @ NE 175th St | 14.67 | 1.52 | Left turn (41%) |
| 68th Ave NE @ NE 170th St | 8.33 | 0.85 | Rearend (76%) |

MEV – Million Entering Vehicles

## Transit Service

The site and surrounding Kenmore area are well served by King County Metro Transit, with connections to communities on both sides of Lake Washington. Figure 32B shows the existing transit service in the study area.




Source: KJS Associates, Inc.

| | | |
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 32B**<br>**Existing Transit Service** |

All day transit service is provided both eastbound and westbound on SR 522, connecting Kenmore with Lake Forest Park, Lake City, Northgate, the University district, and downtown Seattle. This service is generally provided on 30 minute or less headways. This same level of transit service is provided east of the study area, connecting Kenmore with Bothell and Woodinville. The all-day service is supplemented with additional peak-hour, peak direction service to downtown and the University District. All-day transit service along SR 522 through Kenmore also provides transit connections between Shoreline and Bothell, Bellevue, Kirkland, Renton, Sea-Tac, and Burien. This service is provided in both directions with 15 to 60 minute headways.

Peak-hour express service is provided adjacent to the site via 68th Ave NE. This service includes connections from the Northshore Park-and-Ride lot north of SR 522 to Kirkland and the SR 520 corridor to Seattle. Peak-hour service is also available between Juanita and Lake Forest Park, Lake City, and downtown Seattle. A local circulation route between Kenmore and Bellevue provides all day service on 68th Ave NE.

Approximately 230 buses pass the site every weekday, with 58 passing the site in the AM peak hour and 56 in the PM peak hour.

Two park-and-ride lots are located in the Kenmore area. The Kenmore Park-and-Ride, located east of the SR 522/73rd Ave NE intersection has 432 spaces and is used at over 90 percent of capacity, based on 1994 data (the most recent data for the lot). The Northshore Park-and-Ride, at NE 182nd St/68th Ave NE, has 376 spaces and is used at less than 20 percent of its capacity (1994 data); it has the lowest utilization of all of Metro's North District park-and-ride lots.

As noted above, SR 522 has eastbound and westbound transit-only lanes in the vicinity of the site. These lanes are also used by right-turning vehicles at the major intersections along SR 522.

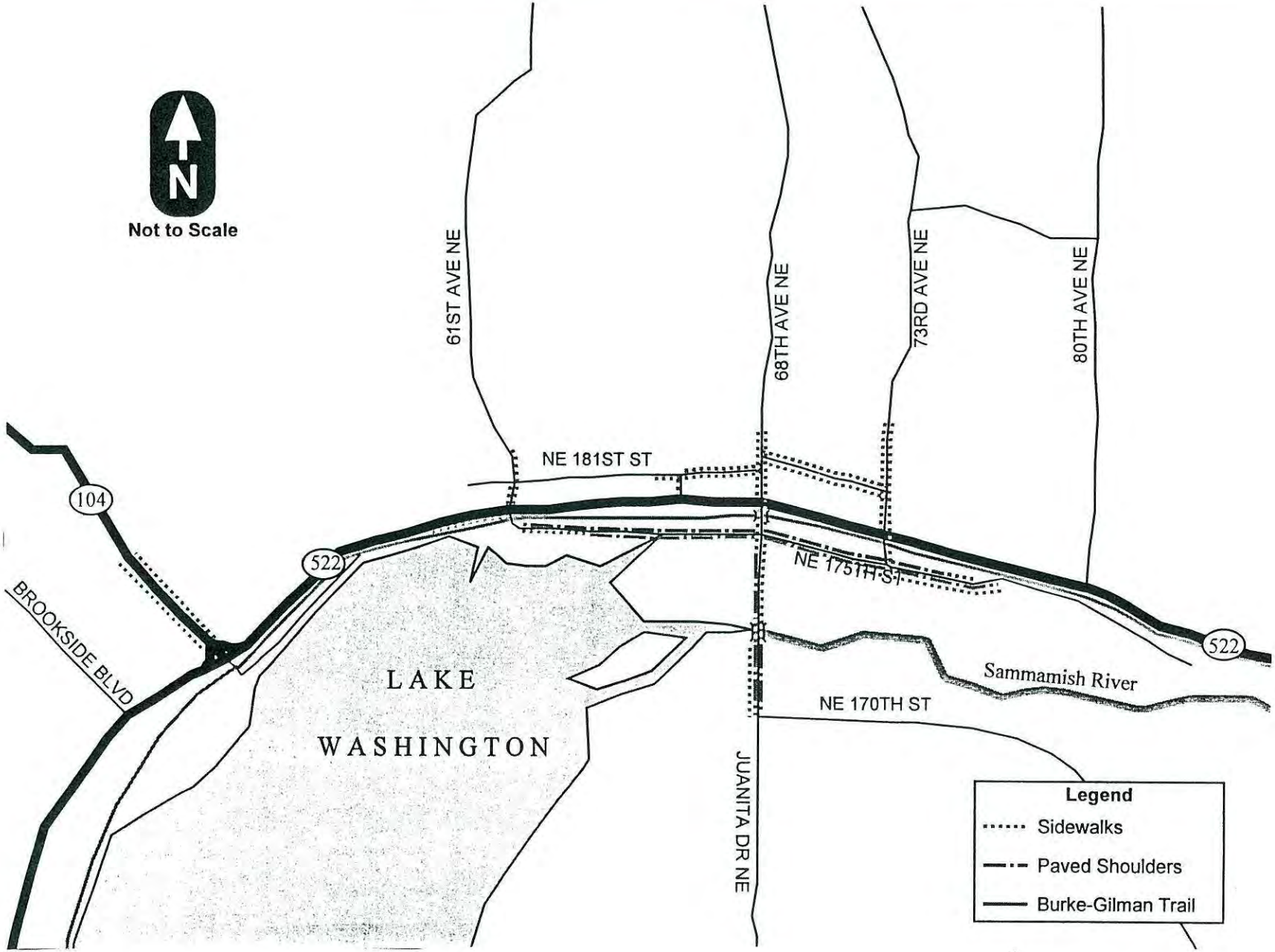
**Nonmotorized Facilities**

The site and greater Kenmore area are served by the Burke-Gilman Trail. This trail begins in Ballard and connects with the Sammamish River Trail east of Bothell. The Sammamish River Trail then connects with Woodinville and Redmond.

Figure 32C shows the nonmotorized facilities in the vicinity of the project. Except for the Burke-Gilman trail, there are no striped bicycle lanes in the vicinity of the project. Facilities exist primarily north of SR 522, with no facilities along SR 522.

Sidewalks are available on both sides of 68th Ave NE between the Sammamish River Bridge and NE 182nd St (with the exception of a portion of the west side of 68th AVE NE immediately north of the bridge which has paved shoulder), along NE 181st St between 65th Ave NE and 73rd Ave NE, and on 73rd Ave NE between SR 522 and NE 182nd St. North of SR 522, sections of 65th Ave NE also have sidewalks.

On the Sammamish River Bridge, six-foot wide paved sidewalks are available on both sides of the road. South of the bridge, the east side of the road has a six-foot sidewalk, while the west side has a 10-foot paved shoulder.




Source: KJS Associates, Inc.

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|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 32C**<br>**Existing Nonmotorized Facilities** |

Pedestrian safety along SR 522 is a major concern. The lack of sidewalks, limited delineation of driveways and varying distances between traffic signals create significant conflicts between pedestrians and automobiles. These issues also result in a barrier for pedestrian access to transit, especially near the Kenmore Park-and-Ride. Currently, many of the west-to-east transit routes drop passengers off on the south side of SR 522, requiring park-and-ride users to cross SR 522.

### Planned Transportation Improvements

Several transportation improvements are planned in the site vicinity. The 1997 Transportation Need Report is a comprehensive list of recommended improvements to serve County-wide transportation needs through the year 2012. Only those projects listed in the 1997 King County Capital Improvement Program (CIP) are funded. A listing of the CIP projects in the site vicinity is provided on page 3-190 of the Draft Supplemental EIS and in Appendix C to this Final Supplemental EIS.

The WSDOT Office of Urban Mobility is currently studying the intersection of SR 522 at 68th Avenue NE as part of the SR 522 Corridor Study. Without considering the effects of the Lakepointe Proposed Action or the proposed construction of Lakepointe Way NE, WSDOT has identified potential improvements at SR 522 and 68th Ave NE. The WSDOT improvements would require significant right-of-way acquisition and would not be sufficient to raise the SR 522/68th Ave NE intersection level of service above LOS F either with or without the Proposed Action. However, together with the new Lakepointe Way connection, the improvements would reduce queuing on 68th Ave NE such that the NE 175th St and Lakepointe Way NE intersections with 68th Ave NE would both operate at LOS D in the AM peak hour.

## FUTURE CONDITIONS

### System Description

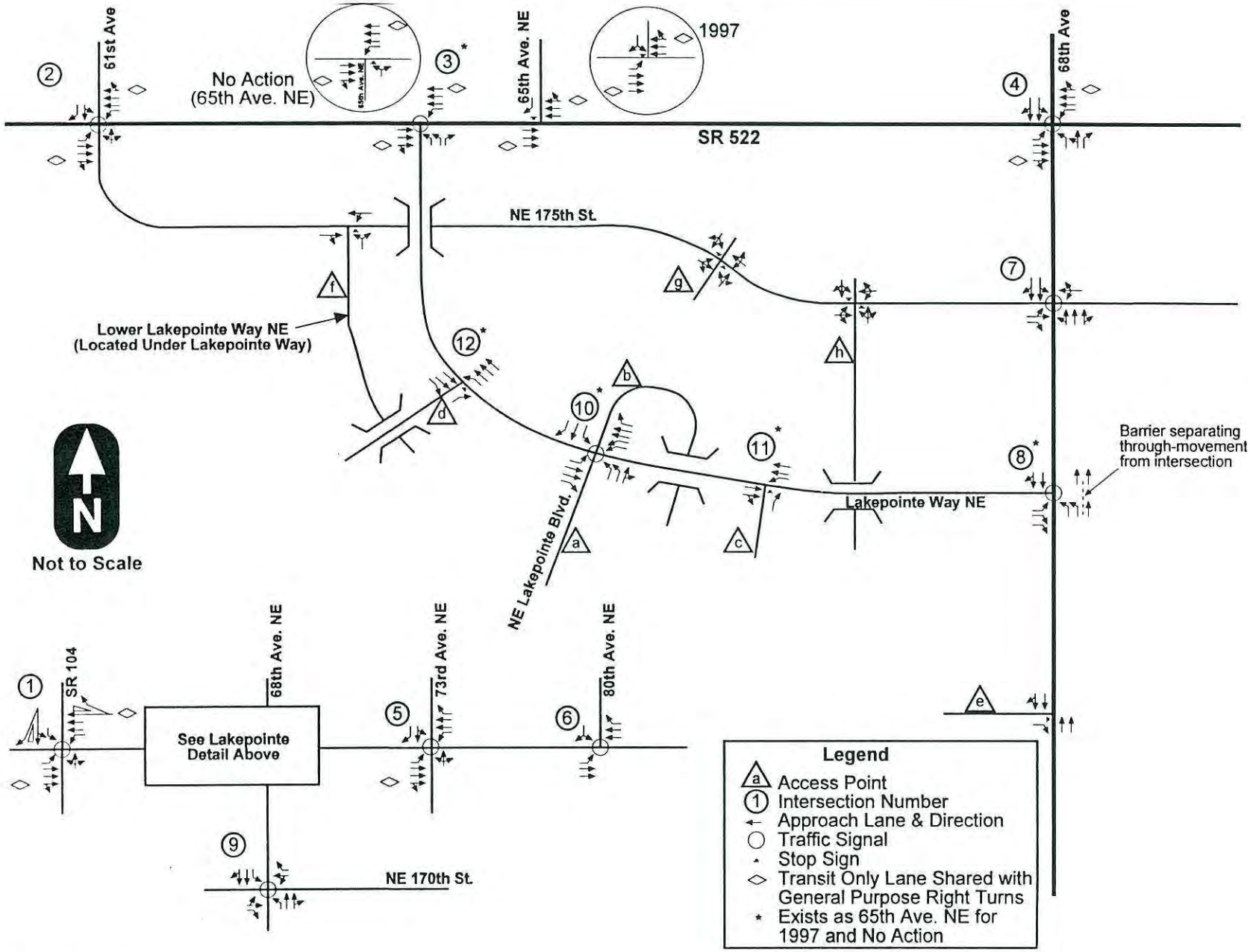
Figure 33A shows the lane configuration for the intersections analyzed in 1997, 2005 without and 2005 with the project. The roadway assumptions are the same as used in the 1997 Lakepointe Report with the following exceptions:

- Northbound 68th Ave NE at NE 175th St has been changed from two to three lanes to reflect the existing road geometry. The northbound right turn pocket for the SR 522 intersections extends past the NE 175th St intersection, thereby providing the third lane.

- A westbound right turn pocket was added to the SR 522/80th Ave NE intersection. This pocket was added as part of the construction of a gas station on the northeast corner of the intersection.

### Traffic Forecasts

This section presents estimates of future traffic volumes in the site vicinity without and with the Proposed Action. It is recognized that the SR 522 corridor from Bothell to Seattle is generally at or near its peak-hour capacity today (1998), and, with or without the Proposed Action, this corridor will not be able to carry much more through traffic in the peak hour than it does today. Therefore, the AM and PM peak-hour traffic forecasts described in this and subsequent sections should be viewed as measures of the growth in peak-hour travel demand in the corridor rather as absolute traffic volumes that the system can be expected to accommodate during the peak hour. It is more than likely that the additional demand will




Source: KJS Associates, Inc.

| | | |
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 33A**<br>**Proposed Lane Configuration** |

be accommodated by a continued lengthening of the peak period ("peak spreading") to encompass several hours of the morning and afternoon commuter periods, with drivers experiencing severe congestion for more hours of the day. The analysis of travel demand does, however, provide a good indication of increased delay and congestion caused by background traffic growth and shows the relative impacts and benefits of the Proposed Action and its traffic mitigations.

The following subsection presents year 2005 traffic estimates without the project, and the next subsection describes in detail the traffic volumes expected to be associated with the Proposed Action.

### *No Action Alternative (2005 without the Proposed Action)*

The No Action Alternative describes the 2005 roadway conditions as if the Proposed Action was not constructed. This is the 2005 without the project condition.

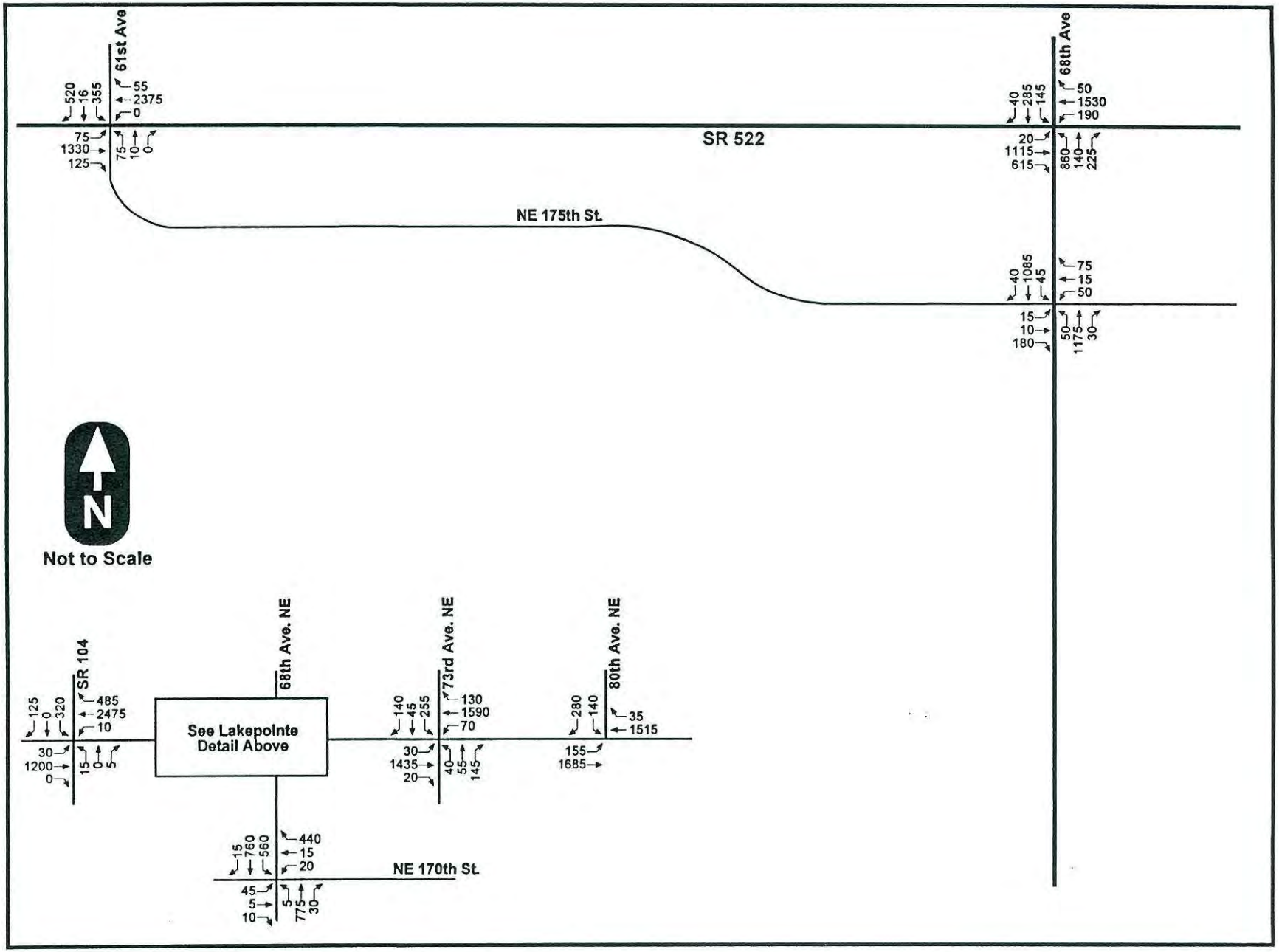
To forecast future background traffic volumes along SR 522 in the year 2005, a 2-percent annual growth rate was applied to the 1997 base year volumes (annual growth rate somewhat greater than that assumed for the 1997 Lakepointe Report). This growth rate was obtained from WSDOT's SR 522 Corridor Study. This growth rate was considerably higher than the growth rate used along SR 522 in the previous reports. For the remaining two intersections along 68th Ave NE (68th Ave NE/NE 175th St and 68th Ave NE/NE 170th St), an annual growth rate was derived from the King County traffic model and applied to existing volumes. These growth rates were compared to rates used in the 1997 Lakepointe Report and were found to be consistent. They ranged from 1 to 2.5 percent per year.

Several other developments have been planned in the area that will be completed by the time the Proposed Action is planned to be built. King County indicated that traffic from these developments is accounted for in the background traffic growth rate. However, traffic from the restaurant development proposed for the Plywood Supply site across 68th Ave NE was included at the 68th Ave NE/NE 175th St intersection to better represent the increase in volumes on the east leg of that intersection. The inclusion of this traffic was consistent with the methodology used in the previous traffic reports.

After the volumes had been forecast, traffic flows were adjusted slightly again so that the traffic flows throughout the corridor were consistent from one intersection to the next. Figures 34A and 35A show the 2005 AM and PM peak hour projected traffic volumes without the Proposed Action.

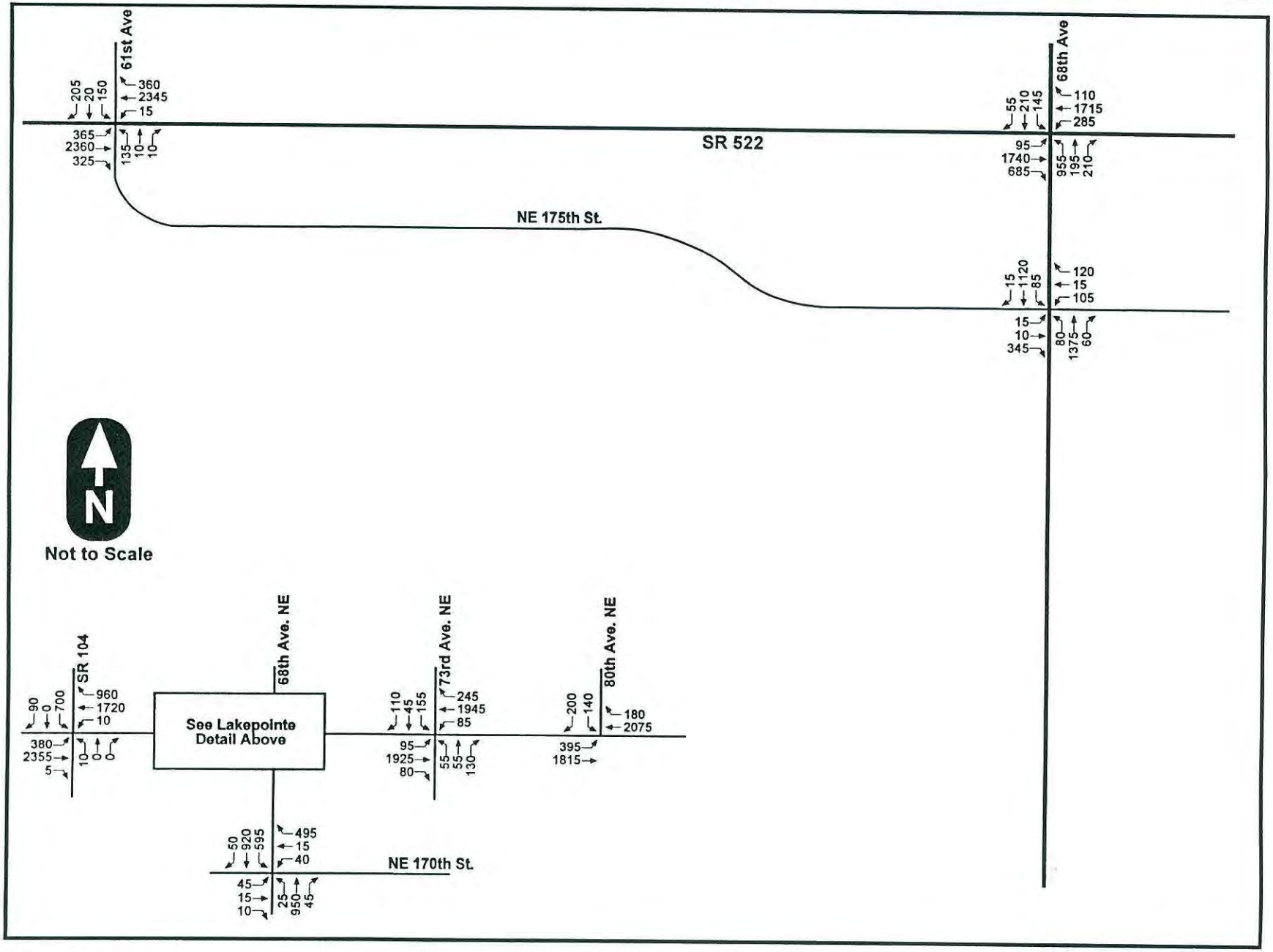
### *Proposed Action*

The Proposed Action includes the construction of two primary access streets, Lakepointe Way NE and NE Lakepointe Blvd. Lakepointe Way NE would be a new four-lane principal arterial connecting SR 522 and 68th Ave NE and is intended to be a bypass route between these two major roadways. The right-of-way would be 120 feet wide and 1,250 feet long. The roadway would have two lanes in each direction, left turn pockets at each of the three internal site intersections (NE Lakepointe Blvd, retail driveway to building A, and retail driveway to building B), and a planted median strip. The western end near SR 522/65th Ave NE would be grade-separated over the Burke-Gilman Trail and NE 175th St, both of which would need to be lowered. The intersection of Lakepointe Way NE with 68th Ave NE would be approximately 300 feet south of the current NE 175th St intersection. Traffic signals would be provided at 68th Ave NE, NE Lakepointe Blvd, and SR 522. Figure 8A in Chapter 2 shows the site circulation plan.




Source: KJS Associates, Inc.

| Huckell/Weinman Associates, Inc. | Lakepointe Mixed-Use Master Plan | Figure 34A<br>No Action 2005 AM Volumes |
|---|---|---|




Source: KJS Associates, Inc.

| Huckell/Weinman Associates, Inc. | Lakepointe Mixed-Use Master Plan | Figure 35A<br>No Action 2005 PM Volumes |
|---|---|---|

NE Lakepointe Blvd would be the primary internal access from Lakepointe Way NE to the site. This 1,200-foot street would have two travel lanes in each direction, access to parking garages for residential and commercial uses, a planted median, on-street parking spaces, and three roundabouts. This street is intended to be the "Main Street" area of the Lakepointe development.

Access Points

Eight access points to the project site are planned from Lakepointe Way NE. One of these locations is NE Lakepointe Blvd, the major center spine roadway within the site, which is also proposed to be a public roadway. NE Lakepointe Blvd would provide access to nine parking lots or parking garage driveways. The eight access points are described on page 3-193 of the Draft Supplemental EIS and in Appendix C to this Final Supplemental EIS.

In addition to the access points from Lakepointe Way NE, access to the site would be available from an internal private roadway located directly below and parallel with Lakepointe Way NE. This roadway would connect with 175th St NE and would provide vehicle access to parking structures and provide truck access to loading dock areas. A stop sign would be provided at the intersection of this roadway with 175th St NE.

Trip Generation

Trip generation for the various land uses for the site was derived from *ITE Trip Generation Manual, 6th Edition* and is presented in Table 27A. There are several changes in the trip generation estimates for the proposed action from that presented in the Draft Supplemental EIS Report; they include:

- **Residential Development:** Subsequent to the issuance of the Draft Supplemental EIS, the proposed types of residential units was revised to reflect market conditions. For traffic generation purposes, 600 units are considered mid-rise apartments (compared to 700 in the 1997 Lakepointe Report) and 200 units are considered condo/townhouse (compared to 100 in the Draft Supplemental EIS). As in the Draft Supplemental EIS, there would be 400 senior housing units. As in the Draft Supplemental EIS, there would be 1,200 total units on the site.

- **Retail Development:** The retail development originally considered in total under the ITE Shopping Center designation (ITE Land Use Code 820) was divided into Specialty Retail (ITE Land Use Code 814) as well as Shopping Center to more accurately reflect the character of the various portions of retail uses.
- **Office:** Medical Office Building was removed from the trip generation estimates. All revised estimates were based on General Office Building (ITE Land Use Code 710).
- **Miscellaneous:** The movie theater trip generation was changed to Movie Theater with Matinee (ITE Land Use Code 444).

## Table 27A Trip Generation for the Lakepointe Development

| Category | Land Use | Code | Quantity | | Daily Trips | AM Peak Trips | Inbound | Outbound | PM Peak Trips | Inbound | Outbound |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Housing | Retirement Community | 250 | 200 | Units | 408 | 34 | 15 | 19 | 59 | 33 | 26 |
| | Extended Care Senior | 253 | 200 | Units | 160 | 10 | 5 | 5 | 16 | 10 | 6 |
| | On-site shoppers[2] | | | | -57 | -4 | -2 | -2 | -7 | -4 | -3 |
| | Transit/TDM[3] | | | | -85 | -7 | -3 | -4 | -11 | -6 | -5 |
| | ***Subtotal*** | | | | ***426*** | ***33*** | ***15*** | ***18*** | ***56*** | ***32*** | ***24*** |
| | Mid-Rise Apartment | 223 | 600 | Units | 2,340 | 180 | 56 | 124 | 234 | 150 | 84 |
| | On-site workers[1] | | | | -117 | -6 | | -6 | -7 | -7 | |
| | On-site shoppers[2] | | | | -234 | -18 | -6 | -12 | -23 | -15 | -8 |
| | Transit/TDM[3] | | | | -351 | -27 | -8 | -19 | -35 | -22 | -13 |
| | ***Subtotal*** | | | | ***1,638*** | ***129*** | ***42*** | ***87*** | ***168*** | ***105*** | ***63*** |
| | Condo/Townhouse | 230 | 200 | Units | 1,174 | 89 | 15 | 74 | 78 | 50 | 28 |
| | On-site workers[1] | | | | -59 | -4 | | -4 | -2 | -2 | |
| | On-site shoppers[2] | | | | -117 | -9 | -2 | -7 | -8 | -5 | -3 |
| | Transit/TDM[3] | | | | -176 | -13 | -2 | -11 | -12 | -7 | -4 |
| | ***Subtotal*** | | | | ***822*** | ***63*** | ***11*** | ***51*** | ***56*** | ***35*** | ***21*** |
| | **Total, Housing** | | 1,200 | | **2,886** | **224** | **68** | **156** | **280** | **172** | **108** |
| Retail | Shopping Center | 820 | 136,927 | sq. ft. | 8,601 | 195 | 123 | 72 | 802 | 401 | 401 |
| | Shopping/Office Captured[4] | | | | -156 | -36 | -32 | -4 | -34 | -6 | -28 |
| | On-site shoppers[2] | | | | -292 | -22 | -7 | -16 | -28 | -17 | -10 |
| | Pass-by[5] | | | | -3,268 | -74 | -47 | -27 | -305 | -152 | -152 |
| | ***Subtotal*** | | | | ***4,884*** | ***63*** | ***38*** | ***25*** | ***435*** | ***225*** | ***210*** |
| | Specialty Retail | 814 | 54,255 | sq. ft. | 2,207 | 348 | 167 | 181 | 267 | 152 | 115 |
| | Shopping/Office Captured[4] | | | | -62 | -14 | -2 | -13 | -13 | -11 | -2 |
| | On-site shoppers[2] | | | | -116 | -9 | -3 | -6 | -11 | -7 | -4 |
| | Pass-by[5] | | | | -838 | -132 | -63 | -69 | -102 | -58 | -44 |
| | ***Subtotal*** | | | | ***1,190*** | ***193*** | ***99*** | ***93*** | ***141*** | ***76*** | ***65*** |
| | **Total, Retail** | | | | **6,075** | **255** | **137** | **118** | **577** | **302** | **275** |
| Office | Office | 710 | 205,588 | sq. ft. | 2,420 | 334 | 298 | 37 | 316 | 54 | 262 |
| | Shopping/Office Captured[4] | | | | -218 | -50 | -45 | -6 | -47 | -8 | -39 |
| | On-site workers[1] | | | | -121 | -10 | -10 | | -10 | | -10 |
| | Transit/TDM[3] | | | | -363 | -50 | -45 | -6 | -47 | -8 | -39 |
| | **Total, Office** | | | | **1,718** | **224** | **198** | **26** | **211** | **38** | **174** |
| Misc | Hotel[6] | 310 | 120 | rooms | 997 | 64 | 38 | 25 | 105 | 57 | 48 |
| | Health Club | 493 | 36,270 | sq. ft. | 1,451 | 11 | 5 | 6 | 156 | 94 | 62 |
| | Movie Theater | 444 | 8 | screens | 1,227 | 11 | 5 | 5 | 152 | 105 | 47 |
| | ***Subtotal*** | | | | ***3,674*** | ***85*** | ***48*** | ***37*** | ***413*** | ***255*** | ***158*** |
| | Health Club Pass-by[5] | | | | -551 | -4 | -2 | -2 | -59 | -36 | -24 |
| | **Total, Miscellaneous** | | | | **3,123** | **81** | **47** | **34** | **354** | **220** | **134** |
| | **Total External Trips** | | | | **13,802** | **785** | **450** | **334** | **1,422** | **731** | **691** |
| | Existing Use Reduction[7] | | | | -1,116 | -93 | -65 | -28 | -93 | -39 | -54 |
| | **Net New Offsite Trips** | | | | **12,686** | **692** | **385** | **306** | **1,329** | **692** | **637** |

1. Residential trips reduced 5% for inbound PM Peak and outbound AM Peak hour trips.
2. Residential trips reduced 10%.
3. Reduced 15% to account for transit use and TDM measures.
4. Daily trips reduced 9%, Peak hour trips reduced 15% to account for Office/Shopping captured trips.
5. ITE equations for pass-by trips yied 36% based on size and 40% based on 50,000 ADT; average of 38% was used.
6. ITE rates are for occupied rooms, with 80% occupancy assumed on a daily basis.
7. Trips generated by existing on-site uses to be replaced by the project. Based on actual PM peak hour traffic count.

## Trip Reductions

The *ITE Trip Generation 5th Edition* includes a discussion on applying appropriate reductions to trips generated by an individual land use to obtain reasonable net trips produced by the project. These reductions consider the interaction of trips between other land uses on the site, the interaction between the site and traffic that is already using adjacent roadways, the effects of transit use and Transportation Demand Management (TDM) measures, and traffic from the existing land uses occupying the site. The following trip reductions were assumed for the site:

- **On-Site Workers:** 5 percent of the outbound AM peak and inbound PM peak residential trips were assumed to work on the site. This assumption was taken from Table 3, Appendix C of the 1994 Zoning Analysis.

- **On-Site Shoppers:** 10 percent of the residential trips were assumed to shop on the site. This assumption was also taken from Table 3, Appendix C of the 1994 Zoning Analysis and is well within the area forecasts of home-based other trips to nearby zones in the Puget Sound Regional Council regional travel demand forecasting model.

- **Shopping/Office Captured Trips:** 9 percent of daily office trips and 15 percent of peak-hour office trips were assumed to shop at the shopping center or specialty retail stores on the site. This assumption was used in the 1997 Lakepointe Report and is consistent with the low end of data reported in Chapter 1 of *ITE Trip Generation, 5th Edition*.

- **Pass-by Trips:** Based on the traffic volume of SR 522, the ITE manual recommends a pass-by trip reduction of 40 percent of the retail trips (shopping center and specialty retail) and health club trips, but based on the size of the development proposed, the ITE manual recommends a 36-percent reduction. As a compromise, a reduction of 38 percent was used. This assumption was also used in the 1997 Lakepointe Report.

- **Transit/TDM Measures:** 15 percent of office and residential trips were assumed to be transit trips or trips using TDM measures such as carpools, vanpools, telecommuting, etc. This assumption was based on the availability and frequency of transit service in the area and on transit forecasts for the area from the Puget Sound Regional Council travel demand forecasting model. It is also consistent with the assumptions used in the previous two reports.

- **Existing On-Site Traffic:** Traffic from existing on-site uses was based on actual daily and peak-hour traffic counts. This traffic was subtracted from the existing roadways in the vicinity of the site based on the trip distribution assumptions used for the Proposed Action.

The results of the trip generation yield a decrease from the 1997 Lakepointe Report daily trips from 13,700 to 12,700, and in PM peak trips from 1,460 to 1,330. AM peak trips increased slightly from 640 to 690.

## Trip Distribution and Assignment

To determine the trip distribution for the Proposed Action, the year 2020 trips from the traffic zone in which the project is proposed were isolated on the Puget Sound Regional Council travel demand forecasting model's road links. The land uses associated with the development were included in the zone

forecasts for the model, which first estimated the trip generation for the zone and then distributed the zone trips onto the road network. The distribution percentage from the model assignment was then used as the basis for assigning the calculated trips to the roads in the vicinity of the site for the year 2000. The procedure yielded the following distribution and assignment (the distribution presented here is based on the latest Puget Sound Regional Council model, which differs only slightly from that in the 1997 Lakepointe Report):

- North: 38 percent (12 percent on 61st Ave NE; 9 percent on 68th Ave NE; 7 percent on SR 104 via SR 522; 5 percent on 73rd Ave NE; and, 5 percent on 80th Ave NE)
- South: 6 percent, all on 68th Ave NE
- East: 28 percent (16 percent on SR 522; and 12 percent on Simonds Road via 68th Ave NE)
- West: 28 percent, all on SR 522

Figure 35B illustrates the overall project trip distribution. To determine trip distribution and assignment at the driveways within the site, the trip generation for each building on the site was determined, and then assigned to site driveways based on the internal roadway connections that provide the most logical and convenient access to parking for that building. Figures 36A and 37A show the AM and PM peak-hour project traffic. Figures 38A and 39A show cumulative 2005 AM and PM peak-hour traffic volumes with the project traffic added to the No Action (background) traffic growth. It should be noted that even with the Lakepointe Way NE connection in place, the AM peak hour traffic volume using NE 175th St to by-pass the SR 522/68th Ave NE intersection would remain significant (over 200 vehicles) because the eastbound queue at 68th Ave NE would extend past the Lakepointe Way NE/SR 522 intersection which would encourage some drivers to avoid the Lakepointe Way NE/SR 522 intersection.

## Transit and Non-Motorized Facilities

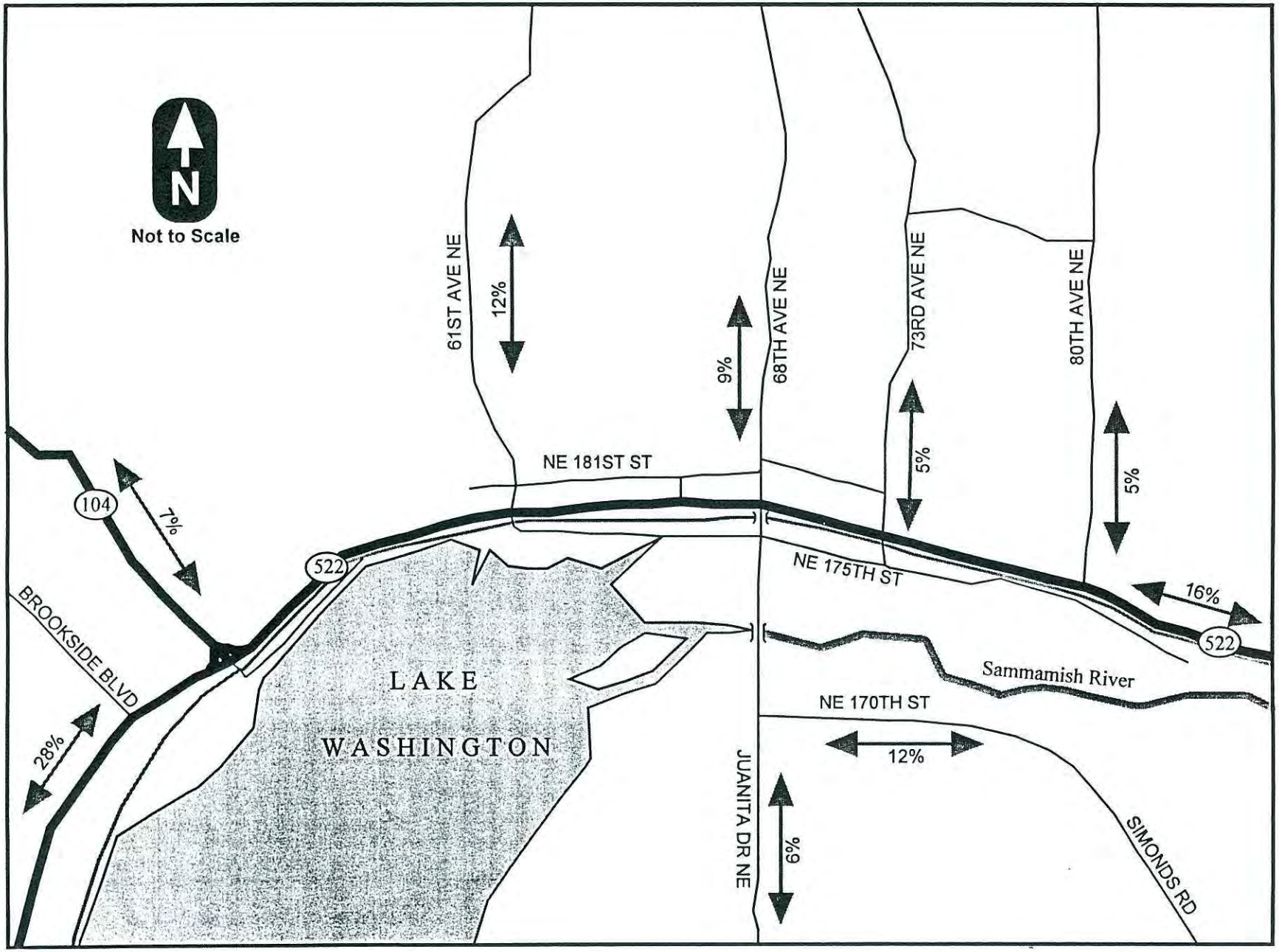
### *Background Conditions (2005 without Proposal)*

The pedestrian, bicycle, and transit facilities without the Proposed Action would be the same as those described in the Existing Conditions portion of this section.

### *Proposed Action*

#### Transit

The NSCP envisioned that the mixed-use development on the Lakepointe site would be designed to provide a convenient pedestrian connection to transit facilities on both sides of SR 522. The P-suffix conditions state that certificates of occupancy shall not be issued for the initial development of the site until enhanced transit stops have been constructed on the north and south sides of SR 522, or until adequate security to ensure their construction has been provided. In addition, the project is credited with a reduction of 975 vehicle trips generated based on the assumption that residents and workers on the site would use transit. To encourage the use of transit and to ensure the NSCP goals are met, the Proposed Action includes the construction of enhanced transit stops, which will include seating areas, weather protection, and specially designed landscaping and walkway surfaces.




Source: KJS Associates, Inc.

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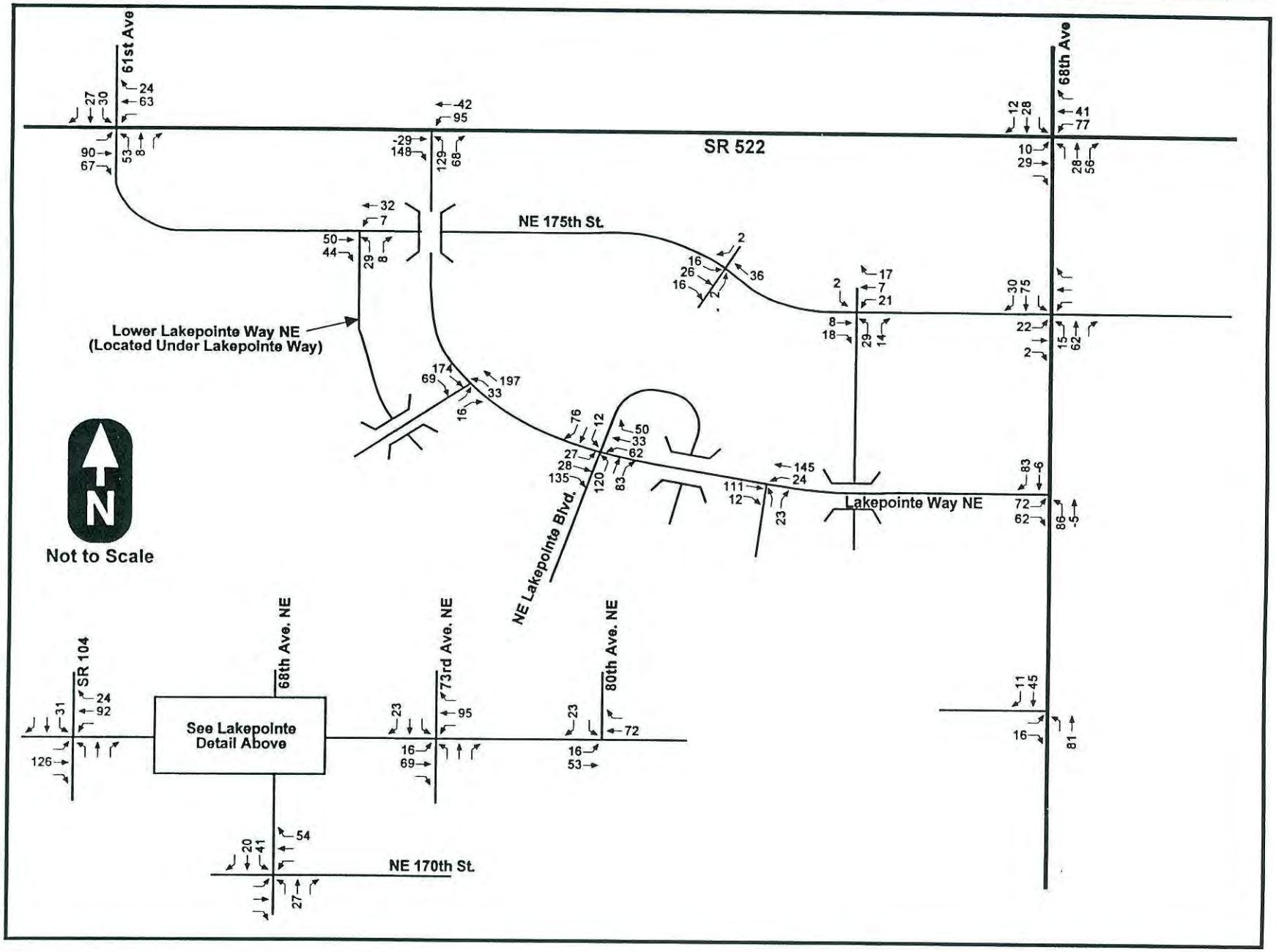
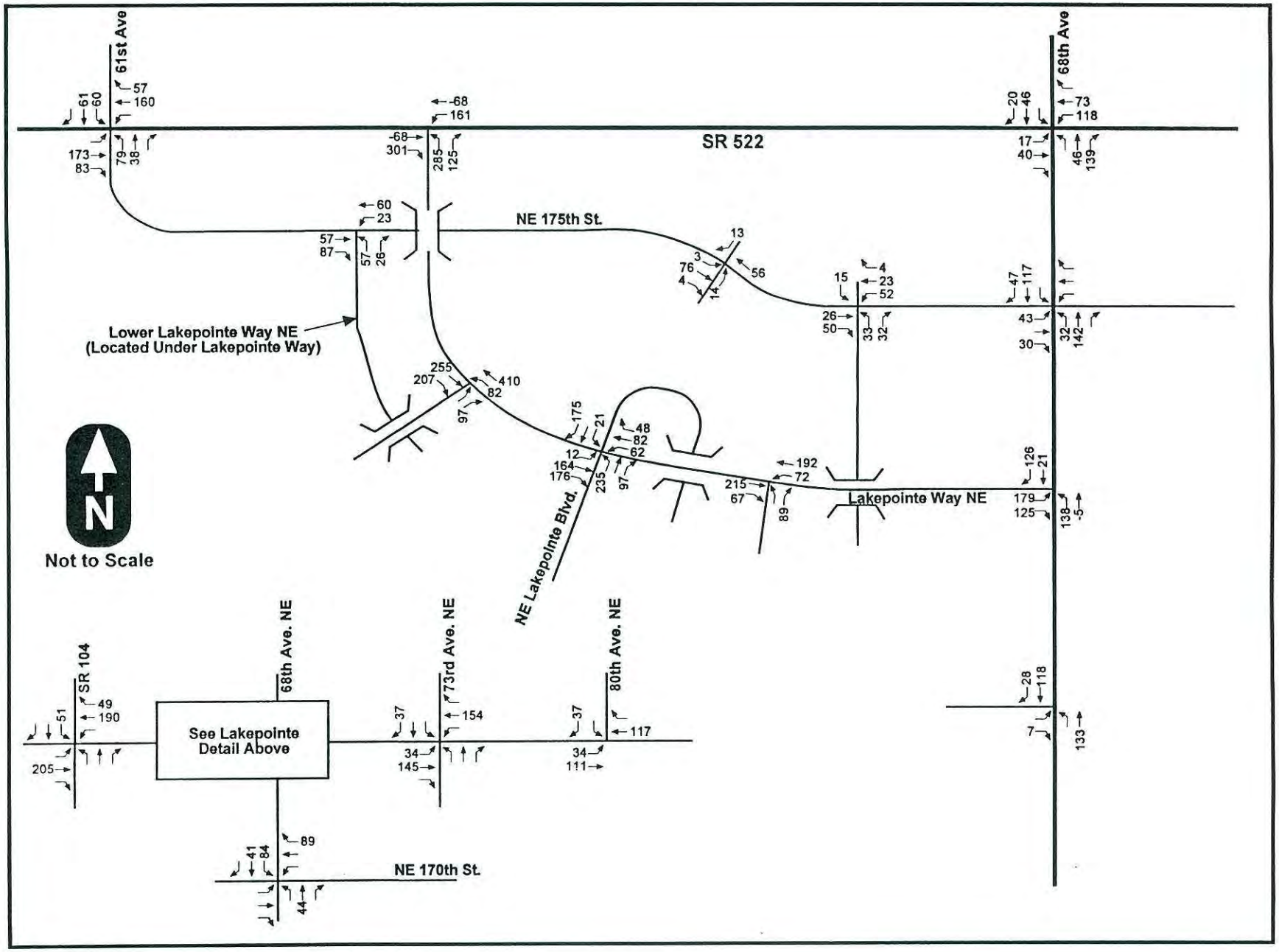
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 35B**<br>**Trip Distribution and Assignment** |



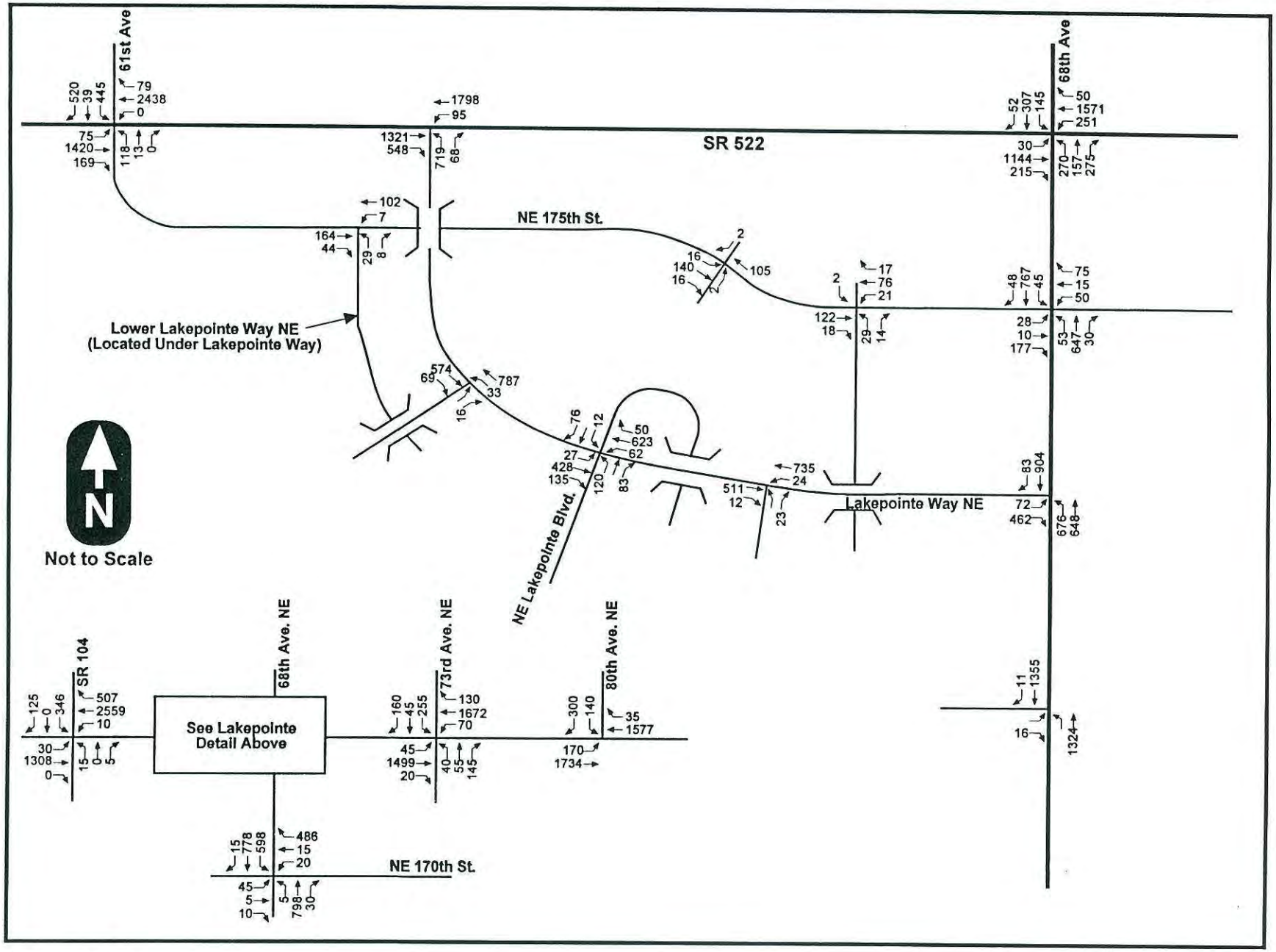

Source: KJS Associates, Inc.

| Huckell/Weinman Associates, Inc. | Lakepointe Mixed-Use Master Plan | Figure 36A<br>Proposed Action 2005 AM Volumes |
|---|---|---|




Source: KJS Associates, Inc.

| Huckell/Weinman Associates, Inc. | Lakepointe Mixed-Use Master Plan | Figure 37A<br>Proposed Action 2005 PM Volumes |
|---|---|---|




Source: KJS Associates, Inc.

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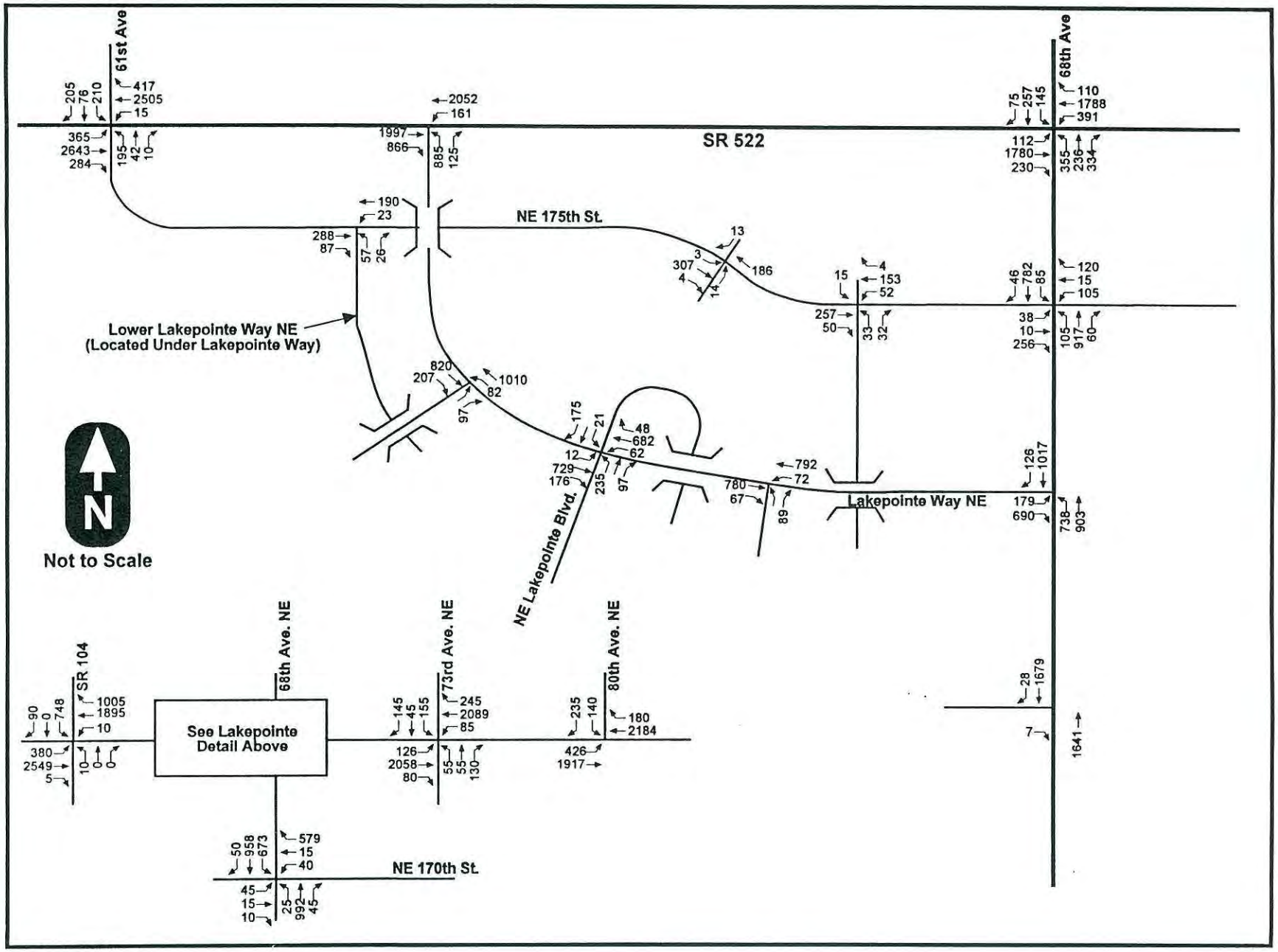
| *Huckell/Weinman Associates, Inc.* | Lakepointe Mixed-Use Master Plan | Figure 38A<br>Proposed Action Plus Background 2005 AM Volumes |




Source: KJS Associates, Inc.

| | | |
|---|---|---|
| *Huckell/Weinman Associates, Inc.* | **Lakepointe Mixed-Use Master Plan** | **Figure 39A**<br>**Proposed Action Plus Background 2005 PM Volumes** |

In addition to existing transit services described earlier in this chapter, the Regional Transit Authority (RTA) is proposing that additional express service be provided along SR 522. The November 1996 voter approval of the Regional Transit Authority (RTA) puts significant emphasis on enhancing the transit system by implementing Regional Express Bus service with enhanced community connections at critical locations. The Implementation Guide for Sound Move: The Ten-Year Regional Transit System Plan was approved by the RTA Board in May 1998. The Implementation Guide calls for an Express Bus Route along SR 522 connecting Woodinville to Northgate by 2000 with community connections at these locations plus Bothell, Lake Forest Park, and Lake City. This Express Bus route will connect with two other Express Bus routes each on I-5 and I-405, providing Kenmore with Express Bus connections to Seattle, Bellevue, Everett and the entire region via RTA and local service.

## Pedestrian and Bicycle Facilities

The proposed pedestrian and bicycle access plan was included in Figure 8A. The proposed pedestrian and bicycle facilities are intended to meet the objective of the NSCP that any mixed use development on the site provide access to the shoreline and pedestrian connections to Kenmore. All new facilities would conform to national, state, King County, and Metro standards for access for the disabled. All new crosswalks will be well illuminated, signed, and designed to County standards for maximum pedestrian safety. Refer to Figure 8A for a graphic illustration of the circulation plan.

### *On-site Facilities*

The periphery of the site would be dedicated to pedestrian and bicycle use. The inner harbor and waterfront would be connected by access corridors that traverse the site. Barrier-free pedestrian and bicycle links between the site's public spaces, the Burke-Gilman Trail and the Metro transit stops would be clearly marked. Public access to views and Lake Washington, the inner harbor, and the Sammamish River, as well as other parts of the development, would be provided at many points around the site.

The shoreline trail, each of the soft surfaces to the river's edge, the inner harbor boardwalk, and all pedestrian walkways and connections would be accessible and open to the general public.

### *Off-site Connections*

The Burke-Gilman Trail would be reconstructed below its existing grade to allow for clearance under Lakepointe Way NE. Reconstruction would be in conjunction with the NE 175th St undercrossing of Lakepointe Way NE.

The applicant is proposing to construct an at-grade pedestrian crossing of SR 522 across the east leg of the intersection with Lakepointe Way NE. Traffic signal timing would be adjusted to allow sufficient time for pedestrians to safely cross the street.

The P-suffix conditions require pedestrian access between the Lakepointe site and the transit stops on both the north and south sides of SR 522. The manner in which pedestrians would access the proposed at-grade crossing of SR 522 and the transit stops had not been determined at the time of publication of the Final Supplemental EIS. The CSDP Primary Site Circulation Plan shows two options: (1) providing an elevator and a stairway to connect the south side of the Burke-Gilman Trail to a sidewalk on the east side of Lakepointe Way NE, and (2) providing an ADA-compliant ramp from the Burke-Gilman Trail to

a sidewalk along SR 522. Under either option, pedestrians would then use sidewalks to reach the south transit stop or the crosswalk across SR 522. However, sidewalks do not currently exist along SR 522, thus they would need to be provided on both sides of the highway within this area to ensure safe pedestrian access to the transit stops.

Pedestrian access from the Burke-Gilman Trail to the site would be via a walkway from the boardwalk in the northwest corner of the site. Bicycle access to the Trail would be from bike lanes on lower Lakepointe Way NE and on the east side of Buildings G-1 and G-2.

Bicycles traveling northbound on 68th Ave NE at Lakepointe Way NE would access the site via the left-turn lanes for vehicle traffic. Pedestrians would use the sidewalks that must be constructed for frontage improvements. Immediately west of the intersection, a ramp would lead to the lower level with an 8-foot wide bicycle lane and an 8-foot wide pedestrian lane. From the bottom of the ramp, bicyclists could access the Burke-Gilman Trail either via the bike lanes on lower Lakepointe Way NE or use the driveways to Buildings G-1 and G-2. Pedestrians could use the sidewalk adjacent to the driveways east of Buildings G-1 and G-2.

The pedestrian crossing of NE 175$^{th}$ St would be at the intersection of the service and parking access road under the elevated Lakepointe Way NE. The estimated daily traffic volume on NE 175$^{th}$ St would be 4,200 vehicles per day (417 vehicles in the PM peak hour). Pedestrians and bicyclists would be provided a path leading to the inner harbor, the boardwalk, and the rest of the on site system.

A second crossing of NE 175$^{th}$ St would be east of Lakepointe Way NE. At this crossing of NE 175$^{th}$ St the traffic volume would be approximately 5,500 vpd (513 vph). Both of these access point intersections are projected to operate at LOS A with stop sign control of the access points. Pedestrians and bicyclists are projected to have adequate gaps available in the NE 175$^{th}$ St traffic to make safe and easy crossings. This connection to Burke-Gilman Trail would lead to:

- The phase 6 buildings (Buildings G-1 and G-2),
- A grade-separated crossing of Lakepointe Way NE through the lower retail/residential area parking garage to the Shoreline Trail, and
- To the north sidewalk of Lakepointe Way NE, where connection can be made to the existing facilities on 68$^{th}$ Ave NE via the new traffic signal and crosswalk.

## Transportation Operations Analysis

This section describes the analysis of transportation system conditions and impacts without and with the Proposed Action in 2005.

### *No Action Alternative and Proposed Action*

#### Transyt7F Analysis

The *Transyt7F* software package was used to comprehensively evaluate traffic operations of the major intersections in the study area. The *Transyt7F* model is a tool that can assist in evaluating how traffic

may operate in the future, but like all computer simulations, it cannot exactly predict delays, travel speeds, or traffic queues. The future conditions analyzed in this study (2005 both without and with the Proposed Action) include locations where the forecasted traffic volumes exceed the available capacity for certain traffic movements. Under these conditions, the *Transyt7F* model can produce unreliable results, especially in the estimated delay values. However, because the same process is used to predict delays, comparisons of the relative differences between delay values for different scenarios can be made. For instance, an intersection that is reported as having 120 seconds of delay would experience relatively better operations than an intersection that reports 180 seconds of delay, even though the actual delays at both locations may be shorter or longer than reported.

*Version 8* of this software, the most recent release, was used for the updated analysis. Unlike previous releases, *version 8* models the entire 60-minute peak period, no longer ignoring queuing vehicles that are not serviced by an intersection after only one or two cycles. Also, *version 8* measures queue impacts by accumulating backups from a congested intersection along the roadway so that the effects of vehicle queuing at one intersection are also reflected as delays at impacted intersections upstream.

The *Transyt7F* model analyses a coordinated traffic signal system on an arterial or a network of arterials. Coordinated traffic signal systems require a common cycle length for all traffic signals in the system. The cycle length is the total time for a signal to complete one cycle. The *Transyt7F* model has the capability of either using a predetermined cycle length, or it can determine the optimum cycle length for the systems.

For this analysis, the cycle length was optimized by testing cycle lengths between 90 and 180 seconds in one-second increments for each scenario. The results indicated that for 1997 existing and 2005 No Action conditions, 180-second cycles resulted in the optimum progression. For 2005 With Project conditions, 178-second cycles optimized the system.

## Analysis Scenarios

For purposes of this impacts analysis, the key use of the model is to provide relative comparisons between future conditions with and without the Proposed Action and associated roadway improvements. The model output also assists in the evaluation of potential changes in traffic operations in the corridor between existing (1997) and future (2005) conditions (without or with the Proposed Action).

*Transyt7F* model runs were performed for 2005 with project conditions for the Proposed Action and compared to existing and 2005 without project (No Action) conditions. The existing and 2005 without project conditions were obtained from the 1997 Lakepointe Report and are the same, with two exceptions. The westbound approach to the SR 522/80th Ave NE intersection was revised to assume a right-turn pocket that was constructed as part of a gas station on the northeast corner. Also, the northbound approach to the 68$^{th}$ Ave NE/NE 175$^{th}$ St intersection was revised to assume three through lanes to reflect the actual geometry of the intersection (the northbound right-turn pocket at the SR 522 intersection extends through the NE 175$^{th}$ St intersection).

Because each scenario represents optimized operation, the results for the analysis of 1997 conditions, No Action (2005 without the project) and the Proposed Action (2005 with the project) in Tables 29A, 30A, 31A, and 32A are directly comparable.

## Performance Analysis

A systemwide analysis was performed for the 2005 with project conditions and compared to existing and 2005 without project conditions. Table 29A shows the AM peak hour comparison and Table 30A shows the PM peak-hour comparison.

In addition to overall "system" operations, traffic flows, speeds and delays were evaluated for three major corridors: travel along SR 522 between SR 104 and 80th Ave Northeast; travel along 68th Ave NE/SR 522 between SR 104 and NE 170th St, using the existing roads; and travel along 68th Ave NE/Lakepointe Way NE/SR 522 between SR 104 and NE 170th St using the new roadway.

The four measures of performance are "total travel", the total number of miles traveled by all vehicles moving through the system; "total travel time", the total number of hours spent by all vehicles traveling through the system; "total delay", the total number of hours spent by all vehicles waiting in queues; and "system speed", the average miles per hour traveled by vehicles moving within the system ("total travel" divided by "total travel time", including delay).

### *Analysis Results*

In all cases, the system deteriorates from 1997 to 2005 with or without the project due to the increased traffic demand resulting from the application of a 2 percent per year growth rate. Comparisons of "total travel time", "total delay", and "system speed" in the columns labeled "1997" with both the "No Action" and "Proposed Action" columns in Tables 29A and 30A show more vehicle hours traveled, more vehicle hours of delay, and lower average speeds for 2005 than for 1997.

The analysis indicates that during the AM peak period, with the Proposed Action, the average speed on both SR 522 and 68$^{th}$ Ave NE would increase over 2005 conditions without the proposal. Delays and total travel time during the AM peak period would be comparable to what they would be without the project. The speed improvements are the result of the added capacity provided by the proposed Lakepointe Way NE arterial connection.

However, during the PM peak period in 2005, even with the added capacity provided by Lakepointe Way NE, speeds would be lower with the Proposed Action, and delays and total travel time would increase from what they would be without the project. Delay data in Table 31A indicates that at two intersections (SR 522/61$^{st}$ Ave NE and 68$^{th}$ Ave NE/NE 170$^{th}$ St), delay would be greater with the project than without it. The decrease in performance even with the addition of Lakepointe Way NE is due to the addition of project traffic to intersections other than SR 522 and 68$^{th}$ Ave NE.

## Table 29A: AM Peak Hour Performance Measures

| Route | Performance Measure | 1997 | 2005 No Action | 2005 Proposed Action |
|---|---|---|---|---|
| **Systemwide** | Total Travel (veh.-mi.) | 8,256 | 9,665 | 11,986 |
| | Total Travel Time (veh.-hr.) | 477 | 1,188 | 1,214 |
| | Total Delay (veh.-hr.) | 232 | 902 | 846 |
| | System Speed (MPH) | 17.3 | 8.1 | 9.9 |
| **Major Corridors** | | | | |
| **SR 522 Only** | Total Travel (veh.-mi.) | 6,504 | 7,630 | 8,844 |
| SR 104 to 80th | Total Travel Time (veh.-hr.) | 282 | 733 | 740 |
| via SR 522 | Total Delay (veh.-hr.) | 95 | 513 | 481 |
| | System Speed (MPH) | 23.0 | 10.4 | 11.9 |
| **SR 522/** | Total Travel (veh.-mi.) | 2,894 | 3,413 | 5,832 |
| **68th Ave NE** | Total Travel Time (veh.-hr.) | 153 | 488 | 620 |
| SR 104 to 170th | Total Delay (veh.-hr.) | 66 | 385 | 440 |
| via SR 522 & 68th | System Speed (MPH) | 18.9 | 7.0 | 9.4 |
| **SR 522/** | Total Travel (veh.-mi.) | -- | -- | 5,179 |
| **Lakepointe/68th** | Total Travel Time (veh.-hr.) | -- | -- | 595 |
| SR 104 to 170th | Total Delay (veh.-hr.) | -- | -- | 433 |
| via SR 522, Lakepointe, & 68th | System Speed (MPH) | -- | -- | 8.7 |

## Table 30A: PM Peak Hour Performance Measures

| Route | Performance Measure | 1997 | 2005 No Action | 2005 Proposed Action |
|---|---|---|---|---|
| **Systemwide** | Total Travel (veh.-mi.) | 10,618 | 12,496 | 15,864 |
| | Total Travel Time (veh.-hr.) | 1,005 | 2,873 | 3,782 |
| | Total Delay (veh.-hr.) | 692 | 2,504 | 3,305 |
| | System Speed (MPH) | 10.6 | 4.3 | 4.2 |
| **Major Corridors** | | | | |
| **SR 522 Only** | Total Travel (veh.-mi.) | 7,643 | 8,969 | 10,881 |
| SR 104 to 80th | Total Travel Time (veh.-hr.) | 575 | 1,686 | 2,187 |
| via SR 522 | Total Delay (veh.-hr.) | 355 | 1,428 | 1,874 |
| | System Speed (MPH) | 13.3 | 5.3 | 5.0 |
| **SR 522/** | Total Travel (veh.-mi.) | 4,437 | 5,218 | 7,049 |
| **68th Ave NE** | Total Travel Time (veh.-hr.) | 327 | 976 | 1,474 |
| SR 104 to 170th | Total Delay (veh.-hr.) | 195 | 820 | 1,263 |
| via SR 522 & 68th | System Speed (MPH) | 13.6 | 5.3 | 4.8 |
| **SR 522/** | Total Travel (veh.-mi.) | -- | -- | 6,145 |
| **Lakepointe/68th** | Total Travel Time (veh.-hr.) | -- | -- | 1,390 |
| SR 104 to 170th | Total Delay (veh.-hr.) | -- | -- | 1,204 |
| via SR 522, Lakepointe, & 68th | System Speed (MPH) | -- | -- | 4.4 |

Level of Service Analysis

AM and PM peak-hour levels of service (LOS) were evaluated for 2005 without and with Proposed Action traffic. The levels of service were derived from the *Transyt7F* runs.

Table 31A shows the level of service comparison for the AM peak hour and Table 32A shows the comparison for the PM peak hour. The 68th Ave NE/NE 170th St intersection is included in the table because it was included in the *Transyt7F* analysis and is part of the assumed interconnected traffic system.

*SR 522 at SR 104 and 61st Ave NE*

The intersections on SR 522 at SR 104 and 61st Ave NE would deteriorate to LOS F in 2005 without the project and would remain at LOS F in 2005 with the project in both the AM and PM peak hours. At both locations the average delay would increase significantly with additional project traffic, especially in the PM peak period. The SR 104 intersection is fully built out with no apparent additional capacity available without significant right-of-way purchases and/or grade separated roadways with ramps. At the 61st Ave NE intersection, the operation could be improved slightly by the provision of the proposed separate southbound left-turn lane and the implementation of a southbound right-turn phase overlap (i.e., a green arrow would be given to the southbound right turn during the eastbound left turn phase). Both of these improvements would be implemented with pavement marking changes and little or no pavement widening, but would not be sufficient to bring the level of service up to better than LOS F.

*SR 522 at 68th Ave NE*

The intersection of SR 522 at 68th Ave NE would deteriorate to LOS F in 2005 during both peak periods without the proposal. With the Proposed Action this intersection would operate at LOS E in the AM peak and LOS F in the PM peak. The average delay decreases with the project due to the traffic volumes that would shift to Lakepointe Way NE, bypassing the SR 522/68th Ave NE intersection.

Though the area is fully built out, WSDOT is studying potential right-of-way acquisition for improvements to the intersection as part of the SR 522 corridor project. WSDOT has preliminarily identified construction of a second westbound left turn lane on SR 522, separating the northbound left-through lane on 68th Ave NE into separate left turn and through lanes, and construction of a southbound left turn pocket on 68th Ave NE.

These improvements would reduce delays at the intersection to LOS D in the AM peak with the Proposed Action, but operation would remain at LOS F during the PM peak hour. They would, however, provide operational benefits at the NE 175th St and Lakepointe Way NE intersections along 68th Ave NE by reducing the impact of queues backing up from SR 522 through these intersections.

## Table 31A: AM Peak Hour Levels of Service

| | 1997 | | 2005 No Action | | Proposed Action | |
|---|---|---|---|---|---|---|
| **Intersection** | **LOS** | **Delay (sec)** | **LOS** | **Delay (sec)** | **LOS** | **Delay (sec)** |
| SR 522/SR 104 | C | 19 | F | 94 | F | 139 |
| SR 522/61st Ave NE | D | 28 | F | 127 | F | 162 |
| SR 522/Lakepointe Way NE | A | 0 | A | 0 | B | 14 |
| SR 522/68th Ave NE | E | 49 | F | 208 | E | 48 |
| SR 522/73rd Ave NE | C | 18 | C | 20 | C | 24 |
| SR 522/80th Ave NE | C | 19 | D | 27 | D | 30 |
| 68th Ave NE/NE 175th St | D | 37 | F | 158 | D | 34 |
| 68th Ave NE/Lakepointe Way | -- | -- | -- | -- | D | 28 |
| 68th Ave NE/NE 170th St | E | 41 | E | 52 | F | 74 |
| Lakepointe Way/Lakepointe Blvd | -- | -- | -- | -- | C | 19 |
| Lakepointe Way/east site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/west site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/Retail Drives | -- | -- | -- | -- | A | 1 |

## Table32A: PM Peak Hour Levels of Service

| | 1997 | | 2005 No Action | | Proposed Action | |
|---|---|---|---|---|---|---|
| **Intersection** | **LOS** | **Delay (sec)** | **LOS** | **Delay (sec)** | **LOS** | **Delay (sec)** |
| SR 522/SR 104 | D | 32 | F | 157 | F | 292 |
| SR 522/61st Ave NE | C | 22 | F | 117 | F | 326 |
| SR 522/Lakepointe Way NE | A | 0 | A | 0 | E | 50 |
| SR 522/68th Ave NE | F | 233 | F | 632 | F | 376 |
| SR 522/73rd Ave NE | C | 15 | C | 15 | C | 22 |
| SR 522/80th Ave NE | D | 34 | F | 135 | F | 237 |
| 68th Ave NE/NE 175th St | F | 184 | F | 454 | F | 126 |
| 68th Ave NE/Lakepointe Way | -- | -- | -- | -- | F | 82 |
| 68th Ave NE/NE 170th St | E | 46 | F | 123 | F | 283 |
| Lakepointe Way/Lakepointe Blvd | -- | -- | -- | -- | C | 20 |
| Lakepointe Way/east site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/west site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/Retail Drives | -- | -- | -- | -- | A | 1 |

*SR 522 at 80th Ave NE*

The intersection of SR 522 at 80th Ave NE would worsen to LOS F during the PM peak hour in 2005 both with and without the Proposed Action. The proposed addition of a southbound right-turn pocket would improve operation to LOS B with an average stopped delay of 12 seconds during the AM peak, and LOS D with an average delay of 28 seconds during the PM peak. This improvement would be accomplished with pavement marking changes and requires little or no pavement widening.

*68th Ave NE at NE 175th St*

The intersection of 68th Ave NE at NE 175th St would operate at LOS F in 2005 without the Proposed Action, during both the AM and PM peak hours. With the proposal, the intersection would operate at LOS F only in the PM peak. The level of service at this intersection is governed by the northbound delays at the SR 522/68th Ave NE, because waiting vehicles at that intersection regularly back up through this location. Without these back ups, the intersection would operate at LOS C. If the improvements outlined for the SR 522/68th Ave NE intersection are undertaken (WSDOT planned improvements) the level of service at this location would improve to LOS D in the PM peak, with an average delay of 34 seconds.

*68th Ave NE at NE 170th St*

The intersection of 68th Ave NE at NE 170th St would operate at LOS E in the AM peak hour without the proposal and LOS F with the proposal in 2005. Although the intersection would operate at LOS F in the PM peak hour both with and without the proposal, with the Proposed Action, delay would increase significantly more. The proposed addition of a westbound right-turn signal phase overlap would improve operations slightly, but not enough to bring it above LOS F. The area around the intersection is built out with no apparent additional capacity available without significant right-of-way purchases.

*68th Ave NE at Lakepointe Way NE*

The proposed intersection of 68th Ave NE at Lakepointe Way NE is projected to operate at LOS D in the morning peak, but LOS F in the afternoon peak. As with the NE 175th St intersection, operations at this location would be largely impacted by the northbound queuing at the SR 522/68th Ave NE intersection because backups there would extend through this location. The improvements outlined for the SR 522/68th Ave NE intersection would alleviate queuing at the Lakepointe Way NE intersection, improving operation to LOS D during the PM peak, with an average stopped delay of 27 seconds.

*Lakepointe Way NE, NE 175th St and NE Lakepointe Blvd intersections*

The other four new intersections on Lakepointe Way NE (SR 522, NE Lakepointe Blvd, and two internal driveways) are projected to operate at LOS D or better in the AM peak, and LOS E or better in the PM peak hour with the project in 2005. The three new driveways on NE 175th St are projected to operate at LOS A in the AM and PM peak hour with single lane approaches and stop sign control of the driveways. The driveway intersections with NE Lakepointe Blvd are expected to operate at LOS A in the AM and PM peak hours.

## Traffic Queues

Table 32B shows the results of the queue length calculations from the *Transyt7F* model at the 10 signalized intersections within the study area. The data in this table show the expected maximum lengths of vehicle back ups (i.e., queue lengths), in number of vehicles, during the peak hour for the critical movements at each intersection.

The values in the "queue storage" column in Table 32B are based on the space available for storage at 25 feet per vehicle. It represents the storage in all lanes available for a particular movement at a red signal, expressed in terms of vehicles. The queue storage for a left-turn movement, for example, is the left-turn pocket length without extending into the adjacent through lane. For through movements, it is the number of vehicles that can be stored in all through lanes before queues extend back into the adjacent intersection.

Note that the queue storage for the northbound 68th Ave NE left turn movement at Lakepointe Way NE includes the northbound inside lane across the Sammamish River Bridge and south to NE 170th St because this lane is planned to feed only the left-turn movement at Lakepointe Way NE.

### *SR 522 at SR 104*

For the PM peak, the analysis indicates that extensive queuing is anticipated in the eastbound direction for both the through and left-turn movements, with and without the Proposed Action in 2005. The queues for the southbound through and left-turn movements are also anticipated to extend beyond available capacity. These queues would extend back into the adjacent intersections on all three legs, impacting operation at those locations as well. As noted previously, the intersection is fully built out with no apparent additional capacity available without significant right-of-way purchases and/or grade separated roadways with ramps.

For the AM peak, the westbound through movement with the project is anticipated to exceed capacity by 34 percent (439 vehicles versus storage for 321), and extend back beyond the 61st Ave NE intersection. This is reflected by the poor level of service at 61st Ave NE with the Proposed Action. Without the proposal, none of the queues are forecast to exceed capacity.

### *SR 522 at 61st Ave NE*

For the PM peak, the analysis indicates that without the project queues are projected to exceed capacity by 12 percent in the westbound direction (179 vehicles versus 160 vehicle capacity). With the project, extensive queuing is projected for both the eastbound and westbound through movements, and the eastbound left-turn movement would slightly exceed available capacity (by three vehicles). The through-direction queues would extend back beyond the adjacent intersections in both directions.

For the AM peak, queues are projected to exceed capacity for the westbound through movement, both with and without the project, impacting the Lakepointe Way NE intersection.

## Table 32B Queuing for Critical Movements

| Intersection | Movement | AM Peak Hour 1997 Existing (Veh.) | AM Peak Hour No Action (Veh.) | AM Peak Hour Proposed Action (Veh.) | PM Peak Hour 1997 Existing (Veh.) | PM Peak Hour No Action (Veh.) | PM Peak Hour Proposed Action (Veh.) | Queue Storage (Veh.) |
|---|---|---|---|---|---|---|---|---|
| SR 522/ SR 104 | EB LT | 1 | 1 | 1 | 17 | 44 | 121 | 28 |
| | EB TH | 23 | 29 | 33 | 100 | 453 | 624 | 93 |
| | WB TH | 96 | 252 | 439 | 58 | 94 | 152 | 321 |
| | SB LT | 13 | 16 | 17 | 30 | 68 | 55 | 40 |
| | SB TH | 13 | 16 | 17 | 30 | 68 | 55 | 40 |
| SR 522/ 61st Ave NE | EB LT | 4 | 4 | 4 | 19 | 113 | 163 | 161 |
| | EB TH | 34 | 42 | 45 | 65 | 142 | 424 | 321 |
| | WB LT | 1 | 1 | 1 | 1 | 1 | 1 | 80 |
| | WB TH | 87 | 208 | 276 | 71 | 179 | 383 | 160 |
| SR 522/ Lakepointe Way | EB TH | | | 41 | | | 118 | 160 |
| | EB RT | | | 0 | | | 0 | 80 |
| | WB LT | | | 5 | | | 15 | 6 |
| | WB TH | | | 16 | | | 24 | 74 |
| | NB LT | | | 33 | | | 68 | 60 |
| | NB RT | | | 0 | | | 2 | 30 |
| SR 522/ 68th Ave NE | EB LT | 1 | 1 | 2 | 5 | 10 | 9 | 18 |
| | EB TH | 40 | 64 | 38 | 350 | 735 | 536 | 74 |
| | WB LT | 9 | 13 | 15 | 57 | 116 | 133 | 59 |
| | WB TH | 73 | 301 | 89 | 78 | 323 | 109 | 118 |
| | NB LT/TH | 44 | 106 | 21 | 115 | 137 | 53 | 16 |
| | NB RT | 7 | 9 | 11 | 7 | 8 | 12 | 8 |
| SR 522/ 73rd Ave NE | EB LT | 1 | 2 | 2 | 4 | 4 | 8 | 59 |
| | EB TH | 19 | 9 | 27 | 8 | 12 | 23 | 118 |
| | WB TH | 19 | 34 | 76 | 24 | 32 | 34 | 211 |
| | SB LT/TH | 10 | 12 | 12 | 6 | 7 | 7 | 20 |
| | SB RT | 5 | 5 | 6 | 4 | 4 | 6 | 20 |
| SR 522/ 80th Ave NE[1] | EB LT | 2 | 7 | 7 | 22 | 94 | 148 | 106 |
| | EB TH | 50 | 47 | 74 | 32 | 51 | 59 | 211 |
| | WB TH | 43 | 62 | 74 | 78 | 223 | 327 | 240 |
| | SB LT/TH/RT | 17 | 21 | 21 | 16 | 21 | 47 | 20 |
| 68th Ave NE/ NE 175th St | NB LT/TH | 40 | 320 | 9 | 318 | 356 | 41[2] | 19 |
| | SB LT/TH | 17 | 32 | 17[2] | 25 | 79 | 41[2] | 16 |
| 68th Ave NE/ Lakepointe Way | EB LT | | | 4 | | | 8 | 11 |
| | EB RT | | | 9 | | | 13 | 23 |
| | NB LT | | | 22 | | | 23 | 127 |
| | NB TH | | | 16 | | | 32 | 63 |
| | SB TH/RT | | | 22[2] | | | 20[2] | 19 |
| 68th Ave NE/ NE 170th St | WB RT | 19 | 25[3] | 42[3] | 22[3] | 109[3] | 207[3] | 20 |
| | NB TH | 31 | 40 | 41 | 39 | 50 | 79[2] | 40 |
| | SB LT | 22 | 31 | 39 | 25 | 52 | 145 | 63 |
| | SB TH/RT | 14 | 22 | 19 | 20 | 33 | 34 | 63 |
| Lakepointe Way/ Lakepointe Blvd | EB LT | | | 1 | | | 1 | 9 |
| | EB TH | | | 10 | | | 18 | 18 |
| | EB RT | | | 1 | | | 1 | 12 |
| | WB LT | | | 3 | | | 3 | 15 |
| | WB TH | | | 3 | | | 10 | 45 |
| | WB RT | | | 0 | | | 1 | 6 |
| | NB LT | | | 6 | | | 11 | 13 |
| | NB TH/RT | | | 4 | | | 4 | 8 |

Shaded cells indicate locations where queues exceed capacity

1 Queues can be reduced to below capacity with construction of a southbound right turn pocket.

2 Queuing can be reduced significantly at this intersection with construction of the SR 522/68th Avenue NE improvements.

3 Queuing can be reduced significantly for this movement with installation of a westbound right turn overlap phase

*SR 522 at Lakepointe Way NE*

During the PM peak period, queues would exceed storage for the westbound and northbound left turn movements. The westbound queue can be accommodated by extending the storage lane by 250 feet within the existing right-of-way. The northbound queue would extend back to the Lakepointe Way NE/NE Lakepointe Blvd intersection, but is not projected to adversely impact level of service there. Eastbound right turns would share the transit-only lane at this intersection. The eastbound joint use of that lane must extend nearly to 61st Ave NE to avoid eastbound right turning vehicles being blocked by the eastbound through queue that may be created from 68th Ave NE. Right-turning vehicles sharing the transit-only lane at this intersection may cause some delay for transit vehicles.

During the AM peak period, queues are projected to be within storage capacity.

*SR 522 at 68th Ave NE*

Without the Proposed Action in 2005, the eastbound and westbound through movements and all northbound movements during the PM peak hour would experience extensive queuing and impact the adjacent intersections on each of those legs. With the proposal, queues would still exceed capacity on the eastbound through, and all northbound movements, though in all cases the queues would be shorter than for the No Action condition. Queues would still impact the adjacent upstream intersection in the eastbound direction (Lakepointe Way NE). As noted in the previous section, the northbound queuing would impact both the NE 175th St and Lakepointe Way NE intersections on 68th Ave NE. The improvements outlined in that section would reduce the impacts of these queues. Queues would still affect the NE 175th St intersection with the proposed improvements in place, but would not extend back to the Lakepointe Way NE intersection.

During the AM peak hour without the proposal, extensive queuing is projected for the westbound through movement and for all northbound movements. With the proposal, queues would exceed capacity on the northbound leg by 31 percent (21 vehicles versus storage for 16 for the combined left turn and through movements).

*SR 522 at 73rd Ave NE*

No traffic queuing problems are expected at the SR 522/73rd Ave NE intersection during the AM or PM peak hours with the Proposed Action.

*SR 522 at 80th Ave NE*

During the AM peak hour with and without the Proposed Action and during the PM peak without the project, the southbound leg is expected to slightly exceed storage capacity (21 vehicles versus storage for 20). During the PM peak with the project, extensive queuing is projected for the westbound through movement. The eastbound left turn is projected to exceed capacity by 40 percent (148 vehicles versus storage for 106), and the southbound queue would exceed capacity by 27 vehicles.

With the southbound right turn pocket, identified as a potential mitigation measure improvement to this intersection, no queues are projected to exceed storage on any of the legs due to the additional capacity southbound, and the additional green time that would be made available for the east and westbound movements.

### *68th Ave NE at NE 175th St*

The NE 175th St/68th Ave NE intersection would not experience over-capacity queues from its own operation, but as noted above would be impacted by northbound queues at the SR 522 intersection and by southbound queues from the Lakepointe Way NE intersection. The improvements identified above would not eliminate queuing at this location, but would shorten queues and improve overall intersection operation.

### *68th Ave NE at Lakepointe Way NE*

At the Lakepointe Way NE/68th Ave NE intersection, the northbound through movement would receive continuous green time, except during pedestrian crossings of 68th Ave NE. (A raised barrier on 68th Ave NE from the north stop line across the intersection to the south stop line would separate the far right lane on 68th Ave NE.) The queue forecast during the PM peak hour results from congestion at the SR 522/68th Ave NE intersection, and would result in queues that extend back to the intersection of NE 170th St/68th Ave NE. The northbound left-turn movement queue at the Lakepointe Way NE/68th Ave NE intersection is not expected to impact traffic operations at NE 170th St/68th Ave NE, however. The single northbound inside lane across the bridge plus the dual left-turn lanes north of the bridge would provide storage for more than 120 vehicles, with a projected peak demand of only 23 vehicles.

The southbound approach to the Lakepointe Way NE/68th Ave NE intersection is expected to back up beyond the upstream intersection of NE 175th St/68th Ave NE during both the AM and PM peak hours. This is due to the short distance between these two intersections, about 320 feet measured center-to-center. However, this southbound queue is not projected to extend back to SR 522.

### *68th Ave NE at NE 170th St*

Vehicle back ups are projected to exceed capacity for the westbound right-turn movement for all conditions in 2005. The addition of a westbound overlap phase would greatly minimize queuing due to the increase in green time. Queues are also projected for the northbound through movement during the PM peak period only, a result of the congestion along 68th Ave NE. The improvements to the SR 522/68th Ave NE intersection (WSDOT planned improvements) would alleviate this queuing. Queuing beyond capacity is also forecast for the southbound left-turn movement with the project during the PM peak, extending back into the Lakepointe Way NE intersection. Proposed signal timing or interconnect improvements would help to minimize the impacts of this queue.

### *Lakepointe Way NE at NE Lakepointe Blvd*

No traffic queuing problems are expected at the Lakepointe Way NE/NE Lakepointe Blvd intersection during the AM or PM peak hours with the Proposed Action.

### *Queue Over Capacity*

As indicated on Table 32B, there are eight locations in the AM (affecting seven intersections) and nine locations in the PM (affecting six intersections) that are modeled to be over capacity as a result of the Proposed Action. Without the proposal, there are five locations in the AM (affecting four intersections) and six locations in the PM (affecting five intersections). This extensive queuing above existing conditions is to be expected given the high traffic volumes forecasts in the corridor.

Access Restrictions

As indicated in the Draft Supplemental EIS, the addition of a new traffic signal on SR 522 at Lakepointe Way NE would create the need to prohibit left turns to and from SR 522 in the vicinity of the intersection. The existing connection between SR 522 and NE 175th St at 65th Ave NE would be closed, and Lakepointe Way NE would intersect SR 522 at about the same location. The northern leg of 65th Ave NE between SR 522 and NE 181st St would remain open, but left turns would be prohibited at SR 522. Westbound right turns in and out of 65th Ave NE would be allowed with a stop sign controlled 'T' intersection just east of the new Lakepointe Way NE intersection with SR 522.

Left-turns into and out of several private businesses on the north side of SR 522 would also need to be prohibited. The approximate limits of the prohibitions would be from 67th Ave NE to 250 feet west of 65th Ave NE. This would affect U.S. Bank, the BP gasoline station, the Nu Lite Restaurant, a commercial building and the Texaco gasoline station. Left turns to and from 67th Ave NE may be allowed depending upon WSDOT requirements. This will be determined during the engineering design review.

Left turns into and out of four driveways to the businesses west of 61st Ave NE may be impacted by these pavement marking changes. The impact may range from no change to full left-turn restrictions, depending upon the traffic operation analysis of the pavement marking changes approved during the engineering design review.

## MITIGATING MEASURES

Required, proposed, and potential mitigation measures have been revised and are listed below. Mitigation measures will be established in a Transportation Mitigation Agreement signed by King County and the applicant as part of the Master Plan approval. The agreement will also establish the phasing and timing of implementation of mitigation measures.

Required by Code

- Lakepointe Way NE connecting SR 522 and 68th Ave NE
  Construct a five-lane roadway with a landscaped median.
  The applicant proposes to construct the roadway as a principal arterial, thus turn channels, turn pockets, bicycle facilities, and barrier-free sidewalks along the roadway are required.
  Lower the Burke-Gilman Trail and construct a grade-separated crossing under Lakepointe Way NE; provide a 12-foot clearance, and minimize grade changes along the trail.
  Lower NE 175th St and construct a grade-separated crossing under Lakepointe Way NE.

- Lakepointe Way NE at SR 522 --Provide signalization and reconfiguration of the intersection.

- Lakepointe Way NE at 68th Ave NE
  Provide signalization and improvements to the intersection.
  Construct northbound left-turn and left-through lanes on 68th Ave NE.

- Provide frontage improvements along SR 522 and 68th Ave NE, including sidewalks.

- Pay Mitigation Payment System (MPS) fees as determined by King County.

- Construct enhanced transit stops on the north and south sides of SR 522 between Lakepointe Way NE and 68th Ave NE, including seating areas, weather protection, landscaping, and walkways, and provide access from the stops to the Burke-Gilman Trail and residential areas on the Lakepointe site, consistent with King County and WSDOT standards. The P-suffix conditions state that King County will be responsible for land acquisition and for obtaining approvals for the transit stops.

- Provide a fair-share contribution for the construction of a pedestrian bridge over SR 522 in the vicinity of the transit stops, subject to approval by WSDOT, and provide a touch-down location on the Lakepointe site for the bridge.

- Develop and implement a Transportation Management Plan (TMP) approved by King County. Strategies to be considered in the TMP include transit subsidies, parking fees, and rent abatement.

- Provide a fair-share contribution to the construction of a new park-and-ride facility in the Kenmore area, or provide 50 commuter parking stalls in a location accessible to the southern enhanced transit stop, as determined in the approved TMP. Provision of a shuttle bus connecting the SR 522 transit stops with residential areas on the Lakepointe site may be required as part of the TMP.

<u>Proposed by the Applicant</u>

- Construct Lakepointe Way NE as an elevated principal arterial.

- Lakepointe Way NE at SR 522:
  Reconstruct the intersection to provide dual, north-to-west, left-turn lanes and single, north-to-east, right-turn lane.
  Construct a separate right-turn lane on eastbound SR 522 south of the transit-only lane.
  Construct crosswalks on the south and east approaches to the intersection.
  Provide pedestrian-actuated phasing, as determined by King County and WSDOT.

- Lakepointe Way NE at 68th Ave NE:
  Widen 68th Ave NE within the existing right-of-way from the north end of the Kenmore Bridge to Lakepointe Way NE.
  Construct through lanes on the northbound approach.
  Construct single left-turn and double right-turn lanes on eastbound approach.
  Provide pedestrian-actuated phasing, as determined by King County and WSDOT.

- On the north leg of the 61st Ave NE with SR 522 intersection, construct an exclusive southbound-to-eastbound, left-turn lane, and implement a southbound-to-westbound, right-turn phase overlap.

- At the intersection of 68th Ave NE and NE 170th St, provide a signal phase overlap for the southbound-to-eastbound, left-turn lane and the westbound-to-northbound, right-turn lane.

- At the intersection of 80th Ave NE with SR 522, restripe the southbound approach to provide separate left-turn and right-turn lanes.

- Lakepointe Way NE at NE Lakepointe Blvd:
  Construct dual, left-turn lanes for traffic exiting the Lakepointe site.
  Construct new access roads to replace the east leg of the NE 175th St/65th Ave NE intersection.
  Signalize the intersection and provide pedestrian-actuated phasing.

- Limit moorage at the marina to moorage for residents, their guests, and hotel guests, consistent with the Kenmore Air Harbor agreement, in order to reduce the number of transient boat trips associated with the marina and to minimize conflicts with seaplane operations.

- Limit long-term moorage to boats 30 feet or longer in order to minimize conflicts between small, fast, or highly maneuverable boats (such as runabouts and jet skis) and seaplanes during takeoff and landing.

- Construct over-water marina structures near the Kenmore Air Harbor terminal to no more than the maximum height above the water surface that will allow the main wing of a seaplane to pass over the structure.

Potential

- Design and construct the proposed eastbound, separate right-turn lane from SR 522 to Lakepointe Way NE with adequate storage capacity to prevent blockage of the eastbound through transit-only lane on SR 522.

- Extend shared use of the eastbound transit-only lane on SR 522 from Lakepointe Way NE back to 61st Ave NE.

- Prohibit left-turn access to and from SR 522 in the vicinity of its intersection with Lakepointe Way NE and 65th Ave NE in order to reduce conflicts with traffic patterns created by the new lane configurations.

- If an at-grade pedestrian crossing of SR 522 is provided across the east leg of Lakepointe Way NE, the applicant shall provide a raised pedestrian walkway between the north side of the crosswalk and the northern transit stop.

- To minimize user conflicts, pedestrian and/or bicycle facilities shall not be provided on the elevated roadway, Lakepointe Way NE, an urban arterial. This would require a variance to King County Road Standards.

- Reconstruct the south leg of the SR 522/61st Ave NE intersection to improve operations and safety.

- Provide dual left-turn pockets from eastbound SR 522 to 68th Ave NE.

- Provide dual left-turn pockets from westbound SR 522 to southbound 68th Ave NE.

- The present alignment of NE 175th St shall remain open to 68th Ave NE only while the Kenmore Pre-Mix plant continues operation. When the Kenmore Pre-Mix plant ceases operation, NE 175th St shall be realigned to curve southward to connect with Lakepointe Way NE at its intersection with NE Lakepointe Blvd. Adjacent land owners to the east shall retain direct access from NE 175th St to 68th Ave NE, but that portion of NE 175th St will terminate at a cul-de-sac.

- Provide left-turn lanes from northbound 68th Ave NE to NE 175th St, and eliminate the northbound right-turn lane at this intersection.

- Provide a fair-share contribution toward construction of non-motorized access to the Lakepointe site from the south via 68th Ave NE and the Kenmore Bridge over the Sammamish River.

- Provide a fair-share contribution toward construction of the SR 522 Multi-Modal Project proposed for construction by WSDOT.

## UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

During the PM peak period, the intersection of SR 522 with 80th Ave NE, 68th Ave NE, 61st Ave NE, and SR 104, and the intersection of 68th Ave NE with NE 175th St and NE 170th St are projected to operate at LOS F in 2005 with or without the Proposed Action. However, overall traffic operations in the Kenmore area would deteriorate even more in the PM peak period with the Proposed Action despite the new Lakepointe Way NE connection and other traffic mitigation that would be provided. This is based on an analysis of three travel corridors -- between SR 104 and 80$^{th}$ Ave NE via SR 522, between SR 104 and NE 170th St via the intersection of SR 522/68th Ave NE, and between SR 104 and NE 170th St via SR 522 and Lakepointe Way NE. Travel time and delay would increase and average speed would decrease. With the Proposed Action, congestion would increase at all intersections analyzed other than SR 522/68th Ave NE and 68th Ave NE/NE 175th St. This is especially true at intersections not immediately adjacent to the Lakepointe site, and, in some cases, the impact would be significant.

While modeling cannot predict future traffic conditions with precision, data from the queuing analysis (Table 32B) and the LOS analysis (Table 31A) indicates that in the year 2005, with the Proposed Action, PM peak-hour queuing and delay at SR 522/61st Ave NE is likely to be significantly greater with the Proposed Action than without it, and traffic is likely to back up to the intersection of SR 522/NE 145th St at the Seattle/Lake Forest Park city limits. Traffic entering Kenmore via NE 170th St at the 68th Ave NE intersection is likely to back up beyond the intersection one-half mile more than it would without the Proposed Action.

Despite the additional capacity that would be provided by Lakepointe Way NE, even more capacity improvements are needed in order to alleviate the additional queuing and delays along the SR 522 and 68th Ave NE corridors that are likely to result from project-generated traffic. However, no apparent improvements in capacity are possible without major right-of-way acquisition and local business disruption. Thus the Proposed Action is likely to result in a significant adverse impact that cannot be mitigated.

# CHAPTER FOUR

## *Comment Letters and Responses*

# CHAPTER FOUR

# COMMENT LETTERS AND RESPONSES

The following represents a list of comment letters received on the Lakepointe Mixed Use Master Plan Draft Supplemental Environmental Impact Statement

**Federal Agencies**

1. U.S. Department of Transportation (Federal Aviation Administration)

**State Agencies**

2. Washington State Department of Fish and Wildlife
3. Washington State Department of Transportation

**County Agencies**

4. King County Department of Public Safety
5. King County Department of Transportation
6. Seattle-King County Department of Public Health

**City Agencies**

7. City of Bothell

**Native American Tribes**

8. The Muckleshoot Indian Tribe

**Business & Community Groups**

9. Cascade Bicycle Club
10. Friends of Northshore - Tom Cox
11. Kenmore Air Harbor
12. Lakepointe Citizen's Advisory Task Force
13. Phillips McCullough Wilson Hill & Fikso

**Individuals**

14. Aagard, Ann
15. Atkinson, Don
16. Barnes, Linda
17. Bray, Linda

18. Creager, Joe
19. Dale, Howard and Marge
20. Hough, Betty and William
21. Hungar, Ann
22. Johnson, Orlay
23. Knutson, Marilyn
24. Lapeyrouse, Doreen
25. McFadden, Karen (12/7/97)
26. McFadden, Karen (12/14/97)
27. Mitchell, Stephen
28. Moritz, William
29. Ogliore, John
30. Rehwinkel, Jeanne
31. Skarbek, A.M.
32 Strothman, Nora
33. Van Ness Green, Sherri
34. Wierlo, Ed
35. Williscroft, Carol
36. Washington State Department of Ecology
37. Snatsky, Gary
38. Washington State Department of Transportation (1/13/98)

Transcript of December 8, 1997 Public Hearing

Letter 1

US Department
of Transportation
**Federal Aviation
Administration**

Seattle Airports District Office
1601 Lind Avenue, S.W.
Renton, WA 98055-4056

RECEIVED
97 DEC -3 PM 2:55
K.C.D.E.S.

November 28, 1997

Ms. Barbara Questad
King County
Department of Development and Environmental Services
Building Services Division
3600 -136th Place Southeast
Bellevue, WA 98006-1400

**Draft -Supplemental EIS for Lakepointe Master Plan (File No. A95P0105)**

Dear Ms. Questad:

1 The Federal Aviation Administration has reviewed the Public Notice of Application for the proposed Lakepointe Project in Kenmore, WA. The proposed project is to be constructed adjacent to Kenmore Air Harbor, one of the largest seaplane/floatplane facilities in the United States, and which is currently the most active Seaplane Base in the Seattle area. We consider Kenmore Air Harbor to be very important to the Seattle Metropolitan Airport System and the region's multi-modal transportation system. Because of its importance, we have identified this seaplane base as an airport of national interest in our National Plan of Integrated Airport Systems. Continued growth of aviation activity is anticipated at the site.

2 We are particularly concerned about the safety aspects of intermixing boat and aircraft traffic and have commented on this potentially hazardous situation several times throughout the years. The proposed development will increase the number of pleasure boaters into an already congested and restricted area used extensively by seaplane operators.

3 In addition, we are concerned about potential noise problems which may develop when locating residential land uses adjacent to a seaplane operating area and aircraft maintenance facilities.

4 We consider the proposed mixed use development to be incompatible with the well established aviation operations at Kenmore Air Harbor. Although we have commented before on this issue we were unable to identify any indication that our concerns were considered in the environmental documents. Please consider our comments in your analysis.

Sincerely,

John D. Current AICP
Community Planner

# RESPONSE TO LETTER 1

## U.S. Department of Transportation (Federal Aviation Administration)

1. Comment acknowledged.

2. Comment acknowledged. As described on page 3-217 of the Draft Supplemental EIS, the proposed marina would result in recreational boats entering and exiting the inner harbor, which could result in increased boat conflicts with existing Kenmore Air Harbor operations. However, there would be no public moorage at the site. Moorage would be limited to residents, their guests, and hotel guests, as outlined in the May 22, 1996, agreement between the Lakepointe developer and the Kenmore Air Harbor. In addition, proposed long-term moorage would be limited to boats 30-feet or longer. No permanent moorage is proposed for small, fast or highly maneuverable boats, such as runabouts and jet skis, which are the primary safety concern of seaplanes during takeoffs and landings. Thus, significant impacts to Kenmore Air Harbor operations would not be anticipated.

3. Comment acknowledged. As noted on page 1-8 of this Final Supplemental EIS, seaplane noise would impact future residents and businesses on the site. King County may require a covenant or Notice on Title advising property owners of the Aviation Easement filed with King County on August 30, 1996. The easement allows Kenmore Air Harbor, Inc., to continue normal operations in the airspace over the Lakepointe site. "Normal operations" include the existing flight pattern on the date the easement was filed, no aircraft takeoffs prior to 7:00 AM weekdays and 7:30 AM weekends and holidays, noise levels not to exceed airport noise compatibility guidelines established by the FAA and EPA, and no commercial seaplane operations with any aircraft that exceeds single event noise levels above that of a three-blade de Havilland Beaver.

4. Please refer to responses 2 and 3 of this letter.

Letter 2

RECEIVED
97 DEC 17 PM 3:40
K.C.D.D.E.S.

State of Washington
**DEPARTMENT OF FISH AND WILDLIFE**

Mailing Address: 600 Capitol Way N • Olympia, WA 98501-1091 • (360) 902-2200, TDD (360) 902-2207
Main Office Location: Natural Resources Building • 1111 Washington Street SE • Olympia, WA

December 15, 1997

Barbara Questad, Environmental Planner
King County DDES
900 Oaksdale Avenue Southwest
Renton, Washington 98055-1219

SUBJECT: Draft Supplemental Environmental Impact Statement, Lakepointe Mixed Use Master Plan, File No. A95P0105, Lake Washington and Sammamish River, King County, WRIA 08.LKWA and WRIA 08.0057

Dear Ms. Questad:

The Washington Department of Fish and Wildlife (WDFW) has reviewed the above-referenced document and submits the following comments. These comments are intended to supplement those of the Muckleshoot Indian Tribe (MIT), with whom WDFW cooperates to manage fish and fish habitat resources in the Lake Washington system. WDFW shares the concerns expressed by MIT regarding the Lakepointe Mixed Use Master Plan (Lakepointe).

*GENERAL ISSUES*

1 WDFW has significant concerns about the document, especially the sampling methods used for fish resources and how cited references have been taken out of context in attempting to downplay, disregard, and even reverse the potential impacts of the proposed project. The severity of the problems with these issues and other issues has raised the concerns of WDFW to the level that we question the validity of the document as a whole in satisfying the requirements of the State Environmental Policy Act.

2 For example, Table 10, **Estimated Sediment Yields Reaching Surface Waters**, predicts a total yield of 0.0 tons for the life of the project (7 phases). This appears to assume that this would be a perfect project with regard to erosion and sedimentation control. WDFW has never seen or heard of a project with perfect erosion and sedimentation control and doesn't expect this one would be the first.

3 WDFW does appreciate the improvements which have been made over earlier versions of the proposal designs in eliminating any direct impacts on the Lake Washington shoreline. This particular location is one of the single most important habitats for juvenile salmonids on the entire body of the lake.

4 WDFW is extremely concerned about the decline of wild salmon and steelhead statewide, and Lake Washington stocks are no exception. Please refer the the MIT comments for status of Lake Washington stocks. It appears that Endangered Species Act listing of Puget Sound chinook salmon, which includes stocks in the Lake Washington system, is practically inevitable.

5 While the document acknowledges the impacts of shading by excessive overwater development, WDFW believes that project objectives should include elimination of existing impacts from shading, as well as from the high concentration of in-water pilings and vertical bulkheads. Conditions in the inner harbor indicate a need to restore habitat on a much grander scale and to curtail or even eliminate dredging there. WDFW believes that much more habitat restoration can and should be included as part of this project, if it is to move forward, to mitigate for existing and project impacts on fish and wildlife. WDFW expects funding to be available so that project proponents would not have to bare the full cost of the habitat restoration. Other projects have participated in this type of collaberative restoration for the overall benefit of public resources which are at stake.

*SPECIFIC ISSUES*

*Study Methods*

6 WDFW has very serious concerns about the study methods used for evaluating fish resources. The most serious concerns WDFW has with the project relate to the proposed increase in habitat which is suitable for known salmonid predators such largemouth and smallmouth bass in the inner harbor. Yet the sampling scheme did not use any methods which were effective to capture these species. This is acknowledged in the *Final Lakepointe Technical Report on Natural Resources* (Appendix B, p. 3-48).

7 WDFW believes the use of backpack electrofishing and shore based beach seining in waters with these depths was simply inadequate to sample any portion of the site effectively for the species of greatest concern. The suitability of the inner harbor as bass habitat and the proposal's inevitable damage to juvenile salmonid habitat were recognized (Appendix B, pp. 3-38+39).

8 Inadequate frequency of sampling could have resulted in missing significant quantities of migrating juvenile salmonids. Notation (p. 3-60) of peak concentrations of juvenile salmonids resulting from hatchery releases serves to emphasize the need for frequent sampling to reduce bias in data. WDFW is on record as having recommended twice weekly, rather than every other week, sampling.

9 The document's conclusions on existing fish resources are highly questionable due to biases in the sampling quality and quantity. WDFW feels it is inappropriate to make conclusions about biological conditions (p. 3-57) due to faulty study methods related to gear effectiveness and selectivity, as well as limited sampling effort. Please refer to the MIT comments for further evaluation of this issue.

10 WDFW considers water less than 30 feet deep to be shallow water in the Lake Washington system, due to the potential for light to penetrate to the bottom at depths to 30 feet. Why was 10 feet selected as the threshold of shallow water for this study?

*Impacts of Proposed Structures*
*Predation*

11 The role of in-water structures as ambush habitat for salmonid predators is acknowledged on page 3-59, and the value of the inner harbor as bass habitat is acknowledged on page 3-60. Observations of juvenile salmonids in the inner harbor (p. 3-60) were expected, as these fish typically migrate along shorelines and would not be expected to migrate <u>across</u> the entry of the inner harbor on their way out of the system to marine habitat. This is a very important point, in view of the gauntlet of predator habitat which the project proposes in the inner harbor.

12 The document contains numerous conclusions which appear to have taken frequent opportunity to downplay the potential impacts of the proposal. For example, the discussion of squawfish and bass predation in the inner harbor (pp. 3-61+62) attempts to minimize this impact. Bass should be the focus, since the proposal does not appear to constitute a potential to increase habitat which is favorable for squawfish. Movements of bass into shallower waters in preparation for spawning and association of spawning bass with pilings were acknowledged. What was overlooked is the feeding behavior of pre-spawn bass. These fish do feed on juvenile salmonids, as documented by the work of Phlug and Pauley in Lake Sammamish (A University of Washington Master's Thesis, also

published 1984 in Northwest Science 58 (2): pp. 118-130). The timing of this behavior coincides with the juvenile salmonid outmigration quite well. In fact, the data on water temperatures and juvenile salmonid presence in Appendix B support this probable adverse impact. The data of Phlug and Pauley and that provided by MIT prove conclusively that levels of bass predation on juvenile salmonids cannot appropriately be deemphasized. The document's reasoning to support the conclusion that predation on salmonids in the inner harbor is currently minimized is faulty. Use of the citation (Tabor and Chan 1996) to try to support that
13 conclusion is highly tenuous; Tabor and Chan were focused solely on predation on sockeye salmon fry, which are migrating from nearshore areas toward deepwater lake rearing habitats as they leave the riverine environment.

Furthermore, largemouth bass may be low in abundance compared to other predators such as squawfish; however, they may be locally abundant in habitats such as this site. WDFW believes that sampling methods used for this study were simply not effective in
14 catching them (Appendix B, p. 3-48) and/or the high levels of disturbance within the inner harbor by industrial boats (which would be replaced by pleasure craft per the proposal) currently render the site relatively undesirable for bass.

Bass may be moving into the inner harbor at much earlier dates than the conclusions assert. Water temperature data indicate that they likely are present throughout the juvenile salmon outmigration period, with the possible exception of early sockeye salmon fry arrivals. WDFW finds no basis for the assumption that
15 bass do not forage at this site and questions why the assumption was made that bass would not find this site desirable for foraging. Let's remember that the water temperatures here are considerably higher than at the south end of the lake where Tabor and Chan (1996) sampled. MIT has produced data which document
16 bass feeding on juvenile salmonids in the Lake Washington system. Nighttime feeding by bass would also be expected.

White (1975) was referenced in support of a conclusion that an increase in predation over current levels would not be anticipated as a result of the proposed marina. I might have
17 missed it, but I have not found any data in that study that fish stomach contents were analyzed. Also, White's study methods are questionable, since gill nets were used, no nets were placed under piers, and bass are know to be successful in avoiding

capture by gill nets. However, 7 of the 8 bass captured during White's study were at "pier" locations. White's data simply do not support the conclusion that predatoin over current levels
18 would not result from construction of the proposed marina. Again, it is dubious to use Helfman (1979) to support the proposed marina development, since the behavior of the species Helfman studied is probably very different from the behavior of Lake Washington salmonids.

*Shading*

The proposed means of mitigating for shading impacts (p. 3-70) would be appropriate to consider after avoiding the impacts altogether by moving unnecessary structures upland. This would
19 eliminate many of the proposed pilings, which may be a more significant impact (as predator habitat) than the shading impact. Also, WDFW believes the estimate of existing area shaded by boats to be too high.

*Floating Over-Water Structures*

I've been working on issues related to piers and floats in Puget Sound and Lake Washington since 1983, and this is the first time I've heard it <u>asserted</u> that these structures are "...known to attract and be beneficial to juvenile salmonids...", much less that it is a "common understanding" that they do (p. 3-71). WDFW finds the conclusion that "...floating structures would improve
20 survival of salmonids compared to areas without cover..." to be far fetched and self-serving to the project proposal. It appears to be based on an attempt to extrapolate data from different ecosystems, for example Helfman (1979) who studied bluegill, pumpkinseed, black crappie, and golden shiners in a warmwater lake in New York state. These conclusions are indicative of the author's tendency to be very selective in citing only references which can be used in attempting to support the proposed development, rather than to objectively evaluate potential impacts. My own master's thesis research (Ratte' and Salo 1985) has been used in this manner (Appendix B, p. 3-45), resulting in the faulty conclusion that piers attract and benefit juvenile
21 salmonids. I am not aware of anything in my thesis which supports that conclusion, although it certainly can be concluded that juvenile salmonids encounter and must migrate under piers where there was once undisturbed habitat. That higher catches of juvenile salmonids occured with lights off than with lights on under the pier was more likely due to the fish being less able to avoid capture than any attraction of the fish to the pier.

22 The construction of a breakwater or "wave board arrangement" (otherwise known as pier skirting) would be an avoidable adverse impact. These structures provide ambush points for predators and restrict escape routes.

*Lighting*

23 WDFW believes that lighting levels from the proposal could be a very significant adverse impact on fish and wildlife, especially at this site, where outmigrating salmonids are adapting from a riverine to a lacustrine habitat. Fish and wildlife are very sensitive to photoperiod. Extraordinary efforts to avoid disruptions to photoperiod-sensitive behavior, including restoration of more natural conditions than currently exist, should be a very high priority for any development at this site.

*Buffer Widths*

24 WDFW policy requires larger buffer widths than proposed. Wider buffers than those in the project design are required to provide the habitat needed to sustain fish and wildlife populations at the site.

*Mitigation*

25 WDFW mitigation policy requires first to avoid impacts. In the context of this proposal, that means removal of unnecessary overwater structures to uplands. WDFW does not view the requirement to provide public access to the shoreline to mean provision of overwater walkways or lookouts. The recommendation will be to deny the proposed developments within the inner harbor if they are not significantly redesigned to avoid impacts. Removal of the lookouts and unnecessary walkways to uplands, reducing size of piers, elimination of the proposed wave boards, and orienting all piers perpendicular to the shoreline would be a good start at avoiding impacts. Removal of all vertical bulkheads and replacement with shorelines sloped 3:1 would also be an excellent mitigation.

26 WDFW believes that 2 of the 4 measures intended to be designed to mitigate adverse impacts of increasing salmonid predator habitat (p. 3-68) would actually increase salmonid predator habitat and result in higher mortality of juvenile salmonids. Addition of large rock, etc. near pilings would create very good habitat for bass and other predators. Surfacing the bed of nearshore areas with the proposed quarry spalls sounds like excellent habitat enhancement for sculpins, which have been documented by Tabor and

26 Chan (1996) to consume large numbers of juvenile salmonids. Let's not forget that migrating juvenile salmonids in lacustrine habitat are oriented to surface waters. These forms of mitigation would probably be counterproductive to their survival.

27 *Hydraulic Project Approval (HPA) Requirement*
An HPA is required from WDFW for all proposed work within or over the ordinary high water line (which includes adjacent wetlands). This includes discharge of stormwater run-off. Design of stormwater management facilities must meet or exceed the requirements of the Washington Department of Ecology *Stormwater Management Manual for the Puget Sound Basin*. Based upon the concerns expressed by WDFW in this and earlier WDFW letters regarding Lakepointe, I will recommend that WDFW deny approval of the project if significant changes in the design of the work proposed for the inner harbor are not made.

Thank you for the opportunity to comment. If you have any questions or need additional information, please contact me at (425) 392-9159.

We appreciate your cooperation in our efforts to preserve, perpetuate, and manage the fish and wildlife resources of the state of Washington.

Sincerely,

Larry Fisher

Larry Fisher
Area Habitat Biologist
Habitat Management Program

lf
cc: WDFW, Muller
WDFW, Pfeifer
WDFW, Rickard
MIT, Malcom
KCDDES, Finney

# RESPONSE TO LETTER 2

## Washington State Department of Fish and Wildlife

1. Comment acknowledged. In response to comments received on the Draft Supplemental EIS relating to the methodology and impacts analysis of the fisheries study, an updated analysis of existing fisheries resources and anticipated impacts to fisheries resources has been prepared. The updated fisheries analysis, prepared by an independent fisheries consultant, is presented in Chapter 3 of this Final Supplemental EIS.

2. The existing site condition is not typical of undeveloped sites in western Washington in that much of the site contains exposed soils with little or no erosion control. With the proposed erosion control measures, erosion during construction would be less than under existing conditions. It is anticipated that during construction, the only portion of the site contributing significant amounts of erosion would be those areas that are undeveloped. Sediment levels presented in the Draft Supplemental EIS were calculated using the Unified Soil Loss Equation as described in the King County Surface Water Manual.

3. Comment acknowledged. As indicated in the Draft Supplemental EIS, the Sammamish River and Lake Washington support a wide variety of anadromous salmonids and non-salmonid fish species.

   Subsequent to the issuance of the Draft Supplemental EIS, the marina plan has been revised to further decrease the amount of in-water and over-water structures in the inner-harbor. This decrease in in-water and over-water structures has been proposed to reduce the amount of shading and potential salmonid predator habitat in the marina compared to the marina plan described in the Draft Supplemental EIS, and compared to existing conditions. Please refer to Chapter 2 of this Final Supplemental EIS for a description of the revised marina plan. Please refer also to Chapter 3 of this Final Supplemental EIS for an updated discussion of fish use in the site vicinity.

4. Comment acknowledged. Please refer to the updated fisheries analysis included in Chapter 3 for a discussion on the Endangered Species Act listing of the Puget Sound chinook salmon.

5. Comment acknowledged. As indicated in Chapter 2 of this document, with the revised marina plan, total shaped area in the inner harbor would be reduced to 97 percent of existing shaded area. The proposed marina plan has been revised to include the removal of the existing bulkhead at the eastern end of the inner harbor and its replacement with a more natural shoreline area. Please refer to Chapter 2 for more detail on the revised marina plan.

6. Comment acknowledged. The 1996 and 1997 field surveys conducted for this EIS were not designed to be quantitative, but were rather intended to characterize the fisheries habitat and fish use along the boundaries of the project, and to give a qualitative description of potential impacts consistent with the SEPA Rules (WAC 197-11-440) which state, "Inventories of species should be avoided, although rare, threatened or endangered species should be indicated."

The results of the fisheries analysis prepared for the Final Supplemental EIS are inconclusive. The extent of predation by bass on juvenile salmon is difficult to ascertain with certainty because the behavioral characteristics of juvenile salmon around piers, docks, bulkheads, and floats are not well understood. Based on the studies provided, if the marina is redesigned to provide detached docks with glass prisms and native vegetation along the shoreline, where possible, in the inner harbor, no significant adverse impacts to fisheries resources are anticipated.

7. Please see response to comment 6 of this letter. The proposed marina plan has been revised to eliminate any increase in in-water and over-water structures compared to existing conditions, and further mitigations are suggested in Chapter 3 of this document.

8. Comment acknowledged. Please refer to responses 6 and 7 of this letter. Please also refer to Chapter 3 of this document for an updated discussion of fisheries resources in the site vicinity.

9. Please refer to responses 6, 7, and 8 of this letter.

10. Ten feet was selected as the threshold of shallow water because juvenile salmonid outmigrants usual stay in water this shallow. The depth choice had nothing to do with photosynthesis.

11. Please refer to responses 6 through 9 of this letter.

12. Comment acknowledged. Please refer to responses 6 through 9 of this letter. The updated analysis used only appropriate references and provided a species by species discussion on potential predation.

13. Comment acknowledged. Please refer to the updated fisheries analysis in Chapter 3 of this Final Supplemental EIS for a discussion on the potential for increased levels of bass predation.

14. The largemouth bass population has been recently estimated to be 145 in the entire lake (Fayram 1996). They were caught in the project vicinity by all three known studies in the area; hence, large mouth bass use the waters around the site. The studies show that largemouth bass are present in the inner harbor.

15. Comment acknowledged. Please refer to the updated fisheries analysis in Chapter 3 for a discussion on bass use.

16. Comment acknowledged. Please refer to the updated fisheries analysis in Chapter 3 for a discussion on bass use in the inner harbor.

17. Comment acknowledged. It is acknowledged that White 1975 did not study predation or diet of the fish sampled. Please refer to the updated fisheries analysis in Chapter 3 of this document for a discussion on the potential for increased predation. It is anticipated that with the revised marina plan and the identified mitigation, that there would be no significant impact related to increased predation.

18. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 of this document for detail on the updated fisheries analysis prepared for this Final Supplemental EIS.

19. Comments acknowledged. Based on comments received on the Draft Supplemental EIS, the proposed marina plan has been revised to limit the amount of shading and in-water structures to levels below existing conditions. It is believed that the estimated amount of shading is accurate.

20. Comments acknowledged. Please refer to the updated fisheries analysis in Chapter 3 of this Final Supplemental EIS. The updated fisheries analysis used only appropriate references.

21. The cited thesis assertion that juvenile salmonids are not attracted to piers [for refuge], but rather may be forced to travel under them in order to stay close to the shallow shoreline is acknowledged. Further, other researchers have found chinook, chum and coho smolts to avoid going under piers (Weitkamp 1982; Weitkamp and Schadt 1981; Parametrix 1985).

22. Comment acknowledged. A prohibition on construction of a breakwater has been added as a potential mitigation measure. Please refer to Chapter 3 of this document.

23. Largemouth bass and other predators can be expected to use artificial lighting to some degree to extend feeding opportunities on juvenile salmon. The amount of lighting that currently exists at the Kenmore Pre-Mix plant is sufficient to augment predation. However, the post-development lighting along the shoreline is not expected to be greater than what currently exists, and no significant impact on fisheries resources would be anticipated.

24. Comment acknowledged. The proposed buffer along the Sammamish River would be approximately 0.8 acre greater than the required 100-foot SAO buffer required for the river (a King County Class 1 stream). This is 0.65 acre more than that which is required to compensate for the 6,500 square feet of trail and 1,900 square feet of public view platform area established in the Sammamish River buffer (the majority of this area is currently non-vegetated).

    Although human activity along the landward portion of the shoreline would increase above current use patterns, the habitat value of the Sammamish River shoreline would be higher than current habitat conditions because of the expansion of the vegetated shoreline area by 3 acres, retention of all trees, and the establishment of a native shrub understory and the addition of downed woody debris.

    Additionally, the proposed Sammamish River shoreline buffer plantings meet the wildlife enhancement recommendations for this reach of the river as recommended by King County Surface Water Management's Sammamish River Corridor Conditions and Enhancement Opportunities Plan (December 1993) which states that "A wider riparian/wetland habitat corridor could be created along the right bank of the river." This strategy is recommended by the plan to be combined with a permanent protection strategy for the blue heron rookery

25. Comment acknowledged. Comments received on the Draft Supplemental EIS have resulted in changes to the proposed marina plan. The marina plan, as described and analyzed in the Draft Supplemental EIS, contained 53 long-term moorage slips. The marina as revised would contain 52 long-term moorage slips, but would significantly decrease the amount of in-water and over-water structures in the inner harbor. This decrease in in-water and over-water structures has been proposed to reduce the amount of shading and potential salmonid predator habitat in the marina compared to that under the marina plan described in the Draft Supplemental EIS. In addition, if the marina is redesigned further to provide detached docks with glass prisms and native vegetation along the shoreline, where possible, in the inner harbor, no significant adverse

impacts to fisheries resources are anticipated Please refer to Chapter 2 of this document for detail.

26. Comment acknowledged. Please refer to Chapter 3 of this Final Supplemental EIS for detail on predation and measures to minimize the potential to increase predation in the inner harbor.

27. The Lakepointe applicant has agreed to meet the water quality requirements of the draft update to the King County Surface Water Design Manual. The Washington Department of Ecology has reviewed the draft and verbally agreed that the water quality requirements in the draft are comparable to those in the Stormwater Management Manual for the Puget Sound Basin. The comment that "Design of stormwater management facilities must meet or exceed" these requirements is correct.

Letter 3

**Washington State Department of Transportation**
**Sid Morrison**
Secretary of Transportation

RECEIVED
97 DEC 23 PM 3:54
K.C.D.D.E.S.

**Office of Urban Mobility**
401 Second Avenue South, Suite 307
Seattle, WA 98104-2862

(206) 464-5878 SCAN 576-5878
Fax (206) 464-6084

December 19, 1997

Ms. Marilyn E. Cox, Chief
SEPA Section,
King County Land Use Services Division
900 Oakesdale Ave. SW
Renton, WA 98055-1219

RE : Lake Pointe EIS Comments

Dear Ms. Cox :

The Office of Urban Mobility of the WSDOT is currently conducting a pre-design study along the SR-522 between I-5 and I-405 freeways. The purpose of this study is to investigate current and future mobility and safety needs along the corridor, as well development of specific improvement projects to address the identified deficiencies.

As a part of this effort, we have conducted a preliminary review of the Lake Point EIS Report to review potential transportation-related impacts of the above-mentioned project on the SR-522 corridor, and would like to offer number of comments as listed below.

It is our understanding that the NW Region office has also conducted similar review and will soon send their comments separately. You might find some comments repeated in both responses, as both WSDOT offices might have recognized the same issues and concerns.

Our comments are mostly related to the impact of the project on the S-522 facility that is expected to serve the proposed project, and to the level of detail that our pre-design study is programmed for.

Our intention in providing you with a list of comments was based on the need for better coordination between the County, the Developer, and the WSDOT. Such a coordination in our judgment would be needed for better understanding of the mobility and safety issues, as well developing appropriate improvement solutions, particularly those that would serve the Lake Pointe project as well.

## A-General Report Comments

1 1-The site circulation plan shown of Figure 8 of the Appendix seems to indicate different street layouts, intersection patterns and access than those shown on figures and displays in the Traffic Analysis section of the report

2 2-The Proposed Lane Configuration shown on Figure 33 seems to be inconsistent with the recommended mitigation listed at the end of the report.

3 3-Recent traffic counts taken by the WSDOT, along the SR-522 indicate substantially higher volumes of traffic than those assumed in the study for either the base year or design year considerations.

4 4-The lane capacity assumptions used for calculating intersection LOS seem to ignore the difference between an arterial roadway and those in lower classification such as local collectors. The capacity values used seem to be also substantially higher than those recommended for the HCM Signalized intersection conditions.
Moreover, there seems to be a need to acknowledge and use lower lane saturation flow rate for exclusive turn lanes, as compared with the through lane.

5 5-Considerations need to be given for turn restrictions at the intersection of 68th/175th to avoid, or at least reduce, the potential for queue formation at the SR-522/68th Ave. intersection for the NB movements. This can be accomplished by constructing a raised median extended across the intersection in a north/south direction, forcing the side street movements in to right in and out.

6 6-The traffic growth rates assumed in the study, seem to be considerably less for the WB movements than what we have observed or projected, using modeling outputs. This is particularly a concern, since the projected growth rates are the basis for the intersection LOS determinations.

7 7-The NB to WB turning volumes shown on Figure 37 for the intersection of SR-522/61 Ave. is higher than those shown on Figure 39, when indeed the reverse seem to be correct.

8 8-The report makes repeated statements that for many intersections the LOS will be the same for both with and without the project, when indeed the projected 1500 vehicles per PM Peak Hour would certainly make a substantial difference in localizing the inbound and outbound traffic from the site to a few intersections that serve the proposed development. If the site is developed with less land use intensity, the level of congestion would certainly be less than what would be anticipated with the proposed development.

9 9-With the proposed elimination of left turns along SR-522 between 61st Ave. and 68th Ave., there would be a need to address left turn accessibility from the EB traffic to reach the communities to the north.

10 10-Since detailed traffic modeling analysis data has not been included in the report (such as movement-by-movement LOS data), it would be somewhat difficult to review and comment on the individual intersection lane deficiency and consequently determining appropriate geometric solutions.

## B- Comments on Mitigation Recommendations:

11 11-The mitigation recommendations included in the report need also to address such issues as right-of way availability.

12 12-The proposed shared lane concept for the NB movements at the 68th/Lake Pointe Way intersection does not seem to provide the capacity to accommodate the projected volumes during the PM peak hour, due to lack of sufficient turn lane capacity.

13 13-Based on the preliminary review of the feed back WSDOT has received from the public who attended number of Open House meetings on the SR-522 project, there seems to be an overwhelming support for "spot" intersection improvement, particularly at key intersections such as SR-522/68 Ave. Consequently, we are currently exploring options to improve the intersection geometry to address turn lane deficiency for the WB, NB, and SB left turns.

14 14-The EIS report has not addressed ways to improve the overall operation of those intersections to be affected by the Lake Pointe project, with the exception of the reference to the NB to WB traffic shifting, due to construction of the proposed Lake Pointe Way. The list of potential mitigation should include improvement to those intersections where the proposed project is expected to add more traffic, as the result of the projected trip assignments.

15 15-Intersectio operation improvement, particularly signal interconnect needs to be recognized as a means to improve the traffic flow within the vicinity of the project along the SR-522 corridor. This issue needs to be included as a part of mitigation recommendations.

16 16-Construction of an overhead walkway has been recommended to be timed with the construction of commercial development on at least one side of the walkway. This seems to be contrary to the objective of providing safe and efficient roadway crossing for pedestrian and bicycle users under any conditions.

17 17-The recommended EB right turn lane at the intersection of SR-522 at 65th Ave. seems to be inadequate to serve the projected turn volumes, because such a lane will be shared with the through transit traffic, and consequently creating a safety concern for the traveling motorists, due to the speed differential between the two movements.

18 18-As stated earlier, preparation a corridor improvement plan for the SR-522 is currently under way.. In a few months we will be ready to develop a list of potential mobility and safety improvements, and engage in discussion with your staff in formulating fare share for the Lake Pointe project transportation mitigation.

Thank you for allowing us to review the above-mentioned report, and looking forward to receiving responses to our comments.

Sincerely Yours,

Seyed Safavian

SR-522 Project Manager

CC: John Shively, King County

Mark Leth, NW Region Traffic

Kevin Parker, OUM

SR-522 File

# RESPONSE TO LETTER 3

## Washington State Department of Transportation

1. Refer to Figure 3A of Chapter 2 (Revisions to the Proposed Action) and Figure 33A of Chapter 3 (Response to Major Issues) for illustrations of the proposed street layouts, intersection patterns, and access.

2. The proposed lane configurations shown in Figure 33A in the updated transportation analysis are consistent with the proposed mitigation.

3. Subsequent to the issuance of the Draft Supplemental EIS, a updated transportation analysis was prepared (see Chapter 3 of this Final Supplemental EIS for the updated analysis). For the updated transportation analysis, 1997 WSDOT Office of Urban Mobility traffic counts on SR 522 were used and factored to 2005 using the Office or Urban Mobility background growth assumption of 2-percent growth per year.

4. The capacity values used for calculating intersection LOS in the updated transportation analysis were based on field work conducted in the corridor specifically to identify practical saturation flow rates for use in the analysis. These values are similar to those calculated by HCM. Please refer to the updated transportation analysis in Chapter 3 of this document for detail on LOS analysis.

5. Comment acknowledged. Turn restrictions at this intersection would create access difficulties for the existing business along NE 175$^{th}$ St both east and west of the 68$^{th}$ Ave NE intersection and therefore were removed from consideration under the Proposed Action. Please refer to the Transportation section of Chapter 3 of this document for detail.

6. Comment acknowledged. For the updated transportation analysis presented in Chapter 3 of this document, a growth rate of 2 percent per year, taken from the WSDOT OUM SR 522 Corridor Study, were applied to 1997 count data to forecast future conditions.

7. Comment acknowledged. Figures 34A, 35A, 38A, and 39A included in Chapter 3 of this Final Supplemental EIS show the projected turning movements without and with the project. Approximately 590 northbound to westbound trips in the morning peak and 600 trips in the evening peak are forecast to shift to Lakepointe Way. Traffic shifts would be anticipated to occur so that travel time is approximately equal for both routes.

8. Comment acknowledged. The proposed Lakepointe Way NE bypass would mitigate delays at the intersections of SR 522/68th Ave NE and 68th Ave NE/NE 175th St in both the AM and PM peak hours because it would provide an alternative route. However, delays at all other intersections in the area would be greater. Please refer to the Transportation section of Chapter 3 of this document for detail on LOS.

9. Comment acknowledged. Under existing conditions, during both the AM and PM peak hours, very few vehicles turn left between signalized intersections due to high traffic volumes on SR

522. Access to the properties on the north side of SR 522 is available from NE 181st St on the north side of those properties. NE 181st St can be accessed at either 61st Ave NE or 68th Ave NE. This access pattern would be consistent with WSDOT's preferred access management concept of concentrating left turns at intersections.

10. Comment acknowledged. Movement by movement LOS data are on file with the Engineering Services Section of the King County Department of Transportation and will be made available to WSDOT for use in the SR 522 Corridor Plan.

11. No additional SR 522 right-of-way would be required to implement any of the proposed roadway improvements, although some right-of-way may be required for transit stops and the potential pedestrian overpass.

12. The Transyt7F Release 8 traffic model (latest version of this transportation model) indicates that the intersection of 68th Ave NE/Lakepointe Way NE would operate at LOS F during the PM peak due to queuing at SR 522/68th Ave NE. The left-turn movement would operate at LOS B with an average delay of 14 seconds, and a maximum queue of 23 vehicles. The storage capacity for left-turns is 127 vehicles because the inside lane across the Sammamish River Bridge on 68th Ave NE would be used exclusively for left turns at the intersection. The northbound leg includes two left turn lanes and a separate through lane. There are no shared lanes.

13. Comment acknowledged. The level of service output will be made available for WSDOT use in the SR 522 Corridor Plan.

14. Comment acknowledged. Mitigation at intersections meeting the requirements of Section 60 of Ordinance 11617 has been proposed and are included in the updated transportation analysis presented in Chapter 3 of this document.

15. Comment acknowledged. The applicant will work with King County and WSDOT to coordinate signal systems and timings to optimize progression along these three arterials.

16. The P-suffix conditions require that the Lakepointe development contribute a fair share to construction of an overpass if it is constructed. However, at the time of publication of this Final EIS, there are no plans in place to provide funding for construction of the pedestrian overpass. Thus, it is unlikely that King County will require a pedestrian overpass to be in place as a condition of permit approval. King County can require that a "safe pedestrian crossing of SR 522" be in place prior to occupancy of Phase 1; this could be an at-grade crossing.

17. The updated transportation analysis recommends extending shared use of the eastbound, right-turn/transit-only lane back to 61st Ave NE to avoid blocking of right-turning vehicles by through transit.

18. Comment acknowledged. The applicant would pay the County code-required Mitigation Payment System (MPS) fees as determined by the County after credits are applied for the cost of Lakepointe Way NE construction and other applicable roadway improvement costs as set forth in the Transportation Mitigation Agreement which will be part of the Master Plan and Commercial Site Development Permit approvals.

Letter 4

## Questad, Barbara

From: Atchley, Frank
Sent: Friday, December 19, 1997 9:42 AM
To: Questad, Barbara
Subject: RE: Lakepointe Deadline



1 Barbara, I have reviewed the Draft Supplemental EIS regarding Lakepointe. I concur with the report as it relates to the police and reactive police coverage from district/street patrol officers. However, I see no mention of police marine officer coverage. In a meeting with Councilwoman Maggi Fimia, we identified a need to enhance marine coverage by the police department as well as a need to develope a funding mechanism. I don't see these two issues addressed in the report. This is a concern to me and I'm sure Maggi will have the same concern.

# RESPONSE TO LETTER 4

## King County Department of Public Safety

1. Comment acknowledged. As indicated on page 3-217 of the Draft Supplemental EIS, because use of the marina would be limited to moorage for residents, their guests and hotel guests, the number of transient boat trips associated with the proposal would be limited.

   As indicated in the SEPA Rules (WAC 197-11-660 (b)), mitigation measures shall be related to specific adverse environmental impacts clearly identified in an environmental document. Because no adverse impacts from boat traffic have been identified, no specific mitigation measures related to marine police service is required.

Letter 5

King County
Department of Transportation
821 Second Avenue
Seattle, WA 98104-1598

RECEIVED
DEC 23 1997
SEPA

December 19, 1997

TO: Marilyn E. Cox, Supervisor, Site Plan Review Section, Department of Development and Environmental Services

FM: Paul A. Toliver, Director, Department of Transportation

RE: Lakepointe Draft Environmental Impact Statement (EIS)

Thank you for the opportunity to review the Lakepointe Mixed-Use Master Plan Draft Supplemental Environmental Impact Statement (EIS) dated November 1997. This is a significant development application and the transportation-related issues are complex. Staff has been working on the proposal with the Department of Development and Environmental Services (DDES) and the project proponent since 1993.

This letter provides the Department of Transportation (DOT) comments for the draft EIS.

Chapter One

1 Page 1-1 The office space is given as 205,588 square feet and the retail and commercial space is 438,627 square feet. These values vary significantly from the values in the Transportation section. Page 3-184 lists 191,000 square feet for retail and 192,000 square feet of office space. The marina also differs, with 53 slips on this page and 52 slips on page 3-184. Site traffic was generated based upon development values that differ from those contained in this summary.

2 Page 1-21 *Transportation/Impacts*. The PM Peak Hour queue discussion was hard to follow and should be clarified.

3 Page 1-22 *Transportation/Impacts*. The statement that "vehicles in the year 2005 will move along area roadways more quickly than without Lakepointe Way Northeast" is misleading. However, it is fair to say that the SR 522/68th Avenue Northeast intersection will function better with the improvement.

Chapter Two

4 Page 2-12 *Overall Concept*. Development area H is not included in the development proposal. If this area generates traffic, even low volumes, it will have significant impacts at the SR 522/61st Avenue Northeast and Northeast 175th Street/68th Avenue Northeast intersections. To ensure that the trip limits are accurate, it is critical that area H be designated and included in the analyses.

5 Page 2-20 *Residential Units*. Why are the 120 affordable housing units to be developed off-site? Where are they to be located? Why are they not part of the site analysis? These units will generate traffic and must be analyzed as part of this study.

6 Page 2-25 *Trails and Walkways.* What are the widths of the proposed non-motorized facilities?

7 Page 2-26 *Figure 8, Site Circulation Plan.* Will there be bicycle access on the grade separated crossing of SR 522? Will the bicycle and pedestrian facilities from SR 522 and Northeast 175th Street to the site be separated or joint? If there are joint facilities, a combined non-motorized facility line type would clarify this case.

8 Page 2-27. *Access and Circulation.* Last paragraph. The statement "As is standard throughout King County, where separation of bicycles and vehicles is not provided, bicycles are required to follow the rules and traffic patterns of vehicles on the roadway." is unnecessary. Bicycles are always required to obey all traffic laws regardless of the presence of a separated facility. Also, the presence of a separated facility does not require its use by bicycles.

9 Page 2-28. *Table 4.* Please include Parcel H.

10 Page 2-29. *Utilities.* The text indicates that the two-celled wet pond will be located in the "southeast corner of the site". It further states that the ponds will outlet to the inner harbor, far from the southeast part of the site. Appendix F indicates that the ponds are to be located in the southeast quadrant of the Northeast 175th Street/Lakepointe Way Northeast overcrossing. This should be clearly shown on the graphics.

11 Page 2-29. *Clearing, Grading and Impervious Surfaces.* This section states that Northeast 175th Street will require lowering of seven feet to accommodate Lakepointe Way Northeast. Page 2-25, under Access and Circulation, indicates that the road will require only three feet of lowering. Which one in correct?

12 Page 2-31. *Figure 9, Phasing Plan.* The dates for the phases begin in 1997. Construction of the roadway and Phases A and B probably are not feasible before 1999.

13 Page 2-35. *Figure 11, Proposed Height Standards.* The 92-foot height restriction for parcel H could allow for buildings of significant height and size. This reinforces the need to include some development parameters for this area.

14 Page 2-40. *Alternative 1.* The description for this Alternative 1 is not the same Alternative 1 when referring to Transportation. The site plan on page 2-39 is similar to the site plan from the 1994 Transpo report for the Northshore Community Plan Amendment. There has been no transportation analysis for the alternative proposed in this section. The flaw of the at-grade intersection of Northeast 175th Street and Lakepointe Way Northeast is also included in this Alternative 1. It is our understanding that the at-grade intersection concept was eliminated in 1994 as part of the NSCP amendment.

Chapter Three

15 Page 3-2. *Figure 14, Topography & Slope Map.* The principal slope type, a combined crosshatch, is not shown on the legend. This slope may be one of the hatch patterns, but are not discernible because of the elevation contours. The contours are also confusing because they cross other contours, soil type markings, or site delineations. This graphic should be clarified.

16 Page 3-184. *Introduction.* As noted above, the development areas are not consistent with the first two chapters.

17 Page 3-185. *Introduction.* The discussion of an "apples compared to oranges" assessment of the Transyt7F analysis is not accurate. Valid comparisons between differing cycle lengths are possible if optimization runs were done for each. For instance, a "without site" scenario may result in an optimal cycle length of 95 seconds while the additional traffic from a "with site" scenario may require a 110 second cycle to maximize vehicle throughput. It is accurate to compare the two sets of results to determine traffic operational measures of effectiveness (MOEs). The report dismisses the validity of comparing the traffic analyses without stating if the modeling was optimized. If WSDOT required use of the existing cycle lengths for the analysis, what operational differences occur between the 180 second cycle and the 150 second cycle? It is the responsibility of the traffic analyst to examine all alternatives to provide the most complete analysis. If a constraint such as cycle length is imposed, an unconstrained analysis should also be generated for comparison. The unconstrained analysis must always be performed when operational failure occurs, such as is evident in this area.

18 Page 3-186. *Figure 30, Road Network Surrounding the Lakepointe Site.* Please update this graphic to state that the eastbound transit-only lane is existing.

19 Page 3-188. *Figure 31, 1993 AM Peak Hour traffic Volumes.* There appears to be an error in the traffic volumes between SR 104 and 61st Avenue Northeast . There are 303 eastbound AM peak hour trips generated between the two intersections and there is minimal access within this area. When counts are not conducted concurrently, hand adjustments of the volumes are frequently required to "smooth" the daily variation. Adjustments to the volumes are required since the eastbound error is approximately 23 percent. The westbound traffic between these intersections is much "smoother" with a variance of 16 vehicles.

20 Page 3-189. *Figure 31, 1993 PM Peak Hour traffic Volumes.* The volumes between SR 104 and 61st Avenue Northeast are again not as "smooth" as desired. The eastbound trips drop 80 vehicles and the westbound drops 100.

21 Page 3-190. *Level of Service.* Levels of service (LOS) for signalized intersections are based upon average <u>stop</u> delay, not average delay. Average delay implies average total delay, which is a combination of stop plus queue delay. The1994 Highway Capacity Manual (HCM) level of service only accounts for stop delay. The Transyt7F model generates average total delay values. The empirical rule of thumb factor to convert total delay to stop delay is 1.3. This can be done by dividing the Transyt7F delay values by 1.3 and comparing them to the HCM parameters, or multiplying the HCM standards by 1.3 for total delay LOS standards. The LOS analysis should be reevaluated.

22 Page 3-190. *Transit Service.* The text indicates that the eastbound transit lane is complete. As stated before, this must be reflected in Figure 30. There should also be a graphic for transit service which shows the bus routes which serve this area.

23 Page 3-190. *Pedestrian and Bicycle Facilities.* The description in the text does not reflect the facilities shown on Figure 30. This section should also refer to Figure 30.

24 Page 3-190. *Planned Transportation Improvements.* Please change Capital Improvement Plan to Capital Improvement Program.

25 Page 3-193. *Roadway System - Proposed Changes.* The text indicates that Lakepointe Way will be a four-lane principal arterial. Will left turn channelization be provided for the driveway left turns? The proposed traffic volume necessitate left-turn channelization to alleviate safety concerns.

26 Page 3-194. *Figure 33, Proposed Lane Configuration.* Will right turns be permitted at Building A driveway? Will Building B driveway have an exclusive right turn lane? What are the movements allowed at the Lakepointe driveway access to 68th Avenue Northeast?

27 Page 3-195. *Roadway System - Proposed Changes.* Figure 33 shows direct access from Northeast 175th Street to area A. Northeast 175th Street also provides the future access for area H. These points should be mentioned in the discussion of access to/from Northeast 175th Street. The discussion concerning 65th Avenue Northeast, north of SR 522 is confusing. It is difficult to be sure which connection is being discussed. This discussion should be clarified.

28 Page 3-195. *Trip Generation.* What is the 15 percent internal trip capture rate based upon? All forecast volumes should be rounded to the nearest 10 vehicles.

29 Page 3-196. *Trip Generation.* Was the 5th edition of the ITE Trip Generation publication used ? Please clarify the citation since the 6th edition has recently been released. From previous discussion, the actual land use and development size must be consistent between the transportation and site development portions of the report.

30 Page 3-196. *Trip Distribution.* This section should be expanded to describe the trip distribution methodology.

31 Page 3-197. *Traffic Volumes.* Alternative 1 (NSCP amended) traffic data are found in Appendix E not Appendix D. This same comment applies to the Traffic Queue discussion.

32 Page 3-198. *Figure 34.* There is still a "bust" in the eastbound traffic volumes between SR 104 and 61st Avenue Northeast. This area between the intersections appears to generate 345 trips in an area which has a steep slope and little access.

33 Page 3-199. *Figure 35.* This alternative has 100 trips generated eastbound between SR 104 and 61st Avenue Northeast. The westbound trips increase by 160 trips from 61st Avenue Northeast to SR 104. These volumes are significant considering the terrain and access.

34 Page 3-200. *Figure 36.* There are a number of significant errors on the 2005 AM Peak Hour with Site graphic. First, there is the error of trips gained and lost between 61st Avenue Northeast and SR 104. There are 37 site destined trips that leave SR 104 eastbound and become 155 trips at 61st Avenue Northeast. If 155 trips arrive at 61st Avenue Northeast, probably at least 150 of them will pass through the SR 104 intersection. There is a similar error associated with the trips between Lakepointe Way and Northeast 170th Street on 68th Avenue Northeast. The 87

34 northbound trips which leave Northeast 170th Street become 125 trips at Lakepointe Way. There is no access between the two intersections northbound. Upon further investigation, the entire trip assignment appears to be flawed. It seems that the internal trip adjustment was not applied to the assigned trips. The external nodes (from the detailed section) total 728 site trips, not 641 as stated in Table 27. The unadjusted trips generated for Lakepointe are 734. The distribution may also be flawed. The inset indicates that the distribution percentages are north - 15 percent, east - 25 percent, south - 25 percent and west - 35 percent. The AM peak distribution is north - 9 percent, east - 24 percent, south - 25 percent and west - 42 percent. If 61st Avenue Northeast is considered to transport trips from the north, the trip distribution is close to correct. This should be clearly stated in the Trip Distribution section.

35 Page 3-201. *Figure 37.* The same comments apply to this graphic as apply to the previous one; they must be reevaluated. An explanation of negative trip generation needs to be included. The northbound through movement on Lakepointe Way Northeast at Northeast Lakepointe Boulevard is listed as -12. How does a site generate negative trips? This should be carefully explained.

36 Page 3-202. *Figure 38.* Similar to the No Action drawing, 400 vehicles appear between SR 104 and 61st Avenue Northeast. There are 33 northbound trips generated between Northeast 170th Street and Lakepointe Way Northeast.

37 Page 3-203. *Figure 39.* Same as immediately above.

38 Page 3-205. *Traffic Queues. SR 522/68th Avenue Northeast.* There needs to be an expanded discussion concerning the impacts of 68th Avenue Northeast queuing through the Northeast 175th Street intersection. The report simply states that the queuing occurs, but does not describe the actual operations. For example, frequently the intersection is blocked so that cross street traffic cannot pass through the signal. The implications of queuing must be made clear.

39 Page 3-205. *Traffic Queues. SR 522/Lakepointe Way Northeast.* How long is the proposed right turn lane from SR 522 to Lakepointe Way Northeast? How will it be constructed and will it conflict with the Burke-Gilman Trail?

40 Page 3-205. *Traffic Queues. 68th Avenue Northeast/Lakepointe Way Northeast.* The southbound queue at this intersection may create a lot of problems for both 68th Avenue Northeast, Northeast 175th Street and SR 522. Mitigation must be forthcoming to assure a safe roadway environment.

41 Page 3-205. *Traffic Queues. Northeast 175th Street/68th Avenue Northeast.* One problem not clearly identified at this intersection is that there is no left turn channelization on 68th Avenue Northeast. The Lakepointe development proposes to use Northeast 175th Street as a principal access to parts of the site (areas G and H with good access to both B and A). This may cause additional queuing since there is practically free flow traffic from SR 522 to southbound 68th Avenue Southeast. Transyt7F may not adequately quantify the northbound left turn queue to westbound Northeast 175th Street because it is a shared lane and the northbound 68th Avenue Northeast queue from SR 522 extends well past Northeast 175th Street.

42 Page 3-206. Page 3-205. Traffic Queues. The intersection of SR 522/61st Avenue Northeast may have adequate queue capacity, however, it will need significant realignment. The existing road has very deficient roadway geometrics. Improvements are needed if volumes increase above current levels.

43 Page 3-208. *Table 29*. Why is the No Action alternative compared to the 1993 measures of effectiveness and the Proposed Action alternative compared to the No Action? The percent columns should be dropped because they are misleading. The title of the table indicates that this is a comparison with the existing (1993) condition and both alternative should be compared to it.

44 Page 3-209. *Table 30*. See comments above for Table 29.

45 Page 3-210. *Table 31*. The average vehicle delay values for the signalized intersections were generated by Transyt7F, therefore, the delay values have to be adjusted. The HCM uses average stop delay as the level of service criteria while Transyt7F generates average total delay as a measure of effectiveness. Typically, the HCM level of service criteria are increased by 30 percent. This yields LOS parameters of:

| | |
|---|---|
| LOS A | 0.0 to 6.5 sec |
| LOS B | 6.6 to 19.5 sec |
| LOS C | 19.6 to 32.5 sec |
| LOS D | 32.6 to 52.0 sec |
| LOS E | 52.1 to 78.0 sec |
| LOS F | > 78.0 sec |

The other alternative is to divide the values output from Transyt7F by 1.3 and use the standard HCM criteria. The table should be adjusted based upon one of these methodologies. To obtain the best analysis for the unsignalized driveways, we recommend the current version of the McTrans Highway Capacity Software.

46 Page 3-211. *Table 32*. See Table 31 above.

47 Page 3-212. *Level of Service*. The Northeast 175th Street/68th Avenue Northeast intersection is modeled to indicate operations equivalent to LOS B in the AM peak and LOS C in the PM peak. The actual operation is LOS E/F during both peak periods due to queuing from the 68th Avenue Northeast/SR 522 intersection. This will be exacerbated by PM peak queuing at the 68th Avenue Northeast/Lakepointe Way. The Northeast 175th Street intersection would operate well if not for these influences. On the basis of the queuing, it was determined in 1994 that Northeast 175th Street should not and would not provide any access to the Lakepointe property. This should be considered again because of significant delay and safety concerns due to the lack of left turn channelization. The recommendation for overlap phases is good at each of the locations mentioned. Overlap signal phases are very low cost operational improvements.

48 Page 3-213. *Transit Service*. There are concerns about the proposed transit amenities. The distance to the westbound bus stop from the nearest residential structure on the site will be approximately 1500 feet. This is a significant distance for attracting transit ridership. Placement of the westbound bus stop should be reassessed. It would be more convenient to this development if the bus stop was located west of

48 Lakepointe Way. This could reduce the walking distance by as much as 500 feet. If the bus stops are not relocated closer, if may be necessary to provide shuttle service at much greater expense to achieve ridership goals.

49 Page 3-215. *Pedestrian and Bicycle Traffic*. Better drawings and more information are required to understand the non-motorized trails proposed in the DEIS. The proposal indicates that excellent non-motorized facilities will be provided.

50 If the bus stops are relocated from their presently proposed locations, consideration of relocating the grade separated crossing should also be made. It should be relocated close to the Lakepointe Way intersection to eliminate the need for an at grade crossing. In conjunction with the grade separated crossing, fencing of the right-of-way should be considered to discourage at-grade pedestrian crossings of SR 522. No crosswalk should be striped across the Lakepointe Way approach to SR 522. Non-motorized traffic should be routed to the Burke-Gilman trail.

51 Who would be responsible for the operation and maintenance of the proposed elevator for access to SR 522? This could be a liability due to vandalism, personal safety, and operational concerns.

52 Page 3-216. *Mitigation Measures referencing the Park and Ride (see also Page 3-219)*. The mitigation measure referencing the park and ride appears in the document and allows "provision of 50 commuter stalls in a location accessible to the southern enhanced transit stop, as determined in the approved TMP...". In providing input to the Lakepointe process over the past several years, the Transit Division has clearly stated that the preference (and the choice) lies with the Transit Division, and that preference is for fair share contribution.

53 Page 3-218. *Mitigating Measures*. The mitigation listed here seems quite good. Removal of pedestrian facilities from Lakepointe Way is recommended if it is constructed as a grade separated roadway. Additional measures which must be considered are the addition of left turn channelization of 68th Avenue Northeast at Northeast 175th Street and the reconstruction of the south leg of the SR 522/61st Avenue Northeast intersection.

Appendix D

54 Page 6. *1993 Traffic Volumes*. Why were no actual counts performed after 1993? WSDOT has a number of permanent count stations within this corridor and more current data should be provided.

55 Page 6. *Non-motorized Facilities*. The description of the non-motorized facilities should not be referred to another document. The text indicates that the surrounding area non-motorized facilities are shown in the NSCP Amendment document.

56 Page 7. *Planned Transportation Improvements*. Why are completed projects included in this list?

57 Page 8. *Proposed Action. Description.* "The NSCP Lakepointe TA report, however, had the Northeast 175th Street connecting directly into the new roadway while still connecting to 68th Avenue Northeast as shown in Figure 1 of the NSCP

57 Lakepointe TA report." This statement is not accurate. Figure 1 from that report shows Northeast 175th Street as dashed from the Lakepointe connection to approximately 300 feet west of 68th Avenue Northeast. This dashed line is to symbolize that Northeast 175th Street would only serve as local access between 68th Avenue Northeast and the Lakepointe access road. This is further reiterated on page 74 of the NSCP Amendment Transportation Analysis where under bullet four it states: "Restrict connection to existing Northeast 175th Street to local access traffic needs". That is not the case in the current proposal.

58 Page 9. *Proposed Action. Description.* The description of access from Northeast 175th Street indicates that Northeast 175th Street will be a principal access to the site, providing access to buildings A, B, G1, G2, H1, and H2.. This roadway has an intersection with 68th Avenue Northeast which fails operationally during the peak periods and the western access via 61st Avenue Northeast is geometrically deficient. Other access alternatives should be explored.

59 Page 14. *Trip Distribution.* The trip distribution and assignment need to be reevaluated. Please refer to comments above.

60 Page 15. *Trip Distribution.* Why was a different methodology used to generate the trips outside the cordon line than inside? This leads to the errors in the forecast traffic data. The methodology must be consistent throughout the traffic generation, distribution, and assignment process. The trip making characteristics must be scrutinized to assure impacts are properly assessed.

61 Page 16. *Trip Distribution.* What does the statement "It [ITE Trip Generation Rates/Manual Distribution] estimates high because it does not account for a major factor of reality when a new land use is introduced" mean? What is a "major factor of reality"? It is assumed that the reference is to a lack of accounting for internal trips. It then states that a transportation model does a better job of accounting for these internal trips. Yes it does, provided a factor for internal trips is included in the model's trip table; if not, no internal trips are subtracted from the total.

62 Page 18. *Non-Motorized and Transit Facilities. Proposed Action.* The text refers to the graphics of the non-motorized plans in the *Revised Commercial Site Development Permit.* Where is this document and why are the drawings not included in this report? This reinforces the need for this to be a stand alone document.

63 Page 26. *Transyt7F. Level of Service.* The third paragraph of this section states that "all four [external] intersections have less than 20 percent of the projected trips flowing through them per Figures 6 and 7, and therefore, are excluded from the IS [Intersection Standard] Significant Adverse Impacts per Section 60 of Ordinance 11617. This probably will not be the case at SR 522/ SR 104 and at 68th Avenue Northeast/Northeast 170th Street. The trip assignments should be reevaluated.

64 Page 28. *Transyt7F. Traffic Queues.* The last sentence on the page states that "Below is a summary..., there are no summaries in the text. The traffic queue section does a good job of describing the potential problems to be expected due to queue spillover. There are many locations where this may occur in the future.

65 Mitigation will be difficult without additional capacity along SR 522 and 68th Avenue Northeast. The queuing problems are the most significant operational concern within the study area.

66 Page 36. *Table 3A*. The trip generation category for the Movie Theater is probably incorrect. Code 443 is for a theater which does not have matinee showings. Most, if not all, multiple screen theaters have daily and weekend matinees. The ITE code for a theater with matinees is 444. This code has a higher trip generation rate, especially for the PM peak hour. This comment refers to all other trip generation tables as well.

67 Appendix F
Why does this report only address the construction of Phase 1, the access road and Lakepointe Boulevard? What about the rest of the site?

68 Section 4 discusses the two-cell wet pond to be constructed near Lakepointe Way and Northeast 175th Street. Will it be possible to drain the Phase 1 development to this pond if the pond bottom elevation is 24 feet? The contours indicate that the existing elevation in the vicinity of the west end of Lakepointe Boulevard is 27 feet. How will it be possible to drain this area to a pond with only a three-foot elevation difference.

69 Appendix G
Page 10. Lakepointe Way Typical Plan View. If an elevated roadway is constructed, explore moving all non-motorized facilities to lower levels.

70 Page 11. The proposed typical section for Northeast 175th Street is too narrow. A principal arterial requires a minimum width of 44 feet for an urban principal arterial per the KCRS, Section 2.02. The proposed 24-foot-wide section does not provide adequate shy distance (two feet minimum) and no channelization for left turning traffic. The minimum roadway section recommended is 38 feet, two 13-foot lanes and a 12-foot continuous left turn lane.

71 Transyt7F Technical Appendix
The Transyt7F technical appendix should contain a table of contents, and graphics which contain the traffic volume data and the Transyt7F network. A list of the assumptions used in the analysis would also be helpful.

72 Minimum phase lengths must correspond to minimum pedestrian crossing times for all approaches which have at-grade crossings. These data are input in column 7 of the 2Y cards. The minimum phase is calculated using the formula $T = 7.0 + W/4.0 + Y$, where T is the minimum phase in seconds, W is the width of the road, and Y is the amber (yellow) interval.
Why do the 2005 PM peak hour analyses, with the development, use four seconds per evaluation step? Three seconds per step may yield better results and would be consistent with the rest of the analyses.

73 Overall, the analysis looks good. There is the problem associated with the cycle length issue, and additional runs should be made to determine the optimal cycle length for each scenario. This testing should be done in one second cycle length intervals, for signal cycles ranging from 90 seconds to 180 seconds. If WSDOT wishes to place a different limit on this analysis, all modeling runs should have the same constraints.

General Comments

74 1. The reason for proposing an elevated roadway for Lakepointe Way Northeast should be explained. There are several concerns for an elevated section:

   a. The maintenance cost for a structure is much greater than an at-grade roadway. Is the County willing to commit to a higher maintenance facility?

75 b. The grade separation only serves the Lakepointe developer by maximizing usable roadway and parking space. If the proposal to construct an elevated section goes to design, will the developer be responsible for all additional costs associated with grade separation?

76 c. Why are sidewalks being proposed along an elevated section? There are many at grade walkways throughout the site, utilization of sidewalks along a viaduct probably would be low. Safety would be another concern for sidewalks along an elevated section.

77 2. Where are conceptual drawings for the proposed roadway improvements?

78 3. Where is the accident analysis within the Transportation analysis? This is particularly important at the Northeast 175th Street/68th Avenue Northeast and the SR 522/61st Avenue Northeast intersections. Geometric improvements are needed at each of these intersections and safety information may help point to existing deficiencies.

Thank you for the opportunity to review the Lakepointe Draft Supplemental EIS. If you have any questions about our comments, please contact Lydia Reynolds, Manager of Project Support Services, at (206) 296-6520.

PT:JM:jp

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# RESPONSE TO LETTER 5

## King County Department of Transportation

1. Subsequent to the issuance of the Draft Supplemental EIS, a updated transportation analysis was prepared in response to comments received on the Draft Supplemental EIS (see Chapter 3 of this Final Supplemental EIS for the updated analysis). The values reported in the updated transportation analysis reflect the site plan for the Proposed Action and indicates additional refinement of ITE trip generation rates. The most current site plan submitted by the applicant describes the Proposed Action as 205,588 square feet of office space; 191,182 square feet of retail; 438,627 square feet of commercial (including the cinema, hotel, and health club), and a 52-slip marina.

2. Comment acknowledged. Please refer to the updated transportation analysis presented in Chapter 3 of this Final Supplemental EIS for an updated discussion on queuing in the area.

3. Please refer to the updated transportation analysis in Chapter 3 for an updated discussion on roadway operations. As indicated in the updated transportation analysis, system traffic speed (overall indicator of traffic system operation) would increase throughout the SR 522 and 68th Ave corridor during the AM peak period and would decrease slightly during the PM peak period, compared to No Action conditions.

4. As indicated on page 2-12 of the Draft Supplemental EIS, a Commercial Site Development Permit, which provides more specific development details for certain aspects of site development, has been submitted for development of the first seven building areas (areas A - G) of the Master Plan. Because the specific uses and development characteristics of Building Area H have not been determined, only general information on this parcel can be provided at this time. When specific details for this area are determined by the applicant, and a rezone application is submitted, additional environmental review, including additional traffic analysis, will be required.

5. As indicated on page 2-20 of the Draft EIS, P-suffix condition P14-10 allows the applicant to provide affordable units either within the development or off-site within the Northshore Planning Area. If the affordable housing units are proposed on the site, they will be included in the 1,200 on-site units. The traffic conditions under this scenario have been analyzed in this Supplemental EIS. If the affordable housing units are proposed off-site, additional environmental review, including additional traffic impact analysis, will be required.

6. The proposed width of the non-motorized facilities on the site range from the 24-foot-wide emergency access roadway to the 5-foot-wide interpretive trails along the Sammamish River. The emergency access roadway would be used by pedestrians and bicycles when not being used by emergency vehicles. Non-motorized trails that would combine pedestrians and bicycles would be a minimum of 8-feet-wide. All trail and walkways widths are illustrated in the Commercial Site Development Plan submitted to King County.

The King County Road Standards require that the planning and design of bikeways be in accordance with Section 1020 of the Washington State Department of Transportation (WSDOT) Design Manual and the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, current edition. The City of Kenmore will be responsible for determining trail design standards within the new city.

7. The applicant is proposing an at-grade crossing of SR 522 just east of Lakepointe Way NE (please refer to Response to Letter 9, comments 32 and 33). Bicycles may use automobile traffic lanes to cross SR 522, or they may use the pedestrian crosswalk.

   From the Burke-Gilman Trail to the site, a pedestrian crossing of NE 175th St would be provided to the landscaped area at the eastern end of the inner harbor, and to the marina boardwalk. Because NE 175th St would be lowered to provided adequate clearance under Lakepointe Way NE, an ADA compliant ramp would be installed at this location to make up any grade difference between the Burke-Gilman Trail and the lowered NE 175th St. At this point along the Burke-Gilman Trail, this ramp could also be used by dismounted bicyclists to access the bicycle lanes provided along lower level Lakepointe Way NE. If bicyclists choose, they could also access NE 175th St from the Burke-Gilman Trail further west to avoid dismounting.

8. It is acknowledged that bicycles are always required to obey all traffic laws regardless of the presence of a separated facility for bicycles.

9. As indicated in response to comment 4 of this letter, the specific uses and development characteristics of Building Area H have not been determined by the applicant and parking amounts cannot be provided at this time. Please refer to response to comment 4 of this letter for additional detail.

10. Comment acknowledged. As indicated on Figure 3 of the Draft Supplemental EIS, the two-celled pond is proposed to be located in the northeast portion of the site (west of Building G), approximately 300 feet east of the inner harbor. The statement on page 2-29 of the Draft Supplemental EIS indicating that the two-celled pond would be located in the southeastern portion of the site is incorrect.

11. As indicated on page 2-29 of the Draft Supplemental EIS, NE 175th St would be lowered by approximately 7 feet and the Burke-Gilman Trail would be lowered approximately 3 feet to accommodate the NE Lakepointe Way overpass. The statement on page 2-25 of the Draft Supplemental EIS that both NE 175th St and the Burke-Gilman Trail would be lowered 3 feet is incorrect.

12. Comment acknowledged.

13. Comment acknowledged. Future development on Parcel H, including allowed heights, will be controlled by the zoning standards in effect when a rezone of the property is requested. Please refer to the response to comment 4 of this letter.

14. Your comment calls attention to the fact that there is a profusion of maps related to development of the Lakepointe site which illustrate possible realignments of NE 175th St. These are the 1993 Northshore Community Plan (NSCP) Map B, the maps in the Lakepointe Transportation Analysis for Northshore Community Plan and Area Zoning Amendment (1994 Zoning Analysis,

or Transpo Report), the 1994 NSCP Amendment Map B, and the Lakepointe Draft Supplemental EIS Figure 13.

Figure 13 in the Draft Supplemental EIS illustrates an alignment of NE 175th St similar to that illustrated in the two NSCP documents. In all of these, NE 175th St would intersect at-grade with Lakepointe Way NE; access to local businesses would still be provided from 68th Ave NE, but the street would not be a through street; it would terminate in a cul-de-sac. Figure 13 in the EIS differs, however, from the alignment illustrated in the 1994 Zoning Analysis. Figure 1 in the Transpo Report shows NE 175th St in its current alignment on the western portion of the site becoming a grade-separated crossing under Lakepointe Way NE, continuing east past the Metro Pump Station, and then turning south in an arc to intersect at-grade with Lakepointe Way NE opposite the primary site access road (NE Lakepointe Blvd). NE 175th St would continue to provide access from 68th Ave NE to local businesses, but it would terminate in a cul-de-sac rather than serving as a through street. The text of the 1994 Zoning Analysis states that the modeling assumes grade separation at the western end of Lakepointe Way NE, local access at NE 175th St/68th Ave NE terminating in a cul-de-sac, and the existing traffic signal remaining.

You are correct in stating that no transportation analysis has been done for an at-grade intersection of NE 175th St with the western end of Lakepointe Way NE. However, it is not clear whether the at-grade concept was eliminated when Regional Business zoning was adopted for the Lakepointe site. The text of the 1994 NSCP Amendment P-suffix conditions calls for "realignment of existing 175$^{th}$ Street with a grade separated crossing under Lakepointe [Way NE], as set forth in Map B." However, Map B illustrates an at-grade intersection, with neither a through street to 68th Ave NE nor an arc intersecting further west with Lakepointe Way NE.

In addition, the text of the P-suffix conditions does not address whether or not NE 175th St should be a through street or should end in a cul-de-sac just west of 68th Ave NE. The P-suffix conditions state that "The developer shall maintain access on the existing 175th Street for the off site lots adjacent to the northeast corner of the project site, as long as the design and function of such access is acceptable to the owners of the off site lots and will not result in adverse impacts to the use of these lots ..." The P-suffix conditions do not call out the manner in which this access is to be provided.

15. No cross-hatched graphics exist for this figure (what appears to be cross-hatch is the slope category over the topography lines). The slope of the area immediately adjacent to Lake Washington is 40 percent or greater and the slope of the area immediately adjacent to the Sammamish River is between 16 to 39 percent. The site topography, slope, floodplain, erosion and landslide hazards are on one plan to provide a complete illustration of site conditions.

16. Please refer to response to comment 1 of this letter.

17. Comment acknowledged. The Transyst7F runs in the updated transportation analysis presented in Chapter 3 of this Final Supplemental EIS were optimized based on one second cycle length increments between 90 and 180 seconds. The results shown in the analysis represent optimized signal timings and cycle length in the corridor. Please refer to the Transportation section of this document for detail.

18. Figure 30A of this Final Supplemental EIS indicates the transit-only lanes on both sides of SR 522.

19. Comment acknowledged. The 1997 traffic volumes used in the updated transportation analysis were smoothed prior to analysis so that volume differences between intersections were eliminated. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

20. Please refer to response to comment 19 of this letter.

21. Comment acknowledged. In the updated transportation analysis, the Transyt7F delay values were divided by 1.3 and compared to HCM parameters in the transportation update. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

22. Comment acknowledged. Figure 33A show the updated existing lane configurations and Figure 30A shows transit routes in the vicinity of the site.

23. Please refer to Figure 8A of this Final Supplemental EIS for the Revised Circulation Plan. Please refer to Letter 9, comments 4, 6, 10 and 11 for discussions on pedestrian and bicycle circulation.

24. Comment acknowledged. The reference to the "1997 Capital Improvement Plan" on page 3-190 of the Draft Supplemental EIS should read "1997 Capital Improvement Program".

25. Lakepointe Way NE would have left turn channelization at the two retail driveways and at the Lakepointe Boulevard signalized intersection.

26. Under the Proposed Action, from Lakepointe Way NE right and left-turns would be allowed to the driveways to buildings A and B. Turns from these driveways to Lakepointe Way NE would be restricted to right-turns only. The NE 173rd Place driveway to 68th Ave NE would be right-in and right-out only. At the time of issuance of the Final Supplemental EIS, geometries of intersections have not been prepared. If, in the engineering design phase, an exclusive right turn lane on Lakepointe Way NE is determined to be required to facilitate through traffic, an exclusive right turn lane would be provided.

27. NE 175th St would provide future access to Building Area H; however, because Building Area H is not included in the Commercial Site Development Permit Application, specific details on the number and location of access points are not known at this time. When specific details for this area are determined, and a rezone application is submitted, additional environmental review, including additional traffic analysis, will be required. Direct access from NE 175th St to Building Area A is provided via an access roadway under the proposed Lakepointe Way NE.

    With the development of Lakepointe Way NE, the existing 65th Ave NE roadway connecting SR 522 to NE 175th St (segment of 65th Ave. NE south of SR 522) would be eliminated. The existing portion of 65th Ave NE north of SR 522 would remain.

28. The 15 percent office/shopping captured trips is consistent with the low end of the data provided in Chapter 1 of *ITE Trip Generation 5th Edition*. Background traffic volumes forecasts were rounded to the nearest 5 vehicles so that movements with low volumes are better represented. Project trips were not rounded. Please refer to the Transportation section of Chapter 3 of this document for detail.

29. For the updated transportation analysis, trip generation was taken from *ITE Trip Generation 6th Edition.* As noted in response to comment 1 of this letter, the land use assumptions used are consistent with the most recent site plan for the project.

30. The updated transportation analysis in Chapter 3 of this Final Supplemental EIS describes the trip distribution methodology.

31. Comment acknowledged. The referenced traffic data was located in Appendix E of the Draft Supplemental EIS.

32. Comment acknowledged. Use of the smoothed traffic volumes in the updated transportation analysis has eliminated the cited inconsistency. Please refer to the Transportation section of Chapter 3 of this document for detail.

33. Comment acknowledged. Please refer to response to comment 32 of this letter.

34. Comment acknowledged. In the updated transportation analysis presented in Chapter 3 of this Final Supplemental EIS, the trip generation numbers were carried through all intersections in the system, which has eliminated this inconsistency. The Trip Distribution section of the Transportation section in Chapter 3 of this document details the distribution to individual roadways, as well as compass direction, to clarify the distribution used.

35. The updated transportation analysis does not include negative trips, except for pass-by volumes at the SR 522/Lakepointe Way and 68th Ave NE/Lakepointe Way intersections. These pass-by trips are subtracted from the through movement and added to the turning movements into and then out of the site. Please refer to Figures 36A and 37A of this Final Supplemental EIS for detail.

36. Comment acknowledged. The use of smoothed background volumes and carrying the trip distribution out to all intersections in the study area has eliminated this inconsistency in the updated transportation analysis. Please refer to Chapter 3 of this Final Supplemental EIS for detail.

37. Please refer to response to comment 36 of this letter

38. Transyt7F version 8 (latest version of this transportation model), used for the updated transportation analysis is presented in Chapter 3 of this Final Supplemental EIS, horizontally queues vehicles, enabling a more complete analysis of queuing effects at adjacent intersections. A discussion of queuing effects at NE 175th St is included in the transportation update. Please refer to the Transportation section of Chapter 3 of this document for detail.

39. The recently completed eastbound transit-only lane would be used for eastbound right turns from SR 522 to Lakepointe Way NE. No additional right-turn lane from eastbound SR 522 to Lakepointe Way NE is proposed.

40. The Transyt7F analysis for the Lakepointe Way/68th Ave NE intersection (refer to Chapter 3 of this document) indicates that southbound queues will extend beyond the NE 175th St intersection but will not extend back to the SR 522 intersection.

41. You are correct that the northbound-to-westbound lane on 68th Ave NE at NE 175th St is also a through lane to SR 522. The 68th Ave NE/NE 175th St intersection northbound has queuing storage for 19 vehicles. The Transyt7F analysis in the updated transportation analysis indicates that effects of the queue at the SR 522 intersection would result in queues of 41 vehicles in the northbound direction at the NE 175th St intersection. This considers the additional queuing that occurs because northbound vehicles turning left onto 175th St are detained by the SR 522 queue. Please refer to the Transportation section of Chapter 3 of this document for detail.

42. Comment acknowledged. Of the 51 accidents recorded at the intersection of SR 522/61st Ave NE, only nine occurred on the side street of the intersection (61st Ave NE), and six of those were rear-end accidents, which may be due to driver inattention or impatience. These types of accidents would be more likely to occur on the north leg of the intersection, where traffic volumes are higher (the WSDOT data did not delineate north or south leg). Of the three remaining side street accidents, two involved the driveways on the north leg, leaving one left turn accident that may have occurred on the south leg. Therefore, it does not appear that the existing geometry on the south leg is creating a safety hazard. During engineering design review for the Lakepointe proposal, if it is determined that the impacts of additional project-generated traffic create the need for realignment of the intersection, improvements may be required.

43. Comment acknowledged. The tables in the updated transportation analysis (Tables 27A through 32B in Chapter 3 of this document) have been revised to reflect this comment.

44. Please refer to response to comment 43 of this letter.

45. Comment acknowledged. In the updated transportation analysis the Transyt7F delay values were divided by 1.3 and compared with HCM parameters to determine level of service. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

46. Please refer to response to comment 45 of this letter.

47. Comment acknowledged. Please refer to response to comment 14 of this letter for a discussion of the 1994 NSCP Amendment and its references to the alignment of NE 175th St, its intersection with 68th Ave NE, and access to the Lakepointe site. The Transyt7F modeling analysis performed for the updated transportation analysis presented in Chapter 3 indicates that the queues from both SR 522/68th Ave NE and Lakepointe Way NE/68th Ave NE would extend back into the NE 175th St/68th Ave NE intersection. It should be noted that the northbound queue is projected to be significantly shorter in 2005 with the project (41 vehicles) than under existing conditions (318 vehicles) due to the trip diversion to Lakepointe Way NE. The maximum southbound queue at Lakepointe Way/68th Ave NE is projected to be 20 vehicles, or one vehicle more than the storage available.

It is acknowledged that overlap signal phases are low cost operational improvements.

48. Comment acknowledged. The transit stop locations have not been finalized. The final location of these facilities will be determined after design discussions with King County and WSDOT engineers and planners. However, they are represented in the general location where they are anticipated to be constructed. The Proposed Action is to construct transit stops and at at-grade

pedestrian crossing of SR 522 east of the SR 522/Lakepointe Way NE intersection in order to minimize conflicts between pedestrians and turning vehicles.

49. Specific trail cross sections and alignments will be provided when drawings are prepared for building and site development permits. The level of information provided is considered adequate for environmental review of this project. Please refer to Response to Letter 9, comments 4, 6, 10 and 11 for additional information on pedestrian and bicycle transportation.

50. The Proposed Action is to construct an at-grade pedestrian crossing of SR 522 east of the SR 522/Lakepointe Way NE intersection. Please see the discussion of pedestrian facilities in Chapter 3 of this document.

51. If an elevator is provided for access from the Lakepointe site to SR 522, and if it is located on public right-of-way, operation and maintenance of the elevator would be the responsibility of the City of Kenmore. If it is located on private property, then it would be the responsibility of the developer.

52. The Transit Division's preference for a fair-share contribution is noted. The Park-and-Ride mitigation listed on pages 3-218 and 3-219 of the Draft Supplemental EIS is one the NSCP P-suffix conditions for the Lakepointe site. Overall Project Mitigation condition "g" states: "The developer shall be responsible for achieving SOV trip reduction for the project by providing 50 commuter parking stalls in a location accessible to the southern enhanced transit stop or by contributing its fair share to the construction of a new park and ride facility in the Kenmore area, as determined in the approved Transportation Management Plan [TMP]." As noted, the decision will be documented in the Transportation Mitigation Agreement (TMA). Please refer to Response to Letter 9, comment 34 for a detailed discussion of the TMA.

53. The Department of Transportation's support for the removal of pedestrian facilities from Lakepointe Way NE if it is constructed as an elevated roadway is noted. The suggested mitigation measures have been added to the list of potential transportation mitigation measures in Chapter 3 of this document Also, please see Response to Letter 9, comments 4 and 41.

54. The updated transportation analysis used the most recent data set available from WSDOT (1997 count data) and augmented them with counts conducted in April, 1998. Please refer to the Transportation section of Chapter 3 of this document for detail.

55. Comment acknowledged. Figure 32C of this Final Supplemental EIS shows the nonmotorized facilities in the site vicinity.

56. Completed projects have been removed from the list of Planned Transportation Improvements included in Appendix C to this Final Supplemental EIS.

57. Comment acknowledged. You are correct in stating that the 1994 Zoning Analysis describes restricting use of NE 175th St to local access only.

58. The Proposed Action would use NE 175th St as an access to the site. The intersection of NE 175th St/68th Ave NE would operate at LOS F due to queues at the SR 522/68th Ave NE intersection and would be affected by queues at the Lakepointe Way/68th Ave NE intersection. However, the northbound queue is projected to be significantly shorter in 2005 with the project

(41 vehicles) than under existing conditions (318 vehicles) due to the trip diversion to Lakepointe Way NE.

59. Comment acknowledged. For the updated transportation analysis, the trip distribution methodology was revised and is based on the distribution of trips as predicted by the 2020 PSRC travel demand model. The trip generation numbers were carried through all intersections in the system in the transportation update, which has eliminated this inconsistency. The Trip Distribution section of the updated analysis details the distribution to individual roadways, as well as compass direction, to clarify the distribution used. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

60. Comment acknowledged. The trip generation numbers were carried through all intersections in the system in the updated transportation analysis, which has eliminated this inconsistency. The Trip Distribution section details the distribution to individual roadways, as well as compass direction, to clarify the distribution used. Please refer to Chapter 3 of this Final Supplemental EIS for detail.

61. As noted in response to comment 60 above, trips were carried out to all intersections within the study area, eliminating inconsistency due to different methodologies. Internal trip reductions are documented in the Trip Generation portion of the Transportation section of Chapter 3 of this document and are reflected in the trip assignment.

62. The transit and nonmotorized plans discussed in the text of the document are included in the Transportation section of Chapter 3 of this document. Because of the large number of graphics included in the Commercial Site Development Permit application, not all graphics from the application can be reproduced in the Supplemental EIS. Figure 8A of this document shows the site circulation for pedestrians and bicycles as well as vehicles.

63. The revised trip distribution indicates that only the intersection of SR 104/SR 522 experiences more than 20 percent of the projected trips (28 percent). That intersection operates at LOS F with and without the Proposed Action and is discussed in the Unavoidable Adverse Impacts portion of the Transportation section of Chapter 3 of this Final Supplemental EIS. The 68th Ave NE/170th St intersection would experience 18 percent of project traffic and is therefore excluded under Intersection Standard Significant Adverse Impacts per Section 60 of Ordinance 11617.

64. Queuing problem locations are described in the Transportation section of Chapter 3 of this document. These problems have been identified from the Transyt7F version 8 analysis (latest version of this transportation model), which queues vehicles horizontally and therefore does a better job of identifying queue impacts on adjacent intersections. Please refer to the Transportation section of Chapter 3 of this document for detail.

65. Comment acknowledged. The updated transportation analysis indicates that queues would decrease with the Proposed Action along 68th Ave NE between SR 522 and Lakepointe Way NE and on SR 522 between Lakepointe Way NE and 68th Ave NE. Outside of this area, queues would increase.

66. Comment acknowledged. For the updated transportation analysis, ITE code 444 was used for trip generation for the theater. This code has a higher daily trip generation rate, but a lower PM peak hour trip generation rate. Please refer to the Transportation section of Chapter 3 for detail.

67. Appendix F of the Draft Supplemental EIS was prepared for the entire site as stated in Section 1. Sections 2, 3, 5, 6, 7 and 8 are also directed to the entire site.

Section 4 of Appendix F contains calculations for the water quality features in Phase 1 because Phase 1 is the only phase of the Proposed Action containing high use traffic areas (Lakepointe Way NE and NE Lakepointe Blvd) which require water quality features. Please refer to page 2-29 of the Draft Supplemental EIS for additional detail.

68. Stormflows equal to or less than the water quality design storm would flow to a pump station where flows would be pumped to the wetpond prior to release to the inner harbor. Stormflows exceeding the water quality design storm would bypass the wetpond and flow directly to the inner harbor.

69. Comment acknowledged. The provision of non-motorized facilities on the elevated roadway allows pedestrian access to the retail facilities in buildings "A" and "B" and the residential buildings (elevation 45 feet) from the transit stop without an additional descent to elevation 25 feet and a subsequent ascent back to elevation 45 feet. The non-motorized facilities along Lakepointe Way NE may prove to be the route of choice for transit riders wishing to access buildings "A" and "B". By providing this choice, transit riders have an option of a direct, at grade connection to the first floors of the buildings fronting on NE Lakepointe Blvd. Please also refer to response to comment 53 of this letter.

70. NE 175th St. west of the project exists as a 22 foot wide roadway (from curb to curb) The illustration mentioned shows the intended consistency with the unaltered portion of NE 175th St that exists west of the project. The final design of this street will be examined by the City of Kenmore during building permit review, and it is possible that NE 175th St would be required to be wider than currently proposed.

71. Comment acknowledged. These have been included in the Transportation Update Report included as Appendix B to this Final Supplemental EIS.

72. Comment acknowledged. The Transyt7F analysis in the updated transportation analysis presented in Chapter 3 of this document used one second steps to address this issue.

73. Comment acknowledged. The Transyt7F analysis for the updated transportation analysis reflects this comment.

74. The applicant explained that an elevated roadway is necessary in order to provide a grade-separated crossing of the Burke-Gilman Trail as the roadway heads south from SR 522. From that point, continuing the elevation of the roadway allows it to appear "at grade" with the remainder of the site improvements. Because of the shallow water table and other considerations, the site cannot be excavated to provide off-street (below-grade) parking. Thus the project plan provides the off-street parking in structures built above-grade across the site, and buildings will be constructed atop these parking structures. The elevated roadway would align with this plan. The party or parties responsible for maintenance of the elevated roadway will be determined prior to building permit approval.

75. The applicant has indicated that they will be responsible for funding construction of Lakepointe Way NE. The funding mechanism -- possibly a Road Improvement District or Transportation Benefit District -- has not yet been determined..

76. Please refer to response to comments 53 and 69 of this letter.

77. Detailed roadway drawings are included in the Commercial Site Development Permit application on file with the King County Department of Development and Environmental Services.

78. Accident information has been included in the Transportation section Chapter 3 of this document.

Letter 6

City of Seattle
Norman B. Rice, *Mayor*

King County
Ron Sims, *Executive*

**Seattle-King County Department of Public Health**

Alonzo L. Plough, Ph.D., MPH, *Director*

December 19, 1997

Barbara Questad, Environmental Planner
Land Use Services Division
Department of Development & Environmental Services
900 Oakesdale Avenue S.W.
Renton, WA 98055-1219

**Re: Health Department Comments on the Lakepointe Draft EIS**

Barbara
Dear Ms. Questad:

1 We have completed our review of the Lakepointe Draft EIS and have no further comments at this time. We hold to the comments we previously made in our 8/12/97 letter to you on the August 1997 Preliminary Draft Supplemental EIS (PDSEIS). The August letter also referred to our 5/16/97 comments on the March 1997 PDSEIS.

Our issue on *toxic and hazardous materials* was also acknowledged in Robert Derrick's 10/22/97 response letter to John McCullough concerning the Lakepointe Mixed Use Development Commercial Site Development Permit Application.

Thank you for the opportunity to comment. If you have any questions on our response, please call me at 296-4784 or Roman Welyczko at 296-4797.

Sincerely,

Wally

Wallace C. Swofford, Supervisor
Chemical/Physical Hazards Program

cc: Larry Kirchner, Principal Environmental Health Specialist
Roman Welyczko, Enforcement Coordinator

WS:jl

City of Seattle
Norman B. Rice, *Mayor*

King County
Ron Sims, *Executive*

**Seattle-King County Department of Public Health**

Alonzo L. Plough, Ph.D., MPH, *Director*

May 16, 1997

Barbara Questad, Environmental Planner
Department of Development and Environmental Services
3600 - 136th Place Southeast
Bellevue, WA 98006-1400

Re: **Lakepointe Mixed Use Master Plan - Comments on Preliminary Draft Supplemental Environmental Impact Statement**

Dear Ms. Questad:

Thank you for the opportunity to comment on the March 1997 Preliminary Draft Supplemental Environmental Impact Statement (PDSEIS) regarding the Lakepointe Mixed Use Master Plan. We wish to make the following comments:

1 1. For a number of years, at least one of the landowner's tenants (Stout Roofing) has stored many tons of unpermitted solid waste on the south central portion of the proposed development site. The solid waste consists primarily of wood waste and three-tab roofing debris interspersed with garbage consisting of paper, plastic, wood, fabric, metal debris, fiberboard and styrofoam. In addition, the Puget Sound Air Pollution Control Agency (PSAPCA) has identified asbestos and asbestos-suspect material within the solid waste.

2 2. At the direction of the King County Department of Development and Environmental Services (DDES), the Seattle-King County Department of Public Health (Health Department) and PSAPCA, the landowner has removed substantial quantities of the solid waste from the property; however, substantial quantities remain, and have been unlawfully spread and graded upon the property rather than removed.

3 3. The PDSEIS's section on Toxic and Hazardous Materials (PDSEIS pp. 3-83 through 3-90) does not specify the above-described unpermitted solid waste dumping. We believe it would be appropriate for the EIS on the proposed Lakepointe development to address the surface solid waste as part of the overall site cleanup and phased remediation.

4 4. The landowner's proposal to achieve MTCA cleanup standards by an "engineered cap" of buildings and paving over the contaminated areas (PDSEIS p. 3-89) raises concerns we wish to see addressed in the EIS. The graded roofing debris is unstable and relatively shallow; paving this graded area without first removing the debris would therefore appear to invite premature failure of the cap. The Health Department has advised the landowner and Agra

5 Earth and Environmental, Inc. that using the above-described solid waste as fill for road base would not be permitted, absent approval from DDES and PSAPCA. Further, DDES has advised the Health Department that (1) the graded solid waste does not provide for effective ground cover, road base, or erosion control, and (2) that the grading occurred without benefit of permit. The Health Department has issued a compliance order directing the landowner to remove the stored and graded solid waste to approved disposal facilities. Our latest information is that the unlawfully deposited and graded solid waste has not been removed.

Again, thank you for the opportunity to comment. We hope you will find this information useful. Please feel free to contact us if you have any questions.

Sincerely,

Larry Kirchner

Larry Kirchner, Principal Environmental Health Specialist
Environmental Health Division

LK:wsa

cc: Roman Welyczko, Environmental Health Division
Greg Bishop, Solid Waste Program
Wally Swofford, Chemical/Physical Hazards Program
Jill Trohimovich, Solid Waste Program
Judith M. Aitken, Department of Ecology - NWRO
Bruce Engell, Department of Development and Environmental Services

City of Seattle
Norman B. Rice, *Mayor*

King County
Ron Sims, *Executive*

**Seattle-King County Department of Public Health**

Alonzo L. Plough, Ph.D., MPH, *Director*



August 28, 1997

Land Use

Barbara Questad, Environmental Planner
King County Department of Development and Environmental Services
3600 - 136th Place SE
Bellevue, WA 98006-1400

RE: **Lakepointe Mixed Use Master Plan -- Comments on August 1997 Preliminary Draft Supplemental Environmental Impact Statement**

Dear Ms. Questad:

Thank you for the opportunity to comment on the August, 1997 Preliminary Draft Supplemental Environmental Impact Statement (PDSEIS) regarding the Lakepointe Mixed Use Master Plan. We wish to make the following comments:

**PART I: Toxic and Hazardous Materials**

1 1. On Page 3-99, the last sentence of the third complete paragraph states: "Roofing waste (consisting of shredded wood roofing, asphalt shingles and plastic sheeting) from a former roofing business located on the site was also stockpiled on this site." Please note that Health Department representatives have observed that the wood and asphalt roofing wastes also contain garbage consisting of paper, plastic, fabric, metal debris, fiberboard and styrofoam as well as plastic sheeting. In addition, the Puget Sound Air Pollution Control Agency ("PSAPCA") has identified asbestos and asbestos-suspect material within the solid waste. These materials have been deposited upon and allowed to remain on the site in violation of public health rules and regulations. For the protection of public health and the environment, solid wastes must be removed to lawful, permitted disposal sites.

2. Also on Page 3-99, the fourth complete paragraph states:

> In the fall of 1996, the stockpiles of roofing waste were regraded across a three-acre area of the south-central portion of the site and the stockpiles of concrete wash-out material were regraded across a six-acre area in the southwest portion of the site. The depth of these fill layers average six inches for the roofing materials and three feet for the wash-out materials.

2 As stated in our May 16, 1997 comments to the March 1997 Preliminary Draft Supplemental Environmental Impact Statement, the grading of solid waste materials on the Lakepointe site has occurred without benefit of the appropriate grading permit(s) from the Department of Development and Environmental Services and approvals from PSAPCA. Further, the grading occurred after the Health Department issued the property owner a Notice and Order directing that all unlawfully deposited and stored solid wastes be removed from the property, not graded and allowed to remain on site. Our concern is that the proximity of the solid waste material to the Sammamish Slough

2 shoreline poses a significant risk of contamination to the Sammamish River and Lake Washington water and wetland resources due to stormwater runoff and leachate from the solid waste.

3. The landowner's proposal to achieve MTCA cleanup standards by an "engineered cap" of buildings and paving over the contaminated areas (*see* PDSEIS pp. 3-104 to 3-105) raises concerns we wish to see addressed in the final EIS. The graded roofing debris is unstable and relatively shallow; paving this graded area without first removing the debris would therefore appear to invite premature failure of the cap. Use of the above-described solid waste as fill for road base requires regulatory approval from DDES and PSAPCA. However, DDES has previously advised the Health Department that the
3 graded solid waste does not provide for effective ground cover, road base, or erosion control. As currently drafted, the PDSEIS does not address these concerns, but merely states (at page 3-104) that "An engineered cap is an accepted presumptive remedy for landfills, as described in the U.S. Environmental Protection Agency's *Presumptive Remedy for CERCLA Municipal Landfill Sites* (Directive No. 9355.0-49FS, EAP 5440-F-93-035, dated September 1003)." In order to evaluate the probable significant environmental impacts of the engineered cap proposal, detailed design and construction information is needed.

4. At Pages 3-102 to 3-104, several possible cleanup actions are listed, including reuse and recycling, destruction/detoxification, and on-site or off-site disposal. The PDSEIS further states that site remediation will occur under an Agreed Order between DOE, the State Attorney General, and the property owner, or that DOE may compel site cleanup under an Enforcement Order if an Agreed
4 Order is not signed. The cleanup actions appear to apply to <u>all</u> contaminants on the site; no specific contaminants are expressly excluded. We therefore presume that, in the interest of a comprehensive remediation strategy for the site, the DOE Agreed Order or Enforcement Order will address the roofing debris and other surface solid wastes in addition to the non-surface hazardous contaminants identified on the site. Alternatively, if the surface solid wastes are not encompassed within such an Agreed Order or Enforcement Order, the Health Department may seek to enforce public health rules and regulations by other appropriate legal means.

**PART II: Noise**

1. On page 3-83, second paragraph under "Existing Seaplane Noise," the last sentence reads:

> Once the plane becomes airborne, the county noise limits no longer apply; noise during taxiing and the beginning moments of takeoff is controlled by the county rule (refer to Appendix _ for additional detail).

This is technically incorrect. The County Noise Code actually excludes *the beginning moments of takeoff*. Under the definition of 'Watercraft" in Section 12.87.350, it states: "Watercraft" means any contrivance, including aircraft taxiing, but <u>excluding aircraft in the act of</u> <u>actual</u> landing or <u>takeoff</u>. Our Noise Code only covers taxiing aircraft.

2. Page 3-83 (cont.), fourth paragraph, fourth line: There is a typo - "mpst."

Once again, thank you for the opportunity to comment. Please feel free to contact us if you have any questions.

Sincerely,

Larry Kirchner

Larry Kirchner, Principal Environmental Health Specialist
Environmental Health Division

LK:gao

cc: Judith M. Aitken, Department of Ecology - NWRO
Greg Bishop, Supervisor, Solid Waste Program
Wallace Swofford, Supervisor, Chemical and Physical Hazards rogram
Jill Trohimovich, Sr. Environmental Health Specialist, Solid Waste Program
Roman Welyczko, Code Enforcement Coordinator
Bruce Engell, DDES
Priscilla Kaufmann, DDES
Walter Voagland, PSAPCA
Chang-Pi Wang, Department of Ecology - NWRO

# RESPONSE TO LETTER 6

## Seattle-King County Department of Public Health

1. Comment acknowledged. The August letter was dated August 28 (not August 12). Please refer to following response to the May 16 and August 28, 1997 letters.

## Response to Issues Raised in the May 16, 1997 Seattle-King County Department of Public Health Letter

1. The property owner, Pioneer Towing Company Inc., properly disposed over 640 tons of a former tenant's accumulated roofing waste in October 1996 at Waste Management's Arlington, Oregon facility. An additional 79.46 tons of roofing waste were removed on January 27, 1998 and properly disposed. Puget Sound Air Pollution Control Agency (PSAPCA) issued a No Further Action letter on this subject on February 26, 1998.

2. The property owner, Pioneer Towing Company, Inc., obtained a grading permit in December 1996 for the volume of waste spread across the south central portion of the subject site in the previous month. Some material was removed, as noted in the response above. The remaining material may be included in the MTCA remediation plan. However, at the time of publication of this Final Supplemental EIS, King County does not know what activities will comprise the MTCA remediation of the Lakepointe site. King County will condition approval of the Master Plan and Commercial Site Development Permit (CSDP) to say that no construction permits shall be issued for the Lakepointe site until the applicant provides written certification that the Seattle-King County Department of Public Health is satisfied that the site has been or will be abated to their satisfaction. It will be the responsibility of the City of Kenmore to enforce the conditions attached to the Master Plan and CSDP.

3. The discussion in the Draft Supplemental EIS does not specifically mention unpermitted solid-waste dumping on the site; however, historic activities that may have contributed to contaminants on the site are described on page 3-104 of the Draft. As noted on page 3-103 of the Draft, remediation of the site is governed by the Model Toxics Control Act (MTCA) under the jurisdiction of the Washington Department of Ecology (DOE). The environmental impacts of remediation activities will be considered as part of this process.

4. As noted in response to comment 3 of this letter, remediation of the site is governed by MTCA under the jurisdiction of DOE, and the environmental impacts of remediation are evaluated as part of the MTCA process. The decision on whether or not to allow construction of an engineered cap over contaminated areas will be made by DOE.

5. Refer to response to comments 1 and 2 of this letter.

## Response to Issues Raised in the August 28, 1997 Seattle-King County Department of Public Health Letter

1. It is acknowledged that roofing waste described on page 3-194 of the Draft Supplemental EIS also contains some garbage consisting of paper, plastic, fabric, fiberboard and styrofoam.

   PSAPCA issued a No Further Action letter on this subject on February 26, 1998. Please refer to Response to Issues Raised in the May 16, 1997, Seattle-King County Department of Public Health Letter, comment 1.

2. Please refer to Response to Issues Raised in the May 16, 1997 Seattle-King County Department of Public Health Letter, comment 2. As with the other waste materials located on the site, there is a potential for leachate from the surficial layer of roofing waste to reach the surface waters of the Sammamish River. (It should be noted that the volume of buried wood debris is estimated to be over 500 times the volume of the roofing waste.) The buried wood debris layer includes waste wood products, asphalt, concrete, plastic and metal fragments, while the roofing waste includes waste wood products, asphaltic shingles, plastic and metal fragments.

3. Please refer to Response to Issues Raised in the May 16, 1997, Seattle-King County Department of Public Health Letter, comments 2, 3 and 4.

4. Please refer to Response to Issues Raised in the May 16, 1997, Seattle-King County Department of Public Health Letter, comment 2.

Letter 7

# CITY OF BOTHELL

9654 N.E 182ND ST. BOTHELL, WASHINGTON 98011



December 19, 1997

Ms. Marilyn E. Cox
Responsible Official
King County Department of Development and Environmental Services
900 Oakesdale Avenue Southwest
Renton, Washington 98055-1219

Subject: Lakepointe Master Plan DSEIS Comments

Dear Ms. Cox:

We have reviewed the Lakepointe Master Plan DSEIS document and have the following comments regarding transportation impacts and mitigation. I appreciate the opportunity to comment on the project and look forward to working with you to establish mitigation for expected impacts to Bothell facilities.

1 • The traffic from the Lakepointe project appears to diminish significantly at the cordon line near the development (within a few blocks). The traffic analysis does not adequately address where this traffic goes, or what impacts may result from it. This is a concern for Bothell.

2 • Project traffic is expected to flow through the City of Bothell with an expected degradation of peak period traffic operation along SR 522. Based on the estimated 61 PM peak hour project trips assigned to SR 522 east of 80th Avenue NE, the project would impact Bothell facilities and these impacts need to be identified, along with associated mitigation.

3 • The City of Bothell has identified a traffic level of service standard as LOS D for the peak period (with limited exception areas near the City commercial areas), as described in the City's Comprehensive Plan Imagine Bothell. See attached Figure T-6 which shows the exception areas.

4 • Please provide analysis of key intersections in Bothell through which 3 or more PM peak hour project trips would pass, for evaluation of project traffic impacts to Bothell facilities. Where future intersection level of service with the project falls below the LOS standard, the project would be required to install improvements to mitigate the impacts.

5 • The intersection of SR 522 at 80th Avenue NE is expected to operate at LOS F with the project and this is unacceptable to the City. Mitigation is required to provide LOS D operation at this intersection.

In summary, the project is likely to generate traffic impacts within the City of Bothell and I request additional analysis of intersections within the City to be done by the applicant, with the possibility of traffic mitigation requirements for those impacts. Should you have any questions, please call Katherine Casseday, our traffic review consultant, at (425) 822-8880.

Sincerely,
Department of Public Works and Community Development

Duane Bowman
Development Services Manager

cc: William Wiselogle, Long Range Planning
Lynn Guttmann, Community Devellopment/Public Works Director
Eddie Low, CIP Manager
Rick Kirkwood, City Manager
Katherine Casseday, Traffic Review, Parametrix

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# RESPONSE TO LETTER 7

## City of Bothell

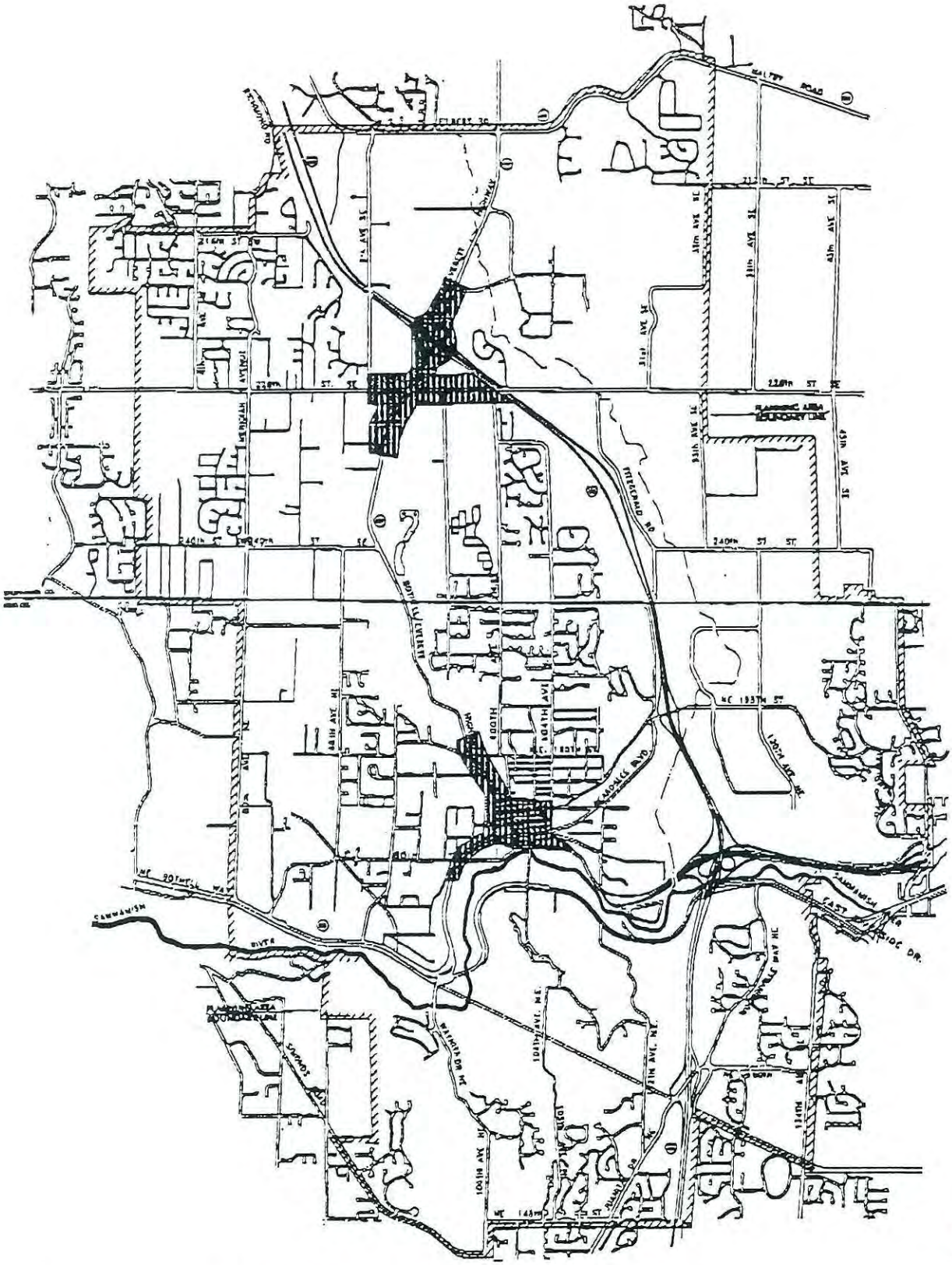
1. The trip distribution methodology was revised for the updated transportation analysis prepared for this Final Supplemental EIS (refer to the Transportation section of Chapter 3 of this document) and is based on the distribution of trips as predicted by the 2020 Puget Sound Regional Council travel demand model. The trip generation numbers were carried through all intersections in the system in the updated transportation analysis, which has eliminated this inconsistency. The updated transportation analysis details the distribution to individual roadways, as well as compass direction, to clarify the distribution used.

2. Comments acknowledged. King County will require mitigation of impacts consistent with King County intersection standards and Road Standards. In order to require more stringent mitigation, King County would have to have entered into an interlocal agreement with the City of Bothell, and there is no interlocal agreement in place at this time. The new City of Kenmore may choose to adopt County standards and could choose to enter into an interlocal agreement with the City of Bothell regarding mitigation of traffic impacts.

3. The revised trip distribution prepared for this Final Supplemental EIS indicates that intersections within the City of Bothell will experience less than 20 percent of the projected trips (16 percent are projected on SR 522 east of 80$^{th}$ Ave NE). Therefore identification of impacts and mitigation are not required under King County Code, Section 60 of Ordinance 11617, Intersection Standard Significant Adverse Impacts.

4. Comment acknowledged. Please refer to response to comments 2 and 3 of this letter.

5. Mitigation at the intersection of SR 522/80$^{th}$ Ave NE intersection is outlined in the Transportation section of Chapter 3 of this Final Supplemental EIS. Restriping the southbound approach to provide separate left and right turn pockets would improve intersection operation to LOS D during the PM peak hour. Note that this intersection would only need to be improved to LOS E standards because it is a WSDOT-controlled intersection.




Commercial areas in which LOS "E"/"F" would be tolerated for up to 1.5 hours during peak commute periods.

| | | |
|---|---|---|
| Imagine Bothell.....<br>Bothell Comprehensive Plan | Commercial Areas With Intersections Maintained at LOS "E"/"F" | Figure TR6 |

Letter 8

# MUCKLESHOOT INDIAN TRIBE

## FISHERIES DEPARTMENT

19 December 1997

RECEIVED
97 DEC 24 PM 1:51
K.C.D.D.E.S.

Ms Marilyn E. Cox
King County Department of Development and Environmental Services
900 Oakesdale Avenue SW
Renton, Washington 98055-1219

**RE: LAKEPOINTE MIXED USE MASTER PLAN: DRAFT ENVIRONMENTAL IMPACT STATEMENT (LAKE WASHINGTON AND SAMMAMISH RIVER)**

Dear Ms Cox:

The Environmental Division of the Muckleshoot Indian Tribe's Fisheries Department has reviewed the Draft Environmental Impact Statement prepared for the Lakepointe Mixed Use Master Plan. Unlike many other proposals that either singularly or cumulatively alter inwater or overwater structure, this project devoted considerable resources to the effort to determine salmon usage of the site and potential impacts upon salmon. Unfortunately, the analysis was restricted to determining onsite impacts and portions of the analysis were based upon inappropriate assumptions. Thus the DEIS contends there will be no significant impacts upon juvenile salmonids. The Environmental Division disagrees with this interpretation and believes that the DEIS and readily available literature not considered during environmental review clearly demonstrate the potential for significant onsite and offsite adverse predation impacts to juvenile salmon.

Though the site has reduced habitat value compared to *undeveloped shorelines*, most of the Lake Washington shoreline has been developed. In systems where the predominant shoreline features are bulkheads and piers, any habitat used by adult or juvenile salmon is valuable, even if the site departs from the standard view of salmon habitat.

1 The DEIS states the proposal will increase the quantity or area of many of the inwater or overwater elements which adversely impact juvenile salmon habitat but are also known to provide spawning and nursery habitat for known predators of juvenile salmon But, the EIS contends such actions will not have a significant adverse impact upon juvenile salmon. It is probable that predator populations will increase due to the project improving the quality or quantity of their spawning or rearing habitat and that some of these predators will move to the Sammamish River or other portions of the Lake to prey upon juvenile

39015 172nd Avenue S.E. • Auburn, Washington 98092 • (253) 931-0652 • FAX (253) 931-0752

1 salmonids. However, the DEIS did not consider these probable offsite impacts arising from the inwater and overwater work associated with the proposal, but instead restricted the analysis to the four corners of the project. Thus, the probable predation impacts to juvenile salmon have been significantly underestimated in the DEIS. Given the declining salmon runs any increase in predation can only be considered significant.

2 Specific comments upon the DEIS and a detailed discussion of the potential impacts of predation upon juvenile salmonids are attached to this letter. To avoid cumulative onsite and offsite impacts to juvenile salmonids, the over-water and in-water structures associated with this proposal should not be built, unless there is a net decrease:

A. of inwater structure as measured by the number of pilings; and
B. of overwater coverage as measured by the area of overwater structure and moored boats.

Furthermore, if any Lake Washington salmonid stock becomes listed under the Endangered Species Act, no inwater work should be permitted at all. Instead the removal of all existing overwater and inwater structure should be regarded as a mitigation measure for increasing the scale of impacts along the Lake Washington beach part of the site.

If you have any questions concerning this letter, please feel free to call me at (253) 931-0652, extension 119. I thank you for your attention to our concerns.

Sincerely,

RWMalcom

Roderick WR Malcom
Senior Habitat Biologist
Environmental Division.

cc: US Army Corps of Engineers / Regulatory Branch
US Army Corps of Engineers / Environmental Resources
NMFS
US Fish and Wildlife Service
WDFW / Larry Fisher
King County DDES / Don Finney

## I. General comments on the DEIS narrative and Appendix B

Unless otherwise indicated in the text, comments pertain to the main narrative body of the DEIS.

3 Figure 3 could be interpreted to indicate the shoreline will be altered in places to create shallow low gradient channels conveying stormwater from the project to the Sammamish River. This proposal could create ambush habitat for warm-water predators of juvenile salmonids along the Sammamish River to the detriment of migrating juvenile salmonids.

The DEIS (pg 3-52) and Appendix B (pg 3-3) have simplified the status of salmonid stocks in the Lake Washington system presented in the State Salmon and Steelhead Stock Inventory Report (SASSI). The DEIS states "*Sammamish River spawning stocks of coho, sockeye, and winter steelhead are depressed... Of these depressed stocks, only the wild winter steelhead are of native origin to the Lake Washington basin.*" The SASSI lists 9 stocks in the Lake Washington system (Table 1). Of the stocks either using the Sammamish River or spawning along the beaches of Lake Washington such as sockeye, only the Issaquah chinook run, a hatchery stock, is considered healthy (Table 1). The status of the other stocks is either depressed or unknown. Furthermore, with the exception of the Issaquah chinook, the Sammamish River stocks are either native or of unknown or mixed origin (Table 1).

Table 1. Summary of information from the SASSI report. In regard to stock status, the term unknown applies to stocks where there is insufficient information to identify stock status with confidence. In regard to stock origin, the term unknown applies to a stock where there is insufficient information to identify stock origin with confidence. A mixed stock is a stock whose individuals originated from commmingled native and non-native parents, and/or by mating between native and non-native fish; or a previously native stock that has undergone substantial genetic alteration.

4

| SPECIES | STOCK | STOCK STATUS | STOCK ORIGIN |
|---|---|---|---|
| Summer/fall chinook | Issaquah | Healthy | Non-native |
| Summer/fall chinook | North Lake Washington tributaries | Unknown | Native |
| Coho | Lake Washington/Sammamish tributaries | Depressed | Mixed |
| Sockeye | Lake Washington/Sammamish tributaries | Depressed | Unknown |
| Winter Steelhead | Lake Washington | Depressed | Native |
| Sockeye | Lake Washington Beach spawning | Depressed | Unknown |
| Summer/fall chinook | Cedar River | Unknown | Native |
| Coho | Cedar River | Healthy | Mixed |
| Sockeye | Cedar River | Depressed | Non-native |

Discussions between the Muckleshoot Indian Tribe Fisheries Department and the National Marine Fisheries Service indicate the NMFS is reviewing Puget Sound chinook for potential listing under the Endangered Species Act. Puget Sound chinook includes the chinook runs into the Lake Washington system. Therefore the statement that none of the Lake Washington salmonid stocks are candidates for listing (pg 3-52, Appendix B pg 3-3) needs to

be supported by a citation attributable to the relevant authority, the National Marine Fisheries Service.

5 There is no doubt that largemouth bass (Stein 1970; Warner and Footen[1] pers. comm. 1997) and smallmouth bass (Pflug and Pauley[2]; Tabor et al[3]. 1993; Warner and Footen pers. comm. 1997) prey upon juvenile salmonids What is at dispute is the extent of predation. Therefore the statement in Appendix B (pg 3-1) *which may prey on juvenile salmonids* should be reworded to *which prey on juvenile salmonids*. Though the DEIS had a lengthy discussion of largemouth bass and northern squawfish, a similar discussion for smallmouth bass should occur in the FEIS.

6 The premise that many of the coho smolts were of hatchery origin (pg 3-60) is not material to the discussion of impacts. The presence of juvenile salmon indicates salmon use of the area.

7 The phrase term (pg 3-62) "seeking shallow *nesting* spots" might be intended to read "seeking shallow *resting* spots".

8 The citation (pg 3-62) for Fayram (1996) is not in the bibliography.

9 The idea to keep the public access trail away from the Sammamish River is an excellent idea. The presence of people along the shoreline will interfere with the upstream migration of adult coho salmon.

10 The efficacy (pg 3-70) of artificial lighting under overhanging structures to mitigate shading impacts is not supported by analysis or citation.

11 It is stated (pg 3-75) that performances at the amphitheater along the Lake Washington shoreline would not be a regular occurrence and hence significant lighting impacts upon juvenile salmon use along the shoreline are not anticipated. However, the timing of the proposed use of the amphitheater is not stated nor the anticipated level of lighting hence any statements of significant impact are not supported by analysis.

12 Appendix B (pg 3-5) states that *electrofishing was performed only when water transparency permitted the successful collection of stunned fish*. It is unclear to a reviewer the minimum depth of visibility during electrofishing. This should be specified in the EIS.

---

1 Warner Eric, Senior Mitigation Specialist and Footen Brian, Muckleshoot Indian Tribe Fisheries Department

2 Pflug David E., and Pauley Gilbert B. 1984. Biology of Smallmouth Bass (*Micropterus dolomieui*) in Lake Sammamish, Washington. Northwest Science, Vol. 58, No. 2.

3 Tabor, Roger, Shively Rip S and Poe Thomas. 1993. Predation on Juvenile Salmonids by Smallmouth Bass and Northern Squawfish in the Columbia River near Richland, Washington. North American Journal of Fisheries Management 13:831-838.

## II DEIS analysis of impacts to juvenile salmon

The applicant proposes (pg 3-70) to expand net overwater coverage by approximately 13,000 square feet, increase the number of inwater piles by 30% to 449, and introduce in- and overwater structures into areas of the harbor where few, if any, such structures currently exist (Figure 18). Furthermore, the DEIS has stated the current condition of the salmon habitat in the area is partially the result of previous similar actions (pg 3-62). Thus despite the proposed mitigation measures such as removing approximately 115 lineal feet of bulkhead to create approximately 3,000 square feet of shallow water habitat, a beneficial idea, the applicant is proposing to expand the scale and location of features considered to have already injured the habitat (pg 3-68). Nevertheless, the DEIS states that there will be no significant impacts to juvenile salmonids. This premise is mainly predicated upon the presumption that the introduced structures such as the floats and the proposed mitigation measures will improve survival of salmon and not increase predation upon juvenile salmonids (pg 3-71). However, conclusions reached from the analysis are open to debate since the DEIS analysis:

13

A. inadvertently, but implicitly downplays the importance of seasonal use;
B. uses non-relevant species or non-freshwater environments,
C. treats juvenile salmonids as collective salmonids, rather than as individual species;
D. uses implicit and explicit comparisons to the few undeveloped shoreline areas in the Lake rather than to the existing Lake Washington system shoreline environment;
E. presents an outdated and restricted discussion of predation upon juvenile salmon; and
F. restricts the analysis of impacts to the project area; and
G. relies upon untested and speculative mitigation measures.

### A. Underestimation of the importance of seasonal use.

14

The statement (pg 3-62) that the inner harbor area is likely used seasonally (March-June) or as a transit zone to other littoral areas could inadvertently lead some reviewers to underestimate important considerations of salmon ecology and juvenile movements. The freshwater life history of salmon is a series of movements through seasonal habitats with each seasonal habitat important to the survival of salmon. Additionally, all outmigrating juvenile salmon derived from natural and hatchery production in tributaries to the Sammamish River and Lake Sammamish must migrate by the project site. Those juvenile salmon that turn north at the mouth of the Sammamish River will pass by the mouth of the Kenmore slip and many will enter the Kenmore Slip. Indeed, the DEIS (pg 3-53) acknowledges that juvenile salmon must pass by the site prior to entering Lake Washington. Despite the seasonal use of the area, the area at and near the project is a critical migration route, for which no alternative exists.

### B. Use of non-relevant species, conclusions drawn from different environments, and treating juvenile salmonids as collective salmonids rather than as individual species.

15

The applicant (DEIS pg 3-72, Appendix B pg 3-45) argues that it is a *common understanding that marina float and piers in the Pacific Northwest have long been known to*

*attract and be beneficial to salmonids*. However, the supporting primary references to the attraction of juvenile salmon are predominately not relevant to a freshwater lake system or the species of salmon in Lake Washington. For example, DeVore and White studied brook trout in streams; Heiser and Finn worked with chum and pink salmon; and Ratte and Salo, and probably Hotchkiss deal with juvenile salmon in estuaries. Since Lake Washington is a
15 freshwater system, comparisons to estuaries are not valid. The references for freshwater lakes also lack applicability. Helfman studied non-salmonid fish in a weedy lake. Indeed the only reference for salmon attraction to floats and piers in Lake Washington is from Taylor, a secondary reference for a site lacking a pile mounted structure (pers. comm. William Taylor, 8 December 1997). Therefore, much of the supporting literature is for species in different systems, at different life history stages, and with different habitat requirements. It is not applicable to an analysis of the project's impacts.

The implicit position that collaterally increasing the structural complexity (Appendix B pg 3-62) by increasing the number of piles will reduce predation impacts upon juvenile salmonids is again supported by the literature not applicable to the project or the species. The majority of the cited literature deals with non-salmonid fish and the distance between the
16 structural elements in the complex habitat replicates of the studies were often in the range of a body length for the predators and/or prey. The distance between the piles in the proposed Lakepointe project will be measured in terms of multiple body lengths often exceeding 10 to 40 predator body lengths. Therefore, the habitat complexity as perceived by predatory warmwater fish in terms of ability to maneuver through areas and inability to detect prey due to visual screening could be expected to be very low and thus predation high.

Additionally, the DEIS has typically discussed impacts in terms of *generic* juvenile salmonids rather than as individual species. The analysis did not mention that juvenile salmon migrate at different times, can be present in nearshore areas at different times, and that habitat preferences can vary. For example, wild fall chinook outmigrants have been observed to swim closer to shore than hatchery fall chinook and sockeye fry migrate sooner than coho smolts. The difference in habitat use and time of migration effects the argument there is little overlap
17 between the presence of known predators and juvenile salmon. For example, the DEIS refers to a brief period of overlap between juvenile salmon and northern squawfish (pg 3-61) and largemouth bass (pg 3-62). However, Appendix 3 (Table 3-1a) indicates that over 80% bulk of 1996 hatchery chinook releases occurred between May 24 and 6 June and thus these juveniles would be moving by the site when predators where present. Additionally, the DEIS does not reflect the large releases of chinook at the end of May/beginning of June are an annual event at the Issaquah Hatchery.

In another example, there is a reference (pg 3-72) to a document by Tabor and Chan regarding low predation rate by largemouth and smallmouth bass upon sockeye juveniles from the Cedar River. However, extending this discussion of **sockeye** fry to include **salmonid** fry or
18 pre-smolts is tenuous. Indeed, Tabor and Chan noted that though largemouth bass probably have little interaction with juvenile sockeye salmon or fry, *salmonids consumed by largemouth bass will probably be more shoreline-oriented fish such as coho salmon, chinook salmon, or rainbow trout*. These species are found at the Lakepointe site.

19 Currently, the applicability of the cited literature to support conclusions reached in the DEIS is debatable. All references in the FEIS to studies used to support conclusions should indicate the species involved, whether the work was in lakes, streams, estuaries, or marine waters, and the limitations and uncertainties in their applicability to the Lakepointe project. Without such a discussion, the decision makers will be unable to truly evaluate the applicability or uncertainties associated with the impacts analysis.

**C. Comparisons to undeveloped areas rather than to the existing Lake Washington shoreline environment.**

20 The DEIS (pg 3-62) states *that the inner harbor does not offer quality rearing habitat for salmonid fishes.* The DEIS has attributed part of the current level of habitat quality to impacts from overwater structure (pg 3-58), piles (pg 3-71), lack of riparian zone due to shoreline modifications (pg 3-52) and the extent of nighttime lighting (pg 3-62). However, much of Lake Washington does not offer quality rearing habitat due the presence of bulkheads, inwater and overwater structure, and night time lighting. But, this is the habitat that typically remains for juvenile salmon to use. Thus, using physical characteristics of what is presumed to be quality habitat to suggest that the loss of degraded habitat will not be that much of an impact fails to consider cumulative impacts and habitat loss. Acceptance of such a position will increase the rate of habitat loss in the Lake.

21 The extent to which juvenile salmonid use of the inner harbor is restricted compared to other sites is also unclear. Though the DEIS refers to the low numbers of juvenile salmon in the inner harbor compared to the Sammamish River or the Lake Washington beach, the presented numbers are absolute numbers, not densities of fish per area or shoreline length shocked. Furthermore, some of the greatest number of juvenile salmonids observed where in the inner harbor (Table 13). The DEIS (pg 3-53) notes that due to complications only the electrofishing information is comparable among the surveyed sites. But, the effort allocated per area to electrofishing each survey site is unknown (Appendix B pg 3-7):

> *Electrofishing was performed parallel to the shoreline and covered areas within four meters of the shoreline in the Sammamish River and the inner harbor, depending on water depth. Areas electrofished along Lake Washington extended from the shoreline to a distance of up to 50 feet (15 meters) from shore due to the shallow character of the beach.*

Therefore, insufficient information is presented to determine the relative effort and area surveyed among the sites. Without such information, conclusions regarding relative salmonid use can not be drawn. The FEIS should present fish numbers in terms of fish/area shocked and fish/shoreline length shocked. Though such a presentation will increase usability of the data, the problem of varying visibility and water depths influencing shocking and catch efficiency remain and statements of relative fish use are debatable.

## E. Simplified discussion of potential predation upon juvenile salmon.

22 The DEIS downplays the probable extent of predation upon juvenile salmon through statements: of brief periods of overlap between juvenile salmon and northern squawfish (pg 3-61); largemouth bass (pg 3-62); that some piscivores are not significant predators (pg 3-62; 3-7); that predators will have little opportunity for interaction with juvenile salmon (pg 3-62;3-72); or that *piers have no significant effect on densities of littoral fishes* (pg 3-72). These statements are simplified presentations of the cited literature and literature not included in the environmental review suggests the converse of many of the DEIS statements.

23 There is considerable overlap between the presence of predators and the peak of juvenile chinook presence. Appendix 3 (Table 3-1a) indicates over 80% of the 1996 hatchery chinook releases occurred between May 24 and 6 June. These juveniles would be moving by the site when predators were present. Additionally, Table 3-1a does not shows that releases of chinook at the end of May/beginning of June are annual events at the Issaquah Hatchery. The vast majority of juvenile chinook pass by or through the area at a time when predators inshore.

24 The DEIS suggests that piers had no significant effect on densities of littoral fishes. However, littoral fishes is a collective assemblage, the emphasis needs to be on known predators of juvenile salmonids. The DEIS (pg 3-72) states that *White (1975) found no greater predation on salmonids in areas built out with docks and pilings compared to open water areas in Lake Washington*. However, the cited work by White contains no evidence that he conducted stomach content analysis of captured predators. Without stomach analysis, the extent of predation is difficult to determine, hence the DEIS interpretation of White's results is skewed. Furthermore, Table 18 of White's work shows that seven of the eight largemouth bass, and two of the two smallmouth bass captured in his study were collected at piers.

25 Furthermore, the DEIS (Appendix B pg 3-48) notes that *lack of detection of adult largemouth bass is not surprising as they are generally unavailable to electrofishing and netting techniques and may be sufficiently wary of snorklers to avoid detection*. Thus, the DEIS implies studies such as White or Steins, or the surveys conducted for the project itself, could greatly underestimate the population or location of largemouth bass. Therefore the comment (pg 3-56) that no largemouth bass were found along the nearshore area of the lake in 1996 is a statement of survey results, not a statement of actual numbers present and hence potential impact.

26 DEIS statements suggesting that some predators are not significant predators of juvenile salmon simplify the results of some studies or ignore factors that differentiate other studies from the Lakepointe site. For example, the statement (pg 3-72) statement attributed to Tabor and Chan that smallmouth bass rarely prey on sockeye juveniles from the Cedar River was qualified by Tabor and Chan as follows:

> *Because smallmouth bass select areas of reduced water velocities, they are probably rare in the Cedar River and restricted to its mouth and a few deep pools.*

In their study due to temperature and habitat, there was little opportunity for smallmouth bass to prey upon sockeye fry. It is not surprising that Tabor and Chan reached their conclusions in regard to sockeye fry, but the Lakepointe project involves many species of juvenile salmon, not just sockeye fry. The Lakepointe project will increase the inwater structure and Tabor and Chan implicated inwater structure as a feature that contributes to the density of piscivorous fishes and predation rates:

26 *Results indicate that the highest densities of piscivorous fishes and highest predation rates on sockeye salmon fry occur in the lower 600-m reach of the Cedar River. This reach probably provides the best habitat for piscivorous fishes because it is relatively deep and various instream structures are present.*

Finally, though Tabor and Chan noted largemouth bass probably have little interaction with juvenile sockeye salmon or fry, they did state that *salmonids consumed by largemouth bass will probably be more shoreline-oriented fish such as coho salmon, chinook salmon, or rainbow trout*. These salmon species identified in the DEIS (Table 13) as present at or near the project site when predators are present.

Work not cited in the DEIS or else unavailable to the DEIS preparers demonstrates that northern squawfish and smallmouth bass have the potential to consume large numbers of juvenile salmon. A study on the Columbia River[4] found that juvenile salmon by weight comprised 59% of the smallmouth bass and 28.8% of northern squawfish diet. Studies in the Lake Washington system show that juvenile salmon are a major prey item of smallmouth bass (Pflug and Pauley 1984[5]). Analysis of Table 1 of Pflug and Pauley indicates that during the March through August period of their study, juvenile salmon accounted for 25% of all prey
27 items and 37% of the fish taken from smallmouth bass stomachs. Recent Muckleshoot Fisheries electroshocking boat surveys conducted as part of the Lake Washington Ecosystem Studies found that in May and June of 1997 that the collected 30 largemouth bass had captured 10 juvenile salmonids, compared to 38 larval and non-salmonid fish (Warner and Footen 1997, pers. comm.). By numbers consumed, juvenile salmonids represented almost 25% of the largemouth bass fish diet. This suggests that the value of salmonids as forage for largemouth bass in Lake Washington is not a limited as stated in the DEIS (pg 3-62; 3-72). Furthermore, these Muckleshoot surveys of 1997 found that in areas of intensive overwater and inwater structure that 51% of all juvenile salmonids consumed by predator fish were consumed by smallmouth bass, and that juvenile salmonids totaled 53% of the total diet of predatory fish.

28 The DEIS (pg 3-59) and Appendix B (pg 3-17) note that *there are numerous in-water structures that are fixed and that provide ambush habitat for salmonid predators* yet conclude

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4 Tabor, Roger, Shively Rip S and Poe Thomas. 1993. Predation on Juvenile Salmonids by Smallmouth Bass and Northern Squawfish in the Columbia River near Richland, Washington. North American Journal of Fisheries Management 13:831-838.

5 Pflug David E., and Pauley Gilbert B. 1984. Biology of Smallmouth Bass (Micropterus dolomieui) in Lake Sammamish, Washington. Northwest Science, Vol. 58, No. 2.

that there will be no increase in the predation rate upon juvenile salmon and indeed that aspects of the project might improve juvenile salmon survival. Furthermore, the DEIS has suggested
28 that when the bulk of juvenile salmon most of the salmonid predators that are close to shore will be spawning and hence less likely to feed (pg 3-61; 3-62). However, in addition to moving inshore to spawn, bass move inshore to feed. The DEIS can not assume that most of the bass and other predators found inshore will be spawning and thus have reduced feeding rates.

Additionally, the DEIS analysis suggests that if the proposal does not preferentially attract predators, there is no problem. However, the issue is not only one of attraction but of increased total predation success even if individual predator success falls. The implicit position that collaterally increasing the structural complexity (Appendix B pg 3-62) by increasing the number of piles will reduce predation impacts upon juvenile salmonids is supported by the literature *not applicable* to the project or the species. The majority of the cited literature deals with non-salmonid fish and the distance between the structural elements in the complex habitat replicates of the studies was often in the range of a body length for the predators and/or prey.
29 The distance between the piles in the proposed Lakepointe project will be measured in terms of multiple body lengths often exceeding 10 to 40 predator body lengths. Therefore, the habitat complexity as perceived by predatory warmwater fish in terms of ability to maneuver through areas and inability to detect prey due to visual screening could be expected to be very low and thus predation would be high. Additionally, unlike most of the warmwater species studied in the predator-prey studies in the DEIS, most juvenile salmon at this site, though rearing, are also engaged in a migration to marine waters. They will be required to move between cover elements and thus expose themselves to predators, unlike juveniles of other species that though rearing have no need to migrate to marine waters. Even if the proposed inwater and overwater structure does not preferentially attract predators it does provide increased ambush habitat for predators but the ability to shelter juvenile salmon from predators remains speculative..

Finally, the analysis did not discriminate sufficiently between absolute predation versus predation rate, nor give sufficient discussion to offsite predation impacts. No increase in predation rate is not the same as no increase in predation. Though the term predation rate is not defined in the DEIS, it could have several interpretations. One interpretation could be the number of juvenile salmonids captured by predators. In this case, the number of salmonids consumed would be the product of the number of predators multiplied by the number of salmon captured a day per predator. Even if the number of salmon captured per day by individual predators decreases, the total loss to predators could increase due to increases in
30 predator populations. The DEIS did not consider this possibility though there are several statements in the DEIS about increasing the quality or quantity of habitat for known salmonid predators. Evidence presented in this letter has been demonstrated contrary to statements in the DEIS that large and smallmouth bass can consume large numbers of juvenile salmon and that there is considerable overlap between the use of the nearshore area between juvenile salmon and their known predators. Therefore the DEIS conclusion of no significant impact is not supported by some of the existing studies and is supported by none of the current studies conducted in the Lake Washington system. As most of the Lake Washington salmon stocks are depressed or of unknown status (Table 1), any increase in total predation can only be

regarded as significant.

**F. Restricts analysis to project area.**

31 The DEIS (pg 3-62) notes that *backwater areas with piling structure are known spawning areas for bass* and *the inner harbor is typical of preferred spawning and nursery areas for largemouth bass* and that largemouth bass were seen near piles (pg 3-60). Additionally, the DEIS admits the proposed 30% increase in the number of piles to 449 piles (DEIS pg 3-70) *would likely increases its value to warmwater species, primarily bass, that prefer backwater conditions and piling/pier habitat* (Appendix B pg 3-39) and will *likely enhance spawning opportunities for bass in the inner harbor and potentially add additional ambush cover(DEIS pg 3-73).* Despite these statements that the project will improve habitat for known predators of juvenile salmon, the DEIS concludes that *the anticipated increase would not change the character of the present adverse environment for salmonid fishes.*

32 Unfortunately, the DEIS did not consider the potential impacts of an increased number of predators upon juvenile salmonids in areas adjacent or distal from the project site based upon increases in the number of predators due to enhanced habitat resulting from the increased inwater and overwater structure. The project will increase spawning and rearing habitat for known predators of juvenile salmon. Many of these predators will move a considerable distance from the site (Stein 1970). The impacts of such predators have been previously described in this letter. The only conclusion to be drawn is that there will be a probably increase in the number of predators in the lake to feed upon juvenile salmon, an significant adverse impact given the declining salmon stocks in Lake Washington.

**G Speculative mitigation measures.**

33 The proposed mitigation measures deal with onsite impacts to juvenile salmonids, not for offsite impacts due to increased predator populations. Furthermore, some of the proposed mitigation measures might increase spawning or rearing habitat for known predators of juvenile salmon. Some of the mitigation elements are similar to those described in Appendix B (pg 3-49) as suitable for bass rearing, spawning habitat for smallmouth bass (Pflug and Pauley 1984) or rearing habitat for largemouth bass (Stein 1970). For example, the gravel mounds proposed as shelter for juvenile salmon, would just as likely be used by juveniles of predators. Thus not only will this proposal increase spawning habitat for known salmonid predators, but improve its value as rearing habitat.

34 Though, there is no doubt of the importance of inwater cover in streams, in systems such as Lake Washington juvenile salmon are faced with introduced warm-water predators. Even if the features proposed in the DEIS to shelter juvenile salmon from predators are effective, the juvenile salmon must first make it to these structures through an area that will provide increased cover from ambush predators and then move from shelter to shelter avoiding a myriad of ambush predators. Increased shelter from predators is to no avail, if large numbers of juvenile salmon are consumed prior to reaching the shelter or moving between shelter elements. The DEIS (pg 3-3) notes that *net deposition of alluvial sediments continues in the*

34 *Sammamish River and inner harbor*. Thus, the long term viability of the interstitial spaces for use by juvenile salmon probably remains short due to infilling by sediment. However, the probable increased number of predators due to enhance rearing at this site will continue to consume juvenile salmon for many years after the mounds no longer provide shelter for juvenile salmon.

35 Furthermore, the proposed mitigation measures deal with onsite impacts to juvenile salmonids, not for offsite impacts due to increased predator populations. Perhaps, the only mitigation measured described in the DEIS to address this concern would be the potential bass fishing events. However, the effectiveness is speculative. Probable significant impacts to an endangered resource warrant more than speculative mitigation measures.

# RESPONSE TO LETTER 8

## The Muckleshoot Indian Tribe

1. Based on comments received on the Draft Supplemental EIS, the proposed marina plan has been revised to reduce the amount of in-water and over-water structures (please refer to Chapter 2 of this document for detail). The revised configuration, with the new recommended mitigation outlined in the Fisheries section of Chapter 3 of this document, is unlikely to increase spawning habitat for salmonid predators. The rearing habitat for bass would increase by 855 feet of floating dock perimeter. It is impossible to precisely determine for how many more bass this could provide habitat, especially since the populations of bass are so low in the lake. The result, however, is likely positive for bass to a small degree. It is doubtful that the difference would be enough to lead to substantial breeding with subsequent dispersal. Please refer to Chapter 3 for a summary of the updated fisheries discussion provided for this Final Supplemental EIS.

2. Please refer to response to comment 1 of this letter. The revised marina configuration would decrease the amount of pilings and surface area of structure in the inner harbor. However, the revised dock configuration also would increase the perimeter of over-water structure in the inner harbor. Because juvenile salmon tend to go around rather than under docks, it is possible that the increased dock perimeter would increase the exposure of juvenile salmonids to ambush predators residing under the docks. To mitigate this potential impact, an open water area along the shoreline where juvenile salmonids could pass without being directly exposed to predators around the dock perimeter would be provided. The floating docks would be detached from the shoreline by 5 to 10 feet, and human access to the docks would be via above-water walkways.

   The comment regarding the Endangered Species Act is acknowledged.

3. The Proposed Action is to convey storm water in open swales to the Sammamish River. The lowest elevation of these swales would be higher than the river, and thus would be a dry environment at all times except during storm events, when runoff would flow through these areas to the river. Because the stormwater outfalls would be above the elevation of the river, no fish habitat would be provided in these areas. However, King County may require that storm water be piped to the river.

4. Comments acknowledged. An updated discussion of fisheries resources, including a discussion on SASSI is included in Chapter 3 of this Final Supplemental EIS.

5. A discussion on smallmouth bass is provided in Chapter 3 of this Final Supplemental EIS. Please note, however, that three surveys in the vicinity captured no smallmouth bass. It is recognized that these were not exhaustive studies. Smallmouth bass are typically found in habitat conditions that are different than those in the inner harbor where the in-water construction would be (Pflug 1981). Largemouth bass (which were found) and smallmouth bass (which were not found) rarely live sympatrically (Pflug and Pauley 1984). It is concluded that it is unlikely that many, if any, smallmouth bass are present in the areas where the Proposed Action proposes to modify aquatic habitats.

6. Comment acknowledged.

7. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 for a summary of the updated fisheries analysis prepared for this Final Supplemental EIS.

8. Comment acknowledged. Please refer to Appendix B for the bibliography for the updated fisheries analysis prepared for this Final Supplemental EIS.

9. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 for a summary of the updated fisheries analysis prepared for this Final Supplemental EIS.

10. Comment acknowledged. Underpier lighting as a mitigation measure has been evaluated numerous times and has been dismissed as too costly and impractical to maintain. A potential mitigating measure would be to add glass prisms to the detached piers.

11. Comment acknowledged. The amphitheater could be designed in such a way that artificial lighting would be shielded to prevent direct illumination of the water.

12. Secchi depths are given in table 3-2 of Draft Supplemental EIS Appendix B. Depths in the inner harbor ranged from 3.0 feet to 9.0 feet in 1996 and from 1.7 to 8.0 feet in 1997.

13. Comments acknowledged. Based on comments received on the Draft Supplemental EIS, an updated fisheries analysis has been prepared and is included in Chapter 3 of this Final Supplemental EIS. The updated analysis specifically addresses concerns raised by the Muckleshoot Indian Tribe and the Washington State Department of Fish and Wildlife.

14. Comments acknowledged. Please refer to the Fisheries section of Chapter 3 of this document for an updated discussion on fish migration.

15. Comments on references acknowledged. Fish behavior varies considerably between species. However, there is no reason that smolt migratory behavior in an estuary during the initial phase of early marine residence should be any different from that in Lake Washington. In both environments, only 2-4 weeks apart temporally, smolts are active migrants, feeding as they go. Sockeye would behave differently, but chinook, coho, and steelhead should behave similarly. Comparisons of riverine resident trout and bluegill are not appropriate because their behavior is very different from that of smolts.

16. Comments acknowledged. Please refer to the Fisheries section of Chapter 3 of this Final EIS for an updated discussion on predation.

17. Comment acknowledged. The majority of hatchery coho and chinook, wild chinook, and some of the sockeye outmigrants will migrate past the site at the time when largemouth bass and squawfish are present and, in the case of bass, metabolically activated (i.e. feeding). Please refer to the Fisheries section of Chapter 3 of this document for additional detail

18. Comment acknowledged.

19. Comment acknowledged. An updated fisheries analysis is presented in Chapter 3. In the updated analysis, only applicable references were used.

20. Comment acknowledged. The proposed marina has been redesigned to reduce the amount of in-water and over-water structures. If it is further redesigned to provide detached docks with glass prisms and native vegetation along the shoreline, where possible, in the inner harbor, no loss of habitat, compared to existing conditions, is anticipated.

21. The existing electrofishing data were extrapolated to estimate fish occurrence at the project site. Detail on this extrapolation is provided in the Fisheries section of Chapter 3 of this document. The analysis provides a better understanding of the number of outmigrants that may be present during the course of the season.

22. Comments acknowledged. The updated fisheries analysis presented in Chapter 3 of this document describes the potential for increased predation with the Proposed Action.

23. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 of this document for detail on the overlap between salmonids and predators.

24. Comment acknowledged. White 1975 did not study predation or diet of the fish sampled.

25. Comments acknowledged. White's thesis did not make any conclusions about predation rates. The only way to accurately determine the precise extent of bass use of the project area is to do a mark and recapture study using either a boat shocker or by angling. The techniques used are useful for determination of presence/absence only.

26. Comments acknowledged. Please refer to the Fisheries section of Chapter 3 of this document for a discussion on large and small bass predation.

27. Smallmouth and largemouth bass can be expected to prey upon juvenile salmonids when they the two species are in close proximity and the water warms. This situation occurs during May and June in the project area. Squawfish are known to exploit migrational bottlenecks where smolts are concentrated. Please refer to the Fisheries section of Chapter 3 of this document for detail.

28. Comment acknowledged. While it is true that bass are somewhat preoccupied during spawning and subsequent fry guarding, they do not cease feeding. Foraging rates can be expected to be lower as compared to summer months because of spawning activity but predation will occur especially if prey are readily available. The foraging activity of juvenile bass will not be affected by spawning.

29. The anticipated relationship between proposed marina structures and predation is discussed in the Fisheries section of Chapter 3 of this Final Supplemental EIS. It is not anticipated that man-made overwater or inwater structure would provide outmigrants with refuge from predators that also use these structures.

30. In the updated fisheries analysis presented in Chapter 3 of this Final Supplemental EIS, when the term predation is used, it relates to total predation.

31. Based on comments received on the Draft Supplemental EIS the marina plan was revised to reduce the amount of in-water and over-water structures (refer to Chapter 2 of this document for detail). The revised marina plan now decreases the number of pilings compared to existing

conditions. It is not anticipated that the revised marina will increase bass spawning habitat. The converse is more likely due to the increase in human activity. There may be more ambush opportunity due to an increase in dock perimeter depending on the migratory behavior of smolts in the marina. Refer to Chapter 3 of this Final Supplemental EIS for detail.

32. The revised marina design would not increase the amount of spawning habitat for largemouth bass. Smallmouth bass are presumed to not be present. Spawning success of bass has more to do with fry survival than anything else. The project is unlikely to increase fry survival. With a possible increase in feeding opportunity, some increase in rearing value to adult and juvenile bass may result (without mitigation measures). The proposed addition of 855 feet of structure perimeter would be anticipated to create feeding stations for a very small number of bass and would not be anticipated to significantly increase predation in other portions of Lake Washington.

33. Comments acknowledged. Rock piles may attract smallmouth bass or large mouth bass and would certainly attract sculpins.

    Because the Proposed Action would not be anticipated to significantly increase predation conditions in other portions of the lake, no mitigation for off-site impacts is required. Refer to response to comment 32 of this letter and the Fisheries section of Chapter 3.

34. Juvenile salmonids are known to use cobble substrates for cover. However, this is behavior associated with riverine-rearing resident trout. This behavior has also been observed immediately following emergence in chum fry, and during outmigration in pink salmon fry. It is acknowledged that if rocks were used by sculpins and the salmon darted for the "cover", they may encounter sculpin.

35. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 of this Final Supplemental EIS for an updated discussion on anticipated fisheries impacts and mitigation.

Letter 9

Cascade
Bicycle Club • Seattle

*Creating a Better Community through Bicycling*

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December 16, 1997

Marilyn E. Cox, Responsible Official
King County Department of Development and Environmental Services
900 Oaksdale Ave. SW
Renton WA 98055-1219

Dear Ms. Cox, Re: DSEIS on Lakepointe Mixed Use Master Plan

On behalf of the 5,000+ members of the Cascade Bicycle Club I have prepared the following comments and questions regarding the November 4, 1997, DSEIS on the Lakepointe project in Kenmore. Our Club has been following this project closely for several years. Our primary concerns are: 1. That whatever project is built on this site not adversely affect the adjacent Burke-Gilman Trail; 2. That the design of the project encourage the use of bicycles and walking as transportation modes around the site as well as to and from it and the surrounding areas; 3. That the traffic impacts associated with the project be accurately presented; 4. That all road additions and modifications to existing roads be designed to safely accommodate bicycles; and 5. That high quality, secure bicycle parking be an integral part of the design.

We note that there are many statements (Chapter 2 in particular) in support of providing good facilities for cycling and walking. We of course agree. Given the existing traffic congestion in this area and the additional motor vehicle traffic this project will generate, it is imperative that an aggressive effort be made to attract non-motorized travelers. Unfortunately, the present document is woefully inadequate in this regard.

In many respects we find the DSEIS to be seriously lacking in many areas related to our concerns. While we realize that this document deals with a 'master plan' rather than detailed designs for the site, we believe it is imperative that the document make absolutely clear what the developer must do when preparing his final designs.

BURKE-GILMAN TRAIL (BGT)

1 This regional, mixed-use trail is very heavily used and must be protected from adverse impacts associated with the construction of this project. We have no objection to the planned lowering of the trail 3 feet in the vicinity of the new Lakepointe Way as long as,

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during construction, a high quality detour is provided. Further, construction on the trail should be expedited so that the trail disruption is as short as possible.

2 We are pleased to see that the present intersection of the BGT with 65th NE will be eliminated. This is presently a fairly dangerous crossing of the trail and replacing it with a grade-separated Lakepointe Way will be a big improvement.

3 We seriously question the need to modify the existing trail tunnel under 68th Ave. NE. The western end of the tunnel ramp are a considerable distance from the planned under-crossing of the new, elevated roadway. The 3 foot drop in the trail could easily be accommodated along the trail portion west of the tunnel ramp without creating and grades in excess of 1 to 2%. Reconstructing the tunnel ramp would add significantly to the length of any disruption and seems totally unwarranted. Any change in the west entrance to the existing tunnel could also adversely affect the connection at grade between that point and the corner of SR 522 and 68th NE.

4 While we totally support improving access from this project to transit on SR 522, we do NOT want to see transit patrons using the BGT to get to/from the proposed transit stops. Over the last several years we have at times seen plans which included steps descending from the transit stop to the trail. Such a design will create unnecessary conflicts and safety hazards between trail users and transit patrons. The proper design is to have the transit patrons cross OVER the trail on Lakepointe Way. The DSEIS should make it clear that transit users will be grade-separated from trail traffic.

5 Similarly, the BGT should be regarded as a transportation corridor and 'amenities' such as benches should not be placed so as to create conflicts and safety hazards between through trail users and others. In particular, Figure 25 shows such a bench right along the trail on one side and a railing on the other. Railings effectively reduce the operating width of the trail. Since there are no railings along this section of trail at present there is no reason to add them in the future.

6 The DSEIS fails to provide sufficient detail to evaluate the planned connections between the BGT and the project. There is apparently a crossing of NE 175th planned under or near the new Lakepointe Way elevated roadway. What is not at all clear is how bicycle traffic will reach the site after crossing NE 175th.

7 With respect to the crossing of NE 175th itself, we are confused about just what is planned. Figure 25 seems to show a traffic light controlling the cross-walk across 175th NE. Yet elsewhere there is discussion of 2 STOP signs along NE 175th. Since traffic currently using this street as a by-pass typically exceeds the posted speed limit, we are particularly concerned about the design of these crossings. Has a speed table been considered?

LAKEPOINTE WAY

8 The document is contradictory regarding what, if any, bicycle accommodations will be provided on the new Lakepointe Way. In two places (pages 1-22 and 3-218) it says that "bicycle facilities along the roadway" will be constructed. Yet on page 2-27 it states that "(B)icycle traffic would be discouraged on Lakepointe Way..." Lakepointe Way must have bicycle lanes on both sides in accordance with current King County standards for new arterials. The issue is not, as stated on page 2-27, whether SR 522 has specific bicycle facilities. The issue is how bicyclists will access the various buildings and activity centers on the Lakepointe site.

LAKPOINTE WAY and 68th NE

9 It must be recognized that 68th NE is a vital north-south connector for both motor vehicles AND bicycles. We are very concerned that the design of the new intersection with Lakepointe Way may squeeze bicycles right off the road. The DSEIS should make clear that bike lanes must be added on both sides of 68th NE at least between the north side of the Sammamish River bridge and NE 175th. If this requires the acquisition of additional right-of-way, then so be it. It will not be acceptable to try to force an extra traffic lane (dedicated left turn) into the cross-section at the expense of providing bike lanes. We should anticipate that there will remain a significant amount of bicycle traffic using 68th NE that is unrelated to the proposed development.

10 On the other hand, if the project is to be successful in attracting people to its site in other-than motor vehicles, a good connection from 68th NE to the site must be provided. The only hint at what that might entail is given in Figure 8. This figure shows several unsafe 'design' ideas for dealing with bikes near this intersection. It appears that a sidewalk might be proposed to carry two-way bicycle traffic along the north side of Lakepointe Way and along the west side of 68th NE. Sidewalk 'bicycle paths' are extremely dangerous because they force cyclists to ride in the opposite direction of the motor vehicle traffic in the adjacent street.

11 Further, placing bicycles on the sidewalk where it crosses the driveway servicing the site just south of the intersection is guaranteed to cause crashes. Motorists exiting the project and turning south on 68th NE will not expect to encounter wheeled users crossing their path from the right. This is a classic cause of car-bike collisions. Bicycle traffic should be integrated into the roadways planned for handling motor vehicle traffic. The only accommodation should be either a wide (14 foot) outside lane or a designated bike lane on both sides of the roadway.

WITHIN THE PROJECT SITE

12 Chapter 2 contains several references to providing bicycle facilities on site. Yet it is unclear whether all the streets will be designed to encourage bicycle travel. For example, will Lakepointe Blvd. have bike lanes or wide outside lanes? How will bikes move from a residence in Building E-1 to an office in G-1? Indeed, how would a pedestrian make the same trip? There does not appear to be any provision for pedestrians to cross Lakepointe Way at Lakepointe Blvd. There should be.

13 What exactly is planned for bikes at the rotaries on the boulevard? As shown on Figure 8 it appears that we will again have two way bike traffic on one side of the north-south streets intersecting the boulevard. As noted above, this is very unsafe.

14 Why are no bicycle facilities shown west of the middle rotary? Are bikes to be banned from this section of the site? Not very 'bike friendly!' The same can be said for the perimeter road along the south side of the project (labeled NE 173rd Place in Figure 8). Yet page 3-215 states that "(T)he periphery of the Lakepointe site would be dedicated to pedestrian and bicycle use." Inconsistent.

15 Also on page 3-215 the reader is referred to Appendix D for "additional detail on the proposed pedestrian and bicycle system." There is no additional detail in that Appendix. We would certainly appreciate seeing such detail in the Final SEIS.

16 How will bikes reach the businesses located in buildings A and B which we imagine will front onto the parking lot?

17 We are not proposing that bikes be allowed to go everywhere. We support the provision of pedestrian-only trails along the river for example. But we see no reason why bikes can not be accommodated everywhere motor vehicles are allowed and over hard-surface paths that would be shared with pedestrians.

18 On page 2-27 there is one (or the only?) reference to bicycle parking. High quality, covered, secure bicycle parking should be provided convenient to the main entrances of all businesses on site for the use of customers. In addition, fully enclosed bicycle parking (e.g. bicycle lockers) for employees should be provided at all buildings housing businesses. Such parking should be at least as close at that provided for parking employee motor vehicles. Space should be reserved to expand both customer and employee bicycle parking in the future. At a minimum, the number of bicycle parking spaces should equal 10% of the motor vehicle parking provided.

TRAFFIC ISSUES

19 The Transportation element (starting on page 3-184) is of particular concern to us given the current congestion in the area. We certainly concur that at weekday commute times the roads in the Kenmore area are **saturated** (pg. 3-185).

20 We have serious concerns about using 1993 traffic counts as the basis for projecting future traffic volumes. Those of us who travel through the area feel that things have definitely gotten worse in the past 4 years. There has been some significant construction in the area that has added additional traffic. Developments 'upstream' in areas east and north of Kenmore have added still more traffic. Water usage the Northshore Water District is up approximately 20% even in the face of increased interest in conservation. What basis is there for claiming that 1993 counts are appropriate here? At a minimum a few traffic counts along SR 522 and 68th NE should be conducted now to check the accuracy of the assumption that it is valid to use 1993 counts.

21 We have serious reservations about the use of the TRANSYT 7F program to evaluate the impacts of this project. Based on information available from the Transportation Research Center at the University of Florida (the 'home' of this program), 7F can not model residual queues. They report that vehicles that have accumulated during a red phase that are not cleared by the next green phase "***vanish***" from the roads! Since most major intersections within a mile of this site have very long (multiple signal cycles) delays virtually every day it is obvious that 7F is not appropriate here.

22 Further, 7F can not deal with backups that stretch from one intersection into an adjacent one. I think the term used by some traffic engineers is that the vehicles are "stacked vertically." This clearly does not reflect the reality in Kenmore today nor what we can expect to see in the future.

23 Finally, as stated on page 3-207, when delays predicted by 7F exceed 120 seconds "data from the TRANSYT 7F Model becomes increasingly inaccurate. ... After 120 seconds, delay, based on the model becomes **exponential** ..." (Emphasis added.) Yet Tables 31 and 32 contain several entries where the delays exceed 120 seconds.

24 Thus any statements that things will get better, or no worse, based on using this model are without foundation. (See page 3-207 paragraphs 2 and 3 for examples.) All such statements should be removed from the document.

25 We conclude that most of the traffic analysis presented in the DSEIS is flawed and should be redone prior to issuing a Final SEIS. Either find a more appropriate model OR simply state that current conditions are terrible and they can only get worse with the addition of 13,000+ trips (Table 27) that are projected to come with this project.

26 Note that there are no bike lanes on 68th NE as stated on page 3-190.

27 Given that this is a Supplement to the EIS done for the Northshore Community Plan, it is puzzling why in the traffic section different cycle times were used in the present analysis (page 3-197) thus making comparisons between the queue capacities impossible. It would seem that either the old data from the NSCP could be re-run using the new cycle time OR the present analysis could be done using both the old cycle time and the current (120 second?) one. But I guess a larger question is what is the appropriate cycle length to use this case?

28 We note that in the discussion of SR 522/68th NE at the bottom of 3-197 there is no discussion of westbound traffic during either the AM or PM peaks. We can assure you that westbound traffic is not insignificant at this intersection and it should be discussed.

29 We are unable to make sense of Figures 34 through 39 in that we thought that Figures 38 and 39 represented the summation of Figures 34 and 36 and 35 and 37 respectively. The latter two figures are claimed to be show the combination of the projected 2005 conditions without the project and then the additional traffic generated by the project. We can't get the numbers to add up.

30 On page 3-205 it is proposed to allow eastbound, non-transit vehicles intending to make a right turn onto Lakepointe Way to use the recently completed transit only lane starting at 61st NE. This seems very unsafe given the close proximity of the businesses along that transit lane. We should anticipate that non-transit users of this lane will be traveling at high speeds creating hazards for motorists either trying to turn from westbound SR 522 into the businesses or customers attempting to exit these same businesses. Joint use of the transit lane should only be permitted east of the last business on the south side of the highway if at all.

31 In the section on Traffic Queues (starting on page 3-197) there is no discussion of the intersection of 68th NE and NE 170th (Simmonds Road). This intersection is often affected by back-ups from SR 522/68th NE at the present time in both the AM and PM peaks. It would seem that it merits discussion here as well.

TRANSIT CONNECTION

32 At various places a pedestrian bridge over SR 522 is discussed. We strongly support the construction of this facility and believe that it should be required as part of this project. We are not necessarily asking the developer to totally pay for this structure. We do think the WSDOT and either King County or the new City of Kenmore (or both) should contribute a reasonable fraction of the cost. Regardless of who pays, the bridge should be required to be completed in the first phase of this project. The at-grade crossing of SR 522 discussed on page 3-213 is simply unacceptable if we are serious about encouraging transit use to and from the project.

33 Regarding the design of this bridge and access to it - bicycles should definitely be considered. All Metro coaches are equipped with bike racks and combining cycling with transit is becoming increasingly popular. Thus the bridge design (including of course access to it) should be bicycle friendly.

MITIGATING MEASURES

34 A 'Transportation Mitigation Agreement' is referred to but no detail is provided of what such an agreement might contain. We think the FSEIS should.

35 Under Required By Code at Lakepointe and 68th NE, add: provide bike lanes on both sides of 68th (as required by current King County practice when an arterial is constructed or reconstructed).

36 Also in bulleted item #7 remove the provision of access from the stops to the BGT . We do want to be able to access the transit stops - we just do not want that access to be the primary path for transit users. Having cyclists exit the trail, use an elevator or other means to reach Lakepointe Way and then cross over the trail to reach the transit stop is totally acceptable.

37 When is the Transportation Management Plan referred to developed?

38 On page 3-219 several of the "Potential" mitigations should be either required or agreed to by the developer. Specifically items 1 (subject to the concern expressed above about extending this "right-turn-only" lane all the way to 61st NE), 3 (except the bridge should be built during Phase 1 as noted above), and 4.

APPENDIX D - Transportation Impact Analysis - Final Report June 27, 1997

39 Page 4 - Non-Motorized should include bikes as well as pedestrians.

40 Page 6 - D. Implies that bicycles should use the sidewalks on the Sammamish River bridge. These sidewalks are much too narrow to be safely shared by bikes and pedestrians. Bicycles belong on the road where either a wide outside lane or a bike lane should be provided.

41 Pages 19-20: This appears to be another attempt to direct non-trail pedestrian traffic onto the BGT - this time from SR 522 west of Lakepointe Way. There is no reason a sidewalk can not be built along SR 522 and on the west side of Lakepointe Way. Indeed, sidewalks should be provided on all roads in and around this project site if the goal is really to encourage non-motorized travel.

42 Page 29 - i.): It is unclear to us how, given the admission that northbound traffic backs up through NE 175th almost constantly, that the intersection of 68th NE and NE 175th can operate at LOS B (see Table 31 in DSEIS) in the AM and C in the PM.

43 Page 29 - iii.): We conclude from this discussion that left turns from Lakepointe Way to 68th NE will not be permitted. It states that northbound 68th will receive a continuous green except when a pedestrian crosses 68th. But Figure 36 and 37 of the DSEIS clearly show northbound traffic exiting Lakepointe Way. This highlights one of our frustrations - the DSEIS does not contain sufficient detail of the road designs proposed to permit thoughtful comment. A revised draft should present the actual road cross-sections being considered.

44 Page 32 - C. If this is supposed to be a pedestrian-oriented development, why does the proposed parking exceed the required parking by 320 stalls? Eliminate those stalls and replace them with either bicycle parking or more trees!

CONCLUDING COMMENT

45 We believe that additional work is needed in order for the DSEIS to adequately address the environmental impacts of the proposed development. At the same time we want to make it clear that we generally support the development of properly designed mixed-use projects. Providing jobs, services and places to live in one compact area gives people a viable choice to reduce their dependence on the automobile.

We look forward to the opportunity to review another draft of this document prior to issuing the final. Please keep us informed when such a document is available.

Sincerely,

William E. Moritz
(Vice President)
On behalf of the Government Affairs Committee

# RESPONSE TO LETTER 9

## Cascade Bicycle Club

1. Construction phasing would include provisions for continuous service for both the Burke-Gilman Trail and NE 175th St. Construction sequences and detour strategies would be anticipated to minimize disruption of the trail.

   During trail construction and maintenance, the King County Department of Parks and Recreation goes to great lengths to keep the trail open to users. If closure is necessary, King County requires an approved detour, a temporary paved trail, or, as a last resort, signage to reroute users to sidewalks. The Burke-Gilman Trail in the vicinity of the Lakepointe site will be within the City of Kenmore after incorporation, and it will become the responsibility of the City to establish conditions related to trail closures during construction.

2. Comment acknowledged.

3. The Burke-Gilman Trail is proposed to be lowered by approximately 3 feet to provide clearance under the proposed Lakepointe Way NE. The trail would be regraded (consistent with ADA standards) to return to the existing grade of the trail. The proposed lowering of the trail under Lakepointe Way NE would not affect the existing tunnel under 68th Ave NE.

4. One of the P-suffix requirements for the Lakepointe proposal is that pedestrian linkages be provided to the Burke-Gilman Trail and the transit stops on SR 522. The Burke-Gilman Trail is a multi-purpose trail for use by all non-motorized methods of travel. All users, including bicyclists and pedestrians, are required by code (KCC 7.12) to control speed and to exercise due care and caution to avoid colliding with any other trail user. At the same time, King County recognizes that any crossing of a trail creates the potential for user conflicts, and efforts should be made to minimize conflicts. Design of pedestrian routes to SR 522 will be determined by the City of Kenmore when construction permits are submitted for review and approval. The City will have to consider the wisdom and safety impacts of routing pedestrians across the Burke-Gilman Trail versus routing pedestrians onto Lakepointe Way NE, an arterial route. Please see Response to Letter 5, comment 53 regarding the possible removal of pedestrian facilities from Lakepointe Way NE.

5. The trail as depicted in Figure 25 is conceptual in nature. The King County Road Standards require that the planning and design of bikeways be in accordance with Section 1020 of the Washington State Department of Transportation (WSDOT) Design Manual and the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities, current edition. Based on these, King County generally requires that all fixed structures, such as benches and railings be located a minimum of five feet from the edge of the pavement. If benches are provided, pull-out areas for bicycles must be provided to eliminate the need for bicyclists to stop on the trail. The City of Kenmore will be responsible for determining trail design standards within the new city.

6. A pedestrian connection from the Burke-Gilman Trail to NE 175th St at the intersection with the lower level of NE 175th St is planned. Final grades of the Burke-Gilman Trail and the section of

NE 175th St that parallels the trail in this area would be determined by the King County standards for clearance under the elevated Lakepointe Way NE. Because the roadway clearance standards are greater than those for clearances on the trail, the roadway may be lowered more than the trail at this point. During final design, the potential differences in grades between the trail and the roadway will be determined. If there is a significant difference in these elevations, the pedestrian and bicycle connection from the trail to the roadway may be in the form of ADA compliant ramps.

At the elevation of NE 175th St., pedestrians would be able to cross NE 175th St at the crosswalk illustrated in Figure 25 of the Draft Supplemental EIS and enter the on-site pedestrian sidewalk network through the landscaped area at the eastern end of the inner harbor basin that connects to the marina boardwalk.

Bicyclists using the Burke-Gilman Trail may choose to switch to NE 175th St. at a point west of the site where the grades meet, or they may elect to use the ramps at the intersection of NE 175th St. and lower Lakepointe Way NE (if such ramps described above are required by any grade difference between the trail and the NE 175th St). At the elevation of NE 175th St, bicyclists would be able to access the site by using bicycle lanes provided along lower Lakepointe Way NE.

7. The trail as depicted on Figure 25 of the Draft Supplemental EIS is conceptual in nature and is intended to show the aesthetic character of the trail, not specific design elements. Please refer to response to comment 5 of this letter.

8. Comment acknowledged. The design of Lakepointe Way NE includes a lane for bicycle traffic in both directions.

9. Comment acknowledged. Bicycles would be able to use the shoulders north of the Sammamish River Bridge on the east side of the road. On the west side, a widened sidewalk would connect between Lakepointe Way NE and the sidewalk on the bridge. North of Lakepointe Way NE, bicyclist would be able to use the shoulders.

   The design of the new intersection of 68th Ave NE and NE 175th St will meet standards for bicycle safety. Changes to the bridge over the Sammamish River or the 68th Ave NE roadway, beyond the construction of the new intersection, are not part of this proposal.

10. The cited two-way bicycle traffic along the north side of Lakepointe Way near 68th Ave NE follows the ramp from upper Lakepointe Way NE (at elevation 45') to the existing grade of NE 175th St and to the Burke-Gilman Trail. This link allows a bicycle connection from 68th Ave NE to the Burke-Gilman Trail. It is noted that some intersections would involve the crossing of vehicle traffic with bicycle or pedestrian routes. During final planning, roadway and intersection designs will be required to meet all King County safety and operational geometry standards.

11. The bicycle route along this section of the access drive would be parallel to the sidewalk, in either a dedicated trail or as a bicycle lane on the access roadway. The continuation of bicycle traffic north would cross the intersection of the access drive and 68th Ave NE. The final design of this bicycle link may include techniques to provide safe bicycle/motor vehicle crossing (i.e. bullards and signs could be placed on the sidewalk at either side of the driveway to alert riders and pedestrians that vehicle traffic is crossing the path. Paint or textured pavement may also be

considered for the driveway approach). Bicyclists may need to use a left-turn lane on the roadway to continue northbound from the access drive, or the intersection may require additional distance from the stop line to the crosswalk, with additional signage to alert drivers of the bicycle traffic. Please refer to response to comment 10 of this letter.

12. NE Lakepointe Blvd is not planned to include special bicycle facilities. Bicyclists on NE Lakepointe Blvd would share the road with vehicles.

    Pedestrians would use sidewalks along NE Lakepointe Blvd to move from the residential structures to the retail facilities in buildings "A" and "B". At the signalized intersection of Lakepointe Way NE and NE Lakepointe Blvd, a crosswalk would be provided. Please refer to responses to comments 6, 9, 10 and 11 of this letter and Chapter 2 of this document for additional detail on non-vehicular circulation.

13. Two bicycle routes are planned to connect across the site in a north-south direction. These two links would connect the trail along the Sammamish River to the bicycle route on the emergency roadway parallel to the marina boardwalk. By providing two bicycle routes, each providing one-way traffic in opposite directions, two-way traffic on the same trail would be prevented. At the rotaries, north/southbound bicycles would cross the boulevard parallel to the pedestrian crosswalks.

14. The westernmost portion of the site is planned to be a pedestrian concentration area. The circulation plan doesn't include bicycle traffic in this area to prevent bicycle/pedestrian conflicts. Dismounted bicyclists, moving at the same speed as pedestrians, could access this area.

    The perimeter road on the south side of the project (including NE 173rd Place) would be provided with a parallel bicycle facility, as well as pedestrian trails or sidewalks. The entire shoreline periphery of the Proposed Action would be provided with a continuous pedestrian network. The majority of the site periphery, with the exception of the westernmost portion described above, would be accessible to mounted bicyclists.

15. As indicated on page 3-215 of the Draft Supplemental EIS, additional detail on pedestrian and bicycle traffic is presented in Appendix D, Transportation Impact Analysis (pages 18-21). Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for additional information.

16. Bicyclists would be able reach businesses in Buildings A and B by using NE Lakepointe Blvd, and the fire lanes in front of the stores. There are no dedicated bicycle facilities planned along the retail frontages of the businesses. It is expected that bicyclists would dismount and use the sidewalks.

17. Comment acknowledged. Bicycles would be allowed to share the roadway on all project roadways with the exception of a portion of the emergency roadway which would be pedestrian only. There are some areas of the project which are expected to be "pedestrian only" to preclude any bicycle conflicts with slow moving pedestrians.

18. Provision of bicycle storage facilities will be part of final building design and would meet applicable King County standards. The recommendations for the number of bicycle spaces within this comment is noted.

19. Comment acknowledged. Please refer to the Transportation section of Chapter 3 for detail on traffic conditions.

20. Comment acknowledged. The analysis performed for the transportation update is based on the most recent data set available from WSDOT (1997 count data) and augmented with counts conducted in April 1998. Please refer to the Transportation section of Chapter 3 for detail.

21. Transyt7F Version 8 (most recent version of this transportation model) was used to model traffic in the updated transportation analysis prepared for this Final Supplemental EIS. This version models traffic conditions over the entire 60-minute peak period, and horizontally stacks vehicles to gauge the queuing effects at adjacent intersections. Thus, residual queuing is accounted for in the updated transportation analysis. Please refer to the Transportation section of Chapter 3 of this document for detail.

22. Please refer to response to comment 21 of this letter.

23. When the inputs to simulation model (Transyt7) equations exceed certain parameters, the model no longer accurately predicts the average vehicle delay at the intersection because the location is operating in an over-saturated condition. However, because the same equations are used to calculate delays at each intersection, whether saturated or not, it is possible to use the output to compare locations and scenarios. An intersection that reports 130 seconds of delay could actually have longer delay, but would still have better operations than if 150 seconds were reported. Thus, it is possible to compare anticipated intersection conditions between the Proposed Action and No Action. Please refer to the Transportation section Chapter 3 of this document for detail on the updated transportation analysis prepared for this Final Supplemental EIS.

24. Please refer to response to comments 21 and 23 above.

25. Subsequent to the issuance of the Draft Supplemental EIS, an updated transportation analysis was prepared in response to comments received on the Draft Supplemental EIS (see Chapter 3 of this Final Supplemental EIS for the updated analysis). The updated transportation analysis reflects use of an updated model and updated traffic conditions.

26. Comment acknowledged. Please refer to the Transportation section of Chapter 3 of this document for detail on the non-motorized circulation facilities in the site vicinity.

27. Comment acknowledged. The conditions reported in the updated transportation analysis were based on the most recent version of the Transyt7F model, which optimizes the cycle length by modeling cycle lengths between 90 and 180 seconds, in 1 second increments. Please refer to the Transportation section of Chapter 3 of this supplemental EIS for detail.

28. Comment acknowledged. Westbound traffic represents a significant movement. The high volume of through and left-turning traffic is a key contributor to the poor LOS at the intersection of SR 522/68$^{th}$ Ave. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail on traffic operations of the SR 522/68$^{th}$ Ave NE intersection.

29. Figures 34A, 35A, and 35B through 39A, included in Chapter 3 of this Final Supplemental EIS, show project traffic and traffic volumes with and without the project. The with project conditions exclude traffic volumes that are associated with the existing land uses on the site, as indicated in the trip generation table (93 trips in both the AM and PM peak hours). Thus, the volumes on that figure are lower than if the background trips and project trips were added together.

30. Westbound access into the cited buildings during peak periods would be restricted due to queuing in the eastbound lanes of SR 522. Vehicles in the transit lane would also slow as a result of the eastbound queuing, because drivers tend to drive at lower speeds when the adjacent lane is stopped. Vehicles exiting the businesses along SR 522 would have to use caution when selecting gaps, but should not experience any more safety impacts than other businesses fronting the highway.

31. The updated transportation analysis, described in Chapter 3 of this document, includes a discussion of queuing at the intersection of 68th Ave NE/NE 170th St. Queues at this intersection are projected to exceed capacity for the westbound right-turn movement for all conditions in 2005. The addition of a westbound overlap phase would greatly minimize queuing due to the increase in green time. Queues are also projected for the northbound through movement during the PM peak period only, a result of the congestion along 68th Ave NE. Queuing beyond capacity is also forecasted for the southbound left-turn movement with the project during the PM peak, extending back into the Lakepointe Way NE intersection. Signal timing or interconnect improvements would help to minimize the impacts of this queue. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

32. The pedestrian bridge over SR 522, which was envisioned in the Northshore Community Plan P-suffix conditions for the Lakepointe development, is not part of the Lakepointe Master Plan. The P-suffix conditions require that the Lakepointe development contribute a fair share to construction of an overpass if it is constructed. However, at the time of publication of this Final EIS, there are no plans in place to provide funding for construction. Thus, it is unlikely that King County will require a pedestrian overpass to be in place as a condition of permit approval. King County can require that a "safe pedestrian crossing of SR 522" be in place prior to occupancy of Phase 1; this could be an at-grade crossing.

33. Please refer to response to comment 32 of this letter. If a pedestrian bridge were constructed, it is anticipated that the bridge design would be ADA compliant. In the general location where the pedestrian bridge is contemplated, right-of-way constraints may preclude the provision of a ramping system that is long enough to comply with ADA slope standards and achieve the necessary height to clear SR522. If an elevator is the best solution, dismounted bicyclists should be able to access the pedestrian bridge.

34. The applicant submitted a preliminary draft Transportation Mitigation Agreement (TMA) to King County in June 1998. It addresses who will be responsible for the funding, construction, and maintenance of roadway improvements. The improvements listed in the draft TMA are presented below. The Lakepointe applicant is exploring mechanisms for funding construction of two of the improvements -- Lakepointe Way NE and NE Lakepointe Blvd -- and other transportation improvements. However, the Metropolitan King County Council cannot make funding decisions and the King County Departments of Transportation and Development and Environmental Services cannot enter into a TMA until seven days after publication of the Final

EIS. Thus, it is not known at the time of Final EIS publication what the final TMA will contain, or how improvements will be funded.

The applicant's draft TMA indicates who would be responsible for funding, construction, and maintenance of the following roadway improvements:

(a) The construction of the elevated roadway (Lakepointe Way NE)
(b) The construction of NE Lakepointe Blvd and NE 174th St
(c) The lowering and realignment of NE 175th St
(d) The redesign and lowering of the Burke Gilman Trail beneath Lakepointe Way NE
(e) Construction of a pedestrian bridge over SR 522
(f) Enhanced transit stops on the north and south sides of SR 522 adjacent to the locations where the pedestrian overpass would touch down if and when it is built
(g) The addition of a southbound-to-westbound right-turn lane and signal modifications at the intersection of SR 522/61st Ave NE
(h) The addition of turn lanes at the intersection of 68th Ave NE/ NE170th St (a second southbound-to-eastbound left-turn lane and a westbound-to-northbound right-turn lane)
(i) The widening of 68th Ave NE from the north end of the Kenmore Bridge to Lakepointe Way NE in order to provide new turn lanes to/from Lakepointe Way NE
(j) The construction of a shoreline public access trail

NOTE: The draft TMA indicates that Lakepointe's fair share of the cost of constructing a pedestrian bridge over SR 522 would "be determined by the estimated pedestrian use of such bridge by residents of the Lakepointe Project to reach transit facilities on the north side of SR 522, as compared to overall pedestrian usage of the bridge over any 24-hour period. Lakepointe's fair share shall not be based on the proportionate usage of the bridge by non-residents visiting the Lakepointe Project site, as compared to total anticipated use of the bridge." The draft TMA anticipates that additional funding shares for the bridge will be provided by agencies such as WSDOT and the new City of Kenmore. "Lakepointe's fair share of the cost of the bridge shall in any case not exceed 20% of the total cost of the bridge or $500,000, whichever is less." The City of Kenmore would be responsible for acquiring adequate easements and additional right-of-way to permit construction of this improvement.

In addition to addressing responsibility for transportation improvements, the draft TMA provides for establishment of a Coordination Committee and hiring of a project manager and consultant to carry out the work in the agreement. The final TMA will set the dollar amount of Lakepointe's Mitigation Payment System fee. The draft TMA provides for a Transportation Demand Management (TDM) program to be established later in the permit process to include the following elements:

In Phase I, Lakepointe would operate a community shuttle van between the Lakepointe site and designated destinations in Kenmore and appoint an on-site TDM coordinator.

In Phase II, Lakepointe would operate a shuttle van within the site and possibly provide rent concessions to those who use the service.

The draft TMA states that the obligations set forth in the TMA "would constitute all the traffic mitigation and concurrency required for the Lakepointe Project and every phase thereof" for a period of twenty years unless the proposal is substantially changed.

35. The construction of the intersection at Lakepointe Way and 68th Ave NE would not involve the reconstruction of an arterial, and thus, would not require the widening of 68th Ave NE to accommodate bicyclists.

36. This comment appears to refer to bulleted item number 5 (rather than 7). Please see the discussion of pedestrian and bicycle access in the transportation section of Chapter 3 of this document.

37. A Transportation Demand Management (TDM) program would be implemented through an agreement between the Lakepointe applicant and the new City of Kenmore prior to the issuance of construction permits for Phase I.

38. Comment acknowledged. The final decision on required mitigation will be made by the review agency (King County) when the Master Plan approval and Commercial Site Development Permit are issued.

39. Comment acknowledged. Please refer to the Transportation section of Chapter 3 of this document for a discussion on bicycle connections and Appendix C to this Final Supplemental EIS.

40. Comment acknowledged. Conditions along the Sammamish River Bridge are outside the scope of the Proposed Action.

41. Please refer to Response to Letter 5, comment 53 and response to comment 4 of this letter.

42. The intersection of 68th Ave NE at NE 175th St operates at LOS F in 2005 without the Proposed Action, during both the AM and PM peak periods. With the Proposed Action, the intersection would operate at LOS F in the PM peak only. The level of service at this intersection is governed by the northbound delays at the SR 522/68th Ave NE, since queues at that intersection regularly queue through this location. Without these queues, the intersection operates at LOS C. If the WSDOT-planned improvements outlined for the SR 522/68th Ave NE intersection are undertaken, the level of service at this location would improve to LOS D in the PM peak, with an average delay of 34 seconds. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

43. North of the proposed intersection of 68th Ave NE/Lakepointe Way NE, there are currently two northbound through lanes. The proposed geometry would have one northbound through lane south of the intersection, with a raised median separating it from the intersection, and two northbound left-turn lanes. Left turns from Lakepointe Way NE would turn north into the second northbound lane, thus not conflicting with northbound through traffic. Figure 33A of this Final Supplemental EIS shows the proposed lane configurations at each intersection, including the barrier-separated movement concept at this location.

44. Comment acknowledged.

45. Comment acknowledged. Please refer to Chapter 3 of this Final Supplemental EIS for a discussion of additional transportation analyses prepared in response to comments on the Draft Supplemental EIS.

Letter 10

Friends of Northshore
11682 Holmes Point Dr. N.E.
Kirkland, WA, 98034

December 16, 1997

Marilyn Cox, Responsible Official
King County Dept. of Development and Environmental Services
900 Oakesdale Ave. S.W.
Renton, WA 98055-1219



Re: Lakepointe Master Plan Draft SEIS

Dear Marilyn,

Two years ago, in response to the SEPA Scoping Notice, Friends of Northshore submitted a number of issues that we would like to see addressed in the Draft Supplemental Environmental Impact Statement, (DSEIS). Some of these issues have been addressed, but some remain unaddressed or have not been addressed fully and clearly.

We request that additional documents be prepared to cover the following areas:

1 • The software used to provide traffic projections is fatally flawed. The study should be repeated with current data and a program capable of handling the projected delays and volumes;

2 • Air quality analysis to scientifically establish to what extent the proposed development will worsen air quality in the nonattainment area; Figures from Northgate are not applicable;

• Shoreline-specific plans which take into account agreed-upon proposals for site cleanup and solid waste removal; Existing plans are conceptual only, and cannot be used for determination of SEPA compliance until final MCTA clean-up has been determined;

• An evaluation of on-site and off-site alternatives for shoreline development permits from the Army Corps of Engineers; Conceptual shoreline and development plans cannot be used as the basis for a Corps permit;

• Impacts on salmonid habitat of planned changes to the shoreline areas are insufficiently addressed, and based on conceptual plans.

5 We request that when completed, these documents be circulated to all interested parties for review and comment as required by SEPA for supplemental DEIS documents.

Other concerns may be addressed by clarifying and improving existing reports and analysis provided in the SDEIS.

Our questions and concerns are briefly noted below by major topic:

NOISE

Although projected noise levels due to pile driving on the site have been predicted, impacts have not. Will the final EIS include an analysis of the impact of projected noise levels on nearby residents and businesses, and an analysis of the impact on financial feasibility of the project's early phases? (Would ANYONE choose to live in a site that will see noise levels in excess of 100Db for four to seven years or more? What will the fiscal impact be on established retail businesses in the downtown area? on property values of nearby residences?)

TRANSPORTATION

The transportation analysis is seriously flawed in several areas:

7 • Projected traffic delays and density exceeded limits of the simulation program. The existing analysis is too seriously limited to make meaningful projections on traffic volumes and delays. Are there plans for a supplemental study with an improved simulation model that doesn't hit a ceiling at a 2-minute wait, and can properly predict flows that involve waits for multiple changes of a traffic signal? If not, why not?

8 • Data is projected on baseline figures from 1993. Traffic volumes in the area, and resulting delays, have increased significantly in the subsequent four years. Would you please include in the final draft traffic projections recalculated from recent (1997) study figures?

9 • Although incentives are provided for transit enhancements, no binding requirements are established for size, handling capacity, location, or access to transit facilities, nor a time table for implementation. What can be done to put muscle in transit requirements, since they are a key

10 component of traffic volume projections? What will traffic impacts be if transit improvements are not built, or are late?

Other traffic concerns:

11 • Both the Burke-Gilman trail and 68th Ave. / Juanita Drive are popular bike routes. What will be done to protect bicyclists from the increased traffic on 68th Avenue? when crossing SR522? How will they be separated from pedestrians and autos?

12 • Where will the pedestrian bridge be located, and what access will be provided? Is it a requirement or an option?

13 • What will the estimated costs and funding breakdown (project / city / county / state / federal funds) be for traffic improvements?

AIR QUALITY

14 Samples monitored at Northgate are not relevant to the applicant's site. The study should be repeated with samples taken from the projected development site and major arterials in the downtown Kenmore area. Are there plans to do this? If not, why not?

SHORELINE / FISHERIES

15 The project has undergone its most sweeping conceptual changes in regards to shoreline impacts. Piers, docks, islands, bridges, and over-water structures come and go, grow and shrink. How can impacts be determined when the proposal continues to change so radically? How much can the plan change before environmental impacts must be reassessed?

16 Although bass thrive on shaded water, salmonid do not, and are prey of the bass. Since salmon populations are endangered or threatened, should not every effort be made to design the site to provide an environment friendly to salmon? What incentives and enforcement processes will come into play as salmon populations dwindle? What would the impacts of increased human access to lake and river shorelines be on other forms of life, including salmonid? The requested study should cover this, taking into account recent scientific studies on salmon populations.

17 The conceptual plan shows intrusions onto the required shoreline buffer by paths, structures, storm water facilities, etc. At what time will changes to the plan be required to meet shoreline requirements? What opportunities will the public have to review these plans?

TOXICS

18 Long term regional water supply plans include taking drinking water from Lake Washington. It appears now that some toxic waste on the site will probably be contained by a cap provided by roads and buildings on the site. Will a cap be sufficient to prevent leaching of contaminants identified in the report (benzene, etc.) into the lake water at the shoreline, beneath the cap?

19 What mitigating measures will be taken to ensure the safety of human and non-human visitors to park and shoreline access areas, which are not separated from toxic wastes by the cap? If soil removal and replacement is planned for the shoreline, what will be done to ensure the safety of shoreline wildlife (flora, fauna, and salmonid) during the dredging and replacement process? What will be the impact of pile driving and bulkhead reconstruction?

PUBLIC WATERFRONT ACCESS

20 The public has long advocated for significantly more public access to waterfront than the developers have provided in conceptual plans. Such access is a very desirable feature for human visitors to the site, and is considered by many to be a public trust. The parcel in question is the one remaining large undeveloped waterfront parcel in the north end of Lake Washington. More public access be provided without encroaching on shoreline vegetation, if it is carefully planned. Will the final plan be modified to provide significant public access, based on requirements set forth in the Northshore Community Plan and the State Shoreline Master Program?

POLITICAL

21 Since the DSEIS was drafted, the city of Kenmore has incorporated. What oversight, fiscal, and enforcement responsibilities will fall to the new city, and what will remain the responsibility of King County? How will these changes impact feasibility and implementation schedules?

GENERAL CONCERNS

22 Designs and drawings so far are conceptual. To what extent will development be constrained to match the conceptual designs on which the DSEIS is based? Who will be the enforcing agencies and what enforcement power will they have if permits are granted based on conceptual data?

We appreciate the chance to comment on the project and the draft SEIS, and look forward to receiving your reply.

Sincerely,

Thomas Cox

Thomas Cox
President, Friends of Northshore

# RESPONSE TO LETTER 10

## Friends of Northshore

1. Comment acknowledged. Traffic data were updated to 1997 conditions and the newest release of theTransyt7F traffic model was used for the updated transportation analysis. This software is capable of analyzing congested conditions such as those in the project vicinity. Please refer to the Transportation section of Chapter 3 of this document for detail.

2. The air quality analysis discussed in the Draft Supplemental EIS has been revised and expanded to include site-specific modeling of the potential impacts of traffic and roadway system changes related to the proposed project. The results of the new analysis are summarized in the Air Quality section of Chapter 3 of this Final Supplemental EIS.

3. As indicated in the Draft Supplemental EIS (page 3-103), prior to issuance of any building permits by the City of Kenmore, a phased remediation plan for the areas of the site determined by the Department of Ecology (DOE) to be contaminated and warranting cleanup must be approved. The specifics of the site remediation plan are currently being determined by the DOE in cooperation with the landowner; therefore, the Draft Supplemental EIS describes the Model Toxic Control Act (MTCA) process, standards for cleanup and various possible cleanup methods. The establishment and implementation of the remediation plan for the site is an action separate from King County's permit review and approval process. The remediation plan is under the jurisdiction of the DOE, and will be analyzed consistent with DOE's MTCA review process. The MTCA process requires consideration of environmental impacts in the formulation of a remediation plan; therefore, the environmental impacts of any site remediation activities will be considered consistent with DOE requirements. The MTCA process also includes various opportunities for public participation in the formulation of a remediation plan. Further, if the final remediation plan precludes certain proposed project development or enhancement/mitigation features from being implemented, changes to the Master Plan, Commercial Site Development Permit and Shoreline Substantial Development Permit will be required. If such changes are determined by the City of Kenmore to result in significant impacts not disclosed in this Supplemental EIS, additional environmental review will be required.

4. Through the Clean Water Act, the Corps of Engineers (Corps) regulates dredge and fill activities in special aquatic sites, which include wetlands, streams, and lakes. No proposed activities along the Lake Washington shoreline or Sammamish River shoreline would require work in the lake, stream or wetlands. However, the Corps would review the following actions of the Proposed Action in the inner harbor: 1) removal and replacement of the existing bulkheads; 2) removal and placement of pilings; and 3) the proposal under consideration to create shallow water fish habitat that would require placement of sands and gravels (fill) below ordinary high water at the eastern end of the inner harbor. The revised marina plan would result in reduced or equal levels of bulkheads along the shoreline, in-water pilings and over water floating structures (docks and boats) compared to existing conditions (refer to Chapter 2 of this Final Supplemental EIS for detail on the revised marina plan).

A marina is a water-dependent activity. The alternative to which the applicant would compare the proposed action would be no change from existing inner harbor conditions. Locating the marina at another location would not be considered a practicable alternative that meets project criteria. The location of in-water structures are identified in the current plans. The type of materials to be used for the bulkheads and pilings have not yet been finalized; any concrete structures used would be pre-cast. The placement of sands and gravels at the upper end of the inner harbor is being considered only as a fish habitat enhancement feature.

The Corps review of the marina will be considered independent of permit review by King County, and, when applications are submitted for Section 401 and Section 404 permits, the Corps will determine whether information provided to them is sufficient to begin review of the project. The type of material to be used for the in-water structures would be identified in the 404 application.

5. In response to comments on the Draft Supplemental EIS, an updated analysis of fisheries impacts is included in this Final Supplemental EIS. Please see the Fisheries Resource section of Chapter 3 of this document.

5A. Additional Transportation, Fisheries, and Air Quality analyses, based on issues raised in comments on the Draft Supplemental EIS, have been prepared and are included in Chapter 3 of this Final Supplemental EIS. The SEPA Rules set out the ways in which an agency may respond to comments on a Draft EIS (WAC 197-11-560). In the Final EIS, an agency may "Supplement, improve, or modify the analysis." An agency is not required to circulate the revised analysis for review and comment prior to publication of the Final EIS.

6. The anticipated construction-related noise levels presented in the Draft Supplemental EIS indicate the potential worst-case sound levels from pile driving operations. Impacts from construction activity, including pile driving, is described on page 3-98 of the Draft Supplemental EIS. In addition, the need to reduce noise transmission from pile driving is acknowledged on page 3-98 of the Draft Supplemental EIS, and potential mitigation measures are identified on pages 3-101 and 3-102. The SEPA Rules do not require an analysis of fiscal impacts resulting from a proposed action, and fiscal impacts on retail businesses and property values were determined to be beyond the scope of this EIS.

7. The updated transportation analysis utilizes the Transyt7F Release 8 transportation model (the latest version of this model). This model simulates the entire 60-minute peak period on a cycle-by-cycle basis to gauge the effects of delays and queuing resulting from multiple cycle waits. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS.

8. The updated transportation analysis presented in Chapter 3 of this Final Supplemental EIS is based on 1997 traffic volumes compiled from WSDOT and augmented with traffic counts performed in April 1998. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

9. To implement the policies of the Northshore Community Plan, site specific conditions (P-suffix conditions) have been attached to the property. These P-suffix conditions require transit improvements (refer to pages 3-146 and 3-153 of the Draft Supplemental EIS for detail). King County, when issuing permits, can require improvements to be in place prior to occupancy of any given phase of development.

10. Please refer to Response to Letter 9, comments 34 and 37.

11. Please refer to Response to Letter 9, comments 10 and 35. Construction of bicycle facilities from the Burke-Gilman Trail to the proposed intersection of Lakepointe Way NE and 68th Ave NE is part of the Proposed Action (this route would provide an alternative to using the SR 522/68th Ave NE intersection). Additional bicycle facilities on 68th Ave NE are not provided as part of this proposal.

    As under existing conditions, bicyclists using the intersection of SR 522/68th Ave NE would need to use vehicular traffic lanes.

12. Please refer to Response to Letter 9, comment 32.

13. The Lakepointe applicant has estimated that approximately $29 million is needed to construct Lakepointe Way NE and NE Lakepointe Blvd. Please see the Response to Letter 9, comments 32 and 33 related to the pedestrian bridge and the Response to Letter 9, comment 34 related to the Transportation Mitigation Agreement.

14. Based on comments received on the Draft Supplemental EIS, a quantitative air quality analysis was completed, including air quality modeling at area intersections. Please refer to the Air Quality section of Chapter 3 of this document.

15. The proposal analyzed in the Draft Supplemental EIS is consistent with the Master Plan, Commercial Site Development Permit and Shoreline Substantial Development Permit submitted to King County for review. Subsequent to the issuance of the Draft Supplemental EIS, the proposal was revised by the applicant to reduce the amount of overwater and in-water structures in the marina to minimize potential impacts to salmonids. Please refer to Chapter 2 of this final Supplemental EIS for detail on the proposed changes to the site plan and Chapter 3 on the updated fisheries analysis.

    Any significant changes to the proposed site plan requested after issuance of this Final Supplemental EIS would be subject to further SEPA analysis, if determined by the lead agency to be necessary.

16. Comments acknowledged. Subsequent to the issuance of the Draft Supplemental EIS, the marina plan has been revised to reduce the amount of in- and over water structures to limit the potential impacts to salmonids from increased predation. Please refer to Chapter 2 of this document for detail.

    Based on comments received on the Draft Supplemental EIS, an updated fisheries analysis has been provided and is summarized in Chapter 3 of this Final Supplemental EIS. The updated analysis discusses the potential impacts to salmonids from project development and provides additional mitigation recommendations.

17. Prior to permit issuance, the plans that have been submitted for the Shoreline Substantial Development Permit are being reviewed for compliance with King County's Shoreline Master Program (KCC, Title 25), the Sensitive Areas Code (KCC 21A.24), and the Northshore Community Plan P-suffix conditions. Permit conditions will be documented in a report and

decision on the Shoreline Permit, which will be transmitted to all parties of record for the permit. Plans submitted for subsequent construction permit applications are a public record, and the public may review them when they are submitted to evaluate whether they are consistent with shoreline permit conditions. If , when construction drawings are submitted, substantive changes are made in the design, terms or conditions of approval for the shoreline permit, a shoreline revision will be required (WAC 173-27-100). Changes must be within the scope and intent of the original permit, be consistent with the provisions of the Shoreline Master Program, have no adverse environmental impacts, and the local government must notify parties of record of the revision.

18. There is no evidence that contaminants are migrating from the site at the present time (pre-remediation) at levels that could impact use of Lake Washington as a drinking water source. Furthermore, the lake is subject to on-going residential, commercial, and industrial sources of pollution around its entire perimeter. Any future drinking water system that extracts water from the lake would be subject to filtration and treatment for purification. The purpose of the proposed on-site cap is to prevent direct contact with potential contaminants. The cap would reduce, to the extent practicable, leaching into the groundwater beneath the site, and minimize the rate of exchange between groundwater and surface water.

19. Stabilization of areas outside the cap would require placement of topsoil and vegetative cover at a minimum, which would serve as a separation layer to protect against exposure of the public to wood debris fill.

    During any pile driving, bulkhead reconstruction, or shoreline stabilization procedures, shoreline construction permits would require measures to restore vegetation, limit sediment generation into the lake, and schedule work outside periods of fish migration. Final measures to prevent human contact with contaminated material will be determined through the MTCA process.

20. Please refer to response to comment 17 of this letter and Response to Letter 12, comment 2.

21. When the City of Kenmore incorporates on August 31, 1998, King County will no longer have any jurisdiction within the city limits. All responsibility for oversight and enforcement of permit conditions for Lakepointe will become the responsibility of the City of Kenmore. Fiscal responsibilities will be distributed among the Lakepointe applicant, the City of Kenmore, and other agencies, such as WSDOT, as determined by ordinances and any agreements signed among the various parties. The City of Kenmore may delegate to King County responsibility for such things as permit review as defined in any interlocal agreement between the two jurisdictions.

22. Please refer to response to comment 21 of this letter.

Letter 11

Kenmore air harbor INC P.O. BOX 82064 • KENMORE, WASHINGTON 98028-0064 • PHONE (206) 486-1257 • FAX (206) 485-4774

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SEPA

December 2, 1997

Marilyn E. Cox, Responsible Official
King County Department of Development and Environmental Services
900 Oakesdale Ave SW
Renton, WA 98055-1219

Reference: Lakepointe Mixed Use Master Plan DEIS, November, 1997--Reference to short-term moorage p. 3-159.

Dear Ms. Cox,

1 As the adjacent property owner to the proposed Lakepointe development, Kenmore Air Harbor has voiced strong concern and opposition to the placement of short-term guest moorage in the narrow harbor channel between the Kenmore and Lakepointe properties. This concern has been presented in previous writings, discussions with DDES staff, the Lakepointe developer and owner, Lakepointe and EIS consultants and King County County Council Members. Our concern for the safety of seaplane and boating activity in the narrow channel adjacent to our principal seaplane staging area and the recognition of this concern by the Lakepointe owner and developer led to the signing of a formal agreement between the two parties on May 22, 1996.

2 This agreement specifically prohibits the development of any daily/hourly moorage in the channel other than that moorage provided for the guests of permanent Lakepointe residents and moorage for registered hotel guests. A specific example of moorage **not allowed** under this agreement would be short-term guest moorage for restaurant or other businesses on site.

The DEIS, on page 3-159 (Pleasure Boat Marina Activities) states that short-term guest moorage will be provided to customers of adjacent commercial businesses and that an example would be that of a restaurant providing moorage for patrons who arrive via boat.

The statement in the DEIS above that defines allowed moorage and cites the example of restaurant moorage is in direct conflict with Kenmore Air's previously stated position on this issue and the formal agreement signed by Kenmore and the Lakepointe owner.

The Final EIS should correct this section with a clear statement that specifically prohibits the kind of moorage suggested and referenced in this section.

Sincerely,

KENMORE AIR HARBOR, INC.

Tim Brooks
Director of Public Affairs

cc: Maggi Fimia
Gary Sergeant

# RESPONSE TO LETTER 11

## Kenmore Air Harbor

1. Thank you for calling our attention to the agreement between Kenmore Air Harbor and Lakepointe and for providing us with a copy of it. King County has reviewed the agreement. As outlined in the agreement, no public moorage will be provided on the Lakepointe site; moorage will be limited to residents, their guests, and hotel guests.

2. Comment acknowledged. On May 22, 1996, the Applicant and Kenmore Air Harbor, Inc. entered into a legally binding agreement specifying the type of boat moorage allowed at the site. The primary purpose of the agreement was to assure that boat use at the proposed marina and operation at Kenmore Air Harbor can safely co-exist. The agreement specifies three types of moorage allowed at the marina as follows: moorage for permanent residents; moorage for the guests of permanent residents; and moorage for the hotel guests. No short-term public moorage would be allowed. The statement on page 3-159 of the Draft Supplemental EIS referring to short-term guest moorage is incorrect.

**Letter 12**

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K.C.D.D.E.S.

LAKEPOINTE CITIZENS' ADVISORY TASK FORCE
P.O. Box 21148
Seattle, Washington 98111

December 19, 1997

Ms. Marilyn Cox
Responsible Official
Draft Supplemental Environmental Impact Statement
for the LakePointe Mixed Use Master Plan
Environmental Division
Department of Development and
Environmental Services
King County
900 Oaksdale Avenue SW
Renton, Washington 98055-1219

Dear Ms. Cox:

Please find enclosed Comments on the Draft Supplemental Environmental Impact Statement for the LakePointe Mixed Use Master Plan by the LakePointe Citizens' Advisory Task Force. The Task Force is pleased to participate in the environmental review process for this important project. If it would be helpful, the group would be happy to meet with appropriate County officials to discusss these comments. Such a meeting can be arranged by contacting me at (206) 443-1630.

Sincerely yours,

James L. Metz

James L. Metz
Executive Director

Enclosure (1)

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K.C.D.D.E.S.

# COMMENTS ON THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT FOR THE LAKEPOINTE MIXED USE MASTER PLAN

By the LakePointe Citizens' Advisory Task Force

December 19, 1997

## Introduction

The LakePointe Citizens' Advisory Task Force was formed in June 1995 by Metropolitan King County Councilmember Maggi Fimia to provide a community-wide perspective to the Pioneer Towing Company on the development of the Master Mixed Use Plan and various permit applications for the proposed project. The seventeen (17) citizen members are assisted by resource people from the Metropolitan King County Council, the King County Department of Development and Environmental Services, Pacific Rim Equities, and through the latter, various consultants of the project's development team.

The specific purposes of the Task Force are to:

1. Provide an in-depth opportunity for the community to learn about the LakePointe Project;

2. Serve to bring community concerns about the Project to the attention of the developer and King County; and

3. Facilitate a collaborative process between the community, the developer, and the County, the goal of which would assure the highest quality project which is economically viable and a major asset to Kenmore, while being sensitive to the environmental features of the site.

## Background

The Task Force has had substantial input into the various elements which compose the Proposed Action during the past two (2) years. The group has reviewed all aspects of the Master Mixed Use Plan and commented on various elements of the Commercial Site Development and Shoreline Substantial Development permit applications. Special attention has been given to transportation issues, proposed development along the south boundary of the project site adjacent to the Sammamish River (Slough), and compliance with the P-Suffix Conditions of the Northshore Community Plan.

The initial review of the Draft Statement was assigned to four (4) committees. These comments represent the Task Force's consensus with regard to the findings of these committees, concerning other matters which arose in the course of Task Force discussions, and in

response to certain issues raised in the testimony given at the public hearing on December 8, 1997.

Summary

1 In the main there appears to be little disagreement between the Proposed Action and the Northshore Community Plan. Taken as a whole, the proposed project appears to embrace the spirit of the State Growth Management Act. With certain specific exceptions detailed elsewhere in this report, the Draft Statement should be accepted as written.

2 The Task Force believes that the alternative Recreation Plan developed by the group and detailed on page 3 of this report more closely represents the community's aspirations than the plan appearing as Figure 7 on page 2-22, especially as it relates to development along the Sammamish River and Lake Washington.

3 The P-Suffix Conditions related to building height and bulk should be modified as proposed on page 3-178.

4 A sewage pump-out facility must be constructed at the proposed marina.

5 Specific transportation impacts directly associated with the project will be mitigated, but the Task Force does not believe that congested conditions will be measurably improved by project-related improvements, most especially at the critical intersections of SR 522 and 61st Avenue NE, SR 522 and 68th Avenue NE, 68th Avenue NE and Simonds Road, and SR 522 and 73rd Avenue NE.

Specific Comments Related to Chapter 3: Earth, Air Quality, Water, Plants and Animals, and Noise

6 The air quality data supplied by the Northgate Monitoring Station is an inappropriate comparative. The Kenmore area does not have nearly the same traffic volumes as Northgate. More appropriate data should be sought for purposes of assessing the impact of the project on overall local air quality.

7 The document should clearly state that the project site is no longer a natural site. It has been significantly altered from its original wetland state by the actions of man. Consequently, the term "present condition" should be substituted for "natural environment" in paragraph 2 on page 1-3. Further, the Task Force finds that sentence 2 of the same paragraph is inconsistent with the information appearing in the Summary on pages 1-7 and 1-8.

8 Lake Washington's water quality is threatened by a lack of convenient sewage pump-out facilities at the north end of the lake. The Task Force believes that the marina must provide a sewage pump-out facility which is linked to the local sewer system. The threat of

accidental spillage from such a facility is far outweighed by the high probability of both intentional and unintentional sewage discharge into Lake Washington. A pump-out facility presently exists at Harbour Village. Although this facility is available for public use, this fact is not widely known to local watercraft operators much less transient boaters. However, greater watercraft traffic
8 to and from Harbour Village would compete with aircraft taxiing and landing at Kenmore Air Harbor, thereby creating serious safety problems. But more importantly, this station is exposed to rough water from wind and boat wakes. Watercraft traffic proceeding to a marina pumpout station constructed and operated in such a way that it would not conflict with Kenmore Air Harbor operations would be safer. It could also be located in a protected area and therefore the probability of accidential spillage would be far less likely than at Harbour Village.

9 Lastly, the use of fishing tournments as a fisheries mitigation measure appearing on page 1-13 should be listed as only a potential measure.

Specific Comments Related to Chapter 3: Toxic and Hazardous Materials, Land and Shoreline Use, Relationship to Plans and Policies, and Population and Housing

10 The Task Force finds that the soil testing processes were appropriate and comprehensive and that the site was adequately characterized. Site capping is a preferred alternative to doing nothing.

The Task Force believes that the proposed site plan does not offer adequate public access to the Sammamish River shoreline. The group strongly supports the Recreation Plan which appears as Figure 7 on page 2-22 and dated December 23, 1996 as modified by action by the Task Force on December 11, 1997. The modified plan would move the
11 three (3) viewing platforms to the edge of the Sammamish River (Slough) shoreline, maintain and bridge the swale features, connect the trails to form a continuous route from Rhododendron Park on the east to an elevated mound (constructed within one hundred feet of the river) on the point overlooking the confluence of the river and Lake Washington.

Further, the Task Force finds the complete lack of public access to the Lake Washington shoreline to be absolutely unacceptable. Pro-
12 vision must be made for both direct and view access along this important shoreline. A plan to provide such access must be developed as part of the Final Supplemental Environmental Impact Statement.

The Task Force requests that, consistent with the commitments made by both the Applicant and King County to collaborate on all aspects
13 of the development of the LakePointe Project, the Task Force be a party to all future negotiations between the Applicant and King County on matters affecting the development of these two shoreline areas.

14 The Task Force believes that its recommendations with respect to public access to these shorelines more closely meet the public access goals of the Northshore Community Plan. The Plan specifically calls "for substantial public access to and use of the Lake Washington and Sammanish River waterfront." (page 177) Consistent with the State Shoreline Master Program, "This plan supports public access to waters of the state in appropriate areas, such as in large development or redevelopment proposals on Lake Washington or the Sammamish River." (page 144) The proposed project represents the last opportunity for the people of Kenmore to have a waterfront experience. The alternative plans proposed by the Task Force should be given appropriate environmental review during the preparation of the Final Supplemental Environmental Impact Statement. The proposed project represents the last opportunity for the people of Kenmore to have a waterfront experience

15 The Draft Statment does not take into account that local residents shop at the Northgate and Alderwood malls, and at Bellevue Square, not in the Woodinville or Northshore activity centers. Page 3-112 should be rewritten to reflect these actual shopping patterns.

16 The certain provisions for guest moorage at the marina detailed in the section "Discussion: Pleasure Boat Marina Activities" on page 3-159 are inconsistent with a formal written agreement between the Applicant and Kenmore Air Harbor regarding this issue. This agree- is incorporated by reference on page 6 of the "Air and Marine Navigation Technical Report". The agreement specifies that short term transient moorage will not be allowed in the navigation channel except for guests of permanent LakePointe residents and for registered LakePointe hotel guests. The first paragraph of this section should be rewritten consistent with the provisions of the technical report.

Specific Comments Related to Chapter 3: Aesthetics, Light and Glare, and Historic and Cultural Preservation

17 The Task Force is concerned about the height and bulk of buildings. The Draft Statement should be revised to be made clearer and more understandable regarding these important issues. Comparisons should be made to existing grade so that building heights can be more clearly determined. The impact of proposed modifications to the P-Suffix Conditions should be stated in building volume (cubic footage) or building area (square footage).

18 Explanations of the visual impact of proposed building heights and bulk should be enhanced by visual references which provide a human perspective and through the use of improved graphics and additional exhibits.

19 The Task Force supports the Applicant's request for a modification to the P-Suffix Conditions related to building height detailed on page 242 of the Northshore Community Plan. These modifications would reduce the proposed project's potential buildable area by

19 approximately 602,000 square feet and redistribute approximately another 252,000 square feet. This would be accomplished by reducing building heights by twenty (20) feet on a portion of the site and by altering building height modulations. The Task Force be- believes the modifications proposed on page 3-178 of the Draft Statement would improve the aesthetics of the buildings through better modulation of heights and result in a lessening of the potential canyoning effect along NE LakePointe Boulevard, while enhancing the overall economic viability of the project.

Specific Comments Related to Chapter 3: Transportation, Public Services, and Utilities

20 The transportation impacts of the proposed project are of vital interest to the Task Force and the Northshore community. It is a broadly held view in the community bordering the proposed project site that traffic congestion on the streets adjacent to this site is already at an unacceptable level. However, whereas, specific transportation impacts directly associated with the project will be mitigated, the Task Force does not believe that congested conditions will be measurably improved by project-related improvements, most especially at the critical intersections of SR 522 and 61st Avenue NE, SR 522 and 68th Avenue NE, 68th Avenue NE and Simonds Road, and SR 522 and 73rd Avenue NE.

21 The Task Force is concerned that the traffic data appearing on page 3-187 is from 1993. This data should be updated by factoring or by conducting additional traffic counts. Additionally, there should be an explanation how the 1993 data is utilized and how it justifies the traffic volumes projected for the year 2005.

22 Anecdotal evidence indicates that the statement "a review of several studies indicates that traffic volumes remained relatively constant between 1991 and 1994" appearing on page 3-187 in the section "Traffic Volumes" is inaccurate. Traffic volumes have increased steadly and significantly between 1991 and 1997.

23 There is no bicycle lane on the west side of 68th Avenue NE. Page 3-190 should be corrected accordingly as should all other incorrect references to this lane elsewhere in the text.

24 Emergency services need left turn lanes to negotiate passage through traffic in emergency situations. Page 3-195, especially paragraph 3, should be amended accordingly to provide for the appropriate left turn lanes. The reference to 67th Avenue NE should be changed to 68th Avenue NE in the same paragraph.

25 Paragraph 3 on page 3-195 indicates that left turns to the north off SR 522 will be restricted between 67th Avenue NE on the east to a point two hundred and fifty (250) feet west of 65th Avenue NE. In addition to effecting the businesses in this area, such a restriction will effect a very busy local post office. How will any negative impacts of the left turn restriction be mitigated?

26 The analysis of individual traffic streams calculated from Figures 34, 35, and 36 (pages 3-198, 3-199, and 3-200) do not add correctly. This is very confusing.

27 The queuing described in paragraph 2, page 3-205 appears unsafe. The finding in paragraph 4 that no backup will occur during the a.m. and p.m. peak hours does not match observed circumstances. Backups do indeed occur presently.

28 The Task Force recognizes that the use of the TRANSYT 7F model to project levels of service was required by the Washington State Department of Transportation. This model has significant limitations. The data generated by this model should be interpreted and used with great care. As an example, information provided about this model by a Task Force member indicates that queues not serviced by the next green light phase simply disappear.

29 Given that TRANSYT 7F has severe inadequacies and limitations when applied to the present saturated conditions adjacent to the project site all statements about conditions improving after the project is built appear to be without foundation and should therefore be deleted. This is specificatlly true with regard to paragraphes 2 and 3 on page 3-207.

30 It is unclear why traffic drops to ninety-seven percent (97%) in the year 2005 as specified in Table 29 on page 3-208.

31 Anecdotal evidence appears to contradict the findings in Tables 31 and 32 (pages 3-210 and 3-211). It would be useful to offer specific examples to more fully explain these tables and their conclusions, using actual values rather than truncated values. For example under the no action alternative at the intersection of SR 522 and SR 104 give the actual delay value rather than greater than 120 seconds. Similarly, for the V/C values shown as greater than 1.2.

32 The Task Force strongly supports the building of a pedestrian overpass over SR-522 as the preferred alternative for crossing this busy highway. The group views the bridge as an absolute necessity for efficient and safe pedestrian movement and for convenient access to transit facilities. Without this overpass the enhanced transit stop located on the north side of SR 522 will not be conconvenient and thus not used to its maximum potential.

33 Transit patrons and traffic on the Burke-Gilman Trail and its connections should be grade separated.

34 Define the elevation profile of the Trail from 63rd Avenue NE to 68th Avenue NE in the description appearing on page 3-215. The Task Force is concerned that trail connections on the west end be A.D.A. compatible.

35 The section entitled "Funding of Public and Private Transportation Improvements" appearing on page 3-216 should be expanded to offer additional examples of the type of improvements having general public benefit which could be constructed within the proposed assessment district and how these improvements would be funded, including the use of any public monies.

36 Page 3-216 does not make clear whether or not NE LakePointe Boulevard would (or could) be part of a Local Improvement District or a Road Improvement District. Do the boundaries of the improvement districts include the pedestrian overpass on SR 522 and the bridge (on 68th Avenue NE) over the Sammamish River (Slough)? If not can they be included in either improvement district?

37 What are the scope and provisions of the Transportation Mitigation Agreement referred to in paragraph 1 on page 3-218?

38 Enhanced transit stops must be constructed in order to promote increased transit ridership. Who will ensure that the stops listed in bulleted item 5 are indeed constructed. The caveat of "subject to availability of right-of-way" appears as a convenient way out of constructing these stops. The State of Washington, King County, and the new City of Kenmore possess the power of eminent domain.

39 Bulleted item 7 on page 3-218 needs a more detailed explanation.

40 A more thorough explanation of bicycle traffic flow at the intersection of 68th Avenue NE and LakePoint Way NE appearing in paragraph 5, page 2-27 and as bulleted item 3 on page 3-218 is needed. Reference should also be make to Figure 8 on page 2-26.

41 Who will pay for the proposed and potential mitigation measures listed on page 3-219? Bulleted items 1 and 4 under potential mitigation measures should be required. Does bulleted item 4
42 eliminate a two-way left turn lane? Compare this statement with paragraph 2, page 3-195 for consistency.

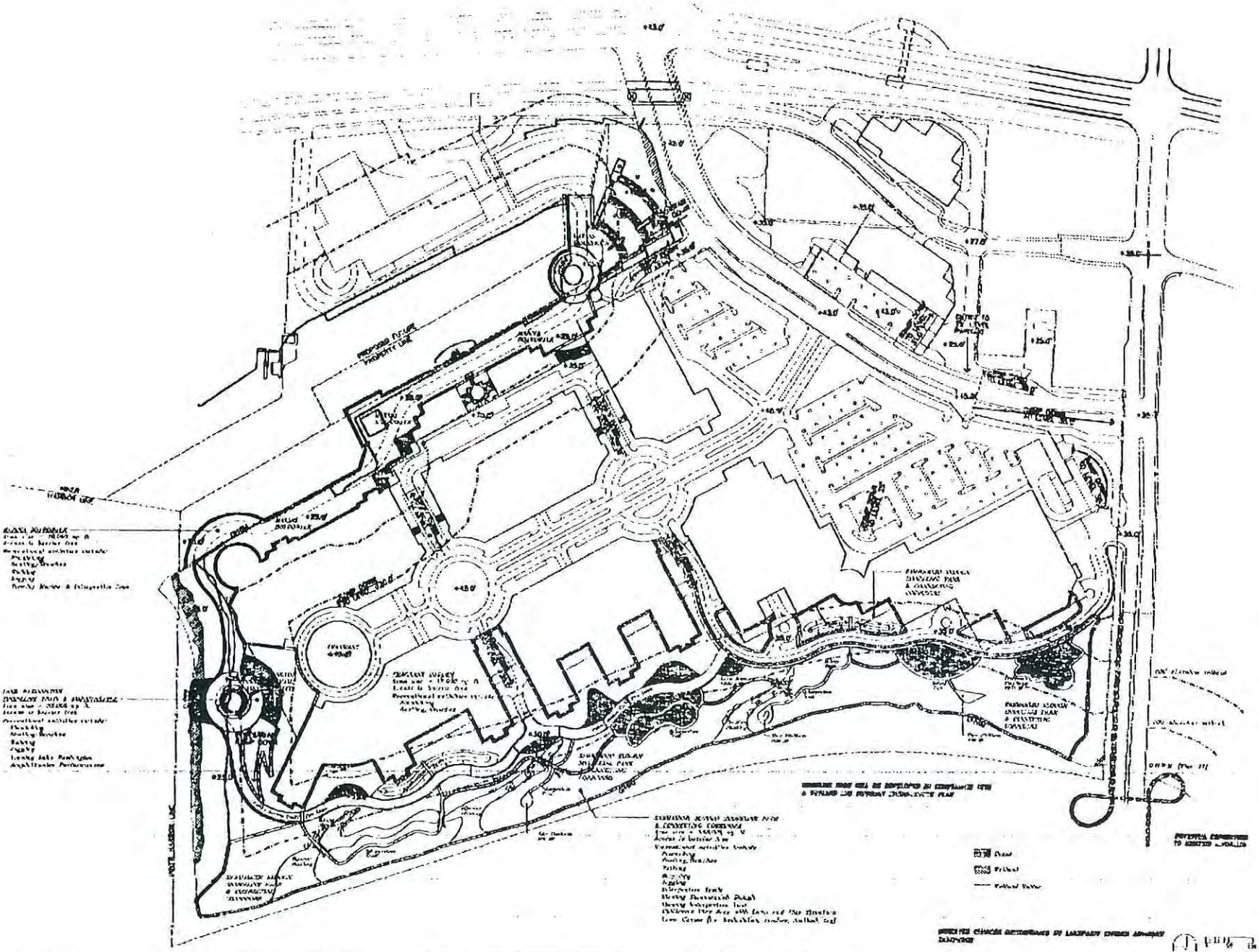
43 Bulleted item 4 under the heading "Potential" on page 3-219 is unclear. Should not the word "from" be substituted for the word "and"?

Other Comments

44 In a number of places the Draft Statement refers to agreements which will be made with King County. How does the incorporation of the new City of Kenmore effect these agreements?

Citizen Members of the LakePointe Citizens' Advisory Task Force

| | | |
|---|---|---|
| Jim Adams | Joan Kiefner | Paul Sorensen |
| Fred Baker | Bill Leak | Dick Taylor |
| Tim Brooks | Roland Lindstrom | Dan Vaught |
| Deanne Butler | Jeanie McBee | Jan Whitner |
| Ric Crowther | Bill Moritz | Kinnon Williams |
| Ron Gehrke | Greg Scholes | |



# LAKEPOINTE DEVELOPMENT

PIONEER TOWING COMPANY

KENNEWICK, WASHINGTON


Collins Architecture, Inc.
1410 5th Ave., #2400
Seattle, WA 98101-2103
T 206-623-1040
F 206 623 1026

Robert Shinko Associates
Landscape Architects
93 Virginia Street
Seattle, WA 98101
T 206-728-9370


ARCHITECTURE

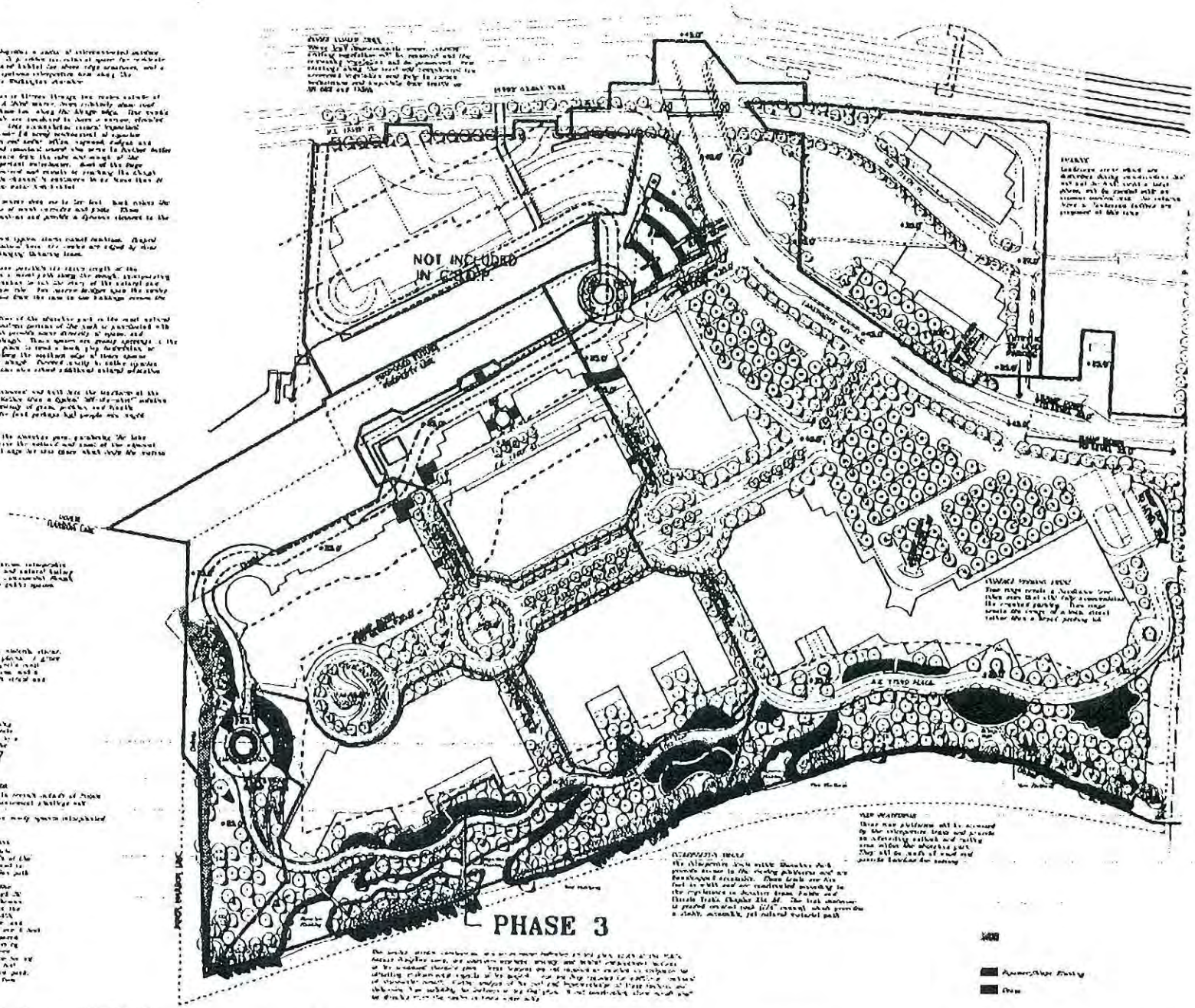
First Submittal: March 28, 1997
Second Submittal: July 13, 1997
Third Submittal: December 23, 1996
Fourth Submittal: December 18, 1997

Commercial Site Development Permit

ON-SITE RECREATION PLAN

Project Number 1921.00

L1.2




KEPOINTE DEVELOPMENT

Commercial Site De

ment Permit

# RESPONSE TO LETTER 12

## Lakepointe Citizen's Advisory Task Force

1. Comment acknowledged.

2. King County has reviewed the alternative plan developed by the Lakepointe Task Force and agrees that allowing an increase of trail area on the eastern portion of the Sammamish River shoreline is acceptable provided the trail loop on the western end of the Sammamish River shoreline is eliminated and the grassy areas are reduced. Trails within sensitive areas buffers impact the habitat and must be kept to a minimum. Per KCC 21A.24.903, except for access to viewing platforms and stream crossings, trail locations must be located in the outer one-third of wetland or stream buffers. Trails cannot be located in the habitats of any species listed by the State of Washington or the federal government as endangered, threatened, or sensitive, and trails must be aligned so that no regulated trees are cut or removed. Viewing platforms and access to them may be allowed if they will not be detrimental to the stream, wetland, fish, or their habitat. In addition, existing "significant trees" should be retained and a Shoreline Enhancement Plan must be prepared in conformance with NSCP P-suffix condition 9.

3. Comment acknowledged. King County is reviewing the proposed modifications to the P-suffix building height requirements and will determine whether the modifications, as described on page 3-178 of the Draft Supplemental EIS, meet the goals and intent of the P-suffix conditions and the Northshore Community Plan.

4. King County supports the provision of a sewage pump-out station and will make it a condition of permit approval.

5. The most recent version of the Transyt7F transportation model indicates that with the exception of the 73rd Ave NE intersection (LOS C), all the cited intersections will operate at LOS F, with or without the Proposed Action. The construction of Lakepointe Way NE would improve operations at the SR 522/68th Ave NE intersection by significantly reducing queuing there, but not above LOS F conditions. The intersections of SR 522/61st Ave NE, SR 522/73rd Ave NE and 68th Ave NE/NE 170th St (Simonds Rd) would experience increased traffic under the proposal. Please refer to the Transportation section of Chapter 3 of this document for an updated analysis of anticipated traffic conditions in the site vicinity.

6. The air quality analysis discussed in the Draft Supplemental EIS has been revised and expanded to include site-specific modeling of the potential impacts of traffic and roadway system changes related to the proposed project. The results of the new analysis are summarized in the Air Quality section of Chapter 3 of this Final Supplemental EIS.

7. It is recognized that the site has been altered from its natural state over the past several decades. The history of the industrial and storage uses on the site over the past 70 years was described throughout the Draft Supplemental EIS (refer to pages 2-8, 3-47 and 3-112 of the Draft Supplemental EIS for examples).

The statement that "changes include increased stormwater runoff, increased input of pollutants to site runoff, establishment of new in-water structures in the inner harbor, and an increase in human activity in proximity to the site shorelines" was correct for the site plan analyzed in the Draft Supplemental EIS. Contradictions of the above statement with pages 1-7 and 1-8 of the Draft Supplemental EIS are not apparent. Subsequent to the issuance of the Draft Supplemental EIS, the proposal was revised to reduce the amount of in-water and over-water structures in the inner harbor. Please refer to Chapter 2 for detail on the proposed changes to the site plan.

8. Please refer to response to comment 4 of this letter. However, it should be noted that the pump-out station would not be available for use by the general public, local watercraft operators, or transient boaters. Use of the marina and marina facilities would be restricted to Lakepointe residents, their guests, and hotel guests, as outlined in the agreement between Kenmore Air Harbor and the Lakepointe applicant.

9. Comment acknowledged. Please refer to the Plants and Animals section of the Draft Supplemental EIS and to Chapter 3 of this document for additional detail on proposed and potential fisheries mitigation measures. The use of fishing tournaments is not considered to be a proposed or a potential fisheries mitigation measure.

10. Comment acknowledged. The Washington State Department of Ecology will determine, through the MTCA process, whether the soil testing completed for the site was appropriate and comprehensive and whether the site was adequately characterized.

11. Please refer to response to comment 2 of this letter.

12. Please refer to response to comment 2 of this letter.

13. Comment acknowledged. Prior to incorporation by the City of Kenmore, King County will continue to participate in Task Force meetings when requested, keep the Task Force informed about the progress of permit review, and seek feedback from the Task Force when appropriate. An interlocal agreement between King County and the City of Kenmore will establish responsibility for the continued review of the Lakepointe project after incorporation. It may be appropriate in the interlocal agreement to address the role of the Task Force in permit review.

14. The comment relating to the Lakepointe project representing the last opportunity in Kenmore to provide substantial public access to Lake Washington and the Sammamish River is acknowledged. The applicant's proposed site plan reflects the inherently conflicting goals of providing public access while limiting intrusions into the shoreline areas of the site to minimize potential impacts to fisheries resources. The alternative site plan provided by the Task Force is acknowledged as a different means of accomplishing public access. The relationship of the proposed Lakepointe plans to the goals of the Northshore Community Plan will ultimately be determined by King County through the project review process.

15. The cited statement was a quote from the 1993 Northshore Community Plan and referred to area activity centers in unincorporated King County. It is acknowledged that Northgate Mall, Alderwood Mall and Bellevue Square are also retail destinations for local residents. The updated transportation analysis prepared for this Final Supplemental EIS distributed project trips based on the Puget Sound Regional Council's travel demand forecasting model.

16. Comment acknowledged. Please see Response to Letter 11, comment 1.

17. The views represented in Draft Supplemental EIS Figures 23 through 29 are from existing grade at the various viewpoints, and approximate the view of the site from these areas.

The viewpoints included for analysis in the Draft Supplemental EIS were selected to represent views of the site from the primary off-site viewer groups. The primary off-site viewer groups were identified as motorists using SR 522 and 68th Ave NE, residents on the hillside to the north of the site, users of the Burke-Gilman Trail, and boaters on Lake Washington.

As indicated on page 3-118 of the Draft Supplemental EIS, the proposed development would substantially increase the intensity of development on the site. By 2005, the total amount of building area on the site would increase from the existing approximately 100,000 square feet to approximately 2,430,418 square feet (644,115 square feet of retail/commercial/office area and approximately 1,786,303 square feet in residential building space). The proposed building height and bulk would be greater than the majority of the existing buildings in the immediate site vicinity. The overall character of the site development would change from industrial to urban mixed-use development.

18. Please refer to response to comment 17 of this letter.

19. Comment acknowledged. Refer to response to comment 3 of this letter.

20. Please refer to response to comment 5 of this letter.

21. Comment acknowledged. Based on comments received on the Draft Supplemental EIS, an updated transportation analysis was prepared for this Final Supplemental EIS and is included in Chapter 3 of this document. The updated transportation analysis is based on 1997 traffic volumes compiled from WSDOT and augmented with traffic counts performed in April, 1998. Traffic volume projections on SR 522 were based on the 2 percent per year growth rate WSDOT is using for their SR 522 Corridor Study. Growth forecasts on King County roads were based on the annual growth percentage predicted for those roads by the PSRC travel demand forecasting model.

22. Comment acknowledged. Please refer to response to comment 21 of this letter.

23. Comment acknowledged. Please refer to the Transportation section of Chapter 3 of this document for an updated discussion on bicycle facilities in the site vicinity.

24. Comment acknowledged. Emergency vehicles can and do operate on roads without left turn lanes. These vehicles would have use of the transit-only lanes should they need them. The turn restriction would end at 67th Ave NE, west of the 68th Ave NE intersection.

25. Based on recent traffic counts, during both the AM and PM peak hours, very few vehicles turn left between 61st Ave NE and 68th Ave NE intersections due to high traffic volumes on SR 522. Access to the properties on the north side of SR 522, including the post office is available from NE 181st St on the north side of those properties. This can be accessed at either 61st Ave NE or 68th Ave NE and would be consistent with WSDOT's preferred access management concept of concentrating left turns at intersections.

26. Updated Figures 34A, 35A, and 35B through 39A prepared for this Final Supplemental EIS show project traffic, traffic volumes with, and traffic volumes without the project. The with project conditions exclude traffic volumes that are associated with the existing land uses on the site, as indicated in the trip generation table (93 trips in both the AM and PM peak hours). Thus the volumes on that figure would be slightly lower than if the background trips and project trips were added together.

27. Comment acknowledged. Based on comments received on the Draft Supplemental EIS, an updated transportation analysis, including an updated queuing analysis, was prepared for this Final Supplemental EIS. Please refer to Chapter 3 of this document for the updated queuing analysis.

28. Comment acknowledged. The Transyt7F release 8 is the most recent version of this traffic model. It was used in the updated transportation analysis, and it simulates the entire 60 minute peak period on a cycle by cycle basis to gauge the effects of delays and queuing resulting from multiple cycle waits. It eliminates the problem of traffic "disappearing" from the system after a single cycle wait. Please refer to the Transportation section of Chapter 3 of this document for detail.

29. Comment acknowledged. Use of Transyt7F release 8 (the most recent version of this traffic model) in the updated transportation analysis prepared for this Final Supplemental EIS updates the older version of the model utilized for the Draft Supplemental EIS. The conclusions reached in the transportation update represent a more accurate assessment of traffic conditions.

30. An updated transportation analysis was prepared for this Final Supplemental EIS. It indicates that travel along the SR 522 corridor between SR 104 and 80th Ave NE during the PM peak hour would be more congested with the project than without it. Please refer to the Transportation section of Chapter 3 in this document.

31. The updated transportation analysis reports total seconds of delay as a basis for comparing conditions under the Proposed Action with those under No Action. Please refer to the Transportation section of Chapter 3 of this document for detail.

32. Comment acknowledged. Please refer to Response to Letter 9, comment 32.

33. Comment acknowledged. Please refer to Response to Letter 9, comment 4.

34. During final design of the proposed regrading of the Burke-Gilman Trail, all slopes of the re-graded trail surface would be ADA compliant. To meet ADA standards, the maximum slope on the reconstructed portion of the Burke-Gilman Trail must not exceed 1:20. The preliminary design of the Trail to provide safe clearance under the structure of Lakepointe Way NE indicates the existing grade should be lowered from +35 feet to approximately +28 feet. This means the taper to meet existing grade must be a minimum of 140 feet on either side of the lowered trail section under Lakepointe Way NE.

    The existing grade of the trail drops down to provide clearance in the tunnel under 68$^{th}$ Ave NE. Rather than dropping down to clear the structure under Lakepointe Way NE then rising to meet existing grade which then descends to clear the tunnel at 68$^{th}$ Ave NE, an alternative will be

examined that lowers the grade trail grade between Lakepointe Way and 68th Ave NE thus avoiding a "hump" on the trail between these roadways. The final design of the Burke-Gilman Trail will be part of the site development permit drawings that will be reviewed by the City of Kenmore.

Please also see Response to Letter 5, comment 7

35. At the time of publication of this Final Supplemental EIS, the manner in which transportation improvements would be funded had not yet been determined. Please see the section on funding of transportation improvements in Chapter 1 - Summary in this document as well as Response to Letter 5, comment 75; Response to Letter 9, comments 32 and 34; and Response to Letter 10, comment 13.

36. Please see response to comment 35 of this letter.

37. Please refer to Response to Letter 9, comment 34.

38. The transit stops and commuter mitigation are required by P-suffix condition NS-P4, No. 14, which states:

*The following items shall be provided in connection with initial development of the Pre Mix site. Certificates of occupancy shall not be issued for development of the Pre Mix site until the following mitigation requirements have been satisfied or adequate security to ensure their satisfaction has been provided King County ...*

*(f) Construction of two enhanced transit stops (to be listed in the CIP), which shall be located on the north and south side of SR 522 and north of the Burke-Gilman Trail and shall include seating areas, weather protection, and specially designed landscaping and walkway surfaces. The transit stop may be in lane or pull out, and King County shall be responsible for land acquisition and for obtaining approvals for the transit stops;*

*(g) ... SOV trip reduction for the project by providing 50 commuter parking stalls ... or by contributing ... to the construction of a new park and ride facility ... as determined in the approved Transportation Management Plan.*

It will be the responsibility of the City of Kenmore to ensure that the required mitigation is provided prior to issuing certificates of occupancy.

39. Please refer to Response to Letter 9, comment 37 regarding the Transportation Demand Management program.

40. Please refer to Response to Letter 9, comments 9 and 10. Final design of this intersection will include consideration of safety, and functional and operational geometry of this intersection.

41. The responsibility for funding specific transportation mitigations will be spelled out in the final Transportation Mitigation Agreement between the Lakepointe applicant and King County. Please see Response to Letter 9, comment 34. Mitigation measures listed in the EIS as "Proposed by the Applicant" are part of the proposed action and are the responsibility of the Lakepointe applicant. Bulleted mitigation measures 10 and 11 referring to design of the right-

turn lane from SR 522 to Lakepointe Way NE and the improvements to non-motorized access from 68th Ave NE and the Kenmore Bridge, as well as others listed in the EIS as "Potential," may be required by King County as part of permit approval if it is determined that they are needed to mitigate significant adverse impacts. Please see the revised list of mitigation measures in the Transportation section of Chapter 3 in this document.

42. The question about a two-way left-turn lane appears to refer to bulleted item 2 under Potential. If left-turn access is prohibited to and from SR 522 in the vicinity of 65th Ave NE, it would necessitate the removal of the two-way turn lane in this area. Roadway designs will be determined when construction permit applications are submitted for review and approval.

43. The cited mitigation measure is correct; the measure related to the potential provision of bike lanes or other bicycle facilities on 68th Ave NE, including the Kenmore Bridge, south of the site.

44. King County is working with the elected officials and staff in the new City of Kenmore to establish interlocal agreements that will address the manner in which the incorporation will affect any agreements.

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**Letter 13**



JOHN C. McCULLOUGH

December 19, 1997

Marilyn E. Cox
Responsible Official
King County DDES
900 Oakesdale Avenue SW
Renton, WA 98055-1219

Re: Lakepointe Draft Supplemental Environmental Impact Statement

Dear Ms. Cox:

We represent Pioneer Towing Company, applicant for the Lakepointe project, and we are writing to provide comments on the draft supplemental environmental impact statement (DSEIS) for the project.

Our comments are as follows:

1 1. Under the discussion of potential impacts to the Sammamish River shoreline of the project site, the DSEIS (at page 3-66, for example) suggests that human activity along this shoreline area will increase with the development of the project. This statement is made without reference to any evaluation of the existing condition, which for this site is a variety of industrial uses in close proximity to the shoreline. When compared against this existing condition, the project will not result in an increase in human activity along the shoreline area, but will likely result in a decrease in the overall level of activity in this area.

2 2. The discussion of noise impacts in the DSEIS suggests that an "impact" of the project is the development of residential uses in proximity to the existing Pre-Mix plant near the site. The DSEIS fails to note, however, that the project site is planned and zoned for residential uses. Noise impacts cannot be caused by the introduction of noise receptors (i.e., residents) in an area planned for such use, any more than traffic safety impacts are caused by increased numbers of pedestrians in crosswalks.

3 3. In various locations in the DSEIS, it is suggested that the MTCA clean-up of the project site will need to be completed before permits are issued by the County. In some instances, this suggestion is treated as a potential mitigating measure. The comments about timing of cleanup activities are unnecessary to the document, since timing of cleanup is properly a permit issue. In addition, discussions and correspondence between the applicant and the County, which occurred subsequent to the preparation of these portions of the DSEIS, have further clarified these issues. The Final SEIS should reflect these clarifications.

4 4. With respect to traffic mitigation, the DSEIS discussion should be revised. For example, the p-suffix conditions require the applicant to construct only the south transit stop, and only when right-of-way is available. There is no justification in the environmental record for the suggestions that the project contribute to the SR-522 multi-modal project or that the project consider non-motorized access from the Kenmore Bridge. Other proposed mitigation has not been "offered" by the applicant. We will work with DDES in the process of preparation of the Final EIS to continue to provide comments and recommendations on such mitigation language.

5

6 5. The DSEIS suggests that the applicant has proposed the elimination of any pump-out facilities at the project marina. This is not accurate. The applicant has supported the inclusion of such pump-out facilities in the marina, for reasons both of service and environmental quality (such facilities being the best antidote to dumping of gray water in the lake). The DSEIS should review the possible advantages of the inclusion of pump-out facilities in the project marina.

We appreciate the opportunity to provide comments on the DSEIS.

Very truly yours,

John C. McCullough

JCM:sch

# RESPONSE TO LETTER 13

## Phillips McCullough Wilson Hill & Fikso

1. Comment acknowledged. It is true that the type of activity along the shoreline would change from industrial to residential and commercial. The history of the industrial and storage uses on the site over the past 70 years was described throughout the Draft Supplemental EIS (refer to pages 2-8, 3-47 and 3-112 of the Draft Supplemental EIS for examples). While the existing industrial activity does not provide a high value habitat along the shoreline, the activity is primarily confined to upland areas of the site with little human intrusion onto the banks of the river itself. The Lakepointe development would provide a trail and three controlled viewpoints along the shoreline, which would draw large numbers of people to the shoreline area and increase the probability that more people would intrude into the shoreline buffer in their desire to get closer to the water. The impact of the increase in human activity would be offset somewhat by establishing a vegetated buffer and native shrub understory in upland shoreline areas and adding downed woody material in proximity to the shoreline.

2. One of the elements of the environment that King County is required to consider when evaluating impacts is "Environmental health ... Noise" (WAC 197-11-444). The SEPA Rules also state that "Responsibility for implementing mitigation measures may be imposed upon an applicant only to the extent attributable to the identified adverse impacts of its proposal." (WAC 197-11-660)

   King County believes that when a residence is proposed for construction in a location where future inhabitants will be subjected to high levels of noise, then the proposal will have an adverse impact on the health of future residents. If King County determines that the adverse impact is significant, then mitigation measures may be required.

   King County Code 12.86.010 states, "It is the policy of King County to minimize the exposure of citizens to the physiological and psychological dangers of excessive noise and to protect, promote and preserve the public health, safety and welfare. It is the express intent of the county council to control the level of noise in a manner which promotes commerce; the use, value and enjoyment of property; sleep and repose; and the quality of the environment."

   While KCC Title 12 has not been adopted as substantive authority for SEPA purposes, the King County Comprehensive Plan (KCCP) does provide substantive authority for requiring noise mitigation. KCCP policies U-101 and U-515 state that King County should encourage urban development that creates and maintains healthy communities and reduces the impact of motorized transportation. Based on these policies and the identification in the EIS of significant adverse noise impacts, King County may require covenants or Notice on Title as well as a noise insulation in building construction, as noted in Response to Letter 1, comment 3.

3. The MTCA clean-up does not need to be completed before the Master Plan, CSDP, and SDP are issued, but King County does need to know what the clean-up proposal will consist of prior to issuance of permits so that the County can be assured that the site plan being approved is not in conflict with the clean-up proposal. Also, please refer to Response to Letter 10, comment 3.

4. Three questions are asked in this paragraph: (1) Do the p-suffix conditions require the applicant to construct one or two transit stops? (2) Does the environmental record justify requiring the applicant to contribute to the SR 522 multi-modal project? (3) Does the environmental record justify requiring the applicant to provide non-motorized access from the Kenmore Bridge?

Two of these issues are addressed by P-suffix Condition NSP-P14, which became effective February 11, 1993, and was carried over during the 1997 P-suffix conversion process as NS-P4, effective August 18, 1997. It states, under No. 14. Phasing Requirements:

*The intersection of SR 522 and 68th Ave NE currently operates at LOS F. Significant mitigation of this intersection is not possible, and therefore mitigation for the development of the Pre Mix site must be directed to improving access and circulation in other ways. Satisfaction of the linkage requirements set forth below shall be construed as satisfying the County's concurrence and intersection standards for the overall project.*

*(1) Overall Project Mitigation. The following items shall be provided in connection with the initial development of the Pre Mix site. Certificates of occupancy shall not be issued for development of the Pre Mix site until the following mitigation requirements have been satisfied or adequate security to ensure their satisfaction has been provided King County .*

The first two questions are addressed in mitigation requirements f and h.

On several occasions, the applicant has stated that they believe the P-suffix conditions require the applicant to construct only the south transit stop. The confusion probably stems from the fact that the P-suffix conditions were revised during the Northshore Community Plan (NSCP) update in 1992-93 to include the north transit stop. The P-suffix conditions adopted with the NSCP require the following:

*(f) Construction of two enhanced transit stops (to be listed in the CIP), which shall be located on the north and south side of SR 522 and north of the Burke Gilman Trail and shall include seating areas, weather protection, and specially designed landscaping and walkway surfaces. The transit stop may be in lane or pull out, and King County shall be responsible for land acquisition and for obtaining approvals for the transit stops .*

P-suffix condition h requires the following for the SR 522 multi-modal project:

*(h) Payment of fair share mitigation fees, including those for a fair share contribution to the transit lane improvements planned on SR 522 with credit, if applicable, for the system improvements (e.g., Lakepointe Drive) constructed for the project.*

The decision on whether to grant the applicant credit for system improvements will be documented in the Transportation Mitigation Agreement once it is finalized.

The third issue, whether the environmental record justifies requiring the Lakepointe development to provide non-motorized access from the Kenmore Bridge to the Lakepointe site, is not specifically addressed by the King County Comprehensive Plan, the NSCP P-suffix conditions, or adopted code. However, the P-suffix conditions do require the proposal to "emphasize enhancement of transit and non vehicular use and improvement of local access and circulation

within the Kenmore area" and "emphasize public pedestrian access and linkages to the transit facilities and adjacent sites ..." Access between residences and amenities, such as Rhododendron Park, on the south side of the Sammamish River is possible only by crossing the Kenmore Bridge. Thus the provision of non-motorized access from the Kenmore Bridge to the Lakepointe site is a P-suffix requirement.

5. Comment acknowledged.

6. Comment acknowledged. Please refer to Response to Letter 12, comments 8 and 4.

**Letter 14**

December I7, I997

Marilyn E. Cox, Responsible Official
King County Department of Development and Environment al Services
900 Oakesdale Ave SW
Renton, WA. 98055-1219

RECEIVED
DEC 1 8 1997
SEPA

RE: Lakepointe Mixed Use Master Plan SDEIS

Dear Marilyn:

December 5, I995 Friends of Northshore (FON) responded to the SEPA Scoping Notice with substantial comments regarding issues which should be addressed in this Supplemental Draft Environmental Impact Statement (SDEIS). While some of the issues raised in the scoping letter have been addressed in this SDEIS, numerous substantive issues have not been discussed or are still unclear . Based on the FON earlier comments, and lack of sufficient information in this document, I request that
1 additional documents addressing these specific subjects be written and circulated for comment in an additional SDEIS review. These issues are: 1. Specific transportation mitigation proposed for impacted intersections and air quality analysis. It is requested that an adequate air quality analysis be conducted to provide the baseline information to document that these proposed transportation projects improve, or at least do not
2 worsen, air quality in the nonattainment area. 2. Shoreline specific plans completed
3 after agreed upon MTCA site clean up proposal(s) and surface solid waste cleanup 3. On-site and Off-site alternative evaluation required for Corps Permits
4 4. Project impacts on salmonids utilizing near shore environment.

MASTER PLAN REQUIREMENTS NOT ADDRESSED IN SDEIS

Specific land use plans where final approval ( such as theSDP in shorelines) are necessary. Full cumulative environmental review for all mixed use deveopment in
5 Kenmore should be addressed in this document. *P-suffix 15 b* This review should include transportation impacts for the proposed Master Plan at full build out including
6 additional acres for area H . A traffic study addressing cumulative impacts should be based on current traffic data, not the I993 data. Other subjects to be addressed include strong Transportation System Management Policies ( TSM) that are capable of
7 being implemented, actual sites where a pedestrian bridge might be located over
8 SR522, designation of public and private streets, clarification of public and private
9 pedestrian and open space areas, and timing and funding agreements for public and private funding commitments for identified capital and transit improvements*P-suffix 16*
10 *e.j.k.*

Friends of Northshore responded to the Notice of Application on the Commercial Site Development Plan and on the Shoreline Permit February I0, I996 Many of the issues raised in that response as well as in the Scoping Notice and Hearing are not answered in this DEIS. These issue included impacts and inter-relationships

between and from the upland development to the shoreline environment. A request
11 for clear discussion of all the P-suffix conditions and and how they ( if they are proposed to be modified) met all the criteria outlined for modifications under P-suffix **16i**. Clarification as to what area(s) are to be included in the Shoreline Permit. What
12 areas of section H, what areas of section F are included? This SDEIS should be specfic about what development is proposed and what areas are to be covered under
13 the shoreline permit . The SEPA analysis in this document is designed to evaluate the impacts for a general SDP, but it is not clear to the reviewer what is actually being proposed for shoreline development. Concerns have been raised about the wetlands
14 and the wetland buffers. Is a variance needed to the King County SAO for storm water
15 treatment in the buffer, for the ampitheatre and fire trail located in the buffer? Is the fire trail also considered a recreational trail? How does the trail conform to code location
16 and expansion requirements for Public and Private Trails in Sensitive Areas 21A.-24? How does the proposed buffer meet the SAO requirements for a class II wetland
17 buffer? A 50' buffer is required for Class II wetlands under the SAO 21A. 24. . Is the area marked buffer adjacent to N.E. 68th proposed as mitigation for wetland buffering? What is the justification for vegetation adjacent to 68th N.E. being
18 considered a wetland buffer? For what wetland is it proposed to be functionally
19 enhancing ? Questions were raised in earlier responses about the experimental techniques proposed for water treatment and other water quality impacts. Please
20 address these in this document. What is the amount of fill and dredging proposed in the shoreline jurisdiction area? How does the shoreline park and the project meet the
21 Northshore Community Plan goals and policies, specifically all the policies of **K-11**? Where are the pedestrian linkages into other parts of Kenmore, and for pedestrian access and use of the Lake Washington and Sammamish River waterfront? This SDEIS does not address issues raised over ten months ago. It is deficient. This SDEIS needs to be subtantially rewritten to answer these questions and additional supplemental documents need to be prepared and circulated as required under SEPA.

PURPOSE OF SEPA EVALUATION NOT MET BY THIS SDEIS

The Purpose and Authority of SEPA is to prepare environmental documents that are concise, clear and to the point and supported by evidence that the necessary environmental analysis have been made. It is to integrate SEPA so that planning and permit procedures run concurrently rather than consecutively , and to identify, evaluate and require those rules and reasonable alternatives that would mitigate adverse effects of a proposed action.

This SEPA document fails to meet the basic requirements of the Act. The proposal, particularly as it relates to shorelines is neither clear nor concise. ***P- suffix 16*** "the required elements for master plan states that elements of the master plan (SDEIS) may be conceptual in nature except for phases for which final development approval is sought."

Final development approval is proposed for shoreline and other open space elements

based on the Master Plan and this SDEIS. The information must therefore be specific, clear, concise and not conceptual in nature. The approval of the Master Plan must
22 [shall] assure the mixed use development area in its entirety meets the goals, policies and criteria fo the Northshore Community Plan *( NSCP P- suffix 15 a. )*This SDEIS must address how the Master Plan and SDP for the mixed use development meet all applicable goals and policies and criteria of the NSCP. The analysis has failed to address many important elements of the NSCP policies including the following:

23 a. What structures, fill, and direct public access is actually proposed for the shoreline jurisdiction area? Is the access to the public on the upland area or is it in the shoreline area? Please include a map distinguishing the public and private access, with topographical information and connecting links. How does the development provide for substantial public access to and use of the Lake Washington and Sammamish River waterfront? **K-11 D** ?

24 b. How does the public access the public viewpoints? How does the document demonstrate that these view points are "easily accessible" to the public. NSCP Policy **K-11(j)**

25 c. Where are the easily accessible to the public project view corridors? NSCP Policy **K-11 (j) and attached map B.**

26 d. How does the document demonstrate where these view corridors are and that they are "easily accessible" to the public?

27 e.-Where are the pedestrian linkages to other parts of Kenmore and from the development to nearby park facilities? NSCP **K-11(k).**

28 f. What is the pedestrian plan for the site? Is it Figure 7 ( Recreational Plan) or Figure 8 Circulation Plan? The figures depict conflicting information regarding a trail in the shoreline area. Which is correct and where is the pedestrian plan for the area as required by P- suffix 16 h? How is the pedestrian plan consistent with the intent of Map B. ?

29 -g.What buildings, size, use, and open space areas are actually proposed in the shoreline jurisdiction area? The SDEIS states that use, size, location are conceptual and that detailed design and construction drawing for each phase will be submitted and reviewed by King Co. This project is in the future City of Kenmore. A decision has
30 not been made by the as yet to be elected City government that King County will review future phases. What is the mechanism for future review of the conceptual plan? Page 2-10 states " that the Master Plan is a "blueprint" for future development and is not meant to fix precise building areas, areas of use by square footage or final
31 locations of open space and pedestrian corridors." Will additional site specific shoreline permits be required for the various phases?

32 h. P-suffix 14 c. (o) phasing mechanisms requires specific development in the initial phase of public recreation and accress area on the the Sammamish...lincluding parking, public restrooms, trailhead facilities, vehicle turnaround, public viewpoint, etc. Where are these structures? Please provide a map specifically designating these facilities.

A SHORELINE PERMIT REQUIRES SPECIFIC INFORMATION

Shoreline Permits require specific design criteria so that any later revisions, if proposed, can be measured against the height, use, landscaping, overwater coverage, environmental impacts to determine if the revisions fall within the state specified guidelines. This is not possible if the buildings areas, square footage, open space and pedestrian corridors and environmental impacts before clean-up are "conceptual".

33 a. What amount of fill removal and replacement will be required in the shoreline area to achieve the grading plan submitted with the shoreline permit? Page 2-29 of the DEIS indicates that the amount of earth movement will be determined by the MTCA clean up plan. The required information for shoreline proposals as determined in **WAC173-27-180**(i) [is]Quantity, source and composition of any fill material that is placed on the site whether temporary or permanent. as well as

34 (j) Quanitity, composition and destination of any excavated or dredged material. This information has not been provided in any document to date.

35 b. The solid waste materials spread over the site referenced in the May 16, 1997 Seattle-King Deparment of Public Health letter if located in the shoreline jurisdiction area violates **25.16.190 H.** of the KSMP. Has a violation been processed by the Shoreline Administrator? If not, why not? Will clean up be required prior to issuance of any SDP?

36 A shoreline permit requires specific quantifiable information and cannot be contingent on a yet undetermined cleanup program. The public was asked to comment in February 1997 on a SDP for this proposal. At that time, the information required to review the permit was not complete or specific in nature for issuance of a SDP, Conditional Use Permit or Variance. This document indicates that a general Shoreline Permit will be issued for all future shoreline development based on this SDEIS and the SDP on file. However, the clean up plan including fill, dredge and excavation details are not known and will not be known until MCTA is completed, and even then it may only be known on each individual phase. Several SHB cases specifically address the issue of conceptual shoreline development. One is Hayes v. Yount which states that "A permit, which is too vague to ascertain with certainly what is authorized, cannot be properly reviewed by the Board and should be remanded. The permit itself should describe with particularity and certainty what is being authorized." The SAVE v. Bothell case states " Design guidelines, a verbal composition from which only building envelopes may be derived are inconsistent with WAC's relating to shoreline application, which requires a scale drawing showing dimensions and locations of structures. " The SAVE case allowed a shoreline permit for infrastructure but required specific individual permits for each lot.

Public comment on the SDP was concluded in February, 1997 before theSDEIS was issued. According to pg. 2-36 in the SDEIS King County has determined that

proposed buildings within 200-feet of the shoreline meet the height modification criteria and a shoreline variance would not be required.

37 c. I request that the final SDEIS document include a complete evaluation as to how the development meets the general requirement 25.16.030 for modifying the height of thirty-five feet. How does the proposed development meet the criteria for water related KCSMP 25.08.600? What information is the basis for determining that view(s) of substantial number of residences will not be obstructed? I
What information has been provided to determine that the development meets the underlying zoning?

38 The public may not have additional opportunities to comment on or review the SDP before it is issued by King County. Therefore, it is appropriate that the applicant provide in this SDEIS documentation explaining how the proposal is consistent with applicable King County Shoreline Master Program regulations for the height modifications, for bulkhead reconstruction, for shoreline protection features, for overwater construction, for street locations in and under shoreline jurisdiction.

39 d. A shoreline permit must be consistent with KCSMP, the SMA and its implementing regulations. **WAC 173-27-140** states that The 35' height may be exceeded " on areas adjoining such shorelines and then only when overriding considerations of the public interest will be served." Has King County determined that the overriding considerations of the public interest will be served by the proposed height of these buildings? What is the basis of this determination? What specific buildings, and structures( including roads such as Lakepointe Way) does it apply to? Would you please include a complete discussion relating to this matter in the FSDEIS.

40 I have recently reviewed the file for the Shoreline Permit and do not find any written findings by King County or proof by the applicant regarding the basis for the determination that a variance, or CUP is needed under KCSMP. Is further information going to be required of the applicant prior to the issuance of the SDP? If not, why not?

41 e. How is height of the buildings being determined? It appears that buildings A and E may not be considered necessary for general requirement because only a part of the building inside the shoreline is 35' but the remaining portions of the structure of the building which is 72'and 92' is not being considered under the SDP. What is the justification under the KCSMP for considering only a portion of the building? Under **WAC 173-27-030** Calculation of the average grade level shall be made by averaging the ground elevations at the midpoint of all exterior walls of the proposed building or structure. It appears that the applicant may consider only the 35' ( building A and E) under shoreline regulation and that there is no interrelationship between this 35' and the remaining 92 ' and 72 feet of the building. I do not believe this is the correct way under the WAC to calculate building height and I do not understand why only a portion of the building is considered . Please include a complete discussion of the rationale for this method of measuring height and determining shoreline jurisdiction .

42 f.Lake Washington is a Shoreline of Statewide Significance. The public has public trust interests which must be considered when permits are issued for development along the shoreline. Additional piers (100) are being proposed for overwater development. The narrative and Figure I8 are not clear as to the extent of additional overwater development, or whether there is direct public access to the water. It appears that a "lighthouse resturant" may be an overwater development . Details on the proposed developments along and over Lake Washington must be specific so that the public trust interests may be evaluated and protected.

43 g. Page 2-21 describes a partial depth wave attenuator wall. KCSMP a25.16.180 shoreline protection does not consider such structures as outright permitted uses. Will a SDCUP be applied for?

44 h. Bulkheads are mentioned in several places in the document 3-11, 3-13, 3-31 3-68 but not specific determination is given regarding rebuilding and replacement. This may also require a SDCUP. Will a SDCUP be applied for?

45 i. Flood Plain . KCSMP defines shorelines as "all water areas within the unincorporated portion of King County...." I interpret this to mean that the floodhazard areas are under shoreline jurisdiction. Is this the interpretation that King County has used to determine their shoreline jurisdiction? If not, why not? The King County SAO **21A.24.230** gives King County the responsibility for determining the flood hazard area. The discussion in the SDEIS 3-23 indicates that I987 King County SAO has designated a majority of the site as I00- year flood plain and is this is clearly shown on Figure 14. Please clarify how the floodplain will be treated in the SFEIS and how the proposal provides compensatory storage on site.( or off site). as required by **KCC 21A.24.250:** "Development proposals shall not reduce the effective base flood storage volume of the floodplain."

MCTA AND SEDIMENT QUALITY CLEANUP DETERMINATION

46 Problems concerning sediments and surface water and ground water in and along shoreline areas must be addressed because of the historic nature of land use at this site. The Aug 8, I997 Water Quality Certification for the proposed Army Corps of Engineers dredging indicates that two of the Corps sites are unsuitable for disposal and are not being dredged at this this time. The conditions on the dredge permit include imposition of a twenty-foot buffer and requirement for addition sampling and testing outside the navigation channel to determine the extent of sediment contamination. This SDEIS should address completely the sediment contaminant issues. Lead, copper and cadmium may meet standards of receiving surface water but this does not mean they meet state adopted sediment quality standards . How would pile driving effect these sediments? In order that the environmental impacts of the proposal be addressed concurrently with the actual permitting it is necessary that the MCTA clean up plan and the sediment cleanup be addressed simultaneously and that the shoreline related aspects of the proposal not be contingent on as yet

unspecified clean up requirements.

47 As one aspect of the inter-relationship of the proposal and the clean up, pg.3-40 the SDEIS states that proposed biofiltration swales would be designed to prevent contact between the treated runoff and the underlying fill material, and would minimize mounding of the groundwater table within the fill layer. No specifics are provided. How are the swales to be designed to prevent this?

P-SUFFIX CONDITIONS AND MODIFICATION PROCESS

The preferred proposal proported to be analyzed in this SDEIS requires that modifications be made to P- suffix conditions. Analysis for height modification is summarized on 2-33 and 3-178. However, P-suffix condition l6i( which is not included in the DEIS) requires that the Master Plan application and its environmental analysis f discuss how such alternative mitigation meets the goals and intent of of the P-suffix conditions and the Northshore Plan. The County may approve such alternative mitigation if it is warranted, **based on** changed conditions relating to,for example transit plans, road alignments, pedestrian connections, or other planning or capital improvement changed **or** infeasibility of proposed mitigation or p-suffix conditions **and** if the goals and intent of the P-suffix conditions and the Plan are met.

48 The discussion in the DEIS document 2-33 generally outlines why the proposed height changes are being proposed but does not include a discussion of changed conditions, or infeasibility, or of meeting the goals and intent of the P- suffix conditions and the Northshore Plan.

Since the preferred alternative is dependent on this P- suffix modification analysis, it is appropriate that this document for the Master Plan provide all the necessary discussion relating to meeting the criteria for modification. It is not complete and should require that a Supplemental DEIS be written with adequate discussion and analysis.

49 Other modifications to adopted P- suffix conditions are being proposed, but are not discussed. One example is the change in density of the development, and increase in number of residential units and in commercial/ office square footage. Council adoption of the area zoning did not contemplate such increases. (See attached letter from Council person Maggi Fimia and Larry Phillips). Why is modification of this P-suffix not discussed?

50 The buffers of the SAO appear to be "disturbed" by various structures such as fire trails, ampitheather and potentially storm water structures. How is this consistent with ***P-suffix 9*** which prohibits any disturbance? Is a P- suffix modification being requested?

CONTRADICTORY AND CONFUSING STATEMENTMENTS

51 The discussion Flood Plain and Flood Hazard areas on page 3-23 illustrated by Figure 14 is not complete and must be clarified. See earlier comments on compensatory flood storage.

52 A major concern of develoment at the mouth of theSammamish includes increased numbers of piling and impacts on salmon runs entering the Sammamish River or feeding at the River mouth. ***P-suffix 9*** requires special studies to determine negative impacts. Discussion in the document on page 3-72 is confusing and gives the reviewer the impression that is not actually supported in recent scientific literature and by other agencies. Pflug and Pauley in l984 clearly identified predation of bass on salmonids. In addition, recent work conducted by the Corps and other agencies suggest overwater structures inhibit the use of nearshore areas especially in the daytime by various salmonid species.
The public, who are not expected to be familiar with the scientific literature. It is misinformation based on current understanding and results in misleading the public on this important issue. The special studies should be accurately referenced and provide an unbiased analysis of the most current studies.

53 Mitigation of significant negative impacts is required before approval of the proposal is obtained. Failure to adequately mitigate impacts enables the decision maker to deny a proposal under the substantive authority of SEPA. Numerous bullets under mitigating measure sections are under the title "Potential" What is the meaning of this term? Is it mitigation which is "capable of being implemented" ? Why is it therefore, not required?

Ann Aagaard
16524 l04th N.E.
Bothell,WA. 98011

Attachments: 3

**Metropolitan King County Council**
Kent Pullen, *Chair*
N. Clifford Petersen, *Council Coordinator*
Gerald A. Peterson, *Council Administrator*
Room 1200, King County Courthouse
516 Third Avenue
Seattle, WA 98104-3272

(206) 296-1000
TTY/TDD (206) 296-1024

April 13, 1995

Ms. Ann Aagaard
16524 - 104th Northeast
Bothell, WA 98011

**RE: Amendment to Lakepointe Development Conditions**

Dear Ms. Aagaard:

Thank you for your letter to Councilmember Larry Phillips and me concerning changes to the Lakepointe P-suffix conditions through the Comprehensive Plan adoption process. I hope this response can clarify the nature of and rationale for the changes, and also inform you about ways you can be involved in the project's review in the future.

Northshore Plan policy K-11, section C, calls for the completion of a traffic study prior to the actualization of the zoning for the Lakepointe site. The other portions of policy K-11, which also apply to Lakepointe, raises issues which do not require resolution prior to the rezone, but rather are anticipated to be addressed through permit review. The conditions mentioned in your letter, which are outlined on pages 277-281 of the Northshore Plan, apply to properties east of 68th Avenue NE, not the Lakepointe site. These conditions were not eliminated by Amendment 54. The Northshore Plan does outline extensive development conditions for Lakepointe, which are listed on pages 241-262.

The traffic study called for by the Northshore Plan was completed in November 1994, after a lengthy review process by the Department of Public Works (DPW) and the Washington State Department of Transportation (WSDOT). Based on completion of this study, Councilmember Maggi Fimia and Cynthia Sullivan sponsored an Amendment to the development regulations implementing the Comprehensive Plan to actualize zoning on the site, and to modify the site development conditions in accordance with the traffic study. The proposed amendment was itself substantially amended by Councilmember Phillips to conform to the requirements and intent of the Northshore Community Plan. As amended, these modified changes were adopted as Amendment 54.

The changes made by Amendment 54 were almost entirely related to transportation and permit processing. The transportation related changes were based on the results of the traffic study. Certain process language in the Plan's site development conditions no longer made sense due to the actualization of the zoning on the site, and other language no longer fit established processing requirements at DDES, necessitating some changes in these areas.

Several other issues were raised in your letter. These are addressed below.

Open space: While the language relating to the site open space plan was modified, in substance there has been no change to this requirement. An open space plan will be a component of the overall site master plan.

Public viewpoints: No changes have occurred to this condition. Viewpoints will be as specified in the Northshore Plan.

Affordable housing: No substantive changes have occurred with this condition. Affordable housing units amounting to 10% of the total number of units in the development shall be provided by the developer. The language of this condition was modified slightly in recognition that the site may not be phased as initially anticipated.

Density: Overall density of the site remains unchanged at 1,000 residential units and 500,000 square feet of office and retail development. This translated to roughly 24-dwelling units per acre. Permitted densities within the subdistricts were modified to allow greater flexibility in locating housing throughout the project, which reflects the application of the RB zone to the site.

Transit hub and pedestrian bridge: This language was modified based on the traffic study findings and its review by DPW, Metro and WSDOT staff. The requirements for the transit hub were actually expanded to require construction of an enhanced transit stop on the north side of SR 522. The language related to the pedestrian bridge was modified to recognize that funding for the pedestrian bridge will come from sources other than the Lakepointe developer, as well as to place the burden for constructing the bridge on the shoulders of King County and WSDOT. The bridge, that will benefit the general public, is located almost entirely off-site, and will be a highly complex project requiring significant initiative on the part of the State and County, which justify broadening the scope of responsibility for the bridge project.

State Environmental Policy Act (SEPA) Process: The only substantive modification to SEPA language in the development conditions was to recognize that new environmental analysis had been performed for the project (i.e., the traffic study), and that this work should be accounted for in the SEPA analysis for the project permits. Completion of an

Environmental Impact Statement (EIS) has never been a requirement of the project. A SEPA determination will be made after permits are filed for the project.

There will be several opportunities for your future involvement in the permit review of this project. Councilmember Fimia is sponsoring a citizen task force to work with the developer and the Department of Development and Environmental Services (DDES) to review the specifics of the project proposal. In addition, DDES is anticipating holding additional public meetings beyond those required by law to obtain better feedback on various parts of the proposal.

I encourage you to participate in these processes. Karen McFadden has be invited to join the Lakepointe Advisory Task Force on behalf of Friends of Northshore. I will have your names placed on the notification list for any public meetings related to the project.

Thank you for your involvement in this project. I hope that we are able to work successfully together as this development is reviewed. Please contact Brad Liljequist, the permit project manager for Lakepointe, at 296-6793, if you have additional questions.

Sincerely,

Maggi Fimia
Councilmember

Larry Phillips
Councilmember

cc: Karen McFadden
Cynthia Sullivan

City of Seattle
Norman B. Rice, *Mayor*

King County
Ron Sims, *Executive*

**Seattle-King County Department of Public Health**

Alonzo L. Plough, Ph.D., MPH, *Director*

May 16, 1997

Barbara Questad, Environmental Planner
Department of Development and Environmental Services
3600 - 136th Place Southeast
Bellevue, WA 98006-1400

Re: **Lakepointe Mixed Use Master Plan - Comments on Preliminary Draft Supplemental Environmental Impact Statement**

Dear Ms. Questad:

Thank you for the opportunity to comment on the March 1997 Preliminary Draft Supplemental Environmental Impact Statement (PDSEIS) regarding the Lakepointe Mixed Use Master Plan. We wish to make the following comments:

1. For a number of years, at least one of the landowner's tenants (Stout Roofing) has stored many tons of unpermitted solid waste on the south central portion of the proposed development site. The solid waste consists primarily of wood waste and three-tab roofing debris interspersed with garbage consisting of paper, plastic, wood, fabric, metal debris, fiberboard and styrofoam. In addition, the Puget Sound Air Pollution Control Agency (PSAPCA) has identified asbestos and asbestos-suspect material within the solid waste.

2. At the direction of the King County Department of Development and Environmental Services (DDES), the Seattle-King County Department of Public Health (Health Department) and PSAPCA, the landowner has removed substantial quantities of the solid waste from the property; however, substantial quantities remain, and have been unlawfully spread and graded upon the property rather than removed.

3. The PDSEIS's section on Toxic and Hazardous Materials (PDSEIS pp. 3-83 through 3-90) does not specify the above-described unpermitted solid waste dumping. We believe it would be appropriate for the EIS on the proposed Lakepointe development to address the surface solid waste as part of the overall site cleanup and phased remediation.

4. The landowner's proposal to achieve MTCA cleanup standards by an "engineered cap" of buildings and paving over the contaminated areas (PDSEIS p. 3-89) raises concerns we wish to see addressed in the EIS. The graded roofing debris is unstable and relatively shallow; paving this graded area without first removing the debris would therefore appear to invite premature failure of the cap. The Health Department has advised the landowner and Agra

Earth and Environmental, Inc. that using the above-described solid waste as fill for road base would not be permitted, absent approval from DDES and PSAPCA. Further, DDES has advised the Health Department that (1) the graded solid waste does not provide for effective ground cover, road base, or erosion control, and (2) that the grading occurred without benefit of permit. The Health Department has issued a compliance order directing the landowner to remove the stored and graded solid waste to approved disposal facilities. Our latest information is that the unlawfully deposited and graded solid waste has not been removed.

Again, thank you for the opportunity to comment. We hope you will find this information useful. Please feel free to contact us if you have any questions.

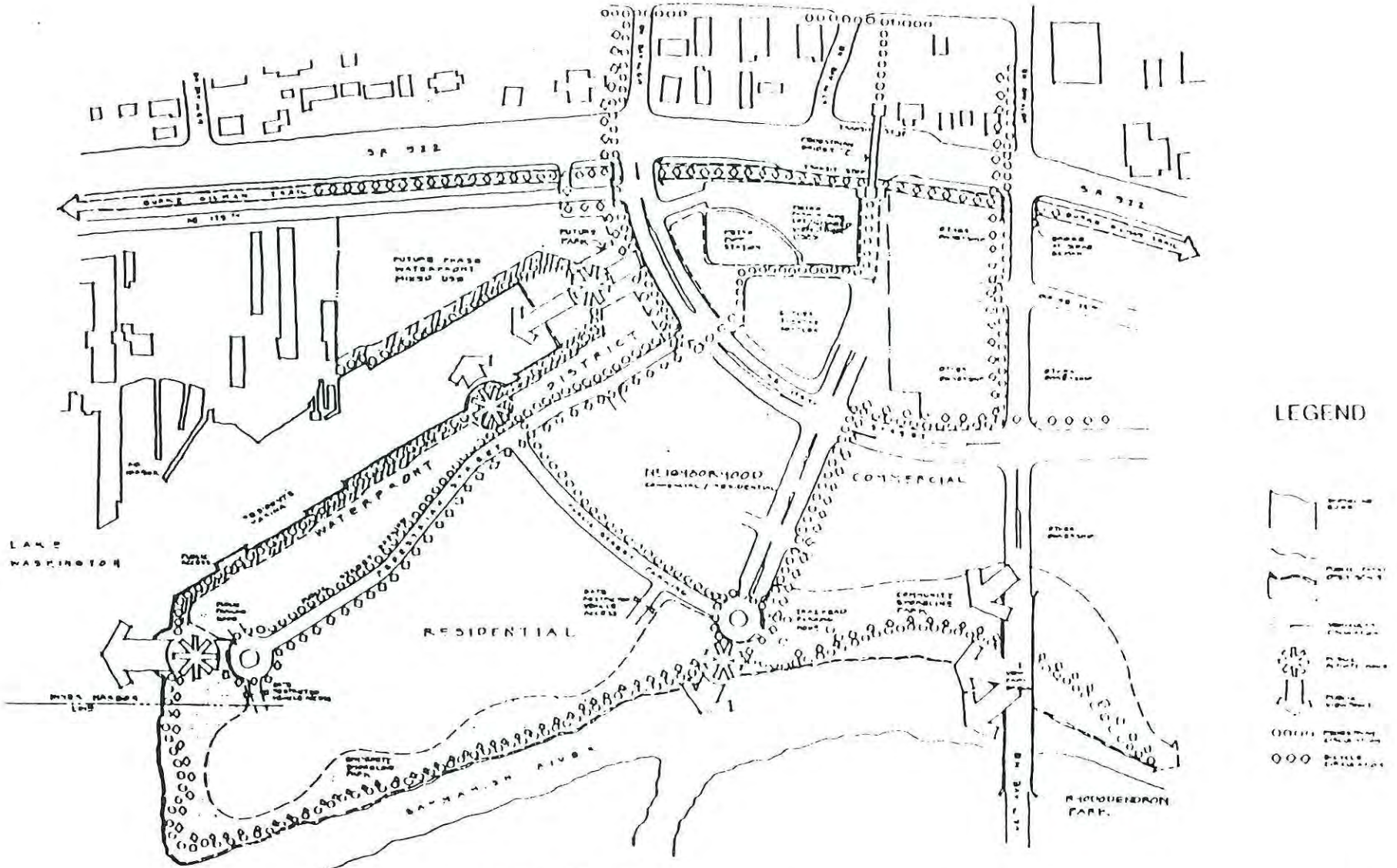
Sincerely,

Larry Kirchner

Larry Kirchner, Principal Environmental Health Specialist
Environmental Health Division

LK:wsa

cc: Roman Welyczko, Environmental Health Division
Greg Bishop, Solid Waste Program
Wally Swofford, Chemical/Physical Hazards Program
Jill Trohimovich, Solid Waste Program
Judith M. Aitken, Department of Ecology - NWRO
Bruce Engell, Department of Development and Environmental Services




## Map B Pedestrian & Transportation Connection / Open Space Plan

This map is shown for purposes of illustrating the intent of the P suffix conditions for the Mixed Use District only, and shall not be used as a development plan for the site. Actual development plans may vary from this map, as long as the intent of the P suffix conditions is met.

# RESPONSE TO LETTER 14

## Aagard, Ann

1. Please refer to the Air Quality section of Chapter 3 for a summary of the air quality analysis prepared for this Final Supplemental EIS.

2. Please refer to Response to Letter 10, comment 3.

3. Refer to Response to Letter 10, comment 4.

4. Please refer to the Fisheries section of Chapter 3 of this document for updated discussions on potential impacts to salmonids from the Proposed Action.

5. Comment acknowledged. Please refer to Response to Letter 5, comment 4.

6. Comment acknowledged. The updated traffic analysis utilizing 1997 traffic counts is provided in the Transportation section of Chapter 3 of this Final Supplemental EIS.

7. Please refer to Response to Letter 9, comment 34.

8. Refer to Response to Letter 9, comment 32.

9. Refer to Response to Letter 9, comment 34.

10. Refer to Response to Letter 9, comment 34.

11. Northshore Community Plan P-suffix condition 16i states that "the applicant shall include a description of how the proposed mitigation conforms to the requirements of the P-suffix conditions". Pages 3-140 through 3-154 of the Draft Supplemental EIS discusses the relationship of the Proposed Action with the P-suffix conditions. King County (or the City of Kenmore) will ultimately determine the consistency of the Proposed Action with the P-suffix conditions during the project review process.

12. All development within 200 feet of the Ordinary High Water Mark is included in the Shoreline Substantial Development Permit. The 200-foot mark and development proposed within this area are illustrated on several figures in the Draft Supplemental EIS, including Figures 7, 8, 9, and 11. Also, please see Figures 3A and 8A in this document. The site plans submitted with the Shoreline Substantial Development Permit illustrate a 92-ft building with office, retail, and parking, and a boardwalk within the 200-ft shoreline jurisdiction plus 26 boat slips in the marina. However, Building Area H is currently zoned Industrial, and office/retail uses would not be allowed until a rezone application has been submitted and approved. A marina is allowed under Industrial zoning. The applicant has stated that Lakepointe is only requesting approval "for improvements along the channel as indicated in the fisheries and shoreline permit submittals." (Gleason, 6/8/98)

13. Please refer to response to comment 12 of this letter and Response to Letter 10, comment 17.

14. No storm water treatment facilities would be located within wetland buffers.

The King County Sensitive Areas Development Regulations allow public and private trails within the outer one-third of wetland and stream buffers if 1) the trail surface is pervious, and 2) buffers are expanded equal to the width of the trail corridor. If a multi-purpose trail requires an impervious surface, it must meet water quality requirements. The proposed firelane and the portion of the ampitheatre in the buffer serve as a public trail and also meet the required water quality standards. The buffer along the southern Lake Washington shoreline and the Sammamish River shoreline would be expanded equal to the area of trail within the buffer.

15. The fire lane will be designed to standards in the Uniform Fire Code and will double as a pedestrian walkway when not being used for emergency purposes. It will conform to the same standards required of other trails in sensitive areas buffers. Please see response to comment 14 of this letter.

16. Consistent with King County Sensitive Areas Development Regulation requirements, a 50-foot buffer was assigned to both Wetland A and B on the site and has been depicted on project maps. The placement of trails within buffers is allowed under the conditions described in response to comment 14 of this letter.

17. The cited area shown is the 50-foot buffer required for Wetland B, a Class 2 wetland.

18. The cited area is the buffer for Wetland B located at the southeast corner of the site under the bridge and extending east off the site. Wetland B is shown on Figure 17 of the Draft Supplemental EIS and described on page 3-48 of the Draft Supplemental EIS.

19. The proposed stormwater treatment techniques are identified in the King County Surface Design Manual as feasible means of providing water quality treatment. They are considered acceptable industry methods.

20. The total amount of fill for the proposal is anticipated to be approximately 60,000 cubic yards, the majority of which would be related to embankments for the Lakepointe Way NE intersections with SR 522 and 68th Ave NE. Fill in the shoreline area would be limited to landscaped areas. However, actual amounts of grading on the site would ultimately be determined through the MTCA process.

No dredging in the inner harbor, Lake Washington or Sammamish River is proposed.

21. Policy K-11 of the Northshore Community Plan states that "this plan supports a Mixed Use Development Area in Kenmore. Issues identified in this plan must be addressed before Mixed Use development can occur." The following is a discussion on the relationship between the proposal and the conditions of Northshore Community Plan Policy K-11.

*A. Provide pedestrian linkages into other parts of Kenmore*

Please refer to the section on pedestrian and bicycle facilities in the Transportation section of Chapter 3 of this document for an explanation of how pedestrian linkages would be provided into other parts of Kenmore.

*B. Provide for easily accessible transit hub, and a strong transportation demand management program that facilitates transit use.*

Please refer to the sections on transit and on pedestrian and bicycle facilities in the Transportation section of Chapter 3 of this document for an explanation of planned transit improvements and pedestrian access to the transit stops. A Transportation Demand Management plan will be established later in the permit review process. Please see Response to Letter 9, comment 34

Residential development would occur throughout the various phases of the development of the project to ensure that transit and transportation linkages occur from the beginning of the project.

*C. SR 522 through Kenmore is currently at level of service F and at ultimate design. Further study is necessary to determine if potential roadway and transit improvements will be sufficient to mitigate roadway congestion to acceptable levels. Therefore, prior to the actualization of any potential zoning on the site, a plan amendment shall be completed*

Consistent with this condition, a Zoning Transportation Analysis was prepared in 1994 to supplement the 1991 and 1992 NSCP Analyses to identify transportation improvements necessary to accommodate mixed-use development on the 45-acre Lakepointe site prior to actualizing the potential zoning from Industrial to Regional Business with P-suffix conditions. Please refer to Chapter 3 for a discussion on the updated transportation analysis prepared for this Final Supplemental EIS.

*D. Provide for substantial public access to and use of the Lake Washington and Sammamish River Waterfront*

A total of approximately 6,400 linear feet of paved walkways and pedestrian areas (boardwalk, sidewalks and emergency access lane) would be provided on the site. The entire periphery of the site would be dedicated to trail/walkway use. Beginning at the northern portion of the site, a pedestrian/bicycle connection to the Burke-Gilman Trail would link the regional trail system to the waterfront boardwalk. The boardwalk would follow the southern edge of the harbor toward Lake Washington. From the boardwalk, a 120-foot wide shoreline park trail (emergency access lane) would continue along the Lake Washington and Sammamish River shoreline. The shoreline park trail would include a connection to the sidewalk along the west side of 68th Ave NE.

In addition to the approximately 6,400 linear feet of paved walkway, the proposal would include approximately 2,600 linear feet of unpaved trails. These unpaved trails would be located between the emergency access lane and the Sammamish River and would include public viewpoints with seating and signage at selected points near the Sammamish River shoreline.

*E. Contribute to any Kenmore business improvement district.*

The Proposed Action would provide significant improvements to the streetscape, open space and roadway facilities in the area. These types of improvements are typical of the elements within an improvement district. If a future Business Improvement District is formed outside the project boundaries, the established procedures for determining benefit, benefit areas and assessments would apply.

*F. Mitigate for impacts upon affordable housing*

The project applicant and the County will execute an agreement to provide approximately 120 affordable housing units (10 percent of the total proposed residential units). The location of the affordable housing units will be determined during the execution of the agreement between the County and the applicant. The units would be located either on the site or off-site, within the Northshore Planning Area. The affordable housing units would be priced, either for sale or rent, consistent with the prescribed household income levels.

*G. Provide for community open space*

The proposal includes a total of 21.2 acres of open space (defined informally as area not in building or roadway area and does not relate to any code requirement), or approximately 47 percent of the 45-acre site. The on-site open space would include approximately 5.7 acres in natural open space and 15.5 acres in public park area, pedestrian walkways and trails, and paved public space. The open space areas are intended to create a pedestrian friendly community which orients to and takes advantage of the existing shoreline and marine environment.

*H. Provide for fish and wildlife enhancement*

The eastern end of the inner harbor basin would be replanted with natural shoreline vegetation and a riparian environment along the outfall from the detention cells would be provided. The proposed marina has been redesigned in response to input received on the Draft Supplemental EIS. The project includes expansion of the vegetated shoreline along the Sammamish River and Lake Washington and enhancement of the existing plant communities by removal of invasive, non-native plant species and replacement with native shrub and ground cover species.

*I. Mitigate for impacts to the shoreline edge through riparian vegetation enhancement*

The proposal includes expansion of the vegetated shoreline along the Sammamish River and Lake Washington and enhancement of the existing plant communities by removal of invasive, non-native plant species and replacement with native shrub and ground cover species. The vegetated Sammamish River shoreline buffer would be a minimum of 100-feet in width.

*J. Provide for easily accessible public viewpoints and project view corridors*

Public viewpoints are proposed at three view platforms along the Sammamish River shoreline, at an amphitheater along the Lake Washington shoreline, and along a marina boardwalk along the inner harbor. In addition, a shoreline trail is proposed parallel to the shoreline along both the Sammamish River and Lake Washington. Appendix I of the Draft Supplemental EIS contains plans for barrier-free access, assuring that these viewpoints are easily accessible to the public.

*K. Provide for convenient pedestrian access from the development to nearby neighborhood park facilities*

The Site Circulation Plan (Figure 8A in the Final Supplemental EIS) shows pedestrian access from the shoreline park trail along the eastern perimeter of the site to the intersection of Lakepointe Way NE and 68th Ave NE via a ramp. From there, Rhododendron Park would be accessible via the sidewalks along both sides of 68th Ave NE. A stairway and/or a 24-hour elevator would provide pedestrian access from the northern portion of the site to Lakepointe Way NE and SR 522. Pedestrian access to Logboom Park would be along the Burke-Gilman Trail.

*L. Development shall provide for thorough environmental review, which should include analysis of available water-based industrial land in this region to support this type of use.*

An analysis of available water-based industrial land in this region which can support water-based industry has not been provided in this EIS.

22. The Northshore Community Plan policies set the framework for specific development requirements which are established through the P-suffix conditions. The Proposed Action must comply with the P-suffix conditions; the determination of whether a P-suffix conditions are met by the proposal will be made by King County during project review. Please refer to Pages 3-140 through 3-154 of the Draft Supplemental EIS for detail.

23. Public access and connecting links to the Sammamish River and Lake Washington waterfronts are provided both in upland areas and in the shoreline area; please see Figure 8A of this Final Supplemental EIS. Structures proposed within the shoreline area are illustrated in Figures 7, 8, 9, and 11 of the Draft Supplemental. Plans submitted for subsequent clearing and grading permits will illustrate any proposed fill within the shoreline area Topographical information is provided in Figure 14 of the Draft Supplemental EIS.

24. Public viewpoints are proposed at three view platforms along the Sammamish River shoreline, at an amphitheater along the Lake Washington shoreline, and along a marina boardwalk along the inner harbor. In addition, a shoreline trail is proposed approximately 200 feet from the shoreline along both the Sammamish River and Lake Washington. (See Figure 7, Recreation Plan, in the Draft Supplemental EIS, page 2-22.) Appendix I of the Draft Supplemental EIS contains plans for barrier-free access, assuring that these viewpoints are easily accessible to the public.

25. Views from the project to the water would be available all along the non-motorized trail on the periphery of the site. From project roadways, views would be available down the inner harbor basin from Lakepointe Way, and westbound on NE 174th St. Views to the inner harbor would be available for traffic northbound from each rotary. Views to the Sammamish River would be available for traffic southbound from each rotary. The building at the west end of NE Lakepointe Blvd would be supported on columns, allowing views under the upper floors of the building to Lake Washington.

26. Please refer to response to comment 25 of this letter. The determination of the proposals fulfillment of the Northshore Community Plan requirements and goals will be determined by

King County staff after reviewing the Supplemental EIS and Commercial Site Development Permit plans.

27. The Site Circulation Plan (Figure 8A in Final EIS Supplemental EIS) shows pedestrian access from the shoreline park trail along the eastern perimeter of the site to the intersection of Lakepointe Way NE and 68th Ave NE via a ramp. From there, Rhododendron Park would be accessible via the sidewalks along both sides of 68th Ave NE. A stairway and/or a 24-hour elevator would provide pedestrian access from the northern portion of the site to Lakepointe Way NE and SR 522. Pedestrian access to Logboom Park would be along the Burke-Gilman Trail. Please also see response to Letter 9, comments 6, 10 and 33; Response to Letter 18, comment 4; and Response to Letter 26, comment 9.

28. The Recreation Plan (Figure 7 in the Draft Supplemental EIS) more closely resembles the pedestrian plan within the shoreline area than does the Circulation Plan (Figure 8A in this Final Supplemental EIS). The design of the trail system along the shoreline has been modified in response to comments on the Draft EIS (see Figure 8A and Letter 12, Comment/Response 2). Map B in the Northshore Community Plan states, "This map is shown for purposes of illustrating the intent of the P-Suffix conditions for the Mixed-Use District only, and shall not be used as a development plan for the site. Actual development plans may vary from this map, as long as the intent of the P-Suffix conditions is met." Please also refer to response to comment 15 of this letter.

29. The plans submitted for the Shoreline Substantial Development Permit (SDP) will be reviewed for compliance with King County's Shoreline Master Program (KCC, Title 25), the Sensitive Areas Code (KCC 21A.24), and the Northshore Community Plan P-suffix conditions prior to issuance of the permit. Detailed design and construction drawings for buildings and open space areas in the shoreline area will be reviewed when grading and construction permit applications are submitted. They must be consistent with the approved plans for the Shoreline Substantial Development Permit. Any deviations from the approved SDP would be reviewed and approved consistent with the provisions of WAC 173-27-100, Revisions to Permits.

30. The mechanism for reviewing future permit applications on the Lakepointe site is unknown at this time. An interlocal agreement will be established between King County and the new City of Kenmore. It is likely that responsibility for reviewing future permit applications on the Lakepointe site will be outlined in the agreement.

31. The Shoreline Substantial Development Permit, which is currently under review by King County, is intended to permit the shoreline development proposed for 45 acres of the 50 acre site (Building Areas A through G). Please refer to response to comment 29 of this letter.

32. The Site Plan (Figure 3 in the Draft Supplemental EIS, page 2-13) and the Phasing Plan (Figure 9 and pages 2-30 to 2-32 in the Draft EIS) identify parking, vehicle turn-around, construction of 117,780 square feet of shoreline park and trail, and two of the Phase 1 Sammamish River view platforms. Specific trailhead facilities such as public restrooms and interpretive signs will be determined during the review and approval of grading and construction permits.

Because of map size constraints, the Draft Supplemental EIS cannot contain maps of sufficient detail to show all facilities and their specifications. Details of the public recreation and

pedestrian facilities can be found in the Commercial Site Development plans on file with King County DDES. Please also refer to Response to Letter 10, comment 17.

33. Please refer to response to comment 20 of this letter. It is anticipated that on-site soils which are suitable for fill would be placed under landscape areas. The composition of on-site soils is described on page 3-6 of the Draft Supplemental EIS. Imported fill material would be anticipated to come from commercial sources and would consist of clean fill and topsoil. However, all grading on the site would be determined through the MTCA process.

34. Please refer to response to comments 20 and 33 of this letter.

35. The solid waste materials referred to have been cleaned-up. Residual materials will be addressed in the MTCA process with the Washington State Department of Ecology. Please refer to the responses to Letter 6.

36. Any approval of a Shoreline Substantial Development Permit for the Lakepointe proposal will carry with it conditions which would require sequential remedial resolution of any existing environmental conditions as a prerequisite to construction. Further phased review would be required to ensure that the overall approval conditions are met as well as any contingencies which may arise during the individual phases.

37. King County's Shoreline Master Program (KCC 25.16.030) states, "Except in those cases when the height requirements of the underlying zones are more restrictive, no structure shall exceed a height of thirty-five feet above average grade level. This requirement may be modified if the view of a substantial number of residences will not be obstructed, if permitted by the applicable provisions of the underlying zoning, and if the proposed development is agricultural, water related or water dependent."

The building heights along the Sammamish River shoreline will not exceed 35 feet; building heights along the Lake Washington shoreline and the inner harbor are proposed to be 45 feet, 72 feet, and 92 feet (please see Figure 11 of the Draft Supplemental EIS). King County has reviewed the figures and information contained in the Draft Supplemental EIS (pages 3-166 through 3-178) and aerial photographs, and has conducted on-site inspections and analyses of properties in the vicinity of the Lakepointe site. Based on that review, King County has concluded that the proposed building heights within the shoreline jurisdiction would be an intrusion into views but would not be an obstruction. Because of the size and scope of the proposed development, the Lakepointe project would become a dominant feature in the landscape and would intrude into territorial views; however, it would not constitute an "obstruction of views of a substantial number of residences" given its distance, orientation, and topographic separation from the residences.

King County's Shoreline Master Program (KCC 25.08.600) defines "water-related" as a use which "Promotes the public's enjoyment of or access to the water" and includes "residential development, boat sales or restaurants." The Lakepointe development would include residential development, restaurants, and pedestrian walkways to promote the public's enjoyment of and access to the water.

The underlying zoning for the site is Regional Business with P-Suffix Conditions (RB-P) and Industrial/Potential RB-P zones (I-Pot RB-P) (see Draft Supplemental EIS, pages 2-2 and 2-3).

The applicant has submitted a Master Plan and applications for the Commercial Site Development Permit and Shoreline Substantial Development Permit. King County has reviewed the applications and determined that the proposed project is a permitted use in the RB-P zone, as defined in KCC 21A and the NSCP. Please see pages 3-119 and 3-135 through 3-154 in the Draft Supplemental EIS for a discussion of zoning and P-suffix conditions.

38. Prior to permit issuance, the plans that have been submitted for the Shoreline Substantial Development Permit are being reviewed for compliance with King County's Shoreline Master Program (KCC, Title 25), the Sensitive Areas Code (KCC 21A.24), and the Northshore Community Plan P-suffix conditions. Permit conditions will be documented in a report and decision on the Shoreline Permit, which will be transmitted to all parties of record for the permit. Plans submitted for subsequent construction permit applications are a public record, and the public may review them when they are submitted to evaluate whether they are consistent with shoreline permit conditions.

39. The Metropolitan King County Council through the adoption of the NSCP and Area Zoning and its associated P-Suffix conditions regarding height has determined that a mixed-use development designed consistent with the P-suffix conditions would be in the public interest. The P-suffix conditions address heights for buildings and structures on all parts of the site (see Figure 10 of the Draft Supplemental EIS).

40. King County has determined that a shoreline variance or a conditional use permit is not needed for the proposed building heights. Please see the response to comments 37 and 48 of this letter.

41. King County interprets the Shoreline Management Act to mean that when a building lies partially within and partially outside of shoreline jurisdiction, only those portions lying within shoreline jurisdiction are subject to the provisions of the SMA. Thus, average grade level would be the average ground elevations at the midpoint of all exterior walls within shoreline jurisdiction, and building heights within shoreline jurisdiction would be measured from the average grade level of all exterior walls within shoreline jurisdiction.

42. The marina and inner harbor basin elements of the proposal have been changed since the publication of the Draft Supplemental EIS in response to comments regarding the shoreline and habitat environment. Overwater structures constructed on piers have been limited to two public outlook pavilions that connect to the marina floating docks. Please refer to Chapter II of this Final Supplemental EIS for detail.

43. King County's Shoreline Management Master Program does not specifically define "wave attenuation wall." However, a wave attentuation wall is a form of "shoreline protection" as defined in KCC 25.08.480: " ... a structure or device, including but not limited to breakwaters, bulkheads, jetties, groins and riprap, which is placed so as to prevent erosion or to alter the normal currents, wave actions or other natural forces or actions of a waterbody." Shoreline protection is allowed under KCC 25.16.180. The proposal will be reviewed consistent with these requirements, and a conditional use permit will not be required.

44. Shoreline protection to replace existing shoreline protection is allowed under KCC 25.16.180, thus a conditional use permit is not required.

45. The comment is correct in stating that any flood hazard areas on the site would be within shoreline jurisdiction. Also, as stated on page 3-23 of the Draft Supplemental EIS, the King County Sensitive Areas Map Folio designates the majority of the site as 100-year flood plain. However, the EIS goes on the explain that more current information indicates that no flood hazard areas exist on the Lakepointe site. The only flood hazard area shown on Figure 14 of the Draft Supplemental lies east of the Lakepointe site on the opposite side of 68th Ave NE.

46. The referenced sediments are located outside the inner harbor and outside the area of proposed development. These sediments are within the jurisdiction of the US Army Corps of Engineers, and will be characterized and disposed of in accordance with the Puget Sound Dredge Disposal Act.

47. Swales would be lined with an impervious geomembrane to provide a separation between stormwater runoff and the site soils.

48. Prior to permit issuance, the applicant will be required to demonstrate that the modifications to the P-suffix conditions meet the goals and intent of the Northshore Community Plan and that the alternative mitigation is warranted, based on changed conditions. In addition, the alternative mitigation must meet the goals and intent of the P-suffix conditions. If King County determines that the modifications cannot be justified, the modifications will not be allowed.

    If the P-suffix modifications are not allowed, the applicant will be required to redesign the project. At that time, a determination will be made as to whether or not the redesign results in new environmental impacts that would require additional environmental review.

49. The P-suffix conditions do not set a limit on the amount of commercial/office space footage, and the only limit on the number of residential dwelling units is based on the density established by the P-suffix conditions for the Lakepointe site and by KCC 21A.12.040 for RB zones. The P-suffix conditions establish a maximum density of 48 dwelling units per acre in the Neighborhood Commercial and Residential subdistricts and 24 dwelling units per acre in the Waterfront and Waterfront Extension subdistricts. This will allow more than 2,000 dwelling units on the Lakepointe site. Likewise, KCC 21A.12.040(3) allows a density of up to 48 dwelling units per acre through the application of residential density incentives or transfer of density credits in mixed use developments.

    Any other modifications to P-suffix conditions will require that the applicant demonstrate that the modifications meet the goals and intent of the Northshore Community Plan and that the alternative mitigation is warranted, based on changed conditions. In addition, the alternative mitigation must meet the goals and intent of the P-suffix conditions. If King County determines that the modifications cannot be justified, they will not be allowed.

50. While it appears that fire trails, drainage facilities, and other structures encroach into sensitive areas buffers, actual buffer widths will vary somewhat because the applicant is proposing to do buffer averaging. Buffer averaging is allowed under the Sensitive Areas Ordinance, and, as part of that process, the applicant will be required to demonstrate that there will be no reduction in total buffer area. Once buffers are established, no disturbance or encroachment into buffer areas will be allowed, thus a request to modify P-suffix conditions is not necessary and is not being requested.

51. Please refer to response to comment 45 of this letter. The FEMA Flood Insurance Rate Maps show the area flooded by the Sammamish River. The maps show the project site to be outside of the 100-year floodplain. There is no compensatory flood storage required because the project does not propose any filling within the floodplain.

52. In response to comments received on the Draft Supplemental EIS, another fisheries analysis was prepared. Please refer to the Fisheries section of Chapter 3 in this document and to the responses to Letter 2, from the Washington Department of Fish and Wildlife, and Letter 8, from the Muckleshoot Indian Tribe.

53. A "potential" mitigation measure is one that is not being proposed by the applicant and is not required by federal, state, or local codes. If the decisionmaker determines that a potential mitigation measure is necessary in order to mitigate a significant adverse impact, the decisionmaker may choose to make it a condition of permit approval.

**Letter 15**

5826 NE Arrowhead Drive NE
Kenmore WA 98011

12/18/97

RE: Lakepointe Master Plan Draft EIS Comment

Dear Ms. Cox

1 1. I am concerned about the non-inclusion of the Holding Tank Pumpout Station at the proposed Marina at Lakepoint.

In my opinion, the risk of spills at the pumpout station is much less than the risk of illegal dumping when boaters with full tanks find out that they have to go several miles back down the lake to find another pumpout station.

I think that building a marina without a pumpout station is like building a stadium without restrooms, and one should be required as part of the permit conditions.

2 2. Also, I am concerned about increased traffic congestion due to the activities generated by the project. I don't have specific suggestions, but urge that any reasonable improvements possible to allow smooth transit for through traffic at the intersection of 68th NE and Bothell Way be required of the developer.

3 It appears that the bypass through the project will handle traffic headed East on Bothell way that wants to turn South on 68th /Juanita Drive.
However, the reverse traffic flow from Juanita Drive Northbound intending to go West on Bothell way to Lake Forest Park doesn't get much assistance. An overpass would be a big help here.

4 Metro has three Park and Ride lots in the area, all North of Bothell Way*. This makes the users of these lots who come from south of the Sammamish River go through the 68th and Bothell Way intersection twice a day just to park their cars. A metro lot south of the intersection would allow these commuters to avoid adding to the congestion by parking and then walking to the bus stops for Seattle bound routes. I spend 8 to 18 minutes each day in a car waiting to cross this intersection when I could walk to the bus stop in about 6 minutes (R/T), if there were commuter parking south of Bothell Way.

Thanks

Don Atkinson

Don Atkinson

5826 NE Arrowhead Drive NE
Kenmore WA 98011

Church at 62ndAve and Bothell Way, 68th Ave and about 182nd St, and 74th and Bothell Way.

# RESPONSE TO LETTER 15

## Atkinson, Don

1. Comment acknowledged. King County supports the provision of a sewage pump-out station and will make it a condition of permit approval.

2. Comment acknowledged. As indicated on page 3-220 of the Draft Supplemental EIS, the level of service (LOS) at the intersection of SR 522 at 68th Ave NE is currently at LOS F and is projected to continue to operate at LOS F in 2005 with or without the Proposed Action. There is no apparent improvement to capacity that can be made to this intersection without major right of way acquisition and local business disruption. However, delays and queuing impacts at this intersection would decrease with the Proposed Action as the result of vehicles being diverted to the new Lakepointe Way NE. Please refer to Chapter 3 for information on the updated traffic analysis and complete listing of transportation mitigation measures prepared for this Final Supplemental EIS.

3. Northbound traffic on Juanita Drive intending to travel west on SR 522 toward Lake Forest Park would be able to bypass the intersection of SR 522/68$^{th}$ Ave NE by using Lakepointe Way NE.

4. Comments related to the provision of a park and ride lot south of SR 522 are acknowledged. As indicated on page 3-218 of the Draft Supplemental EIS, the proposal would be required to "provide a fair-share contribution to the construction of a new park-and-ride facility in the Kenmore area, or provide 50 commuter parking stalls in a location accessible to the southern enhanced transit stop, as determined in the approved TMP". The King County Department of Transportation has indicated its preference for a fair-share contribution rather than the provision of commuter parking stalls on the Lakepointe site. It is not known at this time where a new park-and-ride facility would be located.

BQ

**Letter 16**

*LINDA K. BARNES*
*5980 N.E. ARROWHEAD DRIVE*
*KENMORE, WA 98011*



December 4, 1997

Marilyn E. Cox
King County Department of
Development & Economic Services
900 Oaksdale Ave SW
Renton, WA 98055-1219

Dear Ms. Cox;

1 This letter is in regards to the Draft Supplemental EIS of the Lakepointe development in Kenmore. After reviewing this draft document I have a huge concern about the potential for waste being distributed into Lake Washington from the 60 some boats that will be moored at the proposed marina. My children and family live and play in these waters regularly, I do not want to see them or the habitat harmed by the discharge of holding tanks. I would like to see a sewage pump facility or some other adequate and convenient way for these large boat to handle their waste.

Thank you for your attention to my concerns.

Sincerely,

Linda Barnes

Linda Barnes

# RESPONSE TO LETTER 16

## Barnes, Linda

1. Comment acknowledged. King County supports the provision of a sewage pump-out station.

5930 NE Arrowhead Dr.
Bothell, WA 98011

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97 DEC -2 PM 2:47
K.C.D.D.E.S.

November 26, 1997

Marilyn E. Cox
King Co. Dept. of Development & Environmental Services
900 Oakesdale Ave. SW
Renton, WA 98055-1219

Dear Ms. Cox:

I have been reading certain parts of the Lakepointe Environmental Impact Statement. The current draft indicates that although the Lakepointe marina will provide moorage for several dozens of large boats, there is no provision for a sewage pumpout station. I have been an active boater for more than 30 years and I have come to realize how important it is keep our waterways clear of sewage and debris. Almost all of the fuel stations have provisions for sewage pumpout and every overnight marina where I have stopped during the past few years has one or more sewage pump facilities. Some marinas have small sewage pumpout boats that move around the marina to serve boaters. Also, many of the larger marinas have big mobile sewage pump/tanks which are wheeled down the dock to collect sewage. Spillage is always a concern but rarely is a problem.

1 The marinas referred to above are all out in the saltwater where the water itself and the rise and fall of tides does a lot to keep the water clean, but even there, the pumpout stations are a necessity. It is even more important in a freshwater lake that has little way to take care of itself that we citizens be as careful as we can about pollution. Even though no liveaboards are to be permitted at Lakepointe, there will be lots of activities on the boats and the boatowners will really benefit, if not insist, on a pumpout facility. In certain situations, sewage might even have to be pumped overboard intentionally.

When I moved to the Seattle area in 1957, Lake Washington was in pretty bad shape. Then Metro got underway, and look at the improvement that it has made over the years! As more and more boats use the lake each year, we need to strengthen our efforts to control pollution. As a person who lives on the lakefront just a short distance south of the proposed new marina and who uses the lake regularly in the summer, I really hope we can find a way to include a pumpout station in the Lakepointe development plan. In addition, I think boaters other than those moored at Lakepointe would welcome the availability of pumpout facility which could be used for a fee. This approach might provide even greater benefit than we realize for all of us who use Lake Washington.

Sincerely,

Stan Bray

Stan Bray

Stanley M. Bray
5930 N. E. Arrowhead Dr.
Bothell, WA 98011-5806

# RESPONSE TO LETTER 17

## Bray, Linda

1. Comment acknowledged. King County supports the provision of a sewage pump-out station.

Letter 18

**Joe S. Creager**
6320 N. E. 157th Street
Bothell, WA 98011-4345 Telephone (425) 488-7883
e-mail: joec@u.washington.edu

RECEIVED
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K.C.D.D.E.S.

December 10, 1997

Marilyn E. Cox, Responsible Official
King County Department of Development
& Environmental Services
900 Oakesdale Ave SW
Renton, WA 98055-1219

RE: *Lakepointe Draft Supplemental Environmental Impact Statement*

Dear Ms. Cox:

I attended the meeting Monday evening and chose not to speak because I was too angry to be rational.

I have been a resident of Kenmore since 1958. I am retired from the University of Washington where I was a professor of Geology and Oceanography. I also served as Divisional Dean of the College of Arts and Sciences for Facilities (I oversaw the care of almost 2 million square feet of space during maintenance, renovation, and construction). I feel I have some knowledge concerning the geology, the marina, construction, and EIS and mitigation problems associated with the Lakepointe project.

**Transportation**

1 The primary problem is a county one. Unless ridership has increased (reducing auto traffic), the addition of the eastbound bus lane at 68th Ave NE and Bothell Way is increasing emissions. With a bus stopped in the eastbound lane (turn lane for those southbound) the cars attempting to turn are parked with engines running waiting for the bus to clear the lane. What has the county done to improve conditions at this intersection over the forty years I have lived here? It has spent millions to improve bicycle transit with essentially no improvements to reduce automobile congestion. The county has issued many permits for high density housing within two miles of the intersection thus increasing traffic. I must assume that we are already approaching the approved level of growth for our UGA. The 1,200 residential units represents between 33 and 50% of the 2,600-3,400 new households projected for Kenmore by the year 2012. Who is monitoring this and how do we presently stand relative to the date the policy (1993) was accepted? What are the county's ( or Kenmore's) plans relative to mitigation of the current transportation problems?

2 The University of Washington has acted responsibly in reducing traffic congestion and is a model that should be followed. Why are the developers not suggesting a responsible way of reducing the number of car trips likely to be generated by their 4,500-stall parking lot (this number is ambiguous for it is reported as >4,000, 4,508, or 4,464 depending upon which page you are reading.)? It is not even mentioned in the EIS. Where is the Transportation Management Plan mentioned on page 3-137?

3 Are you aware that during evening commute time traffic occasionally back up on Juanita Drive down to the light at NE 153rd St?

**What is the Lakepointe project?**

4 It has been described as a "pedestrian oriented" "urban village" development (both of these terms were used in a letter to me from Gary Locke and Maggi Fimia). Does this mean it is to be pedestrian oriented after someone arrives in a vehicle or that only those who live there will use the facilities? Just exactly what is an "urban village?" This is an oxymoron. The facility purports to be "neighborhood scale." A facility of ~750,000 square feet (2,400,000 noted on page 3-120) and heights of 92 feet (nine stories) surely can't be classed as "neighborhood scale." How is this scale compatible with the surrounding neighborhood?

**Shoreline Management Master Program**

I was a member of the citizen's group that helped formulate the King County plan. I was also a member of the Seattle Shoreline Commission. This development may meet most of the requirements of the Program, but it certainly does not meet the intent. There is one glaring problem that must be addressed. The Program specifically proscribed avoidance of marina use in areas with poor flushing. The project proposes using a stormwater system to provide flushing. Everyone today makes a joke of "El Nino." One automobile ad tells to avoid the problems of "El Nino" by buying their SUV. How absurd, for the SUV with it's fuel consumption will enhance "El Nino."..We will be experiencing less precipitation in future years. We are already seeing it now. Our strongest winds are from the south. This will hold water in the Marina. What studies, including modeling, have been carried out to prove the suggestion that a stormwater system will flush the marina? 5

**Geology**

If I understand the AGRA report sediment samples were taken every 5 feet (although the 1st page of appendix A states that samples were generally taken at 2.5 to 5 foot-intervals). The shorter interval has used in the short borings. Fifteen longer cores (borings) were taken. Of these 7 were in a narrow band north of the defined af/Qp-mL/Qvr boundary (very close to Bothell Way). Of the remaining 8 corings only one was south of geologic crossection A-A'. These sampling locations look strange in that a majority portion of the site was not subject to deep direct sampling. Presumably, the geologist on site was making all stratigraphic determinations on a visual basis for essentially no laboratory analyses were run. The type of testing carried out would appear to lend itself more to engineering studies than a true measure of the nature of the geologic formations. 6

Nowhere is there any mention of the possibility of a fire in the peat horizons? What would be the result of such an occurrence? 7

Sincerely,

Joe S. Creager

# RESPONSE TO LETTER 18

## Creager, Joe

1. The 1994 King County Comprehensive Plan (KCCP) sets targets for growth in the Urban and Rural areas of unincorporated King County, and King County monitors where we stand relative to those targets through information published in the Annual Growth Report. KCCP Policy U-207 sets a household growth range for King County's entire unincorporated Urban Growth Area of 34,200 to 41,800. The 1997 Annual Growth Report (the latest published information available) indicates that approximately 17 to 20 percent of the targeted number of units had been provided by the end of 1995, and approximately 80 to 83 percent of the targeted number remained to be built.

   The Household Growth Ranges by Urban Subarea listed in Chapter 2 of the King County Comprehensive Plan (KCCP) are intended to be used as a guide for future planning of land uses and decisions on services and infrastructure; they are not intended as "limits" on growth. The listed ranges refer to targets of 2,600 to 3,400 for the entire Northshore Planning area, of which Kenmore is a part. The 1997 Annual Growth Report states that the number of new units in the Northshore area from 1993 through 1996 was 972; of those, approximately 400 new units were in the Kenmore area. The Report does not make a distinction between Urban and Rural. Based on this information, 29 to 37 percent of the number of targeted units had been built by the end of 1996, and 63 to 71 percent remained to be built.

   Information being prepared for the 1998 Annual Growth Report indicates that permits were issued for 583 units in the entire Northshore planning area in 1997. Data on the portion of these which were built in Kenmore is not available at this time. The data indicates that the Northshore planning area is growing at a much faster rate than anticipated by the targets.

   Planned transportation improvements for the Kenmore area are discussed in the Draft Supplemental EIS on pages 3-190 and 3-191and in Appendix C to this document.

2. Comment acknowledged. Please refer to Response to Letter 9, comments 34 and 37.

3. As indicated on page 3-190 of the Draft Supplemental EIS, the intersection of SR 522/68th Ave NE operates at Level of Service F during peak hours, indicating that the intersection operates in a "jammed condition" with very long delays. The statement regarding back-ups on Juanita Drive is acknowledged. Please refer to the Transportation section of Chapter 3 of this document for a discussion on the updated traffic analysis prepared for this Final Supplemental EIS.

4. The Washington State Growth Management Act envisions high density developments such as the Lakepointe proposal in urban areas. Kenmore is within the Urban Growth Area and was designated as an Activity Center in the Northshore Community Plan (NSCP), and the Lakepointe site was designated for mixed-use development in the NSCP (see the discussion in the Draft Supplemental EIS on pages 3-123 through 3-140). The Lakepointe development would provide housing, employment, retail and recreational opportunities in one area. Also consistent with the

goals of the State Growth Management Plan and the NSCP, the proposal would take advantage of the full range of urban services and utilities currently available in the immediate site vicinity.

As indicated on page 3-119 of the Draft Supplemental EIS, the residential and commercial uses proposed for the site would be generally compatible with the existing land uses in the immediate site vicinity. However, the scale and intensity of proposed development would be greater and more urban in character than surrounding development. The proposed residential density of approximately 24 dwelling units per acre would be significantly greater than the approximately 4 to 9 single family units per acre to the north of NE Bothell Way, or the residential density of the Inglewood Country Club to the south, across the Sammamish River. In general, NE Bothell Way and the Sammamish River would buffer adjacent residential uses to the north and south, respectively, from on-site development. The provision of a 100 to 220-foot-wide shoreline park along the southern edge of the site would provide additional buffering for residential uses to the south. The proposed residential density would be similar to that of the Harbor Village condominium complex located to the west of the site and with the apartment complexes located to the north of the site along 68th Ave NE.

The proposal includes many non-motorized features that would provide links to the Kenmore business community to the north, to the regional connections offered by the Burke-Gilman trail and to pedestrians arriving via transit. In addition, on-site pedestrian facilities are provided for residents, customers, visitors and the community at large.

Many design elements were integrated into the Master Plan concept to bring human and pedestrian scale to the experience of visiting, shopping and living in Lakepointe. The creation of sequences of smaller outdoor spaces, building set backs that provide street enclosure, pedestrian features at the boardwalk and street levels, as well as landscape plantings to provide canopy and space definition would be anticipated to all contribute to the pedestrian perception of a much smaller project.

5. The stormwater outfall from the water quality treatment pond is proposed to be located at the eastern end of the inner harbor. No studies or modeling have been done, nor is it being suggested that the stormwater system will completely flush the marina. However, the amount of storm water routed to the inner harbor would be greater than currently exists and would provide more flushing to the inner harbor than under existing conditions.

6. Subsurface explorations at the site were scoped and performed to support geotechnical engineering evaluation. Soil samples recovered were logged by an experienced geologist and classified in accordance with the American Society for Testing and Materials Standards for Description and Identification of Soils. As indicated on page 3-14 of the Draft Supplemental EIS, additional field explorations and laboratory tests would be accomplished as part of specific design review and would include borings in all areas where structures or roadways would be located.

7. The peat deposits underlying the site are submerged several feet below the seasonal low lake level maintained by the US Army Corps of Engineers. Submersion below the water table cools and dampens the peat soils, and eliminates contact with a source of atmospheric oxygen. There is little or no potential for fire in peat soils underlying the site.

RECEIVED
97 DEC 19 PM 4:10
K.C.D.D.E.S.

To: Barbara Questad
Environmental Planner
900 Oakesdale Ave. SW
Renton, WA 98055-1219

From: Howard and Marge Dale
5652 N.E. 180th St.
Seattle, WA 98155

Re: Lakepointe Development

1 The positive aspects of the Lakepointe far outweigh any of the negative points brought out in the environmental impact statement. The developers have been most sensitive to the concerns and problems that might affect residents in surrounding area. It is our opinion that it is time to move ahead with this project now without further delay.

We have lived in the Uplake area of Kenmore for 38 years and would welcome a development as proposed by Lakepointe. The disaster that now exists in the area to be developed is a blight on the entire area. We want to see Kenmore become a first class town and this is a move in the right direction. Get on with it!

# RESPONSE TO LETTER 19

## Dale, Howard and Marge

1. Comment acknowledged.

**Letter 20**

December 17, 1997

RECEIVED

DEC 1 9 1997

SEPA

Barbara Questad, Environmental Planner
King County DDES
900 Oalesdale Ave S.W.
Renton, Wa 98055-1219

Re: Lakepointe Environmental Impact Statement

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With regard to the questions raised:

1. Traffic is already a problem and no doubt will become worse regardless of whether or not Lakepointe is built Too many people are the problem and Lakepointe has the intent of providing a place where people can live, work, shop and relax without leaving the area. The majority of the traffic on Bothell Way is not generated nearby, but from Woodinville, Kirkland, Jaunita, Bothell and other points beyond. Lakepointe would slow down further sprawl.

2. We live directly above Bothell way and are very aware of the fumes from traffic backing up during peak hours. However, only so many cars can fill that space of road, so the amount of emission from the cars could not increase.

3. The presence of tall buildings at this location would affect only a very few adjacent residents. Most of the surrounding area is the lake, Jaunita Drive and industrial..

4. I don't think Lakepointe should be responsible for every bird, fish or other wildlife that doesn't continue to dwell there. These are endangered from other sources as well. We have witnessed Indians setting their nets, not returning for several days at time, then find the fish dead and dump them into the lake. Many other small wooded areas, and Lakepointe is not a wooded area, have been cleared habitat destroyed. Each isn't a large piece, but added together are considerable.

5. I have watched this area become an eyesore as well as saturated with dumping from cement trucks. Something will be built here, if not Lakepointe that no doubt would not be as desirable. It could be industrial use, condos without the extensive thought and planning that has gone into making Lakepointe a first class development. Belive the owners and developer have made a sincere effort to plan an attractive and useful project that will be a decided benefit to Kenmore. Those that object do not live as close nor have as good a view of the project as we do. Would they prefer it remain as it was, verging on a toxic dump cluttered with remains of the old log boom, derelict buildings (and people)?

Mike Gleeson should be encouraged and commended for holding regular public meetings throughout this planning period to encourage public input, although they are not well attended.

Sincerely,

Betty J. Hough

cc: Marilyn E. Cox

Betty J. Hough
5653 N.E. 180th
Seattle, Wa 98155 (425)486-5746

William E. Hough
same address

# RESPONSE TO LETTER 20

## Hough, Betty and William

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2. Comment acknowledged. Please refer to the Air Quality section of Chapter 3 for a discussion on the updated air quality analysis prepared for this Final Supplemental EIS.

3. Comment acknowledged.

4. Comment acknowledged. Please refer to Chapter 3 of this document for a discussion on the updated fisheries analysis prepared for this Final Supplemental EIS.

5. Comment acknowledged.

**Letter 21**

Ann A. Hungar, M.D.
17010 105th Ave NE
Bothell WA 98011

RECEIVED
97 DEC 17 PM 3:27
K.C.D.D.E.S.

December 12, 1997

Barbara Questad
Environmental Planner
King County DDES
900 Oakesdale Ave SW
Renton WA 98055-1219

RE: Draft Supplemental Environmental Impact Statement for Lakepointe Master Plan

Dear Ms. Questad:

1 As a native of North Seattle and a resident of the Kenmore and Bothell area for the last eight years I have some serious concerns about the Lakepointe development; not the least of which is the fact that the DSEIS is confusing and extremely difficult to comprehend. A SEPA document is required to be clear enough for the general public to understand. Please make further changes in this document so that it is consistent and readable.

2 I support adding urban density and decreasing SOVs but am concerned that the Lakepointe project will only accomplish the former, and turn a difficult intersection into a nightmare. What guarantee does the public have that the developer will follow through with the required Transportation Demand Management programs? None of

3 these should not be dependent on the new city of Kenmore, only on the developer of this project.

4 Since the transportation information is from 1993, what data is being used to adjust for cumulative traffic from recent development in the area and from the new UW/Casacadia College that will use SR522 starting in 1998?

5 How will the public be guaranteed a pedestrian bridge over SR522? Who guarantees that the enhanced transit stops on North and South 522 will be constructed? Is a pedestrian bridge part of the required code or not?
Who is responsible for the "Transportation Management Plan" and what does it contain?

Thank you in advance for responding to my concerns.

Sincerely,

Ann A. Hungar, M.D.

# RESPONSE TO LETTER 21

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3. The elements of the Transportation Demand Management program would be the responsibility of the applicant. Please refer to Response to Letter 9, comments 34 and 35 for a discussion of the anticipated permitting responsibilities of the City of Kenmore.

4. Please refer to the Transportation section of Chapter 3 of this document for a discussion on the updated transportation analysis, including an update from 1993 background conditions.

5. Please refer to Response to Letter 9, comment 32.

**Letter 22**

RECEIVED
97 DEC 17 PM 2:49
K.C.D.D.E.S.

5825 NE 181st St
Seattle, Wa 98155
425-487-2784

Marilyn E. Cox
King County Department of Development and Environmental Services
900 Oakesdale Ave. SW
Renton, WA 98055-1219

Dear Ms. Cox,

Thank you for the opportunity to comment on the proposed Lake Point Development EIS. I have attended all of the public meetings on Lake Pointe and have tried to read the two volumes of the EIS and other available pertinent public documents. You might note that only the first vojlume of the EIS was available for loan at the Lake Forest Part library, so the second volume had to be read in the library. On the whole I thought the comments by people at the public meeting were right on the mark. I do not have the legal or engineering background to supply comment on most items, but I was appalled by the extent of the development. My first two comments regard errors in the EIS the others are general.

1 1. Beak Consultants reports in the EIS that large- and small-mouth bass in the north end of Lake Washington don't feed on salmonids. This is ridiculous. I am a fisheries biologist and have observed this predation by bass on salmonids in the lake and reviewed many studies that document this interaction across the species range. Even in the Coumbia River basin salmonids made up 14 percent of the adult largemouth bass diet (Wydoski and Whitney, *Inland Fishes of Washington*,, 1979) and from my personal observations, I've found salmoinds to compose 100% of the diet of some bass in Portage Bay.

2 2. The geological consultants for the EIS report the site is at no greater seismic danger than anywhere else in Seattle. Did they miss the fact that there is a enormous fault that runs the length of this part of Lake Washington and goes directly into the site. This fault is well documented as is the underwater forest that was submerged during an earthquake only a few hundred years ago. I am sure this site is at a far worse danger of seismic damage than many other places in King County, and would be very suspect of any "expert" who reported otherwise, especially as I didn't see any data to support their contention.

General Points: Although I agree with Maggi Fimia taht the area around the Pre-Mix can appear to be an open sore, I would rather see this site stay as it presently is that have it changed to a condo and a mall. I have written and talked to Maggi Fimia and Mike Gleason and heard their responses that this development will go through and we are only talking about the form it will take. As I told them, I disagree, this development is a bad idea. My reasons:

3 1. The proposed site of this condo/mall development is a gore point for traffic in Northshore. Virtually all traffic that goes around the north end of the lake has to pass this site and the road can not easily be made wider. There is absolutely nothing anyone can do

3 to reduce the congestion in this area except reduce the number of vechiles - and this includes buses as they back up the traffic worse than cars do. The County should be doing everything possible to avoid attracting people to this site and to reduce its potential as a destination site. Reduce the densities in this area, don't increase them.

4 2. This area does not economically sustain the stores it presently has. Those of us who live here avoid the Lake Forest Park Mall because of how difficult it is to get in and out. The stores there and in the Kenmore malls already go bankrupt at an astonishing rate. Instead of supporting Lake Pointe, give the small businesses that presently exist the tax breaks and attention the County has suggested lavishing on Lake Pointe. Help our local businesses that already exist.

5 3. This is a bad place to put housing. The land fill is an oozing mess (paddle a kayak pass there after a rain storm and look at the yellow gunk coming out of the landfill site). The construction (even with overfill) will increase chemical run-off into the lake and the chemicals, contamination, and fumes from the land will eventually get into the surface soil, air, and water. ,Just the idea that you will then have people living over the landfill is enough to send chills down my spine.

6 4 The mouth of the Sammamish River is a staging area for salmonids migrating to up the Slough. The site is as much a bottleneck for salmon as commuters. Putting in another marina with all the associated oil and other spills and leakages may well spell the demise of these fish, including the endangered sockeye runs. Through inattention and lack of sufficient concern we have allowed what were once plentiful runs of coho, sockeye, steelhead and perhaps even chinook salmon to go extinct in the Swamp Creek and other Sammamish drainages (only cutthroat and in some years sockeye hang on now). Habitat for their spawning and rearing just doesn't exist anymore. The County has already allowed massive numbers of houses (and massively sized houses) and apartments to be built along the Slough further containing the river and destroying salmon spawning and nursery sites -- now the County is advocating putting in a marina and a shopping mall. Our lack of ecological responsibility will surely be the failing our grandchildren will consider our most grievous - and unforgivable.

7

At the worst, leave the site as it is; at the best, turn it into a park and nature refuge (I can just imagine how preposterous this must sound to the business minded in the County) -- but it is the most responsible thing you can do and about the only thing you can do to avoid turning our lives up here in Kenmore into a living traffic hell (this might sound overly dramatic, but if you lived up here and tried to get through Kenmore at rush hour, you would know I am not exaggerating). This mall is a bad idea, it shouldn't be built.

Thank you,

Orlay Johnson

Orlay Johnson

**Letter 20**

December 17, 1997

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DEC 1 9 1997

SEPA

Barbara Questad, Environmental Planner
King County DDES
900 Oalesdale Ave S.W.
Renton, Wa 98055-1219

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Seattle, Wa 98155 (425)486-5746

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December 12, 1997

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Environmental Planner
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4 2. This area does not economically sustain the stores it presently has. Those of us who live here avoid the Lake Forest Park Mall because of how difficult it is to get in and out. The stores there and in the Kenmore malls already go bankrupt at an astonishing rate. Instead of supporting Lake Pointe, give the small businesses that presently exist the tax breaks and attention the County has suggested lavishing on Lake Pointe. Help our local businesses that already exist.

5 3. This is a bad place to put housing. The land fill is an oozing mess (paddle a kayak pass there after a rain storm and look at the yellow gunk coming out of the landfill site). The construction (even with overfill) will increase chemical run-off into the lake and the chemicals, contamination, and fumes from the land will eventually get into the surface soil, air, and water. ,Just the idea that you will then have people living over the landfill is enough to send chills down my spine.

6 4 The mouth of the Sammamish River is a staging area for salmonids migrating to up the Slough. The site is as much a bottleneck for salmon as commuters. Putting in another marina with all the associated oil and other spills and leakages may well spell the demise of these fish, including the endangered sockeye runs. Through inattention and lack of sufficient concern we have allowed what were once plentiful runs of coho, sockeye, steelhead and perhaps even chinook salmon to go extinct in the Swamp Creek and other Sammamish drainages (only cutthroat and in some years sockeye hang on now). Habitat for their spawning and rearing just doesn't exist anymore. The County has already allowed massive numbers of houses (and massively sized houses) and apartments to be built along the Slough further containing the river and destroying salmon spawning and nursery sites -- now the County is advocating putting in a marina and a shopping mall. Our lack of ecological responsibility will surely be the failing our grandchildren will consider our most grievous - and unforgivable.

7

At the worst, leave the site as it is; at the best, turn it into a park and nature refuge (I can just imagine how preposterous this must sound to the business minded in the County) -- but it is the most responsible thing you can do and about the only thing you can do to avoid turning our lives up here in Kenmore into a living traffic hell (this might sound overly dramatic, but if you lived up here and tried to get through Kenmore at rush hour, you would know I am not exaggerating). This mall is a bad idea, it shouldn't be built.

Thank you,

Orlay Johnson

Orlay Johnson

# RESPONSE TO LETTER 22

## Johnson, Orlay

1. Comment acknowledged. It is acknowledged that large- and small-mouth bass do feed on salmonids. Based on comments received on the Draft Supplemental EIS, an updated fisheries analysis was prepared for this Final Supplemental EIS. Please refer to the Fisheries section of Chapter 3 of this document for detail.

2. Submerged forests in Lake Washington are currently attributed to seismically triggered landsliding, not to local north-south faulting. Specifically, these submerged forests are interpreted to represent north-south failures of steep glacial topography. The landslides were triggered by an earthquake that occurred along the east-west Seattle Fault approximately 1,100 years ago, as determined by tree-ring analyses (Jacoby, et al. 1997) and by mapping and radiocarbon dating of submerged and elevated marsh deposits around Puget Sound (Bucknam et al. 1992).

   Geophysical field studies to investigate the area in and around Lake Washington for possible fault occurrences and their distribution were initiated in March 1998 by the U.S. Geological Survey. These studies are on-going. Recent earthquake fault mapping has been for shallow surface faults. The most notable is the Seattle Fault, also known as the Seattle-Bremerton High, an east-west trending feature which generally follows I-90. This is a near-vertical reverse fault with prominent bedrock outcrops to the south near the Lakemont and Boeing Field areas, and with over 3,000 feet of sediment overburden adjacent to the north. The Whidbey Fault traces northwest-southeast between south Whidbey Island and Everett. No such regional earthquake faults have been noted in the north Lake Washington vicinity.

   Areas underlain by soft alluvial deposits, such as the site, are more subject to ground motion than glacially overridden upland soils. The Proposed Action is to be constructed on deep foundations that extend through soft alluvial soils and embed into glacially overridden sediments. Deep foundations would be necessary, simply from the standpoint of constructing above soft soil conditions, but would also reduce life safety risks from structural damage in the event of an earthquake.

3. Comments acknowledged. The Washington State Growth Management Act envisions high density developments such as the Lakepointe proposal in urban areas. Kenmore is within the Urban Growth Area and was designated as an Activity Center in the Northshore Community Plan (NSCP), and the Lakepointe site was designated for mixed-use development in the NSCP (see the discussion in the Draft Supplemental EIS on pages 3-123 through 3-140). Please also refer to Response to Letter 15, comment 2.

4. Comment acknowledged. The Economic Development Council of Seattle and King County, (206) 389-8650, is available to assist Kenmore businesses, as is the King County Economic Development Program, (206) 205-0700. These agencies are familiar with all of the programs offered by federal, state, and local agencies to assist local businesses.

5. Comment acknowledged. As indicated on page 2-6 of the Draft Supplemental EIS, as a result of previous industrial activity on the site, the Washington Department of Ecology (DOE) has established a Site Hazard Assessment List ranking of 1 (highest rank) for the site. Prior to issuance of any construction permits, a phased remediation plan for the areas determined by DOE to be contaminated and warranting cleanup must be approved consistent with the procedures of the Model Toxics Control Act (MTCA). The specifics of the site remediation plan are currently being determined by the DOE in cooperation with the landowner.

6. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 of this document for detail.

7. Comment acknowledged. Please refer to the Fisheries section of Chapter 3 of this document for detail.

**Letter 23**

RECEIVED
97 DEC 18 PM 3:21
K.C.D.D.E.S.

December 8, 1997

Marilyn E. Cox, Responsible Official
King County Dept. of Development & Environmental Services
900 Oakesdale Ave. SW
Renton, WA 98055-1219

LAKEPOINTE MASTER PLAN DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

1 My concern re:this EIS relates to fisheries issues. In Section 3-70 to 3-73 the discussion centers around piers, overwater structures, docks, walkways and pilings. The remarks would lead a lay person to believe that these structures may actually be an asset to juvenile salmonids. My question is why was the study from David E. Pflug and Gilbert B. Pauley titled BIOLOGY OF SMALLMOUTH BASS (MICROPTERUS DOLOMIEUI) IN LAKE SAMMAMISH, WASHINGTON, published in NORTHWEST SCIENCE, Vol. 58, No. 2, 1984 not included in the cited studies? This research indicates that bass prefer rocky or gravelly bottoms and areas with overhangs or pilings in the water. It also indicates the researchers found these fish prefer juvenile salmonids, crayfish and sculpins.

This information would seem to be just the opposite of what is suggested in the text of this EIS. A greater population of predatory bass would result in a correlating decrease in juvenile salmonids.

Marilyn Knutson
425 889-2018

# RESPONSE TO LETTER 23

## Knutson, Marilyn

1. Based on comments received on the Draft Supplemental EIS, the marina plan was revised to limit the amount of proposed in-water and over-water structure in the inner harbor to further limit the potential for increased salmonid predation. Please refer to Chapter 2 of this document for detail on the revised marina plan.

   It is acknowledged that large- and small-mouth bass do feed on salmonids. Based on comments received on the Draft Supplemental EIS, an updated fisheries analysis was prepared for this Final Supplemental EIS. Please refer to the Fisheries section of Chapter 3 of this document for detail.

RECEIVED
DEC 12 1997
SEPA

18126-60th Ave N.E.
Seattle, WA 98155

Dec 9, 97

Barbara Luestack

I am writing to you concerning the Lakepointe project & its future impact on our area. We live on the edge of the new Kenmore city limits - & have lived here for over 37 years now.

As you will know Bothell Way / Lake City Way is perhaps one of the 3 high traffic areas in the county / state. Why would the various planning commissions & environmentalists ever permit greedy developers to go ahead with such a humongous land development under these tight conditions?!

1 These plans will not only impact traffic congestion 6 / 12 00 residents get 3 but the lake as well. We DO NOT need

this congestion!! What will happen to this area with all those businesses, cars & people coming & going all the time.

Before long our city will start to look like the ones in central Europe where all but the wealthy live in huge blocks of condos & apartments. At least some of them have rapid transit.

This addition could also over stress Metro, which currently does a pretty good job out our way.

Greater access to the water ways is not necessary here. There already is one a boat ramp included at the end of the lake.

I can think of no good coming to our residence. The ones to profit are the greedy developers - at our expense. We are unalterably opposed to this plan.

Sincerely,
Doreen Lapeyrouse

Mrs. Doreen Lapeyrouse
18126 - 60th Ave. N. E., Seattle, Wa. 98155

# RESPONSE TO LETTER 24

## Lapeyrouse, Doreen

1. The Washington State Growth Management Act envisions high density developments such as the Lakepointe proposal in urban areas. Kenmore is within the Urban Growth Area and was designated as an Activity Center in the Northshore Community Plan (NSCP), and the Lakepointe site was designated for mixed-use development in the NSCP (see the discussion in the Draft Supplemental EIS on pages 3-123 through 3-140). The Lakepointe development would provide housing, employment, retail and recreational opportunities in one area. Also consistent with the goals of the State Growth Management Plan and the NSCP, the proposal would take advantage of the full range of urban services and utilities currently available in the immediate site vicinity. Comments relating to the traffic conditions at the intersection of SR 522/68$^{th}$ Ave NE are acknowledged. Please refer to Response to Letter 15, comment 2 for additional detail on traffic conditions at this intersection.

2. Please refer to the Transportation section of Chapter 3 for a discussion on the updated traffic analysis prepared for this Final Supplemental EIS.

3. Comment acknowledged.

4. Comment acknowledged. As indicated on page 3-213 of the Draft Supplemental EIS, to facilitate transit use, the applicant would construct a transit stop on the north and south sides of SR 522 between Lakepointe Way NE and 68th Ave NE. A new pedestrian crosswalk would be provided at-grade across SR 522 at the new traffic signal to be installed on SR 522 at Lakepointe Way NE.

5. Comment acknowledged.

6. Comment acknowledged

**Letter 25**

19604 66 Avenue N.E.
Seattle,Washington 98155
December 7,1997

Ms. Barbara Questad,
Environmental Planner
King County DDES
900 Oakesdale Ave SW
Renton,WA 98055-1219

RECEIVED
DEC - 8 1997
S E - A

RE: Draft Supplemmental Environmental Impact Statement for Lakepointe Master Plan

TRANSPORTATION

Dear Ms. Questad:

1-21
3-185

1 There exists considerable doubt among the Kenmore community that much credibility exists for figures derived from TRANSYT 7F/computer model from Florida. If it is true that cars waiting over 180 seconds (3 minutes) at any signals will self-destruct (blow-up), how can you use the model as an accurate data provider?

1-21

i i

2 What is the <u>current</u> traffic data for trip generation based on a 9% increase in building area (proposed 644,215 sq.ft. -Alternative I 500,000 sq.ft.=145,215 sq.ft. difference = a 29% commercial/retail increase over the Northshore Community Plan plus a 20% increase in residential units as compared to the N.C.P.?

3 How have the many residential units completed since 1994 along 175th St. been factored into projections for transportation congestion and vehicle pollution?

4 Will there be a carbon monoxide analysis at intersection of 68th Ave NE and SR522? Samplings done at Lake Forest Park and Northgate are too far away and too different in scope to be comparables. Do federal/state regulation of Clean Air Act apply? Long queues on northbound 68th Ave NE,cars idling for 5 minutes or more, create serious pollution. How will this be

addressed?

1-21 5 What data was used to generate 13,692 daily trips? Is this the intersection of SR522/68AVE NE? If you are splitting away traffic at Lakepointe Blvd., what are the combined totals at an reunited intersection such as SR522/SR104(Ballinger Way)?

1-22 6 Would be provided = not a sentence.boats, not beats.Will kayaks/canoes/dinghies be launchable?

1-22 7 Second paragraph "A.M.level of service..." is inaccurate and inconsistent with

1-25 8 1-25 first paragraph "The level of service (LOS) at the intersection of SR522 and 68th AveNE is currently at LOS F and is projected to continue to operate at LOS F in the year 2005 with or without the Proposed Action. There is no apparent improvement to capacity that can be made to this intersection without major right-of-way acquistion and local business disruption. Traffic queues would continue to exceed the storage capacity at several locations and affect the traffic operation at adjacent intersections.

1-23 9 If the enhanced transit stops are not consistent with King Co./ WSDOT standards OR NO AVAILABLE RIGHT OF WAY exists, does that mean they won't be built? What binding assurances are there that these transit stops/new park and ride/50 stalls will be built?

3-218 10 If the City of Kenmore or Lakepointe is not willing to provide "a fair share contribution" (for the construction of a pedestrian bridge over SR522), what legal force can be used to build it? What laws govern "fair share" in light of the new incorporation of Kenmore with their limited bonding capacity?

1-24 11 What happens to proposals of lanes/signal phase overlap if City of Kenmore doesn't approve a LID (local improvement district)?

3-184 "This analysis assumed 1,000 residential units..." How has the

12 transportation impacts/mitigations been changed to accomodate the 20% increase in residential units and a 29% increase of commercial/retail space over NCP Alternative I now being proposed? Now, 2,400,000 sq.ft. of occupied space is proposed.

3-185

13 The TRANSYT-7F model is seriously flawed and it "cannot predict precise numerical values for travel speeds or delays nor queuing (traffic backups) at intersections." Yet one of the greatest problems is the queuing at multiple intersections, along 68th Ave NE at SR522, NE175, and NE 1 70th (Simonds Rd.). Those who drive through these intersections can testify that the time required to drive through these intersections has greatly increased in the past four years!

1-23

14 What exactly will the Transportation Management Plaln (TMA) consist of? What is its scope and content?

15 If Phase 7, the last phase of development, is 7-10 years away, how will this "double dose" of Lakepointe construction and Kenmore Pre-Mix operation affect noise, air, and traffic pollution? Since these are adjoining sites, are there any regulations for cumulative pollutions?

3-195

16 Have the property owners of several private businesses on the north side of SR522( US BANK,BP,NU-LITE, (and post office), AND TEXACO been notified that the proposal prohibits left turn access into their businesses? Is there any requirement to do so?

3-197 17 Figures 34-39 do not add up correctly, do they?

3-205

18 Due to the model unable to deal/project queuing over 3 minutes, how can all these assertions have any validity? This is a fundamental error that must be addressed. What valid data will be used?

18 When SR522 is backed up from Ballinger Way to Simonds Rd isn't it likely that both 68thAve NE and Lakepointe Way will be similarly affected ?

3-207
3-205
19 Third paragraph ("The percent change...")Since queuing over 3 minutes caused the model to blow up, I question these 3-206 conclusions. On what basis can you say this? See blow-up admitted in paragraph five.

3-212
20 Current measurements are needed at 68Ave NE/NE170. Many regular drivers report LOS F here already.

WAC 1971160
21 Under SEPA, the mitigation impacts proposed must be reasonable and capable of being accomplished.

3-213
22 What is binding for the developer to build the pedestrian overpass? Without a pedestrian overpass, how could the transit stop be easily and safely reached by pedestrians, wheelchairs, and cyclists? Stairs, elevators, and crosswalks are limited in their usefulness/safety,and may not be ADA compatible. Where has this isssue been addressed?

3-216
23 How has the limited bonding capacity of the new City of Kenmore been acknowledged as unlikely to make possible an L.I.D. (local improvement district)?

3-216//218
24 These pages seem to contradict each other. How can a pedestrian bridge be an"additional improvement, which are not part of the Proposed Action..."(p.3-216) and then on p.3-218 be "Required by Code" (Bullet 6)?

3-218
25 Who guarantees the enhanced transit stops on North and South side of SR522 will be constructed?

26 If agreements are with King County now, what provisions are in place for translation into interlocal agreements with City of Kenmore?

27 Describe some of the ordinances/permits that will become the perogative of City of Kenmore.

28 Why are the five acres of Site H not included in the EIS analysis? 92 foot building, (hotel?) will impact greatly. Not having definite plans for the area does not remove the responsibility under SEPA for addressing the cumulative impacts.

35 In summary, there is an admittance that "Thus, transportation strategies assigned to the Kenmore area focus on allowing roadways to remain congested while investing in safety improvements, High Occuapancy Vehicle lanes, improved transit service, and improved pedestrian and bicycle access to transit and other services.." Yet,where are these specific plans, where
29 is the HOV lane, the separation of cars from pedestians/bikers either from Lakepointe Way to SR522 or even on some parts of the non-continuous pedestrian trail along the Sammanish
30 River? What exact requirements are in place for the developer to improve any of these elements? Where are the
31 bike/pedestrian features of the current (not older) proposal? How could transit only lanes on SR522 be opened to HOVs
32 through Kenmore and Lake Forest Park?

33 The Northshore Community Plan, (Proposal I) calls for lesser development than is proposed by Lakepointe, making less traffic congestion in the Kenmore area. Isn't this a valid reason to reinstate the limit of 1,000 residential units (decreasing by 20% and reinstate the 29% less comercial/retail space? This plan would make a better community for us all.

Thanking you very kindly for responding to these concern which I trust will be helpful,

I remain,

Karen McFadden

(425) 486-9585

Karen McFadden
19604 66 Ave NE
Seattle, WA 98155

# RESPONSE TO LETTER 25

## McFadden, Karen (12/7/97)

1. Comment acknowledged. Please refer to Response to Letter 12, comment 28.

2. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for an updated discussion on trip generation.

   The number of units proposed for Lakepointe is based on the residential densities required by NSCP P-Suffix Condition No. 11 for the Lakepointe site, and on the 14,200 average project trips per day anticipated by the Lakepointe Transportation Analysis for NSCP and Area Zoning Amendments. This analysis served as a basis for zoning Building Areas A through G on the site as Regional Business (RB) when the KCCP was adopted in 1994. The 14,200 trips anticipated by the 1994 transportation analysis was based on the mix of uses described in that report, which included 1,000 dwelling units. The current proposal has a different mix of uses, which includes an increase in the number of proposed dwelling units from 1,000 to 1,200; the total number of trips generated would be 12,686. Thus the Proposed Action would generate less than the 14,200 which served as the basis for adopting RB zoning on the site in 1994.

3. Both the updated air quality and updated transportation analyses prepared for this Final Supplemental EIS include anticipated growth in the site vicinity. Please refer to the Air Quality and Transportation sections of Chapter 3 of this Final Supplemental EIS for detail. Please also refer to Response to letter 18, comment 1 for a discussion on documented growth in the Northshore Community Planning Area.

4. The air quality analysis discussed in the Draft Supplemental EIS has been revised and expanded to include site-specific modeling of the potential impacts of traffic and roadway system changes related to the proposed project. Please refer to Chapter 3 for a discussion of the expanded air quality analysis prepared for this Final Supplemental EIS. As indicated in that discussion, the federal and state air quality standards do apply to all sources related to the proposed project, and these standards have been considered in the modeling analysis.

5. Please note that the updated transportation analysis prepared for this Final Supplemental EIS determined that the proposed action would generate 12,686 daily trips. Trip generation for each building on the site was determined, based on either building size (in the case of the office space, retail space, and health club), the number of residential housing units (in the case of apartments, condos, and retirement community), the number of movie screens at the theater, or the number of occupied rooms at the hotel (80 percent of the total number of rooms based on occupancy data for the area). Trip generation was based on ITE Trip Generation 6$^{th}$ Edition, which bases its rates on studies of each land use conducted throughout the United States. These trips were assigned to roadways in the area based on the distribution of trips from the area as predicted by the PSRC 2020 regional travel demand forecasting model.

6. Comment acknowledged. The cited sentence should read "the proposed marina would increase the number of <u>boats</u> in the area that could conflict with seaplanes". It is not anticipated that

kayaks, canoes or dinghies would be launchable from the marina. Please see Response to Letter 1, comment 2, and Response to Letter 11, comment 2.

7. The intersection of SR 522 at 68th Ave NE deteriorates to LOS F in 2005 during both peak periods without the proposal. With the proposal, the intersection would operate at LOS E in the AM peak and LOS F in the PM peak. The average delay would decrease with the proposal due to the traffic volume shift to Lakepointe Way NE. Though the SR 522 corridor is fully built out, WSDOT is studying potential right-of-way acquisition for improvements to the intersection as part of the SR 522 corridor project. WSDOT has preliminarily identified construction of a second westbound left-turn pocket, separating the northbound left-through lane into separate left turn and through lanes, and construction of a southbound left turn pocket. These improvements would reduce delays at the intersection to LOS D in the AM peak with the project, but operation would remain at LOS F during the PM peak hour. These planned improvements would, however, provide operational benefits at the NE 175th St and Lakepointe Way NE intersections along 68th Ave NE.

8. Please refer to response to comment 7 of this letter.

9. Please see Response to Letter 12, comment 38, regarding P-suffix condition NS-P4, No. 14. The decision about whether to require 50 commuter parking stalls or a contribution to a new park-and-ride facility will be documented in the Transportation Mitigation Agreement, which will form part of the permit approval for the Lakepointe Master Plan and CSDP. The responsibility for land acquisition and obtaining approvals for transit stops will transfer to the new City of Kenmore after incorporation on August 31, 1998. There is no guarantee that the City will be able to acquire land, but it is assumed that this will occur.

10. There is no legal requirement that the pedestrian bridge over SR 522 be constructed. The final Transportation Mitigation Agreement may establish what Lakepointe's "fair share" for the pedestrian bridge would be if an entity should propose funding and construction of the pedestrian bridge in the future. Please see the Responses to Letter 9, comments 32, 33 and 34.

11. The mechanism that will be used to fund Lakepointe transportation improvements is unknown at this time. Please see the discussion of funding in the Major Conclusions and Issues to Be Resolved section of Chapter 1 - Summary in this document. For additional information on the Transportation Mitigation Agreement, please refer to Response to Letter 9, comment 34.

12. The analysis presented in the Draft Supplemental EIS and in the updated transportation analysis represents trip forecasts and traffic patterns associated with the site plan containing 1,200 residential units and approximately 600,000 square feet of office/retail space. Please refer to response to comment 2 of this letter and the Transportation section of Chapter 3 of this document for detail.

13. Please refer to Response to Letter 12, comment 28.

14. Please refer to Response to Letter 9, comments 34 and 37.

15. The impacts of noise, air, and traffic from construction on the Lakepointe site and operation of the Kenmore Pre-Mix business are discussed in the Draft Supplemental EIS in the *Noise* section, pages 3-88, 3-89, 3-96, 3-99, and 3-102, and in the *Transportation* section on pages 3-212

through 3-214. Air quality impacts are discussed in this Final Supplemental EIS on pages 3-17 through 3-21. The Lakepointe applicant would be required to comply with permit conditions, and both Lakepointe and the existing Kenmore Pre-Mix business would be required to comply with King County noise regulations and Puget Sound Air Pollution Control Agency regulations. Please also refer to Chapter 3 of this Final Supplemental EIS for additional discussions on transportation and air quality.

16. Each of the businesses along SR 522 between 61st Ave NE and 80th Ave NE have been mailed notification that this Final EIS is available for review. The decision on whether or not to prohibit left turns to and from SR 522 will be made during the design phase and as part of the construction permit approval process for the highway improvements. When a Final EIS is issued and when permit applications are submitted, King County's regulations require that notice be published in the newspaper, a 4-ft X 4-ft sign be posted on the property, and notice be mailed to properties owners within 500 feet of the proposed development.

17. Comment acknowledged. Please refer to Response to Letter 12, comment 26.

18. The Transyt7F Release 8 (the most recent version of the traffic model), used in the updated transportation analysis, simulates the entire 60-minute peak period on a cycle-by-cycle basis to gauge the effects of delays and queuing resulting from multiple cycle waits. It also gauges the effects of queuing on adjacent intersections and the corresponding increases in delay that result because it eliminates the problem of traffic "disappearing" from the system after a single cycle wait. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

19. Please refer to response to comment 18 of this letter.

20. Comment acknowledged. Based on comments received on the Draft Supplemental EIS, updated traffic counts were performed at area intersections. Please refer to the Transportation section of Chapter 3 of this Final Supplemental EIS for detail.

21. Comment acknowledged. WAC 197-11-660( c ) states that "Mitigation measures shall be reasonable and capable of being accomplished".

22. Please refer to Letter 9, comments 32 and 33.

23. A municipality's legal debt capacity does not affect its ability to create a Local Improvement District. Please see the response to Letter 12, comment 36.

24. Comment acknowledged. The P-suffix conditions require that the Lakepointe development contribute a fair share to construction of an overpass if it is constructed. However, at the time of publication of this Final EIS, there are no plans in place to provide funding for construction. Thus, it is unlikely that King County will require a pedestrian overpass to be in place as a condition of permit approval. King County can require that a "safe pedestrian crossing of SR 522" be in place prior to occupancy of Phase 1; this could be an at-grade crossing.

25. The P-suffix conditions state that certificates of occupancy shall not be issued for development of the Pre-Mix site until the transit stops are constructed or until adequate security to ensure their construction has been provided.

26. Please see Response to Letter 10, comment 21.

27. Once the City of Kenmore incorporation becomes effective, the City will be responsible for issuing all development permits within the city limits. It is possible that through the interlocal agreement, the City will ask King County to review designated permits.

28. Please refer to Response to Letter 5, comment 4 for detail on permitting and environmental review status of Building Area H.

29. Because of map size constraints, the Draft Supplemental EIS cannot contain maps of sufficient detail to show all facilities and their specifications. Information on the specifics of the pedestrian and bicycle access can be found in the Commercial Site Development Permit plans which include an overall Site Circulation Plan, an On-Site Recreation Plan, and a Barrier Free Access Plan and Details. The HOV lane has been recently constructed on SR522, west of the proposed Lakepointe Way intersection.

30. Please refer to Response to Letter 9, comment 34.

31. The proposed bike/pedestrian facilities are illustrated on Figure 8A of Chapter 2 of this Final Supplemental EIS.

32. The Washington State Department of Transportation controls uses on SR 522 and would be the decisionmaker for any changes to the use of the transit only lanes. Any decision to use transit only lanes for HOVs would be related to regional demand and would not be specifically related to the proposal.

33. The properties comprising Building Areas A through G were granted Regional Business zoning in 1994 based on a transportation analysis which assumed that development on the site would generate no more than 14,200 average daily trips. The updated transportation analysis indicates that the Proposed Action would generate an average of 12,700 average daily trips. Please refer to the introduction to the transportation discussion in the Major Conclusions and Issues to Be Resolved section of Chapter 1 - Summary in this document.

Letter 26

19604-66Avenue N.E.
Seattle, Washington 98155
December 14,1997





Ms. Barbara Questad,
Environmental Planner
King County DDES
900 Oakesdale Ave SW
Renton, WA 98055-1219

Re:Draft Supplemental Environmental Impact Statement for Lakepointe Master Plan---General Concerns

Dear Ms. Questad:

1 It makes no sense not to have a pump-out services for boats at the Lakepointe Marina. There is a pressing need for this service, without a doubt. I only wish it could be a public, rather than a private pump-out. As addressed in the recent public meeting, boaters WILL dump; the choice is where--in the lake we all love or in the sewer?

2 May I amplify Ms. Nora Strothman's researched report on noise pollution levels during and after construction? The viability of the Lakepointe community depends on a decibel reduction formula. Building A seems hardest hit. (1-15 ).Yet on same page, a "escape clause" limits "to the extent practicable". What are the nighttime noise limits in King County? Could City of Kenmore adopt its own noise ordinance to supercede K.C.'s?

3 1-17 Could City of Kenmore require use of Hoesch Noise Abatement Tower?

4 1-18 Has there been analysis of noise levels of accumulative noise of both Lakepointe and Kenmore Pre-MiX? The last phase , Phase 7, when Kenmore Pre-Mix is displaced, is not scheduled for 6-10 years.

5 1-20 What does "somewhat offset" mean? How, specifically, will a "visual link to Kenmore" be designed? Is something meant here beyond the obvious?

6 1-20 Isn't changing from one or two story buildings to nine to ten story buildings inconsistent with any" pedestrian-oriented development"? I

7 question the undesirablity of changing from the P-suffixes of lesser building area and heights proposed in Alternative I-the Northshore

Community Plan Conceptual Master Plan. A twenty percent increase in residential units is less friendly to pedestrians as building rise in both height and bulk. More people= less open space and denser development. 29% increase in professional/commercial/retail is a sell-out to the developer and serverely compromises the Northshore Plan and the will of the community. If Alternative I is required, there would be less dense development, with resultant reduction in bulk and more open space(even vertical) which would achieve a more friendly pedestrian environment.

8 1-20 How much will the vegated buffer along Lake Washington and the Sammamish River shorelines be expanded? How will it be "enhanced"? Do the current plans call for a replanting of all but 3 trees? Is this "preserved"?

Appendices 1-1.2.2 "A pedestrian-only trail would be built parallel to the Sammamish River and a combined public access trail/firelane would be built along the Lake Washington shore."

Since I was the Northshore Citizens Advisory Committee member who supported/advocated the designation of this property to have a mixed-use zoning because I felt that an integrated,single development could enhance community access to a unique river and lakeshore trail, I am particularly concerned that this continous trail has been hacked to pieces and combined in places with CARS,not just fire lanes. In the five years I have been monitoring this "continuous trail", the plans have suffered increasing erosion. As late as the December 4,1997 meeting of the Lakepointe Task Force, the model had a trail system that had been superceded with a new non-continuous trail system. The Task Force joined me in opposing the latest version, feeling, as Kinnon Williams stated on Nov. 20,1997, "We, the Kenmore Community, have lost out big time."

9 The presently proposed pedestrian "trail" is hardly that, having no continuous route prohibiting car traffic. Why has the trail been so brutally compromised? This is an extreme and unforgivable insult to the people of Kenmore and King County, and could result in severe actions.

10 Toxic wastes, amply described in Agra's report, remain a vital concern since people, including children, will live above the contaminents. Also, what good is "capping" if 5,000 piles will be driven through, puncturing the cap? When the bog evolves into a gelatinous mass, what happens to the cap?

11 What are the clean-up plans for the site? Figure 8 shows areas

above standard levels ; how will they be dealt with?

12 Is it true that some of the garages will be partially lower than the water table?

13 How bright are the flashing red lights atop the buildings? On how many buildings will they be located? What Is the level of elevation at which they are required? I did not see this addressed in the EIS (was it there?), but learned of it after talking to Todd Banks of the Kenmore Air Harbor .

14 What are the current limits of public moorage at the marina? Where is the guest dock? Can boats of any size use public short-term mooorage to eat/shop at Lakepointe?

15 1-2 "Provide significant opportunities for public access to shorelines consistent with development needs of the project and the applicable P-suffix conditions." How do you define "significant opportunities" and "consistent with development needs"? Are these escape clauses?

16 1-28 Does a fee-in-lieu mean that the developer is free to pay money instead of providing the required open space and recreation uses?

17 If pedestrians/bikers/handicapped have to go to a dark, unsafe route to connect to either the Burke-Gilman Trail /transit stop of SR522, or to Lakepointe itself, they most likely won't use it, severely compromising the pedestrian nature of Lakepointe. Where are the exact plans for these connections? I looked and asked others,but we couldn't find exact plans for the pedestrian route and connections to these points. Is there any bike/pedestrian route on Lakepointe Way as it crosses SR522 when the southbound cars go into the transit lanes?

18 The bike routes appear to have dangerous design. Are the most current plans for bike and pedestrian route in compliance with county code?

Thank you kindly for addressing these concerns.

Sincerely,
Karen McFadden

Karen McFadden
19604-66AveNE, Seattle,WA 98155

# RESPONSE TO LETTER 26

## McFadden, Karen (12/14/97)

1. Comment acknowledged. King County supports the provision of a sewage pump-out station and will make it a condition of permit approval.

2. The comment that "the viability of the Lakepointe community depends on a decibel reduction formula" appears to suggest the need for controlling on-site noise sources, especially during construction. While construction noise during daytime hours is exempt from King County noise limits, the Draft Supplemental EIS recognizes that measures to reduce potential noise impacts are warranted (see page 3-101 of the Draft Supplemental EIS).

   The King County nighttime noise limits are presented in Table 17 of the Draft Supplemental EIS noise section. The nighttime maximum permissible level for sounds generated in an industrial zone and received in a residential zone is 50 dBA. This is 10 dBA lower than allowed during the day. As indicated on p. 3-100, construction activity during nighttime hours would be subject to the nighttime noise limits in the King County Code.

   The City of Kenmore could adopt its own environmental noise rule as long as the rule was consistent with the intent and limits in the Washington State rule. King County's noise rule is consistent with the state rule, so any rule adopted in Kenmore would probably be similar to the current King County rule. The state noise rule allows local noise control programs to vary from the state rule only if a specific need can be demonstrated (WAC 173-60-110).

3. Because Kenmore does not yet have its own noise rule, the King County rule governs. If deemed necessary, King County could impose general and/or specific mitigation measures designed to control noise generation on the site or noise transmission from the site (see the Mitigation Measures section, p. 3-100 of the Draft Supplemental EIS).

4. Construction noise was not specifically considered in conjunction with noise generated by the concrete plant, which is subject to the county noise limits. Noise from construction activities would be considerably louder than noise from the concrete plant, so noise from construction sources would dominate the acoustic environment. Noise from the concrete plant would be most noticeable when construction noise is least, especially during early morning hours of barge unloading before construction activities begin. As indicated on page 3-92 of the Draft Supplemental EIS, the noise analysis estimated the possible ranges of construction noise that could occur at the most sensitive receiving locations near the project site, including Inglewood Shores condominiums to the south, and homes to the north and west, where existing sound level measurements were taken. These estimates are based on the cumulative sound levels from the variety of construction activities that could occur (i.e., the sound levels that would result if all construction activities occurred at the same time).

   In reality, noise from construction activities would be temporary and the construction sources would move around the project site as phased construction occurs. In addition, daytime noise

from construction is exempt from the maximum permissible limits in the King County noise rule.

Noise impacts to future residents of the site from existing on-site industrial activity (i.e. pre-mix plant) is analyzed on page 3-99 of the Draft Supplemental EIS.

5. The cited reference refers to the fact that the visual impact of the requested building height increase in the area within 200 feet to 300 feet of the Sammamish River would be "somewhat" offset by the requested reduction in building heights in the west central portion of the site. Please refer to page 3-178 of the Draft Supplemental EIS for a discussion of the proposed modification of building heights set forth in the P-suffix conditions.

6. Although the buildings currently on the site are one-and two-stories high, the activities on the site are industrial in nature, and there are no pedestrian facilities or amenities. While the Lakepointe Master Plan includes urban-scale buildings ranging from seven-to nine-stories high, it will also include approximately 6,400 linear feet of paved walkways, trails, and pedestrian areas, including links to the Burke-Gilman Trail and to transit facilities along SR 522 (see Draft Supplemental EIS, page 2-25) to encourage pedestrian activity on the site.

7. Comment acknowledged. Each element of the environment analyzed in the Draft Supplemental EIS included a comparison of impacts under Alternative 1 (Conceptual Master Plan Illustrated in the Northshore Community Plan) with those under the Proposed Action. As indicated on page 2-40 of the Draft Supplemental EIS, the amount of open space under Alternative 1 would total 18.8 acres compared to the 21.2 acres under the Proposed Action. The shoreline park under Alternative 1 would be generally similar to that under the Proposed Action, although there would be some roadway and parking lot intrusions in the southeast portion of the site which would not occur under the Proposed Action. Townhome units located along the Sammamish River would include privately owned backyards which would further restrict public view access of the river compared to the Proposed Action. Because the main access road (described as NE Lakepointe Blvd under the Proposed Action) would be closer to the inner harbor, the amount of waterfront boardwalk would be significantly reduced in size from that under the Proposed Action. As under the Proposed Action, an on-site trail connection to the Burke-Gilman Trail would be provided.

   Please refer to Response to Letter 25, comment 2 for a discussion on the relationship between the traffic generation under the Proposed Action and traffic generation under Alternative 1.

8. The current vegetated edge along the shoreline measures 5- to 45-feet wide. Much of this vegetation is Himalayan blackberries and less desirable tree species such as alder and cottonwood. The Conceptual Landscape Plan (L1.0 of the Commercial Site Development Permit plans) illustrates the proposed enhanced vegetation area that measures 100 to 130-feet in depth from the shoreline. The Conceptual Landscape Plan indicates approximately thirty existing significant deciduous and evergreen trees (8 inches in diameter at breast height) would be preserved along the Lake Washington shoreline and approximately one hundred existing significant deciduous and evergreen trees would remain along the Sammamish River shoreline (a total of 3 significant trees would be removed).

   The proposed enhancement strategy for the shoreline areas includes restoration of riparian vegetation, including western red cedar, willow, dogwood, sedges, and reeds. Non-native, invasive species, such as the blackberries, would be removed and native woody species planted.

9. Please refer to Response to Letter 14, comment 15.

10. Engineering plans for pile driving have not been submitted for review, thus King County does not know how pile driving will be accomplished or what the impacts will be. The Washington Department of Ecology has indicated that pile driving will not be part of the MTCA remediation plan. Engineering plans for pile driving will be submitted to the City of Kenmore for review and approval, and it will be the City's responsibility to determine what the impacts will be. Please see additional mitigation measures in Chapter 2 of this document.

11. The contaminated areas are currently proposed to be capped to prevent direct contact with the wood debris layer. Refer to response to comment 10 of this letter.

12. No garage structures would be located below the water table level.

13. No specific plans for aircraft warning lights had been established at the time of issuance of this Final Supplemental EIS. The number, height and brightness of the aircraft warning lights would be the minimum necessary to meet Federal Aviation Administration standards.

14. On May 22, 1996, the Applicant and Kenmore Air Harbor, Inc. entered into a legally binding agreement specifying the type of boat moorage allowed at the site. The primary purpose of the agreement was to assure that boat use at the proposed marina and operation at Kenmore Air Harbor can safely co-exist. The agreement specifies three types of moorage allowed at the marina as follows: moorage for permanent residents; moorage for the guests of permanent residents; and moorage for the hotel guests. No short-term public moorage would be allowed.

15. The cited statement is one of the applicant's objectives for the Lakepointe Master Plan (see Draft Supplemental EIS, page 1-2). The stated objective indicates that the developer intends to provide public access to the Sammamish River and Lake Washington, meet the requirements of the P-suffix conditions (which include provisions to minimize impacts the shoreline) and, at the same time, develop a financially feasible project.

16. King County Code (KCC 21A.14.185) allows an applicant to pay a fee-in-lieu of on-site recreation space. However, King County's acceptance of this payment is discretionary. Drawings submitted for the Master Plan indicate that the Proposed Action would include approximately 11.5 acres (500,000 sq. ft.) of recreation area, exceeding required on-site recreation area by approximately 8.5 acres. The 11.5 acres of on-site area meeting the King County definition of recreation space would consist of approximately 8.5 acres of Lake Washington and Sammamish River Shoreline Park, 1.2 acres in shoreline trail and amphitheater, and 1.8 acres in boardwalk. When construction drawings are submitted for review, King County will be able to determine the actual amount of recreation space required. It is King County's intent that all required recreation space will be provided on the Lakepointe site.

17. The pedestrian routes are illustrated in the Site Circulation Plan, Figure 8A, in this document. Information on pedestrian connections is also provided in the transportation discussion in the Major Conclusions and Issues to Be Resolved section of Chapter 1 - Summary, and in the discussion of pedestrian facilities in the Transportation section of Chapter 3 - Response to Major Issues. The final design of pedestrian connections, including lighting levels, will be determined when construction permit applications are submitted for review and approval.

18. Please refer to Response to Letter 9, comment 5. During final design, the functional, safety and design aspects of the trail and pedestrian walkways would be reviewed by the City of Kenmore. The final design would be required to meet all applicable code requirements.

**Letter 27**

14530 73rd Ave NE
Bothell, WA 98011

RECEIVED
97 DEC 15 PM 3:48
K.C.D.D.E.S.

December 10, 1997

To the King County Department of Development and Environmental Services:

1 Although I was not able to attend the meeting on Dec. 8 concerning the Lakepoint "mega-development", I am very strongly opposed to any such development. It is completely obvious that Lakepoint will produce a traffic nightmare on Bothell Way and Juanita Drive; a traffic nightmare for which no solution is possible. The proponents of this ill-conceived project claimed in the press some time ago that traffic would be miraculously re-routed so as not to funnel into the intersection of Bothell Way and Juanita, but simple common sense shows that their claims are ludicrous. All you have to do is go down and take a look during rush hour, and also take a look at a map. With Lake Washington to the south and west, traffic has no choice but enter and leave Bothell Way either at Juanita or the next light to the south/west, by the Blockbuster. Either way, traffic will be backed up for miles on both routes.

Ordinary citizens are sick of having rich developers shove projects like this down our throats. Lakepoint will benefit no one, other than the developers who of course won't themselves live anywhere near the place, and will just about ruin life for the rest of us.

NO LAKEPOINT MEGA-DEVELOPMENT!!

Sincerely,

Stephen A. Mitchell

# RESPONSE TO LETTER 27

## Mitchell, Stephen

1. The comment regarding the stated opposition to the proposal is acknowledged.

   As indicated on page 3-220 of the Draft Supplemental EIS, the level of service (LOS) at the intersection of SR 522 at 68th Ave NE is currently at LOS F and is projected to continue to operate at LOS F in 2005 with or without the Proposed Action. There is no apparent improvement to capacity that can be made to this intersection without major right of way acquisition and local business disruption. The proposed Lakepointe Way NE would provide a bypass to the intersection of 68th Ave NE and SR 522. Please refer to Chapter 3 for information on the updated traffic analysis and complete listing of transportation mitigation measures prepared for this Final Supplemental EIS.

**Letter 28**

RECEIVED

97 DEC 18 PM 2:55

K.C.D.D.E.S.

December 17, 1997

Marilyn E. Cox, Responsible Official
King County Department of Development and Environmental Services
900 Oaksdale Ave. SW
Renton WA 98055-1219

Dear Ms. Cox, Re: DSEIS on Lakepointe Mixed Use Master Plan

I have had the opportunity to review the DSEIS on the Lakepointe project and have a couple of comments to make.

1 First, I find the document woefully inadequate with respect to the impacts that this project will have on the undeveloped land immediately adjacent to the project site. In particular, if Lakepointe is built what might we expect to happen on the property immediately to the east - which I will call 'Plywood Supply?' It seems clear that such a radical change in use on the Lakepointe site will generate increased development pressures on Plywood Supply. These likely secondary impacts should at least be addressed.

2 Second, I continue to be puzzled why the applicant has not worked out a remediation plan with the Department of Ecology to clean up this site. Given the uncertain nature of the toxic wastes on the site and the potentially high costs of dealing with such wastes, it would seem that this issue should have been dealt with long before filing for a Master Use Permit.

I also have lots of questions regarding traffic and related issues but I included those in a letter being submitted by the Cascade Bicycle Club over my signature.

Sincerely,

William E. Moritz
16901 - 105th NE
Bothell WA 98011-4033

# RESPONSE TO LETTER 28

## Moritz, William

1. As indicated on page 3-121 of the Draft Supplemental EIS, development of a mixed-use master plan on the site was considered as an integral part of the Northshore Community Plan. The relationship of a mixed-use master plan to surrounding land uses (existing and future) has been considered by King County in designating land uses in the Kenmore area. Adopted planning policies and regulatory controls would guide and control any spin-off development related to the Proposed Action.

   Some land use pressures could be experienced in the Kenmore commercial core with buildout of the Lakepointe proposal. The resident and employment population associated with Lakepointe could generate greater demand for goods and services provided in the Kenmore retail areas. This could contribute to increased levels of business activity, to pressure for expansion of business uses in response to increased market opportunities, or conversion or redevelopment of some existing businesses. Also, please note that the owners of the Plywood Supply site have been pursuing development permits for the site for several years. A shoreline permit (File No. 058-89-SH) was issued in 1995, which allows construction of a restaurant, offices, and warehouse space on the site.

2. Please refer to Response to Letter 10, comment 3.

**Letter 29**

November 13, 1997

RECEIVED
97 NOV 14 PM 3:53
K.C.D.D.E.S.

Barbara Questad
Environmental Planner
King County DDES
900 Oakesdale Ave SW
Renton, WA 98055-1219

Dear Ms. Questad:

1 It is really unfortunate that the new city of Kenmore was created after this disaster known as the Lakepointe project was developed. One of the reasons the incorporation was so overwhelmingly approved was because the backers cited the Lakepointe project as one that may have been defeated had Kenmore been a city.

2 I live in the new city of Kenmore. Traffic in the area of where this disaster will be built is already at "gridlock" during most of the commute day. It sometime takes 20 minutes to travel 4 blocks on 68th Street from Juanita Drive and Simonds Road. This project is going to cause a complete traffic gridlock with all the accompanying negative environmental impact. All for some "Yuppie" development that will add nothing to the local community. The citizens of the city of Kenmore should have a say in this development and should have been able to vote on whether this project should have been approved.

Sincerely,

John C. Ogliore

John C. Ogliore
8233 NE 166th St
Kenmore, WA 98011-1659

# RESPONSE TO LETTER 29

## Ogliore, John

1. Comment acknowledged.

2. Comment acknowledged. Please refer to Response to Letter 10, comment 21 for detail on future permitting responsibilities of the City of Kenmore.

Letter 30

December 8, 1997

TO: Barbara Questad
Environmental Planner
King County DDES

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FR: Jeanne Rehwinkel
15918 88th Ave. NE
Bothell, WA 98011

RE: Lakepointe Draft Supplemental EIS

1 As a 20-year resident of the newly incorporated City of Kenmore I have serious concerns about the overall scope of the Lakepointe Mixed Use proposal. especially in view of their objective to set aside the P-Suffix conditions of the NSCP regarding building height and the number of residential units. The scale of their proposal is completely beyond the capacity of the road system to absorb, and in no way would such a massive structure be compatible with the surrounding community.

2 In reference to DSEIS, Appendix D. Traffic Impact Analysis, p. 5: the validity of 1993 traffic volume statistics as a basis for projection of 2005 volumes is highly questionable.

3 In reference to the DSEIS, p. 3-205 ff: actual current driver experience challenges the basis of assertions in this document regarding queues both N-bound and S-bound on 68th Ave. NE, between NE 170th and SR 522 during both AM and PM peak hours. Actual driver experience on the roadway in question is that of idling in queues up to 15-20 minutes. The document admits on p. 3-207 at intersections designated LOS-F "After 120 secs. delay...the impact...becomes exponential."

4 With hundreds of vehicles idling at far longer than the model's 120 secs. at a minimum of 11 traffic lights in the immediate vicinity of the proposed mixed-use development, the production of harmful emissions, especially carbon monoxide must be measured and included in the analysis of environmental impacts. The problem would be further exacerbated with the additional 3 traffic lights that the developer

5 roposes to add to the mix.

6 It is therefore incumbent upon the developer to have an air quality analysis completed by a certified air quality specialist, especially of the carbon monoxide levels at peak AM and PM hours, and that an addendum with the findings of such analsis be circulated to all appropriate parties and officials.

7 Appendix D Transportation Impact Analysis, p. 23-25:
The assertion that Lakepointe addition of 1200 residential units would not increase the traffic problems on arterials and supplemental roads in Kenmore is patently absurd to all rational minds. And that traffic would be worse without development of the project and the concomitant availability of Lakepoint Way NE as a "trip diversion" arterial. You can call it whatever you want, everyone knows that the real bottleneck is at SR522 and SR104 or Ballinger Way. Every other arterial and supplemental road east of that intersection backs up from that point and Lakepointe Way NE would be no exception. Drawing traffic away from the SR522/68th NE intersection is no solution.

8 The fallacy of the LOS-F designation is that the needle is stuck! In actuality the reading should be LOS-F to the 10th power, at the very least.

9 In reference to DSEIS, p.3-125 King County Comprehensive Plan, UGA's, "The Northshore UGA is targeted to receive 2600 to 3400 new households." Has the cumulative residential development in the impacted area since 1993 been factored into the determination of the number of residential units proposed for Lakepointe? There has been a literal explosion of multi and single family residential units within a one-mile radius of the proposed Lakepointe site which have been completed, or are permitted and/or under construction. Surely, the development throughout the Northshore UGA has already exceeded the upper limit of the KCCP. How do the developer and DDES justify modification of the maximum residential units from the P-Suffix conditions of 1,000 to 1,200?

Finally, in reference to Appendix E - Lakepointe Transportation Analysis for NSCP Ammendment (1994), p.67-68:
Both project applicant and King County acknowledge the desirability of "promoting use of transit to meet needs of Lakepointe residents, employees and visitors." And they also acknowledge "the excellent transit opportunities" for said groups by existing transit service.

10 And on p. 68, "The NSCP requires that the Lakepointe developer include extensive Transportation Demand Management (TDM) programs to reduce use of SOV's." How can the Kenmore community be assured that the Mitigating Measures outlined in DSEIS, p. 3-218 will be implemented?

11 In particular, a pedestrian bridge should be considered an essential component of the TDM, not merely a desirable option, especially for disabled patrons. Signalized cross-

11 walks across SR522 are not an acceptable alternative, and are not likely to provide sufficient incentive for prospective bus riders even with traffic signal timing, as frustrated pedestrians watch their bus cruise by on the opposite side while they wait for the light to change. What will the developer, in conjunction with WSDOT, do to assure Kenmore residents and business owners that the bridge will be built?

Thank you for the opportunity to respond to the subject document.

# RESPONSE TO LETTER 30

## Rehwinkel, Jeanne

1. Comment acknowledged. Please refer to page 3-178 of the Draft Supplemental EIS for a discussion of the proposed modifications of building heights set forth in the P-suffix conditions

   The P-suffix conditions can be modified provided the applicant demonstrates that the modifications meet the goals and intent of the Northshore Community Plan and that the alternative mitigation is warranted, based on changed conditions. In addition, the alternative mitigation must meet the goals and intent of the P-suffix conditions.

   The applicant proposes to modify the building height limitations established under the P-suffix conditions and will be required to justify the modification. The EIS contains an analysis of the visual impacts created by the project and recognizes that the scale of the building heights on the site will intrude into some views of the surrounding hillsides and skyline.

   The P-suffix conditions limit residential density on this site to approximately 2,000 residential units. There is no proposal to modify the P-suffix conditions for residential density.

   For information on the number of residential units and the relationship to vehicle trip generation, please refer to Response to Letter 25, comment 33.

2. Comment acknowledged. Please refer to Response to Letter 12, comment 21.

3. Comment acknowledged. Please refer to Response to Letter 12, comment 28.

4. Please refer to the Air Quality section of Chapter 3 for a summary of the air quality analysis prepared for this Final Supplemental EIS.

5. The air quality analysis prepared for this Final Supplemental EIS examined potential air quality impacts of traffic that would be generated by the Lakepointe development. Please see the Air Quality section of Chapter 3 - Response to Major Issues, and the air quality discussion in Major Conclusions and Issues to Be Resolved, Chapter 1 - Summary in this document

6. Comment acknowledged. Please refer to Chapter 3 for a summary of the air quality analysis prepared for this Final Supplemental EIS.

7. Comment acknowledged. The impact of the Proposed Action on the travel corridors between SR 522/SR 104 and SR 522/80th Ave NE and SR 522/SR 104 and 68th Ave NE/NE 170th St is analyzed in the updated transportation analysis prepared for this Final Supplemental EIS. The analysis indicates that during the AM peak period, with the Proposed Action, the average speed on both SR 522 and 68th Ave NE would increase over 2005 conditions without the proposal. Delays and total travel time during the AM peak period would be comparable to what they would be without the project. The speed improvements are the result of the added capacity provided by the proposed Lakepointe Way NE arterial connection.

However, during the PM peak period in 2005, even with the added capacity provided by Lakepointe Way NE, speeds would be lower with the Proposed Action, and delays and total travel time would increase from what they would be without the project. Delay data in Table 31A indicates that at two intersections (SR 522/61st Ave NE and 68th Ave NE/NE 170th St), delay would be greater with the project than without it. The decrease in performance even with the addition of Lakepointe Way NE is due to the addition of project traffic to intersections other than SR 522 and 68th Ave NE.

8. Delay values are reported in the updated transportation analysis prepared for this Final Supplemental EIS in order to provide some measure of comparison between intersections that would operate at LOS F both with and without the Proposed Action. Please refer to the Transportation section of Chapter 3 of this document for detail.

9. The number of units proposed for Lakepointe is based on the residential densities required by NSCP P-Suffix Condition No. 11 for the Lakepointe site, and on the 14,200 average project trips per day anticipated by the Lakepointe Transportation Analysis for NSCP and Area Zoning Amendments. This analysis served as a basis for zoning Building Areas A through G on the site as Regional Business (RB) when the KCCP was adopted in 1994. The 14,200 trips anticipated by the 1994 transportation analysis was based on the mix of uses described in that report, which included 1,000 dwelling units. The current proposal has a different mix of uses, which includes an increase in the number of proposed dwelling units from 1,000 to 1,200; however, the total number of trips generated would be 12,686.

   Please see the Response to Letter 18, comment 1 for a discussion of targets for growth in unincorporated Urban and Rural areas in King County.

10. Please refer to Response to Letter 9, comment 34.

11. Please refer to Response to Letter 9, comments 32 and 33.

**Letter 31**

December 9,1997

Marilyn E.Cox, Responsible Official
King County Department of Development & Environmental Services
900 Oakesdale Ave. S.W.
Renton, WA 98055-1219

Re: Lakepointe Environmental Impact Statement.

As a long term resident of the Kenmore area (22 years), I attended the December 8, 1997 public meeting on the above subject and left with the impression that additional favorable comments would be useful in your consideration of this project's approval.

1 It is very obvious that traffic problems exist in the Kenmore area and they will be with us whether Lakepointe is built or not. It is obvious that the developer has plans which will help ease the traffic problems but they will not solve them nor should he be required to do so. The traffic congestion is a regional problem and the entire region shoul be involved in its solution.

2 In my opinion, the Lakepointe Development is the best thing that can happen to this community. Not only will it provide a much needed tax base for the new city of Kenmore, but it will create a pleasant environment to the site's residents , to its neighbors and to its visitors. This development will also undoubtedly spur furher improvements in the surrounding commercial area and make Kenmore an attractive community.

Sincerely,

Mr. A.M. Skarbek
7709 N.E. 192nd Street
Bothell, WA 98011,

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SEPA

# RESPONSE TO LETTER 31

## Skarbek, A.M.

1. Comment acknowledged.

2. Comment acknowledged.

Letter 32

Dec. 8, 1997

Barbara Questad
Environmental Planner
King County DDES
900 Oakesdale Ave SW
Renton, WA 98055-1219

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DEC - 8 1997

Dear Ms. Questad,

A question, please, and some comments on the Lakepointe Draft Supplemental EIS.

I would seriously like to know who would actually purchase a condominium in Building A of the proposed development.

According to the DEIS, these residents will be subjected to construction related noise levels ranging from 74 to 106 decibels for several years. And that is not even considering the pile
1 driving noise, which according to the document, is "likely to be particularly intrusive to nearby residences because it includes fairly continuous, repetitive banging".

Add to this the traffic noise levels from 68th Ave (100 feet away) of 69 decibels. Again, according to the DEIS, "these calculated future noise levels exceed the levels usually considered acceptable for residential uses".

Add to this the seaplane noise levels ranging from 55 to 81.8 decibels. And add in the Kenmore Pre-mix plant, which will continue its operation until the last phase of development. According to the DEIS, every building on the Lakepointe site would be "subject to sound levels exceeding the 60 decibel county noise limit during barge loading operations, which...can occur
2 12 hours a day, 4 days a week".

My concern is that this site is simply too noisy for luxury condominiums. And out of respect for the people who already live in the area, the seven - plus years of construction noise is an unbearable price to pay.

Sincerely,

Nora S. Strothman

Nora Strothman
Friends of Northshore

# RESPONSE TO LETTER 32

## Strothman, Nora

1. Refer to Response to Letter 13, comment 2 and Response to Letter 26, comments 3 and 4.

2. Refer to Response to Letter 1, comment 3.

RECEIV 97 DEC 19 PI K.C.D.D.E.S.

December 18th, 1997

Marilyn Cox
Responsible Official
King County DDES
900 Oakesdale Avenue South West
Renton, Washington 98055-1219

RE: LAKEPOINTE - KENMORE, WASHINGTON

Dear Ms. Cox,

I was unable to attend the meeting held at the Northshore Senior Center for the public to express their concerns regarding the proposed Lakepointe 50 acre "urban village" at the northend of Lake Washington, Kenmore, Washington. I would, however, like to express my concerns in writing at this time.

1 I have been a long time resident of the Northshore area, having moved into the Arrowhead community in 1975. Arrowhead is located at the south side of Inglewood Golf Course. It is an area approachable from Juanita Drive only, from the east, and bordered by Lake Washington on the west. It is considered by real estate brokers to be a pocket community of very hard to sell view homes because of its inaccessability due to stagnant traffic on Juanita Drive during peak commute times. This comment was shared with me as far back as 1987 when I sold my home in Arrowhead. During the past ten years I have been a witness to the increasing traffic problems on Juanita Drive, as I have continued to be an active participant of this community, residing within the city limits of Bothell, and for the past ten years, I have been a Kenmore business owner on Juanita Drive North East. For seven years my business was located in the strip mall across from the entrance to Inglewood Golf Club. A researched demographic and traffic study indicated this location to be excellent for my business in 1987. However, it soon became very evident that too much traffic can be a hindrance to a business that primarily services the evening commuter. In order for your business to survive, your customers must be able to leave the traffic flow and return to it easily. This was impossible then, and the problems have worsened. Many times I
2 could have closed my doors for business as my customers could not get to me due to traffic accidents or 520 bridge closures, leaving motorists stranded for miles, trying to make their way around the north end of the lake on Juanita Drive. I witnessed then the beginning of "Road Rage", and realized I must change my business location from Kenmore, or my Kenmore customers would take their business elsewhere. In 1995 I moved my business 1-1/4 miles south on Juanita Drive to the QFC Inglewood Village Shopping Center, where it was more convenient to enter and exit from the commute traffic flow. My customers have been pleased and I have not regretted the costly move. However, I am again seeing increased traffic problems as the recently opened Bastyr University Campus empties its faculty and student autos on to Juanita Drive during

the rush hour commute.

3 Juanita Drive is unable to safely carry the traffic of "need to be there resident commuters", let alone handle the additional load of out of area commuters due to Eastside traffic shutdowns from bridge closures, accidents, and now the additional traffic proposed from Lakepointe residential living and retail business wishing to travel around the east side of the lake. Not to mention the added traffic from a ten screen theater complex, bringing in mass people from out of our area.

4 The intersection at State Route 522, more commonly referred to as Bothell Way North East, and 68th Avenue North East, more commonly referred to as Juanita Drive South of Bothell Way North East, the only commute route around the east side of the lake from Kenmore to Kirkland, is already a tremendous traffic concern for me, both as a resident of this community, and as a business owner in this community. My concerns have been readily acknowledged by the Lakepointe developers as well. They state that with or without the project of Lakepointe, this major Kenmore intersection is as bad today as it will be in the future. We need to recognize this now and not compound the problem with additional traffic caused by the development of Lakepointe.

5 State Route 522 is the only way to commute from the Interstate 405 from Bothell to Seattle. It is already a commute congested disaster. Construction is to begin this coming spring on the new University of Washington/Cascadia Community College Campus in Bothell with planned parking for 6,600 additional commute automobiles, many of whom will need to commute through Kenmore and around the north and east end of the lake, compounding an already existing traffic problem with more traffic. The planned five lane elevated highway through this area is not the answer. That five lane elevated highway was needed ten years ago!

6 Lakepointe proponents admittedly state that this intersection, because of its current traffic congestion, is splitting Kenmore in half; the north half north of this intersection, and the south half south of Bothell Way and this intersection. Not a good thing for the newly incorporated city of Kenmore. South Kenmore residents will be forced to make other location choices for their retailing needs, such as Kirkland, Juanita, Totem Lake, etc. Sad for Kenmore merchants, but if it is a hassle to get there they won't. That is already the case as people avoid that intersection at certain times of the day like the plague. The intersection problems should have been corrected for the current residents and shoppers years ago, not now that they want to build Lakepointe. What must one imagine it will be like when the Bothell College Campus opens and construction begins on Lakepoint if approved? Keep in mind there is only one way around the north end of Lake

Washington! We are not handling the traffic well currently! We must have the foresight to prevent this future traffic disaster.... There is enough "Road Rage" out there already....It is wrong to impose this development on the residents of this community.... Please hear my concerns for both my business and the wonderful quality of life I have enjoyed as a resident of the Northshore Community.

Thanking you in advance for reading my concerns, I remain,

Very truly yours,

Sherri Van Ness Green

Sherri Van Ness Green, Owner
Pizza Works
14130 Juanita Drive North East
Bothell, Washington

svng:ms

# RESPONSE TO LETTER 33

## Van Ness Green, Sherri

1. Comment acknowledged.

2. Comment acknowledged.

3. Comments acknowledged. Please refer to Chapter 3 of this Final Supplemental EIS for detail on the updated traffic analysis, including anticipated background traffic growth.

4. Comment acknowledged. Please see Response to Letter 30, comment 7.

5. Comment acknowledged. The proposed Lakepointe Way NE is anticipated to help mitigate the traffic associated with the proposed development by providing an alternative route to the intersection of SR 522/68th Ave NE.

6. Comments acknowledged. Please refer to the Transportation section of Chapter 3 for a summary of the updated traffic analysis prepared for this Final Supplemental EIS.

DEC 15, 1997

KING COUNTY DDES

Letter 34

ATT: MARILYN E. COX, CHIEF RESPONSIBLE OFFICIAL

RECEIVED

SUBJECT: LAKEPOINTE MASTER PLAN

DEC 18 1997

SEPA

1 I FEEL THE LAKEPOINTE DEVELOPMENT WOULD BE AN ASSET TO THE KENMORE AREA. BUT AS A RESIDENT, KENMORE IS ALREADY SUFFERING FROM TRAFFIC PROBLEMS.

2 THE DEVELOPER HAS TAKEN INTO CONSIDERATION THE INCREASED TRAFFIC CONGESTION AND PROVIDED NEW ROADWAYS TO HANDLE SAME. THE DEVELOPER PROPOSES A NEW ELEVATED ROADWAY BETWEEN 68TH AVE. AND BOTHELL WAY. I FEEL THIS ONLY A BANDAID TO THE INCREASED TRAFFIC WITH THIS DEVELOPMENT. THE MAJOR PROBLEM WILL BE TRAFFIC FLOW GOING NORTH ON 68TH AVE. PRESENTLY THE TRAFFIC BACKS-UP FROM BOTHELL WAY CLEAR ACCROSS THE BRIDGE OVER SAMMAMISH RIVER. ADDING THE ELEVATED ROADWAY AND ADDING A LEFT TURN LANE ON 68TH AVE TO INTERCONNECT WITH THE ELEVATED ROADWAY

3 WILL DELETE ONE LANE OF TRAFFIC FROM THE EXISTING TWO LANES. THE ONLY SOLUTION TO THIS PROBLEM IS ADD AN EXTRA LANE TO THE BRIDGE GOING CLEAR BACK TO SIMONDS ROAD.

THE COUNTY SHOULD SHARE IN PROVIDING NEW ROADWAYS WITH THE LAKEPOINTE DEVELOPEMENT.

DEC 15, 1997

THE COUNTY HAS PROMISED THE RESIDENTS OF THIS AREA FOR YEARS THAT INCREASED TRAFFIC MOVEMENT WOULD BE PROVIDED.

TRAFFIC FLOW PROBLEMS NEED TO BE ADDRESSED AT THE BEGINNING OF A PROPOSED DEVELOPEMENT — NOT AFTER THE DEVERDPEMENT IS FINISHED — IT CAN BE MUCH MORE DIFFICULT.

4 AS A FACILITIES ENGINEER MYSELF, I DRIVE AROUND SHOPPING CENTERS AND OBSERVE THE TRAFFIC SCREW-UPS. SO MANY COULD HAVE BEEN IMPROVED WITH BETTER PLANNING.

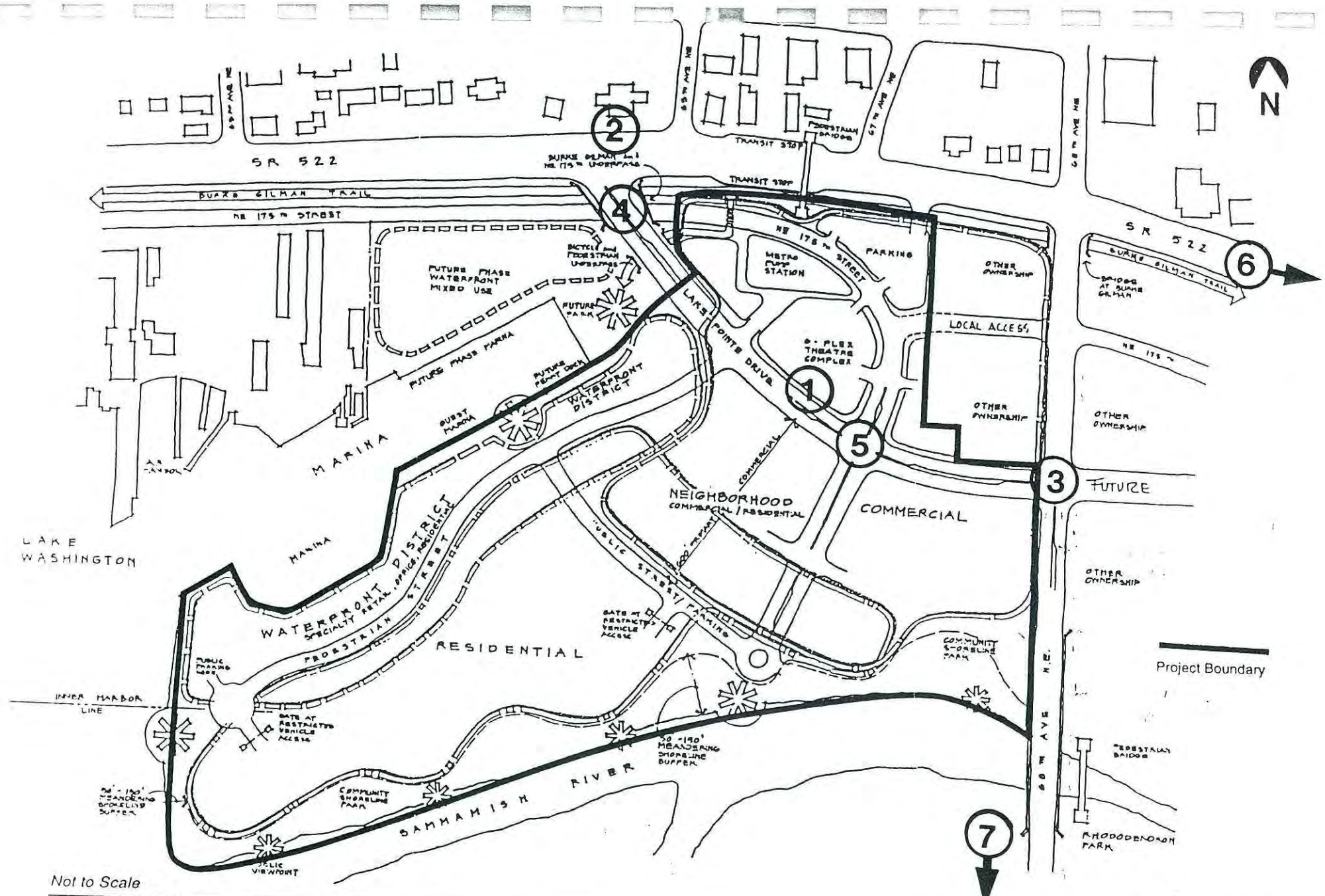
HOPEFULLY, THE TRAFFIC FLOW PROBLEMS WILL BE GIVEN TOP PRIORITY WITH THE LAKEPOINTE DEVELOPMENT.

THANK you

Ed Wierlo

ED WIERLO
16441 INGLEWOOD RD
BOTHELL, WA 98011
425-488-7055

ENCLOSURE: ILLUSTRATION OF LAKEPOINTE WITH RED MARKING OF LOCATION FOR TRAFFIC FLOW IMPROVEMENT




**LAKEPOINTE**
Mixed Development Project

Lakepointe Vicinity Roadway Improvement Projects

The Transpo Group

# RESPONSE TO LETTER 34

## Wierlo, Ed

1. Comment acknowledged.

2. Comment acknowledged.

3. The comment regarding adding an extra lane to the Kenmore Bridge is acknowledged. Any capacity improvement to the Kenmore Bridge would address a regional need and is beyond the scope of the proposal.

4. Comments acknowledged. Please refer to the Transportation section of Chapter 3 for a summary of the updated traffic analysis prepared for this Final Supplemental EIS.

Nov. 19, 1997

RECEIVED
97 NOV 25 PM 2:24
K.C.D.D.E.S.

Marilyn E. Cox, Responsible Official
King County DDES
900 Oakesdale Ave S.W.
Renton, WA 98055-1219

Dear Ms. Cox,

Our question for the developers of Lakepointe Development and King County is:

What will happen to the commercial boats with the loss of commercial docks and water ways?

1 There are many fish companies and individual vessel owners that rely on such facilties for repair, maintance and layup. I can think of at least six fish companies that are doing over $100,000,000 dollars worth of business a year all based out of King County. These same fish companies buy the product of 300+ fishing vessels. The majority of these 300 fishing vessels are owned, managed, repaired and supported out of King County. The Lakepointe area is not a large facility but each year it seems we lose yet another facility to non-commercial use.

If the loss of commerical facilties continues where will the fishing companies and fishing vessels go?

Sincerely,

Douglas Williscroft
206-363-4042

Kristofer Knutsen

Carol Williscroft
18236 40th Ave NE
Lk Forest Pk, WA 98155-4206

# RESPONSE TO LETTER 35

## Williscroft, Carol

1. Comment acknowledged. Development of the Proposed Action would result in the displacement of the existing commercial uses on the site, including fishery support uses in the inner harbor. It is anticipated that the displaced fishery support uses would relocate to another location in the greater Seattle area.

Letter 36



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
*Northwest Regional Office, 3190 - 160th Ave S.E. • Bellevue, Washington 98008-5452 • (425) 649-7000*

January 30, 1998

Marilyn E. Cox, Responsible Official
King County Department of Development & Environmental Services
900 Oakesdale Ave. SW
Renton, WA 98055-1219

Dear Ms. Cox:

RE: Lakepoint Master Plan Draft Supplemental Environmental Impact Statement

Thank you for the opportunity to comment on the determination of nonsignificance for The Draft Supplemental Environmental Impact Statement (DSEIS) for the Lakepoint Master Plan. We have reviewed the environmental checklist and have the following comments:

1 1. To protect water quality a sewage pumpout station should be included in the design of the marina in order to provide convenient pumpout access to marina tenants. Additionally, the Master Plan should address how potentially hazardous materials, which may be used by marina tenants (such as gasoline, oil, and antifreeze), will be managed.

2 2. To protect water quality and minimize potential damage to the aquatic environment along the shores of Lake Washington and the Sammamish River, a Vegetation Management Plan should be required for the management of all vegetation on the site. The plan should address pesticide use and identify alternatives to controlling pests that reduces or eliminates the use of pesticides. The plan should also address the use of fertilizers and identify best management practices that prevent or minimize the introduction of fertilizers to surface waters.

3 3. The DSEIS proposes to modify the building heights set forth in P-Suffix conditions, which would allow higher buildings closer to the Sammamish River and at a future phase allow much higher buildings in Area H adjacent to the channel/future marina. The DSEIS at page 2-36 states: "King County has determined that the proposed buildings within 200-feet of the shoreline meet the height regulation modification criteria and no shoreline variance would be required." The Department of Ecology does not find that enough information has been included in this document to support these conclusions. As the site is developed and shoreline permits are submitted to the Department for review, we will expect to see detailed analyses showing the basis upon which King County has made these determinations. Additionally, it should be noted that this area will not be under King County jurisdiction much longer. It is our understanding that this area is included in the newly incorporated City of Kenmore. The City of Kenmore will be required to either prepare and adopt its own Shoreline Master Program (SMP) or to officially adopt King County's SMP. It is premature

to state that no variance from King County's SMP will be required to allow the building to exceed thirty-five feet in height or that the height modification criteria have been met.

4 4. No shoreline permits have yet been issued for this project. The Department of Ecology will closely scrutinize all shoreline permits submitted to it for consistency with the state's Shoreline Management Act (SMA) and with the SMP in effect at the time the permit is submitted. The SMA imposes a thirty-five foot height limit for new buildings or structures within shoreline jurisdiction. All shoreline projects which propose buildings or structures more than thirty-five feet above grade must demonstrate that the view of a substantial number of residences adjoining the project will not be obstructed and that increases in height above thirty-five feet are not prohibited by the local SMP. Even if these two criteria are met, the project may proceed only when overriding considerations of the public interest will be served (RCW 90.58.320). It is our opinion that the P-Suffix conditions as illustrated by Figure 10 in the Draft Supplemental EIS come closer to meeting the criteria of RCW 90.58.320 than do the heights proposed in Figure 11. We are concerned that buildings 92 or 72 feet in height will have a significant impact on views of adjacent residences. Also, the potential effects on
5 the aquatic environment of buildings 92 feet in height immediately adjacent to the marina "channel" do not appear to be sufficiently addressed.

6 5. Lake Washington is a shoreline of state-wide significance. As such, shoreline projects along Lake Washington are subject to a higher standard of review. The SMA sets forth specific use priorities and requires a demonstration that the state-wide interest has been satisfied (RCW 90.58.020). The DSEIS does not address how the Master Plan meets these criteria.

Once again, thank you for giving us the opportunity to comment.

If you have any questions, please call me at (425) 649-7145 regarding shoreline permitting issues.

Sincerely,

Ann E. Kenny

Ann E. Kenny, Shoreline Specialist
Shorelands and Environmental Assistance Program

cc: NWRO SEPA File

cc. Gleason
McCullough
Sergeant
Blumen
Schipanski
Kaufmann
Fenney
Mitchell
Stenberg

# RESPONSE TO LETTER 36

## Washington State Department of Ecology

1. King County supports the provision of a sewage pump-out station and will make it a condition of permit approval.

   Best Management Practices (BMPs) have been established for marina operations. BMPs would be implemented at the proposed marina to address hazardous materials usage by boat owners and marina tenants.

2, Comment acknowledged. As indicated on page 3-79 of the Draft Supplemental EIS, the following potential mitigation measure was listed; "a turf management plan to minimize the amount of herbicide and fertilizer used to maintain proposed grass areas could be prepared." This measure could be required by King County as a condition of approval.

3. Comment acknowledged. Please refer to Response to Letter 14, comments 37, 39 and 48 for discussions on building area H and P-suffix height modifications. Please refer to Response to Letter 10, comment 21 regarding the anticipated permit responsibilities of the newly incorporated City of Kenmore.

4. Comment acknowledged. Please refer to Response to Letter 14, comment 37 for a discussion on proposed building height within the shoreline jurisdiction.

5. Comment acknowledged.

6. The State Shoreline Management Act sets out the following policies related to Shorelines of State-wide Significance:

   *The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of state-wide significance. The department in adopting guidelines for shorelines of state-wide significance and local government in developing master programs for shorelines of state-wide signficance shall give preference to uses in the following order of preference which:*

   1. *Recognize and protect the state-wide interest over local interest.*
   2. *Preserve the natural character of the shoreline.*
   3. *Result in long-term over short-term benefit.*
   4. *Protect the resource and ecology of the shoreline.*
   5. *Increase public access to publicly owned areas of the shorelines.*
   6. *Increase recreational opportunities for the public in the shoreline.*

7. *Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.*

The environmental analysis of the Lakepointe proposal has taken into account that the site lies in a "Shoreline of State-wide Significance" and is designated as an "Urban" environment under the King County Shoreline Master Program. The site has historically been used for industrial activities culminating in a ranking of 1 on the Washington State Department of Ecology's Site Hazard Assessment List. The Proposed Action includes a mixture of water-dependent uses (marina, recreation, and open space) and water-related uses (residential and commercial). The Proposed Action includes public access to the shoreline, which is not currently available, and will provide restoration and enhancement of shoreline areas adjacent to Lake Washington and the Sammamish River.

RECEIVED
97 DEC 18 PM 3:11
K.C.D.D.E.S.

December 15, 1997

Gary S. Snatsky
18622 66th Ave NE
Kenmore, WA 98155

King County Dept. Environment
900 Oakesdale Ave SW
Renton, WA 98055-1219

(CC: City of Kenmore)

Sir/Madam,

In response to Lakepoint Master Plan:

I realize that one voice in the wind is not going to change your plans, but I will feel better for having told you my objections. These are they:

1 1) The traffic density and ferocity at the north end of Lake Washington is *now* very bad, and likely to get worse with the normal pace of urbanization. Adding the additional burden of Lakepoint will make it unbearable. I realize that there is a plan to mitigate the traffic caused by the thousands of vehicles going in and out via 68th Ave / Juanita Way and Bothel Hwy, but the *ancillary* traffic will also increase to the point of gridlock, and I have not seen that issue addressed. For example, try *today* to make a left turn on 73rd Ave NE onto Bothel Hwy (between Knoll lumber and Schuck's) around 5pm on a weeknight. You will see that *now* the traffic is back up to the firestation and one must wait two or three long lights to complete the turn. How bad will it be when additional thousands of vehicles cover Kenmore? Personally I avoid rush hour traffic and take the bus or telecommute to work, but what of the people who can't?

2 2) With increasing urbanization (and Lakepoint cannot be called anything but) there will be increasing vandalism (it's bad enough now), crime against person and property, and pollution. When Lakepoint began Kenmore was not a city, but now it is. Before that fact King County would have been responsible for all the above, for better or worse. But now do you expect that little Kenmore which has barely gotten it civic feet off the ground to take care of all the additional civic responsibilities? This is an accident waiting to happen.

3 3) Since the current residents of Kenmore will be paying more to take on the additional responsibilities, but they have been consulted only after the fact, some one might one day make a good court case about this. Do we really *want* a megacomplex sitting at the north end of the lake? I grant you that Kenmore Premix is no environmental delight, but we've learned to live with it. How about better access to the water, a nice well-lighted park, a civic room, basket ball area, skate board rink, improvements to the bike/walking trail? Did anybody ask us about that, and if we'd be willing to put up the money for it?

4 4) Granted that our masters on the County Council want this project to go through to implement the state plan for high density urbanization, does it not also allow for a quality of life? What is the point of living here if ~~is~~ it is a Los Angeles in the works? The state can decree "high density", but can it enforce definite people per square mile without regard to how well they should live? Could the Council just say no to blind development unless it provides a minimum of parks and recreation per square mile too?

Gary S. Snatsky

# RESPONSE TO LETTER 37

## Snatsky, Gary

1. As indicated on page 3-220 of the Draft Supplemental EIS, the level of service (LOS) at the intersection of SR 522 at 68th Ave NE is currently at LOS F and is projected to continue to operate at LOS F in 2005 with or without the Proposed Action. There is no apparent improvement to capacity that can be made to this intersection without major right of way acquisition and local business disruption. Please refer to Response to Letter 30, comment 7 and Chapter 3 for information on the updated traffic analysis and complete listing of transportation mitigation measures prepared for this Final Supplemental EIS.

2. A municipality is required to provide for police protection, but it can do so in a variety of ways. A city can provide policing services itself, it can contract for all services with the county or another city, or it can create a hybrid of these. The County can choose to customize its services for cities at agreed upon additional costs, and a King County Sheriff's Department precinct is located within the boundaries of the proposed City of Kenmore. Kenmore may choose to contract with King County for policing services (Phillip K. Kushlan & Associates, 1997).

3. The comments related to alternative uses of the site are acknowledged. The SEPA Rules (WAC 197-11-440 (5)) states that "Reasonable alternatives shall include actions that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation". Alternatives evaluated in an EIS must meet these criteria.

4. Comments acknowledged. Drawings submitted for the Master Plan indicate that the Proposed Action would include approximately 11.5 acres (500,000 sq. ft.) of recreation area, exceeding required on-site recreation area by approximately 8.5 acres. The 11.5 acres of on-site area meeting the King County definition of recreation space would consist of approximately 8.5 acres of Lake Washington and Sammamish River Shoreline Park, 1.2 acres in shoreline trail and amphitheater, and 1.8 acres in boardwalk. When construction drawings are submitted for review, King County will be able to determine the actual amount of recreation space required. It is King County's intent that all required recreation space will be provided on the Lakepointe site.

Letter 38 BH

**Washington State Department of Transportation**
**Sid Morrison**
Secretary of Transportation

RECEIV
98 JAN 14 P
K.C.D.D.I

**Northwest Region**
15700 Dayton Avenue North
P.O. Box 330310
Seattle, WA 98133-9710

(206) 440-4000

January 13, 1998

Marilyn Cox
King County D. D. E. S.
SEPA Section & Land Use Services Division
900 Oakesdale Avenue SW
Renton WA 98005

SR 522 MP 7.21 CS 1709
Lakepoint Development Draft Supplemental
EIS Review Revised Comment #2

Dear Ms. Cox:

The Proposed Action (Preferred Option) is a mixed use development consisting of 1,200 residential units, 190,000 square feet of retail space, 190,000 square feet of office space, a 150 room hotel, an eight screen movie theater, a 36,000 square feet of health club and 52 slip marina. However, the base option excludes the hotel and instead it has 280,000 square feet of office and 245,000 square feet of retails. The Lakepointe Development is expected to be completed by year 2005.

We reviewed the transportation, Air Quality, Noise and Hydraulic portion of the supplemental DEIS report and have the following comments.

1 1. The most recent 1997 traffic volumes at intersections along SR 522 within the limit of the study are higher than shown in the report for the year 2005. The numbers indicate that growth has been taking place faster than projected. A complete re-analysis of all intersections is not necessary. However, the most recent 1997 traffic data should be used to project 2005 traffic volumes. The storage requirements for the critical movements at the intersections of Lakepointe Way NE/SR 522 and SR 522/68th be evaluated and turn lanes be sized for year 2005 to provide adequate storage for the year of project completion. Currently, the EB traffic at 68th Ave/SR 522 intersection backs up during the PM peak operation and blocks the preceding intersection(s). The high left turn volume and lack of adequate capacity on the left turn pockets result in long queues on EB SR 522. The WB left turning traffic volume warrants dual left turn pockets. Also, the 1997 traffic volume data are attached .

2 2. The listed LOS "C" for the Lakepointe Way/SR 522 does **not**seem to be correct due to queuing at the signal. The correct LOS reflecting the queuing should be listed

(Table 29 through Table 32). The right turn lane on SR 522 south of the EB transit lane

2 should be designed with adequate storage such that it would not be impacted by the queuing at the signal. Use of the existing transit lane by right turning vehicles is unacceptable.

3. The report proposes left turn access to several businesses along SR 522 in the vicinity of the new proposed signal at SR 522/Lakepointe Way NE and at 65th Ave NE need
3 be restricted in order to reduce conflict at the new signalized intersection. We concur with the proposal. However, costs related to the impact mitigation and revisions should be responsibility of the developer.

4. We recommend King County collects a pro-rata share from the developer toward the Multi-Modal Project on SR 522 as a partial impact mitigation on SR 522. The project
4 will construct HOV/Transit priority system at intersections along SR 522 between I-5 and I-405.

5. Our comment in our letters of August 6, 1997 and September 10, 1997, on traffic, air
5 quality, noise and hydraulic still stand.

6. The developer will be responsible for any acoustical walls that are need for this
6 development. The state will not be required to build walls for this development in the future.

Please contact Don Hurter at 440-4664, or Vickie Erickson at 440-4915, if additional information is needed.

Sincerely,

Vickie Erickson for

ROBERT A. JOSEPHSON, PE
Manager of Planning &
Local Coordination

VEE:vee
File Name kclkpnt.doc

cc: Barbra Questad, King County SEPA
Paulette Norman, King County Traffic & Planning

**Washington State Department of Transportation**
**Sid Morrison**
Secretary of Transportation



**Northwest Region**
15700 Dayton Avenue North
P.O. Box 330310
Seattle WA 98133-9710

(206) 440-4000

September 10, 1997

Barbara Questad
King County D.D.E.S.
SEPA Section
900 Oakesdale Avenue
Renton WA 98055

Subject: SR 522 MP 7.21 CS 1709
Lakepoint
Envronmental Impact Statement
Review

The Proposed Action (Preferred Option) is a mixed use development consisting of 1,200 residential units, 190,000 square feet of retail space, 190,000 square feet of office space, a 150 room hotel, an eight screen movie theater, a 36,000 square feet of health club and 52 slip marina. However, the base option excludes the hotel and instead it has 280,000 square feet of office and 245,000 square feet of retails. The Lakepointe Development is expected to be completed by 2005. We have reviewed the Environmental Impact Statement and have the following comments:

**Traffic:**

Our previous comments in our letter dated August 6, 1997 from traffic still stand.

5A 1. We reviewed the supplemental traffic impact analysis for the subject development and find that our comments regarding operation of the intersections have been addressed in the report. However, no mitigation has been proposed for the impacted intersections. We are not asking for any further traffic analysis.

5B 2. The proposed ~~W~~E B right turn lane from SR 522 to Lakepointe Way NE should be designed with adequate storage capacity to prevent blocking of the ~~W~~E B transit lane on SR 522.

5C 3. We recommend the develper pay a pro-rata share toward the Multi-Modal Project on SR 522 as a partial impact mitigation on SR 522. The project will construct HOV/Transit priority system at intersections along SR 522 between I-5 and I-405. The State and developer may enter into a Voluntary Settlement Agreement to Mitigate Impacts To State Facilities.

**Acoustical:**

5D The section on noise on page 3-93 addresses noise impacts to building A from 68th Avenue NE, but makes no mention of potential traffic noise impacts to any residential or outdoor recreational areas which may be close to SR 522. **The responsibility for mitigating highway noise which may affect the the development will fall solely on the developer.**

**Air:**

5E Due, in part, to the proposed construction of a new intersection on SR 522 an air quality analysis must be done to determine the subject project's compliance with the SEPA and National Ambient Air Quality Standards (NAAQS). Our Air Quality section did a preliminary AQ analysis, using provided data, which indicates carbon monoxide violations. Statements in the PDEIS such as one that appears on page 3-20 " Operational" indicating that " ther is low probability that an increase in traffic-related emissions would result in exceedences of pullutant standards" are uproven and without merit.

**Hydraulics:**

5F Conveyance of upstream flows through the sites enclosed drainage system(s) should be preserved or replaced without negatively affecting upstream conveyance.

If have questions or want to set up a meeting to discuss please contact Don Hurter at 440-4664 or Vickie Erickson at 440-4915 of Developer Service section.

Sincerely,

Donald Hurter for,

ROBERT A. JOSEPHSON, PE
Manager of Planning & Local
Coordination

VEE:vee
c:kclkpnt1.Doc
cc: Paulette Norman, King County Traffic & Planning
Vic Bishop, Transportation Planning & Engineering

# RESPONSE TO LETTER 38

## Washington State Department of Transportation (1/13/98)

1. The updated transportation analysis prepared in response to comments received on the Draft Supplemental EIS, uses 1997 traffic volumes and growth rates provided by WSDOT Office of Urban Mobility to project 2005 conditions. Transyt7F release 8 (latest version of this transportation analysis) was used to assess delays and queuing that result from these forecasts. The analysis indicates that the eastbound left turn pocket at 68th Ave NE is adequate to contain left turn queues, but the through-movements experienced excessive queuing. Though the area is fully built out, WSDOT Office of Urban Mobility is studying potential right-of-way acquisition for improvements to the 68th Ave NE intersection as part of the SR 522 corridor project. WSDOT has preliminarily identified construction of a second westbound left turn pocket, separating the northbound left-through lane into separate left turn and through lanes, and construction of a southbound left turn pocket. These improvements would reduce delays at the intersection to LOS D in the AM peak with the project, but operation would remain at LOS F during the PM peak hour. These improvements would, however, provide operational benefits at the 175th and Lakepointe Way intersections along 68th Ave NE.

2. The updated transportation analysis indicates that LOS at this intersection would be "B" during the AM peak hour and "E" during the PM peak hour. Please refer to the LOS analysis in the Transportation section of Chapter 3 in this document. WSDOT's comment that use of the existing transit lane by vehicles turning right onto Lakepointe Way NE is unacceptable is acknowledged. The final design for this intersection will be determined when construction permits are submitted for approval.

3. Comment acknowledged. The proposed revision to left-turn access to a portion of the north side of SR 522 is consistent with WSDOT's preferred access management concept of concentrating left turns at intersections. Funding responsibilities will be established in the Transportation Mitigation Agreement, which will be part of the Master Plan approval.

4. Comment acknowledged. As listed as a potential mitigation measure on page 3-219 of the Draft Supplemental EIS, the applicant may be required to "provide a fair-share contribution toward construction of the SR 522 Multi-Modal Project proposed for construction by WSDOT."

5. Comment acknowledged. The two letters were received prior to publication of the Draft Supplemental EIS and are attached here for reference. The September 10, 1997, letter repeats comments in the August 6, 1997, letter and expands upon them. Thus responses to only the September 10th letter are provided.

5A. As discussed in the Transportation section of Chapter 3 of this document, while the Proposed Action would include the construction of Lakepointe Way NE and a significant amount of other transportation improvements, the SR 522 corridor between SR 104 and 80th Ave NE is fully built-out with no additional capacity increases available without significant right-of-way purchases and displacement of existing businesses. Please refer to page 3-67 of this Final Supplemental EIS for a listing of the identified transportation mitigation measures.

5B. The updated transportation analysis prepared for this Final Supplemental EIS indicates that no eastbound right-turn queues are forecast at the intersection of SR 522/Lakepointe Way NE. Because it is proposed that eastbound right-turn vehicles utilize the transit-only lane for this movement, some interference with transit use would occur.

5C. This suggested mitigation was added to the list of potential mitigation measures in Chapter 3 of the Draft and Final Supplemental EIS.

5D. Comment acknowledged.

5E An air quality analysis was performed and is included in Chapter 3 of this Final Supplemental EIS.

5F. Comment acknowledged. The proposed storm drainage system has been designed with sufficient capacity to convey surface water flows from on-site and off-site areas. No impact to upstream areas is anticipated. Please refer to page 3-27 of the Draft Supplemental EIS for detail.

6. Comment acknowledged.

TRANSCRIPT OF LAKEPOINTE DRAFT ENVIRONMENTAL IMPACT STATEMENT PUBLIC MEETING

DECEMBER 8, 1997

7:00 P.M.

NORTHSHORE SENIOR CENTER

10201 RIVERSIDE DRIVE EAST

BOTHELL, WASHINGTON

Reported by: Lisa K. Nishikawa, CCR, RPR

CCR# NISHILK362QE



A P P E A R A N C E S

Barbara Questad, Environmental Planner
Marilyn E. Cox, SEPA Responsible Official
King County Department of Development and Environmental Services
Land Use Services Division
900 Oakesdale Avenue Southwest
Renton, Washington 98055-1219

I N D E X





P R O C E E D I N G S

MS. COX: My name is Marilyn Cox. I'm the SEPA Responsible Official for the King County Department of Development and Environmental Services. With me this evening is Barbara Questad, King County Environmental Planner and Project Manager for the Lakepointe EIS, and Ellen Turner with Land Use Services Division, SEPA section. Ellen's available to take speaker sign-ups at the table near the entry.

As you know, this is the public meeting for the Lakepointe Mixed Use Development Master Plan Environmental Impact Statement or EIS.

Tonight's meeting is intended to extend from about 7:00 to 9:00. And in view of the number of people that would like to speak this evening, I would ask that you keep in mind that we would like to offer everyone an opportunity to speak. If you hear several people making the same comment that you wish to make, you may wish to either speak briefly on that topic or just indicate that you concur with the previous speaker.

The purpose of tonight's meeting is to take public testimony on our Draft Environmental Impact Statement. Copies of the EIS are available for purchase from Ellen Turner at the table near the entry. The



purchase price for the Draft EIS is $17. The technical appendices are also available at a cost of $31 or we have summaries of the document available at no charge.

In addition, we've placed copies of the EIS and the technical appendices at several King County libraries, including Kenmore, Bothell, Lake Forest Park, Shoreline, Bellevue, Kingsgate, Richmond Beach, Woodinville, and -- I don't think I left anybody out -- and at the Department of Development and Environmental Services in Renton.

We have a certified shorthand reporter with us this evening to record the proceedings of this meeting and a verbatim transcript will be produced and included in the Final Environmental Impact Statement.

This meeting is intended to allow you an opportunity to present your comments orally. We would also welcome any written comments that you would like to provide and you may give those to King County staff members present here tonight or submit them in writing to the Department of Development and Environmental Services anytime prior to 4:30 p.m., December 19.

In a moment, Barbara Questad, our project manager, will provide you with a brief overview of the proposed project and then we'll begin calling our speakers. As I mentioned, Ellen Turner is taking speaker sign-ups in the rear of the room and you may purchase

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1 copies of the document from her.
2 Anyone wishing to become a party of record may
3 also wish to sign up even if you don't wish to speak.
4 There's a check-off box on the sign-in sheet where you can
5 indicate that you would like to speak, but you may also
6 sign up to become a party of record which will ensure that
7 you will be notified of any future activity associated
8 with this project.
9 At tonight's meeting we will be receiving
10 testimony only, and your comments will be most effective
11 if they are specific and focused on the issues associated
12 with the EIS. We are interested in any comments that you
13 may have on the environmental analysis of the proposed
14 project, mitigation measures and alternatives, and the
15 general adequacy and accuracy of the document.
16 Please note we will not be responding to
17 comments tonight or answering questions about the project
18 at this meeting. We are taking your testimony and will be
19 recording all comments and questions in the verbatim
20 transcript that I mentioned. These comments will be
21 responded to in writing in the Final Environmental Impact
22 Statement. This will allow the county and county staff to
23 carefully and thoughtfully review all of the comments
24 received and provide appropriate additional analysis and
25 response.

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1 If you have specific questions about the project
2 or about the environmental review process, please feel
3 free to contact Barbara Questad after the meeting or by
4 phoning her at DDES at 296-7149.
5 And now I would like Barbara to give you an
6 overview of the proposed project.
7 MS. QUESTAD: The Lakepointe proposal being
8 reviewed in the Environmental Impact Statement consists of
9 three permit applications for a mixed use development on
10 the former Kenmore Pre-Mix site.
11 The three permit applications are a Master Plan,
12 a Commercial Site Development Permit, and the Shoreline
13 Substantial Development Permit.
14 Lakepointe would be developed in six phases, and
15 would include 1,200 residential units, including
16 apartments, condominiums and senior housing, approximately
17 200,000 square feet of office space, and 435,000 square
18 feet of retail and commercial space. This would include
19 cinemas and 150-room hotel.
20 A private marina with 53 boat slips would be
21 constructed in the Kenmore navigation channel. An
22 elevated roadway connecting Bothell Way Northeast and 68th
23 Avenue Northeast would be constructed across the
24 Lakepointe site, southwest of the current intersection,
25 and would draw traffic away from the existing

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1 intersection.
2 These permits were committed by the applicant
3 subsequent to adoption of the Northshore Community Plan in
4 1994.
5 The Community Plan identified the Lakepointe
6 site as a waterfront and mixed use district and required
7 that a Master Plan be developed for the site prior to any
8 development taking place.
9 The Community Plan established property-specific
10 development conditions related to permitted uses,
11 transportation, housing, shoreline use, and other types of
12 things on site.
13 The Master Plan and the Commercial Site
14 Development Permit would establish the mix of uses allowed
15 on the site and the general location of buildings,
16 roadways, and open space areas.
17 In addition, the permit application spell out
18 the phasing of the development.
19 The Shoreline Substantial Development Permit
20 addresses proposed development within 200 feet of the
21 shoreline. The site is designated as an urban shoreline
22 in King County's Shoreline Master Program and the types of
23 uses allowed within this area are established by the
24 master program.
25 In making decisions about the Lakepointe

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1 proposal, the decision makers will have to weigh and
2 balance the benefits of development with the impacts that
3 would result.
4 Some of the key environmental issues and options
5 include the impacts of additional traffic and the benefits
6 of the new roadway that would bypass and draw traffic away
7 from the intersection of Northeast Bothell Way and 68th
8 Avenue Northeast; the visual impacts of tall buildings on
9 the Lakepointe site; and the economic benefits of business
10 and residential center on the site; the impacts of
11 shoreline development on fish and wildlife; and the
12 benefits of allowing the public more access to the
13 shoreline area; safe pedestrian and bicycle connections
14 between the Lakepointe site and transit stops along
15 Bothell Way and the Burke-Gilman Trail; mitigation
16 measures necessary to protect future residents of the site
17 from noise during phased construction and from noise of
18 vehicular and air traffic after construction.
19 These issues and more are discussed in detail in
20 the Draft Environmental Impact Statement. We encourage
21 you to review the document and provide written comments in
22 addition to any comments you may have tonight.
23 MS. COX: Thank you, Barbara.
24 Now I would like to call our first speaker.
25 Phyllis Finley.

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MS. FINLEY: I would like to wait until the end of the meeting, please.

MS. COX: Okay. Next speaker is Bobby McKissen.

MR. MCKISSEN: Thank you. My name is Bobby McKissen. I reside in Bothell, but I do have property near the proposed site.

MS. COX: If I may ask you to step to the podium, then we are able to record your comments, sir. Thank you. I appreciate it.

MR. MCKISSEN: Okay. I live in Bothell, but I do have property that is not far from this site. It is right next to Knoll Lumber. And I believe this proposed project would be very, very good for the area. You're 1 going to have a greenbelt, you're going to have employment, and you're going to have a tax base. If this were to remain a park, you would have no tax coming from that.

And as far as the traffic is concerned, I figured about 12 to one -- 12 cars the way it's figured in the newspaper. It would be 12 cars to one existing truck. I can guarantee I would rather have those 12 cars 2 near me going down Bothell Way than one of those trucks.

So all I can say is I hope this project goes in. Thank you.

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MS. COX: Thank you, Mr. McKissen.

The next speaker is Jim Adams.

MR. ADAMS: Thank you. My name is Jim Adams. I live at 5950 Northeast Arrowhead Drive, Kenmore. I've lived there over 20 years.

I have several comments. I hope not to take up too much time.

I have had the opportunity to thumb through the EIS. It appears to be that there are numerous errors and contradictions. It appears to be put together in a hurry by a committee. But maybe that's why you call it a draft.

All those comments that I don't hear tonight I'll try to -- those I say not, I'll try to put in a written document and send to you.

MS. COX: Thank you.

MR. ADAMS: I have several concerns regarding the traffic section, but I'll include them in my writing. But possibly if there is somebody else in the audience that could look at paragraph 3-187. I think it says that there's been no traffic impact or change in 3 traffic in the area from 1991 to 1997.

I drive those roads every day, and I'll tell you, unless I don't know what's going on, there's been a change in the traffic patterns in those six years.

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What I really want to talk to you about tonight is the marina. On page 1-9 and 1-10, under Proposed by the Applicant, it says the marina would not have a waste holding tank pump station.

I spoke with Mr. Gleason who is the applicant's representative. He told me that that certainly was not the developer's proposal. That was something that was being imposed upon him, or the developer, by King County.

I think that if it's imposed on him by King County, it should state that in the EIS.

He says that's one of the things they would like to have.

On page 2-21 it says amenities at the marina 4 would be potable water, electricity, cable TV, et cetera.

On page 3-40 it says the marina would be -- the marina -- the effect of the marina would be mitigated by prohibition of live-aboards and lack of a pump-out station, which this would eliminate most of the risk of accidental discharge of waste.

Page 3-44 says, proposed by the applicant, the marina would not include a fuel dock or waste holding tank.

There is a sewage dump station at Harbor Village, a private marina at the north end of the lake.

Even if the boaters at Lakepointe are allowed to

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dump their sewage at Harbor Village, one, it would not be convenient, two, it would increase the boat traffic across the seaplane landing area. And I can't see how it would possibly change the amount of spillage in the lake whether they dumped it at Lakepointe or whether they dumped it over at Harbor Village.

The only way to decrease the amount of raw sewage from being spilled or either inadvertently or deliberately dumped in the lake is to make it as 4 convenient as possible for the boaters to legally dump. This means to require a dump station at Lakepointe.

I live on lakefront property and I am certain, and I've spoken with many of my neighbors, that if it is not convenient for that many boats -- and there are slips for 53 permanent slips plus about a dozen temporary slips -- that we're going to have raw sewage dumped into the lake.

Thank you.

MS. COX: Thank you, Mr. Adams.

Robert Smigielski.

MR. SMIGIELSKI: That's me, but I agree with the speaker. That was part of my concern.

MS. COX: Okay. Thank you.

Ellen, do you have another sheet?

Clifford Davidson.

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MR. DAVIDSON: Yeah, I didn't realize I would be up quite so quick. My name is Clifford W. Davidson. I reside at 15423 Arrowhead Drive Northeast, also known as 15423 67th Avenue Northeast, and now changed to 665[illegible] Arrowhead Drive, in Bothell. Those changes were as a result of King County Council's actions, which didn't really bother me too much, as you can tell.

I have lived on the -- in the area and owned waterfront property immediately adjacent to this project for the last 35 years.

I have been involved in the drafting of the original shoreline management ordinances, marina management legislation at the state level, and I do consider myself somewhat of an expert in the marine and waterfront area.

I also served as an elected water commissioner for the last 25 years -- or for 25 years in this area, and I find that the elimination of the waste -- boat waste pump stations from this project is a very large mistake.

First of all, the sewage lines that were installed by the local utility district prior to my becoming a commissioner failed to provide for service to the waterfront along Northeast 175th. Harbor Village has a pump-out station but it's located on their far outer breakwater. As a result, they are transporting sewage

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under pressure across their fixed pier to a floating pier, and then from floating pier back up to terra firm again, or the land, into a pump station, to again lift it and put it into the sewer system. So they are relying on a number of pressure systems to move that sewage.

That creates more concern to me than the possibility of a spillage in the handling of the discharge tube at the boat, which appears to be the county's desire in eliminating the pump station. 5

This whole project will require sewage treatment or sewage handling via pump stations. The lines that will service this already service this area, already have a pump station installed immediately behind the old Kenmore Pre-Mix building site, and in order to get the sewage over to 175th. So this whole area is going to have to be serviced by a, I'm going to call it, a standard sewer district specification pump or lift station.

As a result, the sewage coming out of the boats could be deposited directly into those same lines and handled by equipment that is designed and built to handle sewage and not a pumping system that's designed to move small quantities of sewage.

Secondly, the marina area back in where they are contemplating it in the work slip going into the pre-mix plant is quiet water, so boats coming up to the pump-out 6

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station shouldn't be located there. It would be in quiet water and not be subject to the wind and wave which has more of a hazard to spill, having the lines pulled from the boat with the bouncing waves, et cetera.

So here's a chance to put in a first class sewage lift station that has never existed in the history of Lake Washington before. Carillon Point has a system that was installed on an after-the-fact basis by the state -- by state grant, the same as the Harbor Village, and these are more temporary type facilities than permanent facilities.

Leschi Marina, the marina at Newport Yacht Basin, and Coulon Park do not have pump-out stations. The only other pump-out station is in Lake Union. There's one there and there's one at Shilshole. 6

Most marina owners have been hesitant to take straight grants to install water quality equipment because of the unreliable nature of the equipment that's currently on the market, and the fact that we can't handle the effluents once we remove them from the boat. So I find it quite disconcerting that the county would allow a project to not make the best utilization of the potential waterfront for the handling of this boat sewage.

And I kind of share a previous speaker's concerns that -- and I've observed it, that people in my

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marina who have holding tanks who can't find a pump-out station that will work or that's convenient, just go out in front of Arrowhead Point and pull the plug and discharge into the lake illegally. All the signs, all of the campaigns that we have put on about clean water have gone to naught.

And the mere fact that we consider a mitigation providing signage or encouragement to the boat owners to do the proper thing has, in my opinion and result of my 35 years of watching, not produced the desired result.

I have been involved in clean water, as I say, as a sewer commissioner for 35 years. And I remember when the lake was polluted and you couldn't see six inches into the lake. It's been cleaned up now and I would like to keep it that way.

The other concern that I have is that the facility is talking about not providing for live-aboards. Live-aboards are a concern to a marina owner from the standpoint that it creates a congestion, it creates a new type of amenity that has to be provided in order to accommodate live-aboards. Shower facilities, laundry facilities on shore must be provided in order to keep those people from putting the gray water overboard.

This marina is going into the very northeast corner or tip of Lake Washington. It's been dredged

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1 back. In about 1916 it was dredged in order to
2 accommodate the navigation to the McMasters Mill. And it
3 is a slack water area. The water doesn't exchange in
4 there. So any gray water discharges are going to remain,
5 the same as would any of the harmful discharges that would
6 come from heavy metal from washing the boats or from the
7 attempts to scrub bottoms.
8 I am pleased that there are restrictions upon
9 those activities which boat owners could do that would
10 increase the heavy metals or the other pollutants into the
11 area. But I would sure think that the county should
12 reconsider this pump-out situation and provide, for the
13 first time, a sheltered water, protected marine pump-out
14 for all the boaters on really the north end of Lake
15 Washington, from about the I-90 bridge north.
16 Thank you very much.
17 MS. COX: Thank you, Mr. Davidson.
18 The next speaker is Judith Aitken.
19 MS. AITKEN: I'm Judith Aitken. I work for
20 the Toxic Cleanup Program for the Department of Ecology in
21 the state. This is a ranked site. It's ranked 1. Our
22 priority of sites are ranked 1 through 5, with 1 being the
23 most potential for harm to human and environmental
24 problems.
25 The site people think is primarily because of

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1 petroleum. Were it ranked only on petroleum, it would
2 have been a 4 or 5, so there are other things there.
3 The cleanup is going to have to proceed and take
4 place before you start doing any work on the site. And
5 there are some questions that have not been answered yet.
6 We have started to get the answers, but it's been a slow
7 process. Our cleanup will be phased so we can allow
8 certain processes to go along according to the schedules,
9 so you can get things done, but there are certain things
10 that we have no answers for, such as the sediments that
11 we're going to have to address, and we're going to have to 7
12 have some kind of a cleanup program.
13 We will have public hearings, we will have
14 public meetings, and we will involve the public as much as
15 possible in this process, but the site has to have an OK
16 from us before it proceeds with anything that it does.
17 I just wanted to remind people.
18 MS. COX: Thank you, Ms. Aitken.
19 Tony Brooks.
20 MR. BROOKS: I would like to reserve comment
21 for later.
22 MS. COX: Bill Ekel?
23 MR. LEAK: Bill Leak, L E A K.
24 My name is Bill Leak. I'm a representative of
25 the Lakepointe Citizen Task Force. My remarks tonight are

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1 intended to be very brief, to update the community and the
2 DDES about the unborn role of the Citizen Task Force and
3 our current activity relative to the project Draft EIS.
4 First point is the Lakepointe Citizen Task Force
5 was formed in June of 1995 by King County Councilmember
6 Maggi Fimia. It was to provide a community-wide
7 perspective to the Pioneer Towing Company, the owner, on
8 the development of the master mixed use plan and various
9 permit applications for the proposed project.
10 We meet collectively on a monthly schedule and
11 more frequently as process milestones, such as the Draft
12 EIS meeting, necessitate.
13 The group of 17 local citizen members is 8
14 diverse, representing both private and public work
15 experiences. Our work is assisted and supported by
16 resource people from the Metropolitan King County, the
17 King County Department of Development and Environmental
18 Services, Pacific Rim Equities, the developer, and various
19 consultants of the project development team.
20 Our key purposes have been and will continue to
21 be to provide an in-depth opportunity for the community to
22 learn about the Lakepointe project, to serve to bring the
23 community concerns about the project to the developer and
24 King County, and to facilitate a unique, and I emphasize
25 unique, collaborative process between the community and

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1 the developer and the county, the goal of which is to
2 assure the highest quality project which is economically
3 viable and a major asset to Kenmore, while being sensitive
4 to the environmental features of the site and the 8
5 surroundings.
6 Number two, several members of the task force
7 are in attendance with me tonight and we are here solely
8 to listen to public comment.
9 And thirdly, as a task force, we are in the
10 process of preparing our own formal written comments about
11 the Draft EIS and those will be delivered to the county by
12 the December 19 deadline.
13 Thank you.
14 MS. COX: Thank you very much, Mr. Leak.
15 Steven Gimurtu.
16 MR. GIMURTU: That's me, but I said no, I'm
17 not going to speak tonight.
18 MS. COX: Oh, I'm sorry.
19 Nora Strothman.
20 MS. STROTHMAN: Hi, I'm Nora Strothman. I
21 live at 14821 107th Avenue Northeast, and that's in
22 Bothell.
23 I was reading through the Draft Environmental
24 Impact Statement on this project and the question that I
25 was really grappling with the whole time was I cannot

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1 imagine who is going to want to live in Building A when
2 all of this construction is going on. It's such a long
3 construction process, taking so many years, with, you
4 know, 5,000 piles to be driven. And I really was kind of
5 focusing in on the noise chapter.
6 And, you know, the problem is the Building A in
7 one of the tall -- the 92-foot tall building that is going
8 to house a lot of condominiums will be completed, and I
9 assume that then those condominiums will be sold to
10 residents who then are going to be subjected to
11 construction-related noise levels ranging, according to
12 the DEIS, from 74 to 106 decibels, and this is going to go
13 on for several years. And now that's not even considering
14 the pile-driving noise. This is just the regular 9
15 construction noise.
16 The pile-driving noise, according to this
17 document, is, quote, likely to be particularly intrusive
18 to nearby residences because it includes fairly
19 continuous, repetitive banging.
20 So you add to this the traffic noise levels from
21 68th Avenue which is going to be 100 feet away from the
22 building, that's going to be 69 decibels. And this is
23 projected -- these are calculated future noise levels.
24 And according to the DEIS, these will exceed the levels
25 usually considered acceptable for residential uses.

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1 And this is going to go on forever. This isn't
2 just construction related; this is just the noise from the
3 road.
4 So then you add to this the seaplane noise
5 levels ranging from 55 to 81.8 decibels, and then you add
6 the Kenmore Pre-Mix plant which will continue its
7 operation until the last phase of development.
8 According to the DEIS, every building on the 9
9 Lakepointe site would be subject to sound levels exceeding
10 the 60-decibel county noise limit during barge-loading
11 operations which can occur 12 hours a day, four days a
12 week.
13 So I'm just a little concerned and confused,
14 frankly, as to who could possibly want to, you know, buy a
15 condominium in this situation with this noise going on for
16 so many years. It's just a concern.
17 MS. COX: Thank you.
18 MS. STROTHMAN: I have a written comment
19 (Handing.)
20 MS. COX: Thank you very much.
21 Jeanne Rehwinkel.
22 MS. REHWINKEL: Hi, I'm Jeanne Rehwinkel. I
23 live at 15918 88th Northeast, Bothell, 98011.
24 As a 20-year resident of the newly incorporated
25 city of Kenmore, I have serious concerns about the overall

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1 scope of the Lakepointe mixed use proposal, especially in
2 view of their objective to set aside the P-suffix
3 conditions of the Northshore Community Plan regarding
4 building height and the number of residential units. The
5 scale of their proposal is completely beyond the capacity
6 of the road system to absorb and in no way would such a
7 massive structure be compatible with the surrounding
8 community.
9 In reference to Draft Supplemental Environmental
10 Impact Statement, Appendix D, the traffic impact analysis,
11 on page 5, the validity of the 1993 traffic volumes
12 statistics as a basis for projection of 2005 volumes is
13 highly questionable.
14 In reference to the same document, page 3-205
15 and following, actual current driver experience challenges 10
16 the basis of assertions in this document regarding queues
17 both northbound and southbound on 68th Avenue Northeast
18 between Northeast 170th and SR 522 during both a.m. and
19 p.m. peak hours. Actual driver experience on the roadway
20 in question is that of idling in queues up to 15 to 20
21 minutes.
22 The document admits on page 3-207 at
23 intersections designated LOS F, quote, after 120 seconds
24 delay, the impact becomes exponential.
25 With hundreds of vehicles idling at far longer

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1 than the model's 120 seconds, at a minimum of 11 traffic
2 lights in the immediate vicinity of the proposed mixed use
3 development, the production of harmful emissions,
4 especially carbon monoxide, must be measured and included
5 in the analysis of environmental impacts. The problem
6 would be further exacerbated with the additional three
7 traffic lights that the developer proposes to add to the 11
8 mix.
9 It is therefore incumbent upon the developer to
10 have an air quality analysis completed by a certified air
11 quality specialist, especially of the carbon monoxide
12 level at peak a.m. and p.m. hours, and that an addendum
13 with the findings of such analysis be circulated to all
14 appropriate parties and officials.
15 Appendix D, transportation impact analysis,
16 pages 23 through 25, the assertion that Lakepointe
17 addition of 1,200 residential units would not increase the
18 traffic problems on arterials and supplemental roads in
19 Kenmore is patently absurd to all rational minds. And
20 that traffic will be worse without development of the 12
21 project and the concomitant availability of Lakepointe Way
22 Northeast as a trip diversion arterial, you can call it
23 whatever you want. Everyone knows that the real
24 bottleneck is at SR 522 and SR 104 or Ballinger Way.
25 Every other arterial and supplemental road east of that

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1 intersection backs up from that point, and Lakepointe Way
2 Northeast would be no exception. Drawing traffic away
3 from the SR 522/68th Northeast intersection is no
4 solution.
5 The fallacy of the LOS F designation is that the 13
6 needle is stuck. In actuality, the reading should be LOS
7 F to the tenth power, at the very least.
8 In reference to Draft Supplemental Environmental
9 Statement page 3-125, the King County Comprehensive Plan,
10 Urban Growth Areas, quote, The Northshore urban growth
11 area is targeted to receive 2,600 to 3,400 new
12 households. 14
13 Has the cumulative residential development in
14 the impacted area since 1993 been factored into the
15 determination of the number of residential units proposed
16 for Lakepointe?
17 There has been a literal explosion of multi- and
18 single-family residential units within a one-mile radius
19 of the proposed Lakepointe site which have been completed
20 or are permitted and are under construction. Surely the
21 development throughout the Northshore urban growth area 15
22 has already exceeded the upper limit of the King County
23 Comprehensive Plan. How do the developer and DDES justify
24 modification of the maximum residential units from the
25 P-suffix conditions of 1,000 to 1,200?

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1 Finally, in reference to Appendix E, Lakepointe
2 transportation analysis for the Northshore Community Plan
3 Amendment, 1994, pages 67 and 68, both project applicant
4 and King County acknowledge the desirability of, quote,
5 promoting use of transit to meet needs of Lakepointe
6 residents, employees, and visitors, closed quote.
7 And they also acknowledge, quote, the excellent
8 transit opportunities, unquote, for said groups by
9 existing transit service.
10 And on page 68, The Northshore Community Plan
11 requires -- this is a quote -- requires that the
12 Lakepointe developer include extensive
13 transportation-demand management programs to reduce use of
14 SOVs, single-occupancy vehicles.
15 How can the Kenmore community be assured that
16 the mitigating measures outlined in the Draft Supplemental 16
17 Environmental Impact Statement on page 3-218 will be
18 implemented?
19 In particular, a pedestrian bridge should be
20 considered an essential component of the 17
21 transportation-demand management program, not merely a
22 desirable option, especially for disabled patrons.
23 Signalized crosswalks across SR 522 are not an
24 acceptable alternative and are not likely to provide 18
25 sufficient incentive for prospective bus riders, even with

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1 traffic signal timing, as frustrated pedestrians watch
2 their bus cruise by on the opposite side while they wait
3 for the light to change.
4 What will the developer in conjunction with 18
5 Washington State Department of Transportation do to assure
6 Kenmore residents and business owners that the bridge will
7 be built?
8 Thank you for the opportunity to respond to the
9 subject document.
10 MS. COX: Thank you, Ms. Rehwinkel.
11 The next speaker is Karen McFadden.
12 MS. REHWINKEL: (Handing.)
13 MS. COX: Thank you very much.
14 MS. MCFADDEN: I'm Karen McFadden. 19604
15 66th Avenue Northeast, Seattle. Actually, 30 years in
16 Kenmore.
17 There exists considerable doubt among the
18 Kenmore community that much credibility exists for figures
19 derived from TRANSYT 7F computer model. If it is true 19
20 that cars waiting over 180 seconds, three minutes, at any
21 signals will self-destruct, blow up, how can you use the
22 model as an accurate data provider?
23 What is the current traffic data for trip
24 generation based on a 9 percent increase in building area, 20
25 a 29 percent commercial retail increase over the

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1 Northshore Community Plan, plus a 20 percent increase in 20
2 residential units as compared to the Northshore Plan? I
3 take that from the beginning of the Draft EIS, ii.
4 How have the many residential units completed
5 since 1994 along 175th Street been factored into 21
6 projections for transportation congestion and vehicle
7 pollution?
8 Will there be a carbon monoxide analysis at the
9 intersection of 68th Avenue Northeast and SR 522?
10 Samplings done at Lake Forest Park and Northgate
11 are too far away and too different in scope to be
12 comparables.
13 Do federal and state regulations of the Clean 22
14 Air Act apply?
15 Long queues on northbound 68th Avenue Northeast,
16 cars idling for five minutes or more create serious
17 pollution. How will this be addressed?
18 What data was used to generate 13,692 daily
19 trips? Is this the intersection of 522 and 68th?
20 If you're splitting away traffic at Lakepointe 23
21 Boulevard, what are the combined totals at a reunited
22 intersection such as SR 522 and SR 104, Ballinger Way?
23 The level of service at intersection of SR 522
24 and 68th Avenue Northeast is currently at level LOS F and 24
25 is projected to continue to operate at LOS F in the year

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2005 with or without the proposed action.

There is no apparent improvement to capacity that can be made to this intersection without major right-of-way acquisition and local business disruption. 24 Traffic queues would continue to exceed the storage capacity at several locations and affect the traffic operation at adjacent intersections.

If the enhanced transit stops are not consistent with King County, WSDOT standards, or no available right-of-way exists, does that mean they won't be built? 25

What binding assurances are there that these transit stops, new Park & Ride, or 50 stalls will be built?

If the City of Kenmore or Lakepointe is not willing to provide a, quote, a fair-share contribution, quote, for the construction of the pedestrian bridge over SR 522, what legal force can be used to build it? 26 What laws govern fair share in light of the new incorporation of Kenmore with their limited bonding capacity?

What happens to proposals of lanes/signal phase overlap if City of Kenmore doesn't approve an LID, a local improvement district? 27

This analysis assumed 1,000 units. I'm referring to the earlier Northshore Community Plan. How has the transportation impacts mitigation been changed to 28

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accommodate the 20 percent increase in residential units and the 29 percent increase of commercial retail space 28 over Northshore Community Plan Alternative 1 which is now being proposed? Now 2,400,000 square feet of occupied space is proposed.

The TRANSYT 7F model is seriously flawed and it cannot predict precise numerical values for travel speeds or delays or queueing traffic backups at intersections, yet one of the greatest problems is the queueing at 29 multiple intersections along 68th Avenue Northeast and SR 522, at 175th, and at Northeast 170th, Simonds Road.

Those who drive through these intersections can testify that the time required to drive through these intersections has greatly increased in the past four years.

What exactly will the transportation management 30 plan consist of? What is its scope and content?

If Phase 7, the last phase of development, is seven to ten years away, how will this double dose of Lakepointe construction and Kenmore Pre-Mix operation 31 affect noise, air, and traffic pollution?

Since these are adjoining sites, are there any regulations for cumulative pollutions?

Have the property owners of the several private businesses on the north side of SR 522, U.S. Bank, BP, 32

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Nu-Lite and Texaco been notified that the proposal prohibits left-turn access into their businesses? Is 32 there any requirement to notify them?

Due to the model unable to deal or project queueing over three minutes, how can all of these assertions -- and I'm referring to the tables -- have any validity? This is a fundamental error that must be 33 addressed. What valid data will be used?

When SR 522 is backed up from Ballinger Way to Simonds Road, isn't it likely that both 68th Avenue Northeast and Northpoint Way will be similarly affected?

Current measurements are needed at 68th Avenue Northeast and Northeast 170th. Many regular drivers 34 suspect LOS F here already.

Under SEPA, the mitigation impacts proposed must be reasonable and capable of being accomplished. 35

What is binding for the developer to build the pedestrian overpass? Without a pedestrian overpass, how could the transit stop be easily and safely reached by pedestrians, wheelchairs, and cyclists? 36

Stairs, elevators, and crosswalks are limited in their usefulness and safety and may not be ADA compatible. Where has this issue been addressed?

I am one of the few people who is trying to wheel my friend across Bothell Way at 68th Avenue

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Northeast. I'm aware of this problem.

How has a limited bonding capacity of the new 37 City of Kenmore been acknowledged as unlikely to make possible an LID, local improvement district?

There is some contradiction, I'll just submit that to you, between 3-216 and 3-218. In one section it's 38 called -- pedestrian bridge is called an additional improvement and then two pages later it's required by code, bullet six.

Who guarantees the enhanced transit stops on the 39 north and south side of SR 522 will be constructed?

If agreements are now with King County, what provisions are in place for translation into interlocal 40 agreements with City of Kenmore?

I would also like to note some of the ordinances and permits that will be the prerogative of the City of 41 Kenmore. I believe noise ordinance would be one.

Why are the five acres of site H not included in the EIS analysis? 92-foot building, hotel, question mark. Will impact greatly. Not having definite plans for 42 the area does not remove the responsibility under SEPA for addressing the cumulative impacts.

In summary, there is an admittance that, quote, thus transportation strategies assigned to the Kenmore area focus on allowing roadways to remain congested while

1 investing in safety improvements, high-occupancy vehicle
2 lanes, improved transit service, and improved pedestrian
3 and bicycle access to transit and other services.
4 Yet where are these specific plans? Where is
5 the HOV lane? The separation of cars from pedestrians and
6 bikers either from Lakepointe Way to SR 522 or even on 43
7 some parts of the noncontinuous pedestrian trail along the
8 Sammamish River?
9 What exact requirements are in place for the 44
10 developer to improve any of these elements?
11 Where are the bike/pedestrian features of the 45
12 current, not older, proposal?
13 How could transit-only lanes on SR 522 be open
14 to HOVs through Kenmore and Lake Forest Park? 46
15 The Northshore Community Plan, Proposal 1, calls
16 for lesser development than is proposed by Lakepointe,
17 making less traffic congestion in the Kenmore area. Isn't
18 this a valid reason to reinstate the limit of 1,000
19 residential limit units, decreasing by 20 percent, and 47
20 reinstating the 29 percent less commercial retail space?
21 This plan would make a better community for us all.
22 Thank you very kindly to respond to these
23 concerns which I hope will be helpful.
24 MS. COX: Thank you, Ms. McFadden.
25 MS. McFADDEN: (Handing.)



1 MS. COX: The next speaker is Ann Aagaard.
2 MS. AAGAARD: My name is Ann Aagaard. I
3 live at 16524 104th Northeast in Bothell, just up the hill
4 from the proposed development.
5 First, I guess I have a question for you.
6 Obviously this public hearing is being recorded. Will the
7 questions be answered in the Final Environmental Impact
8 Statement that are being posed here tonight?
9 MS. COX: Yes.
10 MS. AAGAARD: Okay, good. The first point I
11 would like to make is that the Friends of Northshore had
12 responded both to the Commercial Site Development Permit
13 and to the Shoreline Substantial Development Permit that
14 was advertised in February the 10th, 1996.
15 We raised a number of issues at that time,
16 anticipating that by responding as we were requested to do
17 by the notice of application, that the answers to these
18 questions should have been incorporated in the Draft
19 Environmental Impact Statement.
20 But we find when we read this document that we
21 are left with the same questions that we posed in
22 February, almost ten months later, that these still have
23 not been answered.
24 And so it raises a very real question as to when
25 the specifics of this site will finally be nailed down so



1 that we can begin to address the environmental impacts
2 that this document is supposed to be addressing.
3 The purpose of SEPA and the authority under the
4 State Environmental Policy Act is to provide a document
5 that is concise, clear, and to the point, and supported by
6 the evidence necessary so that environmental analysis can 48
7 be made. It is also to integrate SEPA so that both
8 planning and permit procedures can run concurrently,
9 rather than consecutively, and to identify, evaluate, and
10 require those rules and reasonable alternatives that would
11 mitigate adverse impacts of the proposed action.
12 This document does not provide concise, clear,
13 and to-the-point evidence. The evidence is often
14 contradictory, and there is no intentions that it will run
15 concurrently with the planning and permitting process. In
16 fact, we are specifically told that there are important
17 decisions that have not been made yet and there is a big
18 question as whether any more analysis will be done
19 because, quote, unquote, well, they have just -- they have
20 just analyzed the worst impacts and, therefore, if they
21 have done that, we don't need to know anything else. I
22 believe that this runs contrary to the intent of SEPA.
23 I'm going to address primarily some of the
24 issues on the shoreline area. What is actually proposed
25 for the shoreline area? This is particularly important



1 because under the state Environmental Shoreline Management
2 Act, one cannot issue shoreline permits on conceptual
3 plans, and yet this is all there is in the SEPA document.
4 Where are the pedestrian routes, particularly 49
5 those in Phase A from 68th to the fire trail, which has
6 now been turned into pedestrian route that is found I
7 believe on Figure 8?
8 How are the public viewpoints easily accessible 50
9 to the public?
10 You've just heard about how difficult it will be
11 to get across from Kenmore to this project, but then we
12 also find how is the public even going to get to the
13 viewpoints because there is a major road, 173rd Place, 51
14 which is 11 feet higher than the surrounding shoreline.
15 But there are no details about how you get from one side
16 of the road, down 11 feet, and down to the shoreline, even
17 if you knew what routes you were even talking about. And
18 there's no details at all about how the pedestrians will 52
19 be able to access this from 68th or, indeed, from other
20 major areas.
21 What are the building size, use, and location
22 that are actually proposed in the shoreline area? And 53
23 there are numbers of them.
24 There are buildings that are 92-feet stories
25 high, there are buildings 72-feet stories high, but we 54

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1 don't know exactly how high they will be because,
2 according to the plan, these are conceptual only and they 54
3 can all vary.
4 They say, in fact, the DEIS states, that use,
5 size and location are conceptual and that detailed design 55
6 and construction drawings for each phase will be submitted
7 and reviewed by King County. What they do not say is that
8 they will not be open for public review after that point.
9 Shoreline permits require specific design
0 criteria, and one of the reasons for this is because
1 there's a provision under the state Shoreline Management
2 Act that when later revisions are proposed to a shoreline
3 permit, they have to be measured against what the actual
4 use, height, over-water structure, landscaping, and such,
5 has been given in the initial permit. And if they vary by
6 a certain percentage over those original dimensions, then
7 they are not considered a revision and you must go back 56
8 and reapply for a shoreline permit.
9 But these are conceptual only and none of these
0 details are provided either in this document or, indeed,
1 in the shoreline permit that we reviewed in February.
2 I have checked with the department, I am going
3 down to check the files again tomorrow, but to my
4 knowledge, no additional shoreline permit showing these
5 exact specifications has been filed. And it appears to me

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1 that at this point when the DEIS is being circulated and
2 we are being asked publicly to comment on it, these kind
3 of details should have been provided.
4 Another important part of the shoreline permit
5 is to know exactly what the amount of fill removal and
6 replacement will be that is required in the shoreline
7 area. Now, we have been told there is a grading plan. At 57
8 page 2-29 of the DEIS, however, states that the amount of
9 earth movement, which means not only extraction and
0 dredging but also the fill, will be determined by the MTCA
1 cleanup plan.
2 And as we've heard from the Department of
3 Ecology and as the document makes clear, the MTCA plan is
4 not yet developed. So the fact is, we do not know and
5 cannot in any way, shape, or form, review the WAC proposal
6 173-27-180, which requires that we know what composition
7 and amount of fill is on that site.
8 Several shoreline hearing board cases have 58
9 addressed the issue of the need for specificity of
0 shoreline permits. One of those cases is called Hayes v.
1 Yount which says that, A permit which is too vague to
2 ascertain with certainty what is authorized cannot be
3 properly reviewed by the shoreline hearing board and
4 should be remanded. The permit itself should describe
5 with particularity and certainty what is being

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1 authorized.
2 To date, such permit does not exist. And so the 58
3 question becomes one of when will it be existing so that
4 the public can review it.
5 And the next question is, the public was asked
6 to review that permit in February of 1996 and that permit
7 did not contain the information, so when and if it is ever
8 available, how is the public supposed to know? Will there 59
9 be a new time in which they are asked to respond to the
10 shoreline permit? And if so, then it certainly isn't
11 being done concurrently with the DEIS review because that
12 would be in the future.
13 Another important case was the Save v. Bothell
14 case that says that design guidelines, a verbal
15 composition from which only building envelopes may be
16 derived are inconsistent with the WACs relating to
17 shoreline applications which require scale drawings 60
18 showing dimensions and locations of structures.
19 We don't have that information yet in this
20 plan. And, again, the same question would be asked, when
21 will we get it and should we not have it now so that we
22 can respond concurrently both to the DEIS and to the
23 shoreline permit.
24 In the same case there was an allowance given
25 for a general shoreline permit to do the infrastructure

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1 improvements, but each individual project required its own
2 individual permit. And such a process might well be
3 appropriate for this development.
4 There's also a case in question about what this
5 EIS is covering. Shoreline permits will be required for
6 this additional five acres, the section H, and also, I 61
7 assume, for the marina, but the document isn't clear at
8 all about how and how much is being covered in this
9 initial shoreline permit and whether it extends into those
10 areas or not. It is very unclear on that part.
11 There are also problems concerning sediments,
12 surface water, and groundwater in and along the shoreline
13 areas which must be addressed because of the historic
14 nature of land use at this site.
15 The document indicates that sediments are not --
16 sediment contamination is not a problem, and yet this
17 contradicts the August 8, 1997 water quality certification
18 for the proposed Corps of Engineers dredging project which
19 I understand is just now being undertaken. 62
20 Two of the Corps sites are unsuitable for using
21 disposal after the dredges are taken out and cannot be
22 dredged at this site.
23 The conditions on this dredging permit include a
24 20-foot buffer imposed and a requirement for additional
25 sampling and testing outside the navigation channel to

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1 determine the extent of the sediment contamination. And
2 yet there's no discussion of sediment contamination in
3 this EIS at all.
4 It may be possible that when discharges from the
5 stormwater system or other discharges which may go into
6 the water may be able to meet the dilution criteria of 62
7 Lake Washington, but different standards exist for
8 sediments and, therefore, any increase in the sediment
9 contamination may be governed by Department of Ecology,
10 WACs, or state requirements, and, therefore, this should
11 be discussed.
12 Another question is how would pile driving
13 affect these sediments? There would be over 100 more
14 piles driven in the navigation channel as well as 5,000
15 piles driven on the site in total, which clearly is going 63
16 to disrupt the sediments. One should have a very clear
17 understanding of what there may be or may not be in those
18 sediments regarding contamination.
19 I suggest that a Supplemental DEIS be required,
20 written, and circulated to the public, along with the 64
21 proposed MTCA cleanup program prior to the issuance of any
22 permits, including the shoreline permit as well as the
23 site development permit.
24 On page 3-40 there's discussion of the proposed
25 biofiltration swales which would be designed to prevent 65

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1 contact between the treated runoff and the underlying fill
2 material and would minimize mounting of the groundwater
3 table within the fill layer. But there are no specifics
4 as to how this will be done, if it is even possible to do 65
5 such a thing, and what might or might not be the impacts
6 associated with it. It is simply a statement given
7 somehow believing -- making the reader believe it can be
8 done.
9 There's another issue with shorelines which
10 specifically concerns the P-suffix conditions and
11 modifications that are proposed to them. The methodology
12 for modifying the P-suffix conditions is contained in
13 Condition 16, Subsection I, which is not included in the
14 DEIS, even though it is a very, very important part of the
15 whole discussion.
16 It is required as part of this Master Plan
17 application for which this DEIS is written to discuss how 66
18 such alternative mitigation meets the goals and intent of
19 the P-suffix conditions in the Northshore Plan. And it
20 states that the county may approve such alternative
21 mitigation if it is warranted, but only if it is based on
22 changed conditions relating to, for example, transit
23 plans, road alignments, pedestrian connections or other
24 planning or capital improvement, or the infeasibility of
25 proposed mitigation or P-suffix conditions, and if the

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1 goals and intent of the P-suffix conditions in the plan
2 are met.
3 But when you look at this section in the DEIS
4 which is to address this very important modification
5 P-suffix, on page 2-33, it basically discusses why they
6 are changing the height locations based on what they
7 consider to be analysis of the earlier Northshore Plan, 66
8 but none of the conditions about why this is infeasible or
9 what changes have taken place, or the goals and policies
10 of the plan are included in the discussion. And that is
11 certainly unjustifiable.
12 Again, I would suggest that a supplemental DEIS
13 be written with adequate discussion of this very, very
14 important P-suffix modification included.
15 Earlier speakers have indicated the
16 inconsistency in the DEIS and I point out a few others,
17 particularly as they were related to shorelines. There's
18 a discussion of bulkheads in one place where it talked
19 about we discussed -- there's a construction discussed on
20 pages 3-13 and 3-31 and that there may be some turbidity
21 associated with the pile driving. And it also discusses 67
22 the need for further additional field explorations and
23 specific information for piles and bulkheads. But, yet,
24 you read on page 3-68 that no new bulkheads or fill are
25 proposed and no new in-water structures.

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1 So how is the reader supposed to decide what is
2 going on here?
3 There's another question about -- discussion
4 about the 100-year flood plain but there is no real
5 discussion about the policies in King County that relate
6 to placing fill within the flood plain. And that's
7 important. It should not be expected that all of the 68
8 people who are reading this DEIS have access to all of the
9 King County codes and regulations. They need to have at
10 least some reference and some guidance as to where they
11 should go or what these say so that they can make a
12 decision and understand what is being discussed.
13 Shoreline protection under the King County
14 Shoreline Master Program requires a conditional use
15 permit. And there's a structure, an underwater structure,
16 that is vaguely referred to in the document, I believe 69
17 it's called the wave attenuator, and it's briefly
18 discussed, but no mention is made of a conditional use
19 permit under shorelines and there is nothing in the
20 document that indicates that they are going to file for
21 one.
22 Another inconsistency involves this public
23 access and the trail around the edge of the property. If
24 you look on page Figure 7 which is entitled Recreation, 70
25 there's no trail going from 68th over to the so-called

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fire trail. But if you look on Figure 8 under the circulation plan, all of a sudden there's a little dot, dot, dot, dot, dot, indicating there might be a trail there, but there's no explanation. You don't know where it comes from and you don't know what you're really talking about. 70

Another inconsistency comes in terms of the evidence that is used to document some of the, quote, conclusions. One of these has to do with this very important issue about whether or not when they place more piles within the marina and there's more over-water structure, whether this will cause there to be a greater predation on the salmonid fry than what either may be there now by either bass or other predatory fish. 71

And in this document there is a conclusion that indicates that basically that fry -- salmon fry are not predadated on by bass and other species and it is not supported by the literature cited. But yet I was able to find a very easy document by Pflug and Pauley from 1984 that clearly identify the predation of bass on salmonids, which deliberately makes this statement in the DEIS misleading. And I think this is totally inappropriate in this document. 72

Finally, I would like to discuss the height and the view obstruction as not being consistent either with

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the King County Master Program or with the Washington Administrative Code in the implementation of the Shoreline Management Act.

The document states that King County has determined that a shoreline variance is not necessary for the 92-feet story buildings. For those of you who are not familiar with the Shoreline Master Program of King County, they do not allow any height above 35 feet on the shoreline area. This is triple that height.

Now, you can exceed that height if the proposal is consistent with the underlying zoning, if a view of a substantial number of residences will not be obstructed, and if it is water-related or water-dependent.

None of these criteria are even mentioned in the DEIS. It is simply a statement given that King County has determined that a shoreline variance is not necessary. 73

First of all, I would say it would be inappropriate for King County to make this determination before the DEIS is even circulated, and secondly, it certainly would be appropriate again to document the criteria that go into this determination and how it will be arrived at and how it will be evaluated.

If you look at the pictures in the back, it certainly does not support the fact that a substantial number of residences will not be obstructed.

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We don't know about the underlying zoning because it's very unclear how this whole zoning is being analyzed anyway, but it is also important to recognize that under the state act, there is additional wording which must be complied with in addition to the obstruction of the views. And that is, Obstruction of a substantial number of residences on areas adjoining such shorelines. And then there is a very important statement which says, And then only when overriding considerations of the public interest will be served. 73

It is up to the applicant to provide the documentation and supporting evidence that these criteria have been met. And nothing is in this document and nothing is in the shoreline permit at this time.

How is the height being determined? The Washington Administrative Code which must review this height calculates the average grade level is made by averaging the ground elevations at the midpoint of all exterior walls of the proposed building or structure.

I don't know how this is being calculated, but I find that it is, in my opinion, it is very improper to imply that because an overhang of a building is only 35 feet, but that the actual building itself which is right next and part of that whole proposal which happens to be adjacent to that 35 feet but right outside the shoreline 74

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is 92 feet.

My reading of the WAC is that you would have to measure the entire exterior wall of the building, whether it is in or out of the shoreline and determine what the average height is, not just the part of the building that happens to overhang into the shoreline. 74

There's another question about whether or not a marina is allowed in the underlying zoning of regional business. 75

These are just many of the questions that have come from trying to read through this document and also trying to find the information from various and sundry pieces of data that have come along through the process.

Again, I would summarize by saying I believe that a Supplemental DEIS needs to be written to address a number of issues, that it be circulated, and the citizens have an ability to comment on it.

Thank you.

MS. COX: Thank you, Ms. Aagaard.

The next speaker is Brian Hira.

MR. HIRA: Good evening. My name is Brian Hira and I am a resident of Bothell and I am one of the business owners on Bothell Way. I own Kenmore Texaco on 6532 Northeast Bothell Way.

And I do have a comment in regards to page 3-195

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and in regards to the left-turn access going eastbound. It's a very big concern of mine because as a gas station owner, although most of my traffic comes from the west and from the north going south, I do have a lot of customers coming from the east. And limited access into my station would -- is already -- would cause a financial problem for me. I know it would also for the BP station and for the other businesses in this. 76

Also, I would like to comment that I had not received any information in regards to this meeting or this information, and had it not been for Jim Adams who is also on the Task Force, and I thank him for that, but I would like to be put on a list to receive all the information that's available in regards to this. 77

I am a proponent for economic development. However, I do have a lot of questions in regards to environmental and pedestrian and traffic issues, because all these things do affect me and other business owners in the area. 78

And that's all I have to say. Thank you.

MS. COX: Thank you, Mr. Hira. We'll make sure you are a party of record for future notices.

The next speaker I believe is Fred Ringseth.

MR. RINGSETH: I'm not a speaker.

MS. COX: Okay, thank you.

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Will Thompson.

MR. THOMPSON: My name is Will Thompson. 8827 Northeast 161st Place.

I've had only a brief time to get into this, what a huge document. My impression is that it's not very well done. 79

Before I even looked at the thing, though, it seems to me if we -- if we form a city which has only one convenient passage between its northern and its southern parts, and we have already difficult traffic on 168th and at its junction with Bothell Way, what we're threatening to do by increasing the traffic, making that intersection busier, is to divide our new city into two parts. Retail services, retail activities are very largely in the northern part. Southern part, if they can't get through the traffic, they are going to very naturally turn to Totem Lake and quite a variety of retail services south of us, and Kenmore can forget about -- northern part of Kenmore can forget about our patronage. 80

Now looking at the traffic section which is overwhelmingly the most difficult problem facing this development, there's a tremendous area of very active development north and west -- north and east of Kenmore which is naturally inclined to flow through here.

If we allow it to be blocked, then we must very

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urgently, within a fairly short time, propose a bridge from Juanita -- floating bridge from Juanita to Sand Point so that people can come in by Woodinville Juanita Way and come down through Juanita and across the bridge to Sand Point Way, which will be very convenient for them. Eventually, I suspect that's going to have to be done anyway. But this -- if the Lakepointe development goes in, it is going to have to be done urgently and soon. 81

I'm not sure how the county can put the Lakepointe permits -- can issue the Lakepointe permits until some consideration of the practicability and costs of a bridge of that sort have been worked up pretty, pretty properly.

Now, as far as the traffic statistics are concerned, I got -- I haven't gone into it as carefully as the previous speakers, but I have a strong impression that the traffic consultant recognizes fully the present difficulties of traffic in Kenmore, that he acknowledges a strong trend to more traffic here, and the comments about the effect of Lakepointe on this would seem to indicate that he thinks that if it is completely hopeless, well, maybe another 10 or 15 or 20 percent of traffic can't make it much worse. 82

The Growth Management Act has encouraged the growth in this part of the world of an environmental

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consultant industry which, wherever I've had contact with it, appears to be rather cynical.

I can't compare with some of the previous speakers in my analysis of the traffic section. I happen to have some background in fisheries. The fisheries consultant opens his discussion by listing quite a number of species under the genus Oncorhynchus which is the Pacific salmon. It's five species, all of which return at the end of their life history to a very definite home stream. There they spawn once and die.

However, this biologist, unquote, who is employed on this EIS lists as species an Oncorhynchus, steelhead and cutthroat trout. Now, they are -- when I last looked at an authority on fisheries, those are genus Salmo, and they do not rigorously return to a single home stream but have an option of seeking around -- looking around to find one that's still practicable. And when they spawn, they do it and go back downstream again and spawn the next year. 83

So the management problems of Salmo and Oncorhynchus are completely distinct and every qualified biologist in this part of the world knows it. And, apparently, the people putting together this EIS were unable to find a qualified biologist.

One of the salient points of the fisheries

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1 situation in this part of the world is the tragic decline
2 and impending extinction of the Pacific salmon runs, of
3 which the run up the Sammamish River to Lake Sammamish
4 is -- was historically a very significant point.
5 I think most of us here have seen the lake --
6 this end of the lake fairly paved with sports fishermen's
7 small boats. I'm sure that when rentals are open in
8 Lakepointe that they will get many tenants, and as far as
9 that goes, the marina, of course, will have many tenants
0 who will be under an illusion, under the illusion, that 84
1 they are going to be able to go out on the lake and catch
2 salmon. By the time Lakepointe is approved, permitted,
3 constructed, the chances are that there will be no salmon
4 and all of the -- this particular consultant's concerns
5 with the juvenile salmonids are for nothing if there are
6 no mature fish to spawn them.
7 I think this EIS is a mockery. I agree with
8 quite a number of your speakers here that this EIS is a
9 mockery, that it doesn't come anywhere near presenting the
0 real situation.
1 I do hope that it will be thrown back to the 85
2 people who prepared it and something more adequate and
3 more reasonable presented to us.
4 Thank you very much.
5 MS. COX: Thank you, Mr. Thompson.

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1 There were two speakers earlier that deferred.
2 Phyllis Finley, would you like to speak at this time?
3 MS. FINLEY: I'm Phyllis Finley. I live at
4 Arrowhead Point. I want to concur with the previous
5 speakers on two issues, the shoreline details and, let's
6 see, the boat waste pump station. 86
7 I'm requesting and expecting details, complete
8 details, of the shoreline application and I'm expecting
9 and requesting monitored compliance with all the shoreline
0 regulations.
1 It took my husband and I 15 years to get a
2 permit from King County to drive ten piles on Arrowhead
3 Point. Finally we got a variance. 20 years later we're 87
4 still waiting for a permit to build a three-foot high
5 40-foot long bulkhead in the shoreline.
6 Apparently, these constructions would result in 88
7 a catastrophic impact on the ecosystem of Lake
8 Washington. And yet a 92-foot building is allowed on the
9 shoreline without a variance? It has been determined,
0 quote, not necessary by a King County, quote, responsible 89
1 official. With all due respect, the oxymoron here is
2 glaring.
3 Secondly, living on the lake, I have no desire
4 to have raw sewage dumped in my front yard. I am not
5 concerned at all, I do not share your concern, about the

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1 accidental spillage that would result from a boat waste
2 pump station. I'm very concerned about deliberate
3 dumping. I think this is much more of an issue than some
4 accidental spilling.
5 I believe that the best way to assure that there 90
6 is no dumping of raw sewage is to make it absolutely
7 convenient for every boater to be able to dump in a boat
8 waste pump station. Thank you.
9 MS. COX: Thank you, Ms. Finley.
10 Tony Brooks, would you like to speak at this
11 time?
12 MR. BROOKS: My comments were covered by
13 previous speakers. Thank you.
14 MS. COX: Thank you very much.
15 I don't have anyone else on the sign-in sheets
16 that has indicated that they wish to speak. Has everyone
17 spoken that would like to?
18 MR. LEAK: Yes. I would like to speak
19 again.
20 My name is Bill Leak and the remarks I have are
21 purely personal and don't represent necessarily the
22 feelings of the people that I serve with on the Task
23 Force.
24 I am a 10-year resident of Kenmore, 30-year
25 resident of the Puget Sound area. My background is 23

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1 years in the construction supply business. That would
2 tend to taint me as possibly one of those guys in cahoots
3 with the developers and the builders. I certainly hope my
4 friends don't characterize me that way.
5 My participation on the Task Force has been one
6 to learn more about this process and understand
7 frustrations that I feel and friends and neighbors feel
8 about how do you get things done. It's been very useful
9 for me to be on that Task Force for the last two years and
10 I intend to continue that.
11 Number of questions have been raised tonight and
12 I want to make certain that -- I won't profess to be an
13 expert in anything that is going on here, but you can just
14 stand and look around and we all have different ideas
15 about what should happen.
16 Recently, I believe it was The Seattle Times
17 indicated that there's a projection of 500,000 people
18 going to move into the Puget Sound area in the next ten
19 years.
20 My question is: Where are all those people 91
21 going to live? Depends on what you believe. How are we
22 going to handle population growth? We'll do it with
23 suburban sprawl, which this side of the room says, "Oh my
24 God. I can't stand that. Everybody is driving the cars
25 all over the place."

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1 Or you do it with urban density. People
2 downtown are going, "Oh, my God. There's so many people
3 down here, I can't move. Help."
4 Or somewhere in between. Mixed use development
5 is a successful approach in urban communities worldwide.
6 All you have to do is go to Vancouver to see an example of
7 it. It's used extensively in Europe and if you look at
8 what's happening in Asia, and by all means there's a lot
9 of population there, they are using it as well. 91
10 Again, I ask, how do you find places for all
11 these people?
12 This development, in my humble opinion, embraces
13 what the Growth Management Act in spirit tries to put
14 forward. How do you get people out of cars? How do you
15 get people to do things differently than what they have
16 been doing for the last 10, 20, 30 years? Americans are
17 in love with their cars.
18 Now, we assume that what's happened in the last
19 10, 20 years is going to continue to happen, and yes, some
20 of it will. However, technology is changing. I
21 personally have seen a drop in transportation, at least 92
22 from my perspective. I used to commute from Arrowhead
23 down to Pier 89 for the first seven to ten years that I've
24 lived out there. I now have a position that allows me to
25 telecommute with my computer and my telephone and allows

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1 me to flex my time. Unfortunately, not everybody can do
2 that. But I believe technology's going to change and I
3 don't believe that everything that has happened in the 92
4 last 10, 20, 30 years is going to be exactly what's going
5 to happen in the next 10, 20, or 30 years.
6 What are the reasonable alternatives? I don't
7 have an answer to that. But I think it's too easy to
8 perhaps cast stone to the developer that's trying to use
9 some forward-thinking and a vision, particularly somebody
10 who has been a landowner in this area for a number of
11 years and is trying to put forth a legacy.
12 Certainly he's a property owner, seems to have
13 some money, whether that's real wealth or in the land. I
14 would propose or suggest that anybody else in his position
15 or her position would want to embark on some of the same
16 things that are being suggested. 93
17 But I will make note that in my 23 years in the
18 supply business, and that has been associated with
19 Washington, Idaho, Oregon, Alaska, Hawaii, I'm not
20 familiar with a developer taking the steps that this one
21 is in terms of trying to involve the community.
22 I will point out in the time that I've served on
23 the Task Force, granted, our meetings may not be well
24 publicized, we are working and taking steps to change 94
25 that, but the public involvement has been damn little.

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1 Excuse my expression. There are very few participants.
2 The participation is welcome.
3 Another question that I have is, as a region,
4 are we happy with the rate of infrastructure completion?
5 There's a lot of frustration with how to get around, how
6 to get things done in this community. How the heck do you
7 do it? You either raise taxes, which just everybody
8 loves, or you look to some economic development, and
9 that's what this is. This is a project that is
10 encompassing a large piece of property with a lot of
11 people that could move there or could set up their
12 business there, thereby giving me and my family the
13 ability to have someplace to walk to rather than drive to
14 and enjoy the lake. 95
15 What do we want? We can stand here and we can
16 pick apart all the different regulations and the lack of
17 this and that. It's a multi-jurisdictional site and,
18 granted, the Draft EIS does appear to have some
19 inconsistencies and, yes, it deserves to be scrutinized
20 and examined and addressed.
21 I have a certain degree of faith in the
22 individuals that are in front of me and the people that
23 are associated with them, and my co-members on the Task
24 Force and the development team that I've had the pleasure
25 of working with now for two years.

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1 You have shoreline, you have Corps of
2 Engineering, you have state highway on the north side of
3 the property. You have the Department of Ecology, the 95
4 county, the City of Kenmore. I defy anybody to put a
5 preliminary document into place that is going to be
6 concise and exact.
7 Thank you.
8 MS. COX: Thank you, Mr. Leak.
9 This gentleman over here next and then I'll get
10 you, sir.
11 Would you state your name, please.
12 MR. ROWAN: My name is Harold Rowan and I
13 live at 7658 Northeast 155th Place, which is right up the
14 hill from Kenmore Pre-Mix. I just moved there a couple of 96
15 years ago and I drive through that area every day to work
16 and I'm pretty familiar with it. And it does have some
17 traffic problems.
18 But just for the record, Kenmore Pre-Mix isn't
19 that great. Development would be nice down there, save my
20 wife and I from going to Lynnwood to go to a mall or 97
21 something, you know. I think it has some good stuff to
22 it.
23 But I'm really concerned that putting in a
24 bypass really is not going to solve the traffic problem,
25 and maybe these developers can work a little bit harder at

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1 coming up with a better plan on what to do about that
2 intersection. My biggest concern is I've seen a couple of
3 traffic accidents down there in just the couple of years 98
4 I've been there and I just don't want to see anything make
5 it worse, you know.
6 Thank you.
7 MS. COX: Thank you, Mr. Rowan.
8 Sir?
9 MR. TAYLOR: My name is Dick Taylor. And
0 probably what I have to say is not going to help a bit,
1 but I'll probably feel better for saying it.
2 We have a what now is a garbage dump and we want
3 to make it into something really fine. And I'm afraid
4 from what I've heard tonight, well, you can kill a man 99
5 with a stiletto or you can pile rocks on him until he
6 dies, and I'm afraid that we're going to filibuster this
7 thing to death and it's going to stay a garbage dump and
8 we're not going to get what we really want and need.
9 MS. COX: Thank you, Mr. Taylor.
0 MS. ROSEN: My name is Shirley Rosen. I
1 live at 16925 Inglewood Road Northeast, B203, Bothell,
2 which is at the Inglewood 68th and Kenmore area.
3 And I, too, would like to see Kenmore Sand and
4 Gravel, you know, not be there anymore. But I think, why
5 should we settle for less than what it should be? The

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1 developer is in this for one reason. And anybody thinks 100
2 that a developer is out here to make a nice place is
3 crazy. He's in it for money.
4 We are going to have urban sprawl no matter
5 what. We're going to become an L.A. whether we want to or
6 not. But I think that a 92-foot building when the state
7 code is 35 feet is unfair not just to the people who live 101
8 now, but to future generations. The traffic problems are
9 going to be abhorrent. The details regarding the
0 shoreline, I think a couple of the gals here tonight were
1 just absolutely terrific.
2 And I don't think we should kill the project,
3 but I would like to ask Maggi, why didn't you tell the 102
4 developer in the beginning, why didn't you consult with
5 the electorate? And I didn't vote for you this time
6 cause of that. I want to know why didn't you encourage
7 developer to have something that was more conducive so
8 t we could be proud of, instead of 92 feet. 103
9 Question. Answer, please. I would like your
0 answer because I know you support the concept of this.
1 MS. COX: Is that question directed at
2 councilmember Maggi Fimia?
3 MS. ROSEN: Yes.
4 MS. COX: My name is Marilyn Cox.
5 MS. ROSEN: I'm sorry. Where is Maggie

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1 Fimia?
2 MS. COX: I don't believe she is here this
3 evening. We'll make sure she understands the question.
4 MS. ROSEN: My question to her is why didn't
5 she tell the developers that, you know, there is a state
6 law of 35 feet instead of 92 feet. Why didn't they do 104
7 something about all of the problems regarding the
8 deliberate dumping of waste, the boat waste, into the
9 lake? I think it's just a crime what they are doing.
10 Everybody thinks we want to do something about
11 Kenmore. I've also talked to people at Kenmore who say
12 they have no intention of leaving. They are going to be
13 there 15, 20 years. They are not leaving. And everybody
14 thinks we're going to get rid of Kenmore Sand and Gravel.
15 That's not true. They are not leaving. 105
16 And so I think the whole thing is just a scam
17 and it's to make money for a developer. And I think they
18 should really -- and I'm very disappointed that she's not
19 here tonight, but I shouldn't be surprised.
20 Thank you.
21 MS. COX: Thank you, Ms. Rosen.
22 Sir.
23 MR. KROEGER: My name is Dennis Kroeger. I
24 live about half a mile from the proposed development, so
25 I'll be affected by the traffic as well as anyone.

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1 I'm a staunch proponent of the development. I
2 think that I agree with much of what Mr. Leak said, that
3 we don't want to be left with a dump site there. We have 106
4 an opportunity to have a first-class facility at the north
5 end of Lake Washington that will be a legacy to Kenmore
6 and a tax base to our community for a long time to come.
7 I do have some concerns that I just learned
8 about here tonight about the sewage disposal of the
9 marina, which only makes sense to install. And I would
10 also like to see more than 12 transient boat slips for 107
11 people that will obviously visit the location from a lake,
12 you know, from lake access. It's going to be a
13 destination point for people from the lake to come to the
14 restaurants and enjoy the facility.
15 There were a lot of good points brought up
16 tonight from both sides of the argument, but the key one I
17 think is not to pile so many rocks onto the developer so
18 that we end up ending up with just a dump site there that
19 turns into a park and the county taxpayers have to clean
20 up and dispose of the waste that is there. 108
21 And I do believe that the developer has not only
22 economic advantage, or, you know, designs on the property,
23 but they also do want to leave a legacy for Kenmore. They
24 have been residents of Kenmore for their lifetime. They
25 do want to leave something other than a dump site there.

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They are not all driven by profit.

They need certain things in the project to make it profitable or it won't happen. Some of the densities will be required to make it a profitable site with all of 108 the other things that are going to be required upon them to do it. I am not making judgment on heights or, you know, which may or may not make sense, but it certainly needs to be economically feasible for the people to do it or they are not going to do it, or we're going to be left with just a dump site there, which is not good for Kenmore at all.

MS. COX: Thank you, Mr. Kroeger.

Sir?

MR. GIMURTU: May I get up? I wasn't going to say anything, but a couple of comments that were made kind of upset me and I think we need to clear the record here.

I'm Steven Gimurtu. I live at 7217 Northeast 175th, 104.

I've been around this community for about 40 years. I retired from teaching in this area. I was currently elected to the fire commissioner. I'm going to run for city council. I've attended a few of the incorporation meetings and had some background in this Lakepointe project.

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And it seems to me I've heard two people get up that were on this Task Force and they have all been positive, and there is nothing wrong with that, but I think a lot of the comments that were made tonight were real. They were concerns.

And I heard somebody get up and say, well, we might destroy this project. I don't think that's a point here. I think we're here because we want the best for our community.

Now, I live on 175th, and it takes me like three lights to get through there at certain times of the day. 109 If we're going to have 14,000 cars a day, I mean, let's be realistic. That's all I think we need to look at.

Nobody wants to discourage a beautiful, new project. I don't think -- you know, we're all here to say we would like to improve that area. I don't think it's a garbage dump -- we've had it here for as long as I've 110 lived here, that's 47 years -- that's been any asset to the community. The Hallocks have helped by paying their taxes and all that kind of stuff. There's the people that work there, that live in our area, that earn money.

And so let's look at this thing realistically. If we can get the traffic out of there and we don't have 111 to wait for 10 or 15 minutes at one little stoplight, great. If we can have the cinema. But I can tell you one

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thing, if we're -- on a Friday night you've got people going to the movies, you've got people coming to the 11 marina, that's just going to be more congestion. And I think we all want to look at that realistically.

And thank you for your time.

MS. COX: Thank you, Mr. Gimurtu.

Is there anyone else that would like to speak that hasn't had an opportunity to? Yes.

MS. KIEFNER: My name is Joan Kiefner and I'm another one of those Task Force members.

And I would like to paint a picture of what that site might look like without a Lakepointe project there. And there's been some discussion this evening about, oh, wouldn't it be nice to have a park there. Well, 112 neighbors, Lakepointe, that site, those 50 acres will not become a park. The only way it's going to be a park and cleaned up is with this project.

Here we are in Kenmore, we are surrounded on two sides by the north end of Lake Washington. I've tried to get some exact measurements for you, but out of all the waterfront availability in the Kenmore vicinity, we have 113 one accessible park, that being Logboom or Tracy Owen Park, and without the Lakepointe project, there will be no other waterfront access.

The Lakepointe project is going to offer trails

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and waterfront access and waterfront viewing for those of us who can't afford to live on the waterfront, and makes it available to all people, abled and disabled alike.

Without Lakepointe, you know what's going to be 113 on that site? It's not going to be a park. It's going to be probably more industrial facilities. It's going to be more semis. It's going -- and it isn't going to be cleaned up at all. There won't be any improvements for the community. It'll just continue as it is in greater density. And that's the alternative for us.

Thank you.

MS. COX: Thank you, Ms. Kiefner.

Would anyone else like to speak?

MR. FRENCH: My name is John French. I live at 6414 Northeast 154th. Lived there close to 30 years.

I don't believe anyone here is against the project as being a project. I think the main concern is the traffic. And if you can tell me how you can alleviate the traffic on that intersection, I'll give you I don't know what, but I -- that is almost an impossible situation with the bridge over the Sammamish Slough. They have 114 tried for years to time those lights on that corner and up by the market there and they still don't have it right. And if you're going to throw all this in there and more lights to control that traffic and the number of cars in

there, I think it's an impossibility.

But I don't think anyone is against the project per se. I think it would be a good addition if they could only handle the traffic situation.

Thank you.

MS. COX: Thank you, Mr. French.

Sir?

MR. LABORN: I have many reservations, and I've been listening quite a bit tonight. My name is Harvey LaBorn. I live in Kenmore, 7637 Northeast 192nd. We moved here in 1946. We have a lot of hindsight.

I think we would be wrong if we didn't support the economic value of what is proposed on Lakepointe. I would like to see the KPM stay there. After all, they do produce an economic value to our community and have a very necessary item. But apparently, that's not going to happen. 115

As far as the community is concerned, and traffic, I have seen quite a bit of it. I put 25 years with the volunteer fire department, so I've been retired for almost that much.

On the other hand, 68th and Bothell Way has been a problem for many, many years. I can remember 30 years ago when we had trouble getting our fire trucks off and on the hill and traffic in the afternoon. It's always been 116



that way. Lakepointe will probably help a little bit. That is not going to end the traffic problem. 116

Our traffic is not generated in Kenmore. Our traffic is generated outside of Kenmore. That's going to be the county or the state problem. They have never addressed it to the right point. They tried when they tried to put the second 4-lane road through Kenmore about 30, 35 years ago, and we had people oppose it then. They said we would be in gridlock. We are. But Lakepointe is not going to contribute that much to it. The congestion and the traffic is coming from outside Kenmore. And with growth management, now the fortune is to build even more multiple family homes. 117

They say sprawl. What is sprawl? Sprawl is the American Dream, the single-family home. I think we made a dirty word out of it. Why? I don't know. I love my house, my place. I have a single-family home.

But as far as Lakepointe is concerned, the economic value I think would be a big asset to Kenmore and I'm all for it. 118

Thank you.

MS. COX: Thank you, Mr. LaBorn.

Is there anyone else that would like to speak this evening?

I want to thank you all very much for coming out



and letting us hear your comments this evening and for your interest in the environmental review process for this project.

Following the end of the public review period on December 19, we will take all the comments received here this evening, as well as the comments we received in writing, and respond to those and prepare a Final EIS which will be published sometime during the first quarter of 1998, depending on how much additional analysis is necessary.

Thank you very much.

(Concluded at 8:50 p.m.)



CERTIFICATE

The foregoing pages represent an accurate and complete transcription of the proceedings, and these pages constitute the original of the transcript of the proceedings.

Signed and dated this 18th day of December, 1997.

Lisa K. Nishikawa
Court Reporter

CCR# NISHILK362QE

# RESPONSE TO TRANSCRIPT OF THE DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PUBLIC HEARING

1. Comment acknowledged.

2. Comment acknowledged. Please refer to Chapter 3 for a summary of the updated transportation analysis prepared for this Final Supplemental EIS.

3. Comment acknowledged. Please refer to Chapter 3 for a summary of the updated transportation analysis prepared for this Final Supplemental EIS.

4. Comment acknowledged. King County supports the provision of a sewage pump-out station.

5. Please refer to response to comment 4 of this transcript.

6. Comment acknowledged. Any boat sewage pump-out station in the proposed marina would be located in a spot considered adequate to convey boat sewage to the sewer system while minimizing any potential for water quality impact.

7. Comments acknowledged.

8. Comments acknowledged.

9. Comments acknowledged. Please refer to Response to Letter 13, comment 2 and Response to Letter 26, comments 3 and 4.

10. Please refer to Chapter 3 of this Final Supplemental EIS for a summary of the updated traffic analysis, which includes updated existing traffic counts and queuing analysis.

11. Please refer to Chapter 3 for a summary of the updated air quality analysis prepared for this Final Supplemental EIS.

12. Please refer to Chapter 3 of this Final Supplemental EIS for a summary of the updated traffic analysis, which includes an analysis of traffic conditions at the intersection of SR 522 and SR 104.

13. Comment acknowledged. Please refer to Response to Letter 15, comment 2.

14. Please refer to Letter 18, comment 1 and Response to Letter 30, comment 8.

15. Please refer to Response to Letter 14, comment 49.

16. A Transportation Mitigation Agreement that addresses who will be responsible for the funding, construction, and maintenance of roadway improvements is currently being prepared. Please refer to Response to Letter 9, comment 34.

17. Please refer to Response to Letter 9, comment 32.

18. Comment acknowledged. Please refer to Response to Letter 9, comment 32.

19 Please refer to Response to Letter 12, comment 28.

20. Please refer to Response to Letter 12, comment 28.

21. Please refer to Letter 12, comment 28.

22. Please refer to Response to Letter 25, comment 4.

23. Please refer to Letter 25, comment 5.

24. Please refer to Letter 25, comment 7.

25. Please refer to Response to Letter 25, comment 8.

26. Please refer to Response to Letter 25, comment 10.

27. Please refer to Response to Letter 25, comment 11.

28. Please refer to Letter 25, comment 12.

29. Please refer to Letter 12, comment 28.

30. Please refer to Response to Letter 9, comment 37.

31. Please refer to Response to Letter 25, comment 15

32. Please refer to Response to Letter 25, comment 16.

33. Please refer to Response to Letter 25, comment 18.

34. Please refer to Response to Letter 25, comment 19.

35. Comment acknowledged. Please refer to response to comment 16 of this transcript.

36. Please refer to Response to Letter 9, comments 32 and 33.

37. Please refer to Response to Letter 25, comment 23.

38. Please refer to Response to Letter 25, comment 24.

39. Please refer to Response to Letter 25, comment 25.

40. Please refer to Response to Letter 25, comment 26.

41. Please refer to Response to Letter 25, comment 27.

42. Please refer to Response to Letter 5, comment 1.

43. Please refer to Response to Letter 25, comment 29.

44. Please refer to Response to Letter 9, comment 34.

45. Please refer to Response to Letter 25, comment 31)

46. Please refer to Response to Letter 25, comment 32.

47. The comment relating to the preference for development as described for Alternative 1 (Conceptual Master Plan illustrated in the Northshore Community Plan) is acknowledged.

48. Please refer to Response to Letter 14, comment 22.

49. Three pedestrian access points to the shoreline trail would be provided from Building Area A. The access points are illustrated on Figure L1.0 of the Shoreline Permit application.

50. Please refer to Response to Letter 14, comment 24.

51. Public viewpoints are proposed at three view platforms along the Sammamish River shoreline, at an amphitheater along the Lake Washington shoreline, and along a marina boardwalk along the inner harbor. In addition, a shoreline trail is proposed parallel to the shoreline along both the Sammamish River and Lake Washington. Appendix I of the Draft Supplemental EIS contains plans for barrier-free access, assuring that these viewpoints are easily accessible to the public.

52. Please refer to Response to Letter 14, comment 27.

53. Please refer to Response to Letter 14, comment 37.

54. Please refer to Response to Letter 14, comment 41.

55. Construction drawings will be reviewed and approved by the City of Kenmore. They are public documents and thus must be available for public review. It is not known at this time what the City's public notice process will be.

56. Please refer to Response to Letter 14, comment 29.

57. Please refer to Response to Letter 14, comments 20 and 33.

58. Please refer to Response to Letter 14, comments 36 and 38.

59. Updated drawings for the Shoreline Substantial Development Permit were submitted in June 1998 and are available for public review.

60. Please see response to comment 59 of this transcript.

61. The Master Plan and Shoreline Substantial Development Permit applications include all 50 acres of the site, including Building Area H. Because the specific uses of the 5-acre Building Area H have not been determined and because a rezone would be required for mixed-use development of the site, this area was not included in the Commercial Site Development Permit application.

62. Please refer to Response to Letter 14, comment 46.

63. Please refer to Response to Letter 10, comment 3.

64. Comment acknowledged. Please refer to Response to Letter 10, comment 5A.

65. Please refer to Response to Letter 14, comment 47.

66. Comments acknowledged. Please refer to Response to Letter 14, comments 11 and 48.

67. Comment acknowledged. As indicated in Chapter 2 of this document, the total lineal feet of bulkhead under the revised marina plan would be the same as that described and analyzed in the Draft Supplemental EIS, and would be approximately 90 percent of existing conditions. Bulkhead work under the proposal would be limited to the removal of approximately 115 linear feet of existing bulkhead.

68. Please refer to Response to Letter 14, comment 45.

69. Please refer to Response to Letter 14, comment 43.

70. Figure 8A of this Final Supplemental EIS illustrates the proposed pedestrian circulation routes. Please refer to Chapter 2 of this Final Supplemental EIS and page 2-25 of the Draft Supplemental EIS for a description of the proposed trail system. Please also refer to Response to Letter 9, comments 4, 6, 9, 10, 11, 12, 13 and 14.

71. Based on comments received on the Draft Supplemental EIS, the marina plan was revised to reduce the amount of proposed in-water and over-water structure. Please refer to Chapter 2 of this Final Supplemental EIS for a discussion on the revised marina plan.

72. Based on comments received on the Draft Supplemental EIS, an updated Fisheries analysis was prepared for this Final Supplemental EIS. Please refer to Chapter 3 of this document for a discussion on the updated fisheries analysis.

73. Please refer to Response to Letter 14, comments 37 and 38.

74. Please refer to Response to Letter 14, comment 41.

75. The purpose of the regional business zone (RB) is to provide for the broadest mix of retail, wholesale, service and recreation/cultural uses (KCC 21A.04.110). According to KCC 21A.08.040 A, marina use is allowed in the RB zone.

76. Comments acknowledged.

77. Comment acknowledged. All those providing comments of the Draft Supplemental EIS, including those providing oral comments at the Draft Supplemental EIS Public Hearing, will be placed on the Final Supplemental EIS Distribution List and will be notified regarding issuance of the Final Supplemental EIS.

78. Comment acknowledged.

79. Comment acknowledged.

80. Comment acknowledged. An updated transportation analysis was prepared for this Final Supplemental EIS. Please refer to the Transportation section of Chapter 3 for detail.

81. Comment acknowledged. The provision of an additional bridge across Lake Washington would address a regional transportation need and is beyond the scope of this Supplemental EIS.

82. Please refer to Response to Letter 37, comment 1.

83. Based on comments received on the Draft Supplemental EIS, an updated fisheries analysis was prepared for this Final Supplemental EIS. Please refer to the Fisheries section of Chapter 3 of this document for detail.

84. As indicated on page 3-76 of the Draft Supplemental EIS, increased public access to Lake Washington and the Sammamish River would likely add to the fishing pressure on these waters. However, increased fishing access along the north shore of the Sammamish River and Lake Washington is not anticipated to result in an adverse effect upon salmonid populations. Fisheries resource agencies and affected tribes responsible for managing the resource, annually evaluate sport fishing status on a species by species basis, and will recommend sport fishing closures if spawning recruitment levels are not met.

85. Comment acknowledged.

86. Comment acknowledged. King County supports the provision of a sewage pump-out station. Please refer to Response to Letter 14, comment 38 for a discussion on shoreline permit review procedures.

87. Comment acknowledged.

88. As indicated in the Fisheries section of Chapter 3 of this Final Supplemental EIS, with implementation of the identified mitigation measures, no significant impacts to fisheries resources is anticipated with the Proposed Action. Please refer to Chapter 3 of this document for detail.

89. Please refer to Response to Letter 14, comment 37.

90. Comment acknowledged. Please refer to response to comment 86 of this letter.

91. Comments acknowledged. Please refer to Response to Letter 18, comment 4.

92. Comment acknowledged.

93. Comment acknowledged.

94. Comment acknowledged.

95. Comment acknowledged.

96. Comment acknowledged. Please refer to the Transportation section of Chapter 3 of this document for detail on the updated transportation analysis prepared for this Final Supplemental EIS.

97. Comment acknowledged.

98. Comment acknowledged. The proposed roadway improvements would be designed to meet all applicable safety standards and no increase in area accident rates would be anticipated to increase. However, the because the number of vehicles trips would increase, the total number of accidents in the area would increase.

99. Comment acknowledged.

100. Comment acknowledged.

101. Comment acknowledged. Please refer to Response to Letter 14, comment 37.

102. Comment acknowledged. As indicated on pages 2-2 and 2-3 of the Draft Supplemental EIS, the site was identified as a Waterfront and Mixed-Use District in the 1993 Northshore Community Plan Update and Area Zoning. The process of identifying the land uses and planning policies of the Northshore Community Plan Update included a substantial amount of public involvement. In addition, the Lakepointe Citizen's Advisory Task Force was formed in 1995 to work with the applicant, King County and Kenmore citizens to create an overall master plan concept for the site.

103. Comment acknowledged.

104. Comment acknowledged.

105. Comments acknowledged.

106. Comment acknowledged.

107. Comment acknowledged. King County supports the provision of a sewage pump-out station.

108. Comment acknowledged.

109. Comment acknowledged. Please refer to Chapter 3 of this document for a discussion on the updated transportation analysis prepared for this Final Supplemental EIS.

110. Comment acknowledged.

111. Comment acknowledged. Please refer to Response to Letter 37, comment 1.

112. Comment acknowledged.

113. Comment acknowledged.

114. Comment acknowledged. Please refer to Response to Letter 37, comment 1.

115. Comment acknowledged.

116. Comment acknowledged. Please refer to Response of Letter 37, comment 1.

117. Comment acknowledged.

118. Comment acknowledged.

## Lakepointe Final SEIS
## Distribution/Notification List

Federal Agencies

Army Corps of Engineers
Department of Housing and Urban Development
Environmental Protection Agency
Federal Aviation Administration
Fish and Wildlife Service

Washington State Agencies

Department of Ecology
Department of Fish and Wildlife
Department of Natural Resources
Parks & Recreation Commission
Department of Transportation
Department of Community, Trade
and Economic Development
Utilities and Transportation Commission

King County Government

Department of Natural Resources - Solid Waste Division
Department of Natural Resources - Wastewater Treatment Division
Department of Natural Resources - Water and Land Resources Division
Department of Parks and Recreation
Department of Public Safety - Marine Unit
Department of Public Safety - Sheriff
Department of Transportation - Road Services Division
Department of Transportation - Transportation Planning Division
Fire Marshall
Metropolitan King County Council
Office of Cultural Resources - Landmarks and Heritage Program
Office of Cultural Resources - Public Art Program
Strategic Planning Functions - Economic Development
Strategic Planning Functions - Growth Management

Regional/Local Agencies

Bothell Water & Sewer Department
Fire Protection District No. 4 (Shoreline)
Fire Protection District No. 5 (Lake Forest Park)
Fire Protection District No. 16 (Bothell)
Fire Protection District No. 36 (Woodinville)
Fire Protection District No. 41 (Kirkland)
Lake Forest Park Water Department
Northshore School District No. 417
Northshore Utility District
Puget Sound Air Pollution Control Agency
Puget Sound Regional Council
Puget Sound Energy
Redmond Sewer Utility
Regional Transit Authority
Seattle-King County Department of Public Health
Shoreline School District No. 412
Shoreline Wastewater Management District
Shoreline Water & Sewer District
Water District No. 83

Cities

Bellevue
Bothell
Kirkland
Lake Forest Park
Redmond
Seattle
Shoreline
Woodinville

Tribes

Duwamish Indian Tribe
Lummi Nation
Muckleshoot Indian Tribe
Puyallup Tribe
Snoqualmie Tribe
Suquamish Tribe
Swinomish Tribal Community
Tulalip Tribe
Upper Skagit Indian Tribe

Libraries

Bellevue Library
Bothell Library
Kenmore Library
King County Library System
Kingsgate Library
Kirkland Library
Lake Forest Park Library
Muckleshoot Library
Redmond Library
Richmond Beach Library
Seattle Public Library
Shoreline Library
Woodinville Library

Newspapers

Daily Journal of Commerce
Eastside Week
Issaquah Press
Journal-American
Morning News Tribune
Northshore Citizen
Seattle Post-Intelligencer
Seattle Times
Snoqualmie Valley Reporter
Valley Daily News
Woodinville Weekly

Community Groups

Cascade Bicycle Club
Friends of Northshore
Kenmore Incorporation Committee
Lakepointe Citizens' Advisory Task Force
Seattle Audubon Society
Washington State Environmental Council
Woodinville Chamber of Commerce

Individuals

Notice of the availability of the Lakepointe Final Supplemental EIS was sent to approximately 1,500 individuals on the Lakepointe Party-of-Record List.

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Muckleshoot Indian Tribe, Personal communication with Erik Warner, Fisheries Biologist, June 9, 1998. (Figure 1A)

# *APPENDICES*

# APPENDIX A

# AIR QUALITY CONFORMITY ANALYSIS

McCulley Frick & Gilman, Inc.

# Lakepointe Mixed Use Development

## Master Plan Final SEIS Air Quality Analysis

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**June 1, 1998**

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# Introduction/Project Description

This report documents analyses performed by the McCulley, Frick & Gilman, Inc. *Atmospheric Sciences Group* to examine the air quality implications of the proposed project. This study was conducted as part of the final environmental impact statement for the project.

The proposed Lakepointe development is a 50 acre mixed use development in Kenmore, Washington at the north end of Lake Washington. The site is bounded by NE 175th Street and SR 522 on the north, by 68th Avenue on the east, the Samammish River along the south, and by Lake Washington on the west. Lakepointe would be developed in seven phases over approximately the next ten years. Included in the development are approximately 1,200 residential units and 650,000 square feet of commercial space including office, retail, cinemas, food stores, restaurants, a hotel, and professional services. Other site improvements include a river front park, boardwalk, and marina. In addition, a new roadway, LakePointe Way, extending from 65th Avenue NE to a new intersection on 68th Avenue NE would provide access to the project site. This analysis examines "year of opening" scenarios based on the site development that would occur by the year 2000, and full project buildout in a 2010 "design year" scenario.

## Affected Environment

Air quality is generally assessed in terms of whether concentrations of air pollutants are higher or lower than ambient air quality standards set to protect human health and welfare. Three agencies have jurisdiction over the ambient air quality in the project area: the U.S. Environmental Protection Agency (EPA), the Washington Department of Ecology (Ecology), and the Puget Sound Air Pollution Control Agency (PSAPCA). These agencies establish regulations that govern both the concentrations of pollutants in the outdoor air and contaminant emissions from air pollution sources. Although their regulations are similar in stringency, each agency has established its own standards. Unless the state or local jurisdiction has adopted more stringent standards, the EPA standards pertain. Applicable federal, state, and local air quality standards are listed in **Table 1**.

In order to measure existing air quality, Ecology and PSAPCA maintain a network of monitoring stations throughout the Puget Sound region. Generally these stations are placed where there may be air quality problems, and so they are usually in or near urban areas or close to specific large air pollution sources. Other stations in more remote areas provide an indication of regional air pollution levels. Based on monitoring information collected over a period of years, the state (Ecology) and federal (EPA) agencies designate regions as being "attainment" or "nonattainment" areas for particular air pollutants. Attainment status is therefore a measure of whether air quality in an area complies with the National Ambient Air Quality Standard (NAAQS - **Table 1**).

Typical sources of air pollution in the project area include vehicular traffic, existing commercial and industrial sources, and residential wood-burning devices. Existing commercial sources include plane engines associated with Kenmore Air and several fast-food restaurants. Existing industrial sources include the concrete and asphalt batch plants on the northwest corner of the site and the sand and gravel storage and distribution facility in the southeast corner. Residential wood burning in the vicinity of the project site produces a variety of air contaminants, including large quantities of inhalable and fine particulate matter ($PM_{10}$ and $PM_{2.5}$). The focus of this analysis is potential changes in emissions related to transportation sources because these sources would be most directly affected by the proposed project.

With vehicular traffic the air pollutant of major concern is carbon monoxide (CO). Of the various vehicular emissions, CO is the pollutant emitted in the largest quantity for which an ambient air standard exists. Consequently, this analysis focuses on potential concentrations of CO. Other pollutants generated by traffic include the ozone precursors: hydrocarbons and nitrogen oxides. Inhalable and fine particulate matter also is emitted in vehicle exhaust and generated by tire action on pavement (or unpaved areas), but the amounts of $PM_{10}$ generated by individual vehicles are small compared with other sources (e.g., a wood-burning stove). Sulfur oxides and nitrogen dioxide also are both emitted by motor vehicles, but concentrations of these pollutants are usually not high except near large industrial facilities.

## Table 1.
## Ambient Air Quality Standards

| Pollutant | National Primary | National Secondary | Washington State | PSAPCA |
|---|---|---|---|---|
| **Total Suspended Particulate Matter** | | | | |
| Annual Geometric Mean ($\mu g/m^3$) | | | 60 | |
| 24-Hour Average ($\mu g/m^3$) | | | 150 [a] | |
| **Inhalable Particulate Matter ($PM_{10}$)** | | | | |
| Annual Average ($\mu g/m^3$) [b] | 50 | 50 | 50 | 50 |
| 24-Hour Average ($\mu g/m^3$) | 150 [c] | 150 [c] | 150 [d] | 150 [d] |
| **Fine Particulate Matter ($PM_{2.5}$)** | | | | |
| Annual Average ($\mu g/m^3$) | 15 [e] | 15 [e] | [g] | [g] |
| 24-Hour Average ($\mu g/m^3$) | 65 [f] | 65 [f] | | |
| **Sulfur Dioxide ($SO_2$)** | | | | |
| Annual Average (ppm) | 0.03 | -- | 0.02 | 0.02 |
| 24-Hour Average (ppm) | 0.14 [a] | -- | 0.10 [a] | 0.10 |
| 3-Hour Average (ppm) | -- | 0.50 [a] | -- | -- |
| 1-Hour Average (ppm) | -- | -- | 0.25 [h] | 0.25 [h] |
| 1-Hour Average (ppm) | -- | -- | 0.40 [a] | 0.40 |
| **Carbon Monoxide (CO)** | | | | |
| 8-Hour Average (ppm) [a] | 9 | 9 | 9 | 9 |
| 1-Hour Average (ppm) [a] | 35 | 35 | 35 | 35 |
| **Ozone ($O_3$)** | | | | |
| 8-Hour Average (ppm) | 0.08 [i] | 0.08 [i] | [g] | [g] |
| 1-Hour Average (ppm) | 0.12 [j] | 0.12 [j] | 0.12 [d] | 0.12 [d] |
| **Nitrogen Dioxide ($NO_2$)** | | | | |
| Annual Average (ppm) | 0.053 | 0.053 | 0.05 | 0.053 |
| **Lead (Pb)** | | | | |
| Quarterly Average ($\mu g/m^3$) | 1.5 | 1.5 | | 1.5 |

**Notes:** $\mu g/m^3$ = micrograms per cubic meter; **ppm** = parts per million; blank cells indicate no standard. All values not to be exceeded except as noted; all averages arithmetic except TSP annual geometric mean.

(a) Not to be exceeded more than once per year
(b) Attainment based on 3-year average
(c) Attainment based on 3-year average of the 99th percentile of 24-hour $PM_{10}$ concentrations
(d) Attainment if expected number of events above this limit is equal to or less than one
(e) Attainment based on 3-year average of annual arithmetic mean $PM_{2.5}$ concentrations from single or multiple community-oriented monitors
(f) Attainment based on 3-year average of the 98th percentile of 24-hour $PM_{2.5}$ concentrations
(g) Not yet established
(h) Not to be exceeded more than twice in seven consecutive days
(i) Attainment based on 3-year average of the 4th highest daily maximum 8-hour ozone concentration
(j) Federal 1-hour ozone standard to lapse in each existing nonattainment area after attainment demonstration based on existing standard as per note (d). This standard therefore no longer applies in the Puget Sound region of Washington.

## Ozone

Ozone is a highly reactive form of oxygen created by sunlight-activated chemical transformations of nitrogen oxides and volatile organic compounds (hydrocarbons) in the atmosphere. Unlike CO concentrations which tend to occur very close to the emission source(s), ozone problems tend to be regional in nature because the atmospheric chemical reactions which produce ozone usually occur over a period of time. During the lag time between emission and ozone formation, ozone precursors can be transported far from their sources. Transportation sources are one of a number of sources that produce the precursors to ozone.

During the summer of 1990, ozone concentrations exceeded the 0.12 ppm NAAQS then in effect several times at monitoring stations in both Enumclaw and Lake Sammamish State Park. As a result of these violations, EPA designated all of Snohomish, King, and Pierce Counties as nonattainment for ozone. The ozone nonattainment area was reduced in size in late 1992 to include all of Pierce County, all except a small portion in the northeast corner of King County, and the western portion of Snohomish County (**Federal Register 1992, page 56777**). The project area is within the ozone nonattainment area established in 1992, but no ozone concentrations over the NAAQS have been recorded since 1994 (**Ecology 1997**).

The EPA recently announced its determination that the Puget Sound Ozone Nonattainment area has attained the public health-based NAAQS for ozone. Based on this determination, EPA redesignated the Puget Sound to attainment, and approved the associated air quality maintenance plan (**Ecology 1997**). This plan includes measures to continue controlling ozone emissions and is intended to assure the standard is maintained for at least ten years. The LakePointe Project is therefore in an ozone maintenance area.

Effective September 16, 1997, EPA implemented a new federal standard for ozone (**Table 1**). The new standard lowers the allowed ambient concentration and extends the averaging time from 1 to 8 hours. Both factors make the new 8-hour standard more stringent than the existing 1-hour standard. The 1-hour standard remains in effect in existing nonattainment areas until that standard has been attained, at which point, the new standard becomes effective. Because the Puget Sound region is now classed as a maintenance area under the old 1-hour ozone standard, the 1-hour standard has been rescinded for this area, and the new 8-hour ozone standard now applies. Monitoring data compiled and reported by PSAPCA and Ecology indicate Puget Sound region ozone levels from 1995 through 1997 complied with the new 8-hour ozone standard (**PSAPCA 1998**).

## Inhalable Particulate Matter ($PM_{10}$)

Federal, state, and local regulations set limits for particles less than or equal to about 10 micrometers in diameter (**Table 1**). This fraction of particulate matter, called $PM_{10}$, is important in terms of potential human health impacts, because particles in this size can be inhaled deeply into the human lung. $PM_{10}$ is generated by industrial activities and operations, fuel combustion sources like residential wood burning, motor vehicle engines and tires, and other sources. Such sources occasionally cause high $PM_{10}$ levels in the Puget Sound region, and several areas in Seattle and Tacoma have in the past been declared nonattainment areas because $PM_{10}$ concentrations sometimes exceed health standards.

The project area is included in a $PM_{10}$ attainment area, and given the lack of major sources, it is likely that $PM_{10}$ concentrations are below the limits set by the health standards most of the year. During prolonged periods of stagnant meteorological conditions, however, it is possible that $PM_{10}$ emissions from

vehicles, residential solid-fuel space heating, and existing industrial sources in the study area could elevate $PM_{10}$ concentrations beyond the established health standards. The proposed project would not affect any existing $PM_{10}$ nonattainment area.

The closest $PM_{10}$ monitoring station is in Lake Forest Park. $PM_{10}$ concentrations from this monitor have complied with the old form of the 24-hour $PM_{10}$ over the last 7 years. [1] Review of the last 3 years of published data (through 1996) indicate the highest 24-hour $PM_{10}$ concentrations at this station are typically about 60% of the concentration allowed by the 24-hour ambient air quality standard (**PSAPCA 1998**).

## Fine Particulate Matter ($PM_{2.5}$)

Effective September 16, 1997, EPA implemented a new federal standard for particulate matter less than or equal to 2.5 micrometers (microns) in diameter (**Table 1**). This fine fraction of particulate matter mass is called $PM_{2.5}$, and is a subset of $PM_{10}$. Such small particles (e.g., a typical human hair is about 100 microns in diameter) can be breathed deeply into lungs, and are thought to represent the most dangerous particle size fraction in terms of human health.

There are no $PM_{2.5}$ data for the project study area. But since some of the particulate matter emitted by industrial sources and most of the particulate matter emitted by residential wood burning and vehicle exhaust emissions are in this size range, it is likely that the preponderance of wintertime emissions in the area are $PM_{2.5}$. PSAPCA $PM_{2.5}$ monitoring data for several locations in the central Puget Sound region indicate $PM_{2.5}$ levels will likely comply with the new $PM_{2.5}$ 24-hour standard (65 $\mu g/m^3$). These same data are less conclusive regarding compliance with the new annual average standard (15 $\mu g/m^3$) (**PSAPCA 1998**).

## Carbon Monoxide (CO)

Carbon monoxide is the product of incomplete combustion. It is generated by transportation sources and other fuel-burning activities like residential space heating, especially heating with solid fuels like coal or wood. Carbon monoxide is usually the pollutant of greatest concern related to transportation sources because it is the pollutant emitted in the greatest quantity for which short-term health standards exist. Short-term standards (as opposed to annual-average standards) are often the controlling, or most restrictive NAAQSs. There are two air quality standards for carbon monoxide: a 1-hour average standard of 35 parts per million (ppm) and an 8-hour average standard of 9 ppm. These levels may be exceeded once per year without violating the standard (**Table 1**).

Unlike ozone, carbon monoxide is a pollutant whose impact is usually highly localized. The highest ambient concentrations of carbon monoxide usually occur near congested roadways and intersections during periods of cold temperatures (autumn and winter months), light winds, and stable atmospheric conditions. Such weather conditions reduce the mechanisms that disperse pollutants emitted into the air.

The LakePointe Project is within the CO nonattainment area established in 1991 that encompassed a large portion of the Everett-Seattle-Tacoma urban area (**Federal Register 1991, page 56846**). This

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[1] The particulate matter standards have recently been revised to the values presented in Table 1. The previous form of the standard for particulate matter less than 10 micron in diameter was slightly *more* stringent than the new form.

designation required PSAPCA and Ecology to develop strategies and plans to work toward complying with the ambient standards, and affected transportation planning and emission control policies throughout the nonattainment area.

Because no monitoring stations have recorded violations of the standards in recent years, the EPA recently redesignated the Central Puget Sound region as attainment for CO. EPA also approved the associated maintenance plan to insure the area remains attainment for the CO NAAQS. That plan relies on continuing the existing vehicle Inspection and Maintenance program (**Ecology 1997**). The project study area is therefore within a carbon monoxide maintenance area.

Under state and federal air quality conformity rules, transportation projects in CO nonattainment or maintenance areas must be analyzed in detail to ensure they will not create a new violation of a standard nor exacerbate an existing problem. Because CO impacts occurs so close to the source, it is not possible to extrapolate carbon monoxide concentrations from regional data or distant monitors. The closest CO monitoring station is on Northgate Way, and CO levels measured at this station cannot be meaningfully applied to conditions in the project area. Since there are no CO monitoring data for the project area, there are no definitive indications of existing CO concentrations.

The existing air quality near the project site were analyzed using dispersion modeling (described below) at the five intersections with the greatest potential to generate the highest concentrations. Please refer to **Appendix A** for more information regarding the analytical method. The five signalized intersections that would be most affected by project traffic or by proposed revisions in the road system near the project site were examined with modeling. Near each intersection, dispersion modeling indicates the existing (1997) maximum 1-hour CO concentrations are below the NAAQS of 35-ppm limit. Converting this 1-hour concentration to represent an 8-hour CO level using a 0.7 "persistence factor," the existing worst-case maximum 8-hour levels near three intersections may reach or exceed the 9-ppm standard.

# Impacts

## Potential Air Quality Impacts During Construction

During construction, dust from excavation and grading would contribute to ambient concentrations of suspended particulate matter. The construction contractor(s) would have to comply with the Puget Sound Air Pollution Control Agency's Regulation I, Section 9.15 requiring reasonable precautions to avoid dust emissions. This environmental protection may include applying water or dust suppressants during dry weather. Other potential dust control measures include street cleaning to prevent dirt, mud, and other debris deposits on paved roadways open to the public.

Construction would require the use of heavy trucks and smaller equipment such as generators and compressors. These engines would emit air pollutants that would slightly degrade local air quality, but their emissions and resulting concentrations would be far outweighed by emissions from traffic normally in and around the project area.

Some phases of construction could cause odors detectible to some people away from the project site. This would be particularly true during paving operations using tar and asphalt. The construction contractor(s) would have to comply with the PSAPCA regulations requiring the best available measures to control the

emissions of odor-bearing air contaminants (Regulation I, Section 9.12). Such odors probably would be short-term.

Construction equipment, material hauling, and detours for excavation and grading could affect traffic flow in the project area. If construction delays traffic enough to significantly reduce travel speeds in the area, general traffic-related emissions would increase.

## Potential Air Quality Impacts from Project Operation

In the case of transportation projects that generate vehicular traffic or modify the transportation system, the air pollutant of major concern is carbon monoxide. Of the various vehicular emissions, CO is the pollutant emitted in the largest quantity for which an ambient air standard exists. Therefore, CO is the primary focus of this analysis.

Traffic related to the proposed project and revisions to the transportation system would affect CO emissions in a CO maintenance area. Consequently, the potential air quality effects are subject to state and federal air quality conformity rules. These rules are intended to ensure that projects and actions affecting air quality will conform to existing plans and time tables for attaining and then maintaining federal health-based air quality standards. The dispersion modeling conducted for the this analysis constitutes a project-level conformity study.

### Method of Analysis

Two standard computerized tools were used to evaluate potential air quality impacts of the proposed LakePointe project in the buildout and future design years. First, peak-hour pollutant emission rates due to traffic in the project area were computed using the MOBILE5A Mobile Source Emissions Model (**EPA 1993a**). The MOBILE5A input parameters were consistent with those used in the development of the CO Washington State Implementation Plan (SIP) and the CO Maintenance Plan in accord with Ecology and PSAPCA recommendations. Refer to **Appendix A** for more information regarding the analytical methodology.

Second, vehicle emission factors from MOBILE5A and assumed worst-case meteorological conditions were used as input to the CAL3QHC dispersion model (**EPA 1992a**) to calculate ambient CO concentrations near signalized intersections. The CAL3QHC model estimates CO concentrations at model "receptors" near roadway intersections based on emissions from free-flowing and queued traffic under different wind and atmospheric stability conditions. Calculated CO concentrations were then compared with pertinent air quality standards.

According to the EPA guidelines, quantitative analyses must be performed when a project's traffic affects congested signalized intersections. Congested intersections operating at level-of-service (LOS) "D" or worse have the greatest potential to generate high CO levels. [2]

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[2] Level of service (LOS) represents the general progression of traffic through an intersection based on the weighted average per vehicle delay. LOS varies from "A" (good progress with little delay) to "F" (very poor progress with extensive delay). Refer to the traffic section of the EIS for more information.

## Road/Intersection Configurations Analyzed

The air quality modeling conducted for this analysis was coordinated with environmental officials at King County and the Washington Department of Transportation (WSDOT) through direct and written communications. At a meeting March 13, 1998 and in a subsequent exchange of letters, the County and WSDOT concurred with the approach to the analysis employed in this study and described below.

Dispersion modeling was used to examine the potential air quality implications of traffic near four existing intersections and one future intersection that would be developed as part of the proposed project. The analysis of existing conditions and future No Action Alternative examined the three SR-522 intersections with SR-104 (Ballinger Way NE), 61st Avenue NE, and 68th Avenue NE, and the intersection of 68th Avenue NE with NE 175th Street. The analysis of the future implications of the proposed project examined these same intersections and additionally included the intersection of SR-522 with 65th Avenue NE (LakePointe Way). Due to their proximity (less than 1,000 feet apart), the analysis considered the potential interactions of the two intersections on 68th Avenue NE (with SR-522 and with NE 175th Street) together in a single modeling configuration for each alternative.

It is very important to note that the modeling of *all* scenarios including Existing Conditions and future No Action considered the implementation and use of dedicated transit lanes in both directions on SR-522. These lanes are already in place, and so will be present with either future scenario. These lanes are used only by transit vehicles except for right-turning at intersections, which effectively moves much of the traffic away from sidewalk locations. This moves traffic away from the sidewalk hot-spot modeling "receptor" locations, and thereby reduces carbon monoxide concentrations calculated by the model.

## Modeling Results

**Table 2** displays the results of the CAL3QHC dispersion modeling for existing conditions (1997) and the Project and No Action alternatives in the project's year of opening (2000) and a future "design" year (2010). The reported 1-hour concentrations in **Table 2** include a 3-ppm background level to account for emissions from other sources in the area. The modeled 1-hour concentrations were converted to represent 8-hour concentrations using a "persistence factor" of 0.7 to reflect both meteorological and traffic variability over an 8-hour period. This conversion factor is based on EPA and local agency recommendations, and it may provide a conservative estimate of 8-hour CO concentrations.

### Existing Conditions

Dispersion modeling indicates existing peak 1-hour concentrations near all four intersections examined are far below the 35-ppm 1-hour limit (**Table 2**). However, converting the 1-hour concentrations to represent 8-hour concentrations results in worst-case 8-hour concentrations reaching or exceeding the 9-ppm limit at locations near all four intersections. (Note that because the intersections of 68th Avenue NE with SR-522 and with NE 175th Street were considered in a single modeling scenario, only the most-affected receptor is reported to represent both intersections.) Near the 68th Avenue NE intersections, the calculated 8-hour concentration reaches 10.0 ppm. Near the SR-522 intersection with 61st Avenue NE the highest 8-hour concentration reaches the 9-ppm limit. Near the intersection of SR-522 with SR-104 (Ballinger Way NE) the calculated 8-hour level slightly reaches 10.2 ppm.

**Table 2.**
**Calculated Maximum Peak-Hour & 8-Hour Carbon Monoxide Concentrations** (ppm)

| Modeled Intersection | Averaging Time | 1997 Existing | 2000 Opening Year Alternatives | | 2010 Design Year Alternatives | |
|---|---|---|---|---|---|---|
| | | | No Action | With Project | No Action | With Project |
| 68th Ave NE w/ SR-522 *and* NE 175th St | 1-hour | 14.3 | 13.2 | 12.6 | 10.9 | 10.1 |
| | 8-hour | **10.0** | **9.2** | 8.8 | 7.6 | 7.1 |
| SR-522 w/ 61st Ave NE | 1-hour | 12.8 | 9.4 | 10.2 | 8.1 | 8.7 |
| | 8-hour | 9.0 | 6.6 | 7.1 | 5.7 | 6.1 |
| SR-522 w/ SR-104 (Ballinger Way NE) | 1-hour | 14.5 | 10.9 | 11.2 | 9.7 | 10.0 |
| | 8-hour | **10.2** | 7.6 | 7.8 | 6.8 | 7.0 |
| SR-522 w/ 65th Ave NE (LakePointe Way) | 1-hour | | | 10.5 | | 9.1 |
| | 8-hour | | | 7.4 | | 6.4 |

**Note**: Eight-hour concentrations were calculated from the modeled 1-hour CO concentration using a 0.7 persistence factor. Bold font represents a calculated CO concentration exceeding the 9.0-ppm 8-hour ambient air quality standard. Shaded cells indicate intersection does not currently exist and would not exist with future No Action.

**Source: CAL3QHC dispersion modeling by McCulley, Frick & Gilman, Inc.**

## Opening Year Alternatives

### *2000 No Action Alternative*

Due to the continuing emission control Inspection and Maintenance (I&M) program and expected increasing efficiencies in vehicle engines, projected vehicle emission rates are lower in 2000 than in 1997. Such decreases in emissions would offset expected increases in peak-hour vehicle volumes, and prevent CO concentrations from increasing along with traffic. Calculated worst-case 1-hour CO concentrations are far below the 35-ppm limit at all locations examined (**Table 2**). The highest calculated 8-hour occurs near the combined intersections of 68th Avenue NE with both SR-522 and NE 175th Street. This level still slightly exceeds the 9-ppm limit. but is lower than with existing conditions. The calculated 8-hour concentrations at both other intersections are far below the level allowed by the standard.

### *2000 LakePointe Project Year of Opening Alternative*

Traffic modeling indicates constructing LakePointe Way as part of the proposed project would divert traffic away from the intersections of 68th Avenue NE with both SR-522 and NE 175th Street, which would in turn reduce CO levels near these intersections (**Table 2**). The calculated maximum 8-hour CO concentration near this set of intersections falls below the 9-ppm standard, and so represents an improvement in air quality compared with the No Action Alternative. Calculated 8-hour CO levels near

the other two existing intersections are somewhat higher than with No Action, but remain far below the 9-ppm limit. At the new intersection of SR-522 with 65th Avenue NE (LakePointe Way), the predicted 1-hour and the 8-hour are fall below the respective ambient air quality standards.

**Design Year Alternatives**

### *2010 No Action Alternative*

By 2010, the continuing vehicle Inspection and Maintenance (I&M) program and expected increasing efficiencies in vehicle engines result in even lower projected emission rates than in 1997 or 2000. Such decreases would offset expected increases in peak-hour vehicle volumes, and prevent CO concentrations from increasing along with traffic. Calculated peak 1-hour and 8-hour CO construction at all intersections examined fall far below the respective standards (**Table 2**).

### *2010 "Design Year" Alternative*

With the continuing diversion of traffic away from the intersections of 68th Avenue NE with both SR-522 and NE 175th Street, calculated 1-hour and 8-hour CO concentrations are even lower than with No Action. Although calculated peak CO levels are slightly higher than with No Action near the other two existing intersections, predicted 1-hour and 8-hour CO concentrations are far below the levels allowed by the respective ambient air quality standards. Near the new intersection of SR-522 with 65th Avenue NE (LakePointe Way), the predicted 1-hour and the 8-hour are far below the respective ambient air quality standards.

# Mitigation

## Construction Impact Mitigation

Emissions from construction equipment and trucks can be reduced by using well-maintained equipment. Avoiding prolonged periods of vehicle idling and engine-powered equipment would also reduce emissions.

Trucking materials to and from the project area could be scheduled to minimize congestion during peak travel times. This would minimize secondary air quality impacts caused by traffic having to travel at reduced speeds.

Dust produced by construction would be reduced by several techniques. Areas of exposed soils such as storage yards and construction roadways could be sprayed with water or other dust suppressants. Roads and other areas that might be exposed for prolonged periods could be paved, planted with a vegetation ground cover, or covered with gravel. The amount of soils carried out of the construction area by trucks would be reduced by wheel washing and covering dusty truck loads. Finally, that soil that does escape the construction area on exiting vehicles would be reduced with an effective street-cleaning effort.

## Operational Impact Mitigation

Because dispersion modeling indicates neither of the action alternatives would result in CO concentrations exceeding the 8-hour NAAQS, no mitigation of potential air quality impacts is required.

## Conformity With State Implementation Plan

The Federal Clean Air Act requires states to take actions to reduce air pollution in nonattainment areas to the extent that federal health-based standards are not exceeded, and to provide control measures in maintenance areas to assure attainment for at least ten years. The framework for meeting these goals is the State Implementation Plan (SIP). As required by the Federal Clean Air Act, Ecology and PSAPCA submitted both the ozone and the CO SIPs to EPA for review, and the plans were approved.

Under section 176(c) of the Clean Air Act, as amended in 1990 and adopted by chapter 70.94 RCW of the Washington Clean Air Act of 1991, the Puget Sound Regional Council (PSRC), as the responsible metropolitan planning organization, and the Washington State Department of Transportation (WSDOT) can not adopt, approve, or accept any transportation improvement plans, programs, or projects unless they conform to the Washington SIPs.

Conformity with a SIP is defined as complying with the plan's purpose of reducing or eliminating the severity and number of violations of an ambient air quality standard, and achieving expeditious attainment of such standards. The federal and state rules and regulations governing conformity are described in 40 CFR parts 51 and 93 and in WAC 174-420.

In accordance with the conformity guidelines, the Puget Sound Regional Council (PSRC) was consulted regarding conformance of the transportation components of the proposed LakePointe Project with existing transportation and air pollution control plans. The PSRC indictaed that the transportation components of the proposed LakePointe project have **not** been considered in regional modeling to assess the conformity of the regional Transportation Improvement Program (TIP) **(Heffernan 1998)**.

It is likely that King County will make application for the transportation components of this project to be included in the next round of regional modeling conducted by PSRC.

In many circumstances, a site-specific air quality analysis that may include dispersion modeling constitutes a "project-level" conformity review as defined in clean air rules. For the proposed LakePointe development, the modeling analysis described above comprises a project-level review, and the following project-level conformity statement applies.

- Local pollutant concentrations related to future action alternatives of the proposed project were predicted using regulatory models and protocols. The highest predicted 8-hour CO concentration was 8.8 ppm in the project opening year (2000). This maximum calculated CO concentration is less than the 9-ppm 8-hour standard. By the design year (2010) of the project's transportation components, the highest predicted 8-hour CO concentration was 7.1 ppm, which is below the health standard. Consequently, the transportation components of the proposed LakePointe project would not increase the frequency or the severity of an existing violation of the CO standards, nor create a new violation of CO standards. The transportation elements of the proposed LakePointe development project therefore conform at the project level with the purpose and intent of the current SIP, and fulfill the requirements of the federal Clean Air Act Amendments of 1990 and the Washington State Clean Air Act of 1991.

## Unavoidable Significant Adverse Impacts

None have been identified.

# Appendix A - Detailed Air Quality Modeling Methodology

## MOBILE5A - Emission Factor Modeling

The U.S. EPA-recommended MOBILE5A model was used to calculate carbon monoxide emission factors for current and future years (**EPA 1993a**). MOBILE5A is the fifth in a series of models for predicting vehicle emission factors (in grams per vehicle mile-of-travel) based on a specific traffic description for an area of interest. The MOBILE5A model can consider programs in effect in an area and adjust the emission factors accordingly. Other than region-specific programs, parameters such as temperature, hot and cold starts, speed, year, etc. are incorporated into the model to produce composite emission factors for dispersion modeling.

The Washington State Departments of Ecology and Transportation (Ecology, WSDOT) and the Puget Sound Air Pollution Control Agency (PSAPCA) recommend using MOBILE5A input parameters consistent with those used in the development of the CO Washington State Implementation Plan (SIP) and the CO Maintenance Plan. Accordingly, the following assumptions and parameters were used in MOBILE5A to determine emission factors in the project area. These same parameters were employed in Ecology's modeling for the CO SIP and PSAPCA's modeling for the CO Maintenance Plan.

- Consistent with EPA guidance, idle emission rates were calculated by multiplying the emission rate for 4 kph (2.5 mph) by 4 (2.5) (**EPA 1993b**); MOBILE5A produces average emission factors for all speeds between 4.0 and 104.6 kph (2.5 and 65 mph), but cannot yet calculate idle emission rates.

- The project area is included in the expanded 1994 vehicle Inspection & Maintenance program (I&M). Accordingly, 87% of vehicles traveling through this area in the peak-hour were assumed to be subject to this program.

- The percentages assumed in the federal testing procedure were used to represent the percentages of vehicles in cold-start and hot-start modes.

- To simulate conditions when carbon monoxide violations have been found most likely to occur in northwestern Washington, outdoor minimum and maximum daily temperatures of 34° and 50° Fahrenheit were used. From these temperatures, MOBILE5A calculated a PM peak-hour temperature of about 46°F.

- The CO Maintenance Plan contains the Washington state vehicle-registration patterns for 1995, 1998, 2001, 2007, and 2010. The 1998 Washington state vehicle-registration pattern was used to represent the distribution of vehicles by type and age in the existing year (1997) evaluated, while year 2001 and 2010 Washington state vehicle-registration patterns were used to represent the opening and design years 2000 and 2010, respectively.

## CAL3QHC Dispersion Modeling Parameters and Application

The CAL3QHC, Version 2, dispersion model was used to calculate peak-hour CO concentrations near five congested intersections. CAL3QHC Version 2 is a dispersion model designed to calculate pollutant concentrations caused by transportation sources (**EPA 1992a**). It considers "free-flow" and "queue" emissions (based on MOBILE5A emission factors) together with intersection geometry, wind direction, and other meteorological factors.

The following assumptions and parameters were used in the CAL3QHC modeling and are consistent with the Washington State CO SIP, CO Maintenance Plan, and EPA guidance for dispersion modeling:

- Critical meteorological parameters were a 1000-meter mixing height (3280.8 ft), low wind speed (1 meter/second, 3.28 feet/second), and a stable atmosphere (Class E) (**EPA 1992b; P. Downey**, personal communications).

- The modeling evaluated 36 wind directions (in 10° increments) to ensure worst-case conditions were considered for each receptor location (**EPA 1992b**).

- A "background" 1-hour carbon monoxide concentration of 3 ppm was assumed to represent other suburban sources in the project area (**EPA 1992b**)

- The modeling configuration considered road links extending 304.8 meters (1000 feet) from each intersection. Using the procedures required for the CAL3QHC dispersion model, both free-flow and queue links were configured approaching and departing the intersections evaluated. Near-road receptors were placed 10 meters (33 feet) and 30 meters (98 feet) from cross streets, 3 meters (10 feet) from the nearest traffic lane, and 1.8 meters (5.7 feet) above the ground to correspond to a typical sidewalk location at breathing height. Modeling used at least six near-road receptors near each intersection (**EPA 1992b**).

- The p.m. peak-hour traffic conditions provided by the transportation consultant would lead to the highest possible 1-hour and 8-hour CO concentrations.

- Modeled one-hour concentrations were converted to represent 8-hour concentrations using a "persistence factor" (i.e., the ratio of 8-hour to 1-hour CO concentrations) to represent variability in both traffic volumes and meteorological conditions. Since actual monitoring data are not available, an EPA default persistence factor of 0.7 was used. Using this factor, a calculated 1-hour concentration must be greater than or equal to 13.0 ppm (13.0 ppm x 0.7 = 9.1 ppm) for there to be a potential for an 8-hour concentration exceeding the standard. Thus, to ensure compliance with the 8-hour standard, the 1-hour concentration must be less than 13.0 in **Table 2** (**EPA 1992b; Miranda 1996**).

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# APPENDIX B

# UPDATED FISHERIES ANALYSIS

# Lakepointe Development SEIS
# Major Issues:
# Fisheries Resources

# Updated Fisheries Analysis

Prepared By
CH2M HILL

For
King County
Department of Development and Environmental Services

July 1998

# Contents

# Introduction

This technical report represents an independent review of the fisheries issues associated with the Lakepointe Development in support of the Supplemental Environmental Impact Statement (SEIS). It is understood that this project has been under review for some time and that regulatory staff are familiar with the project and with previously submitted materials regarding fisheries issues. Information provided in the EIS and the *Final Lakepointe Technical Report on Natural Resources* (Beak Consultants 1998) is referenced when describing existing conditions and to support conclusions.

The purpose of this document is to describe existing fisheries resources and to analyze the probable impacts of the Lakepointe Development on those resources. Direction was given to:

- Use only appropriate references
- Qualify and describe uncertainty
- Use fish numbers in terms of density rather than absolute numbers
- Discuss all stocks involved
- Provide a specific species-by-species discussion
- Evaluate total predation if possible
- Consider offsite predation
- Include a discussion of Endangered Species Act (ESA) considerations

The major issues concerning the development-related effects on juvenile salmonids include the following:

- Loss of habitat
- Potential for increased predation
- Potential attraction of predators and creation of predator habitat
- Potential increased production of predators for subsequent dispersal
- Potential increased foraging efficiency of predators
- Water quality impacts

It is appropriate to note the limitations of existing literature and data able to be used in the assessment. For a large lake in a metropolitan area, Lake Washington is surprisingly understudied. That status is currently being rectified with the 3-year-old program now in progress to study the "sockeye problem." In the 1970s there was a flurry of research activity that generated a number of masters theses and doctoral dissertations that form the bulk of fish ecology information available for use today. Unfortunately, none of these studies really answered the questions that are being asked relative to the Lakepointe Development. Most of the research was (and is) directed at sockeye, because they are the largest salmonid resource in the basin.

Another confounding factor in using some of the past literature is that the trophic nature and shoreline character of the lake have changed significantly since the 1970s. The lake has changed from eutrophic to mesotrophic bordering oligotrophic as a result of the elimination of wastewater discharges to the lake. The invasion of eurasian milfoil (*Myriofillum spicatum*) has transformed shoreline areas from sparse cover (except for docks) to densely covered

with macrophyte growth. In addition, there have been changes in the planktonic community that changed fish population structure and foraging dynamics.

# Affected Environment

## Fish Use

### Salmonid Fish

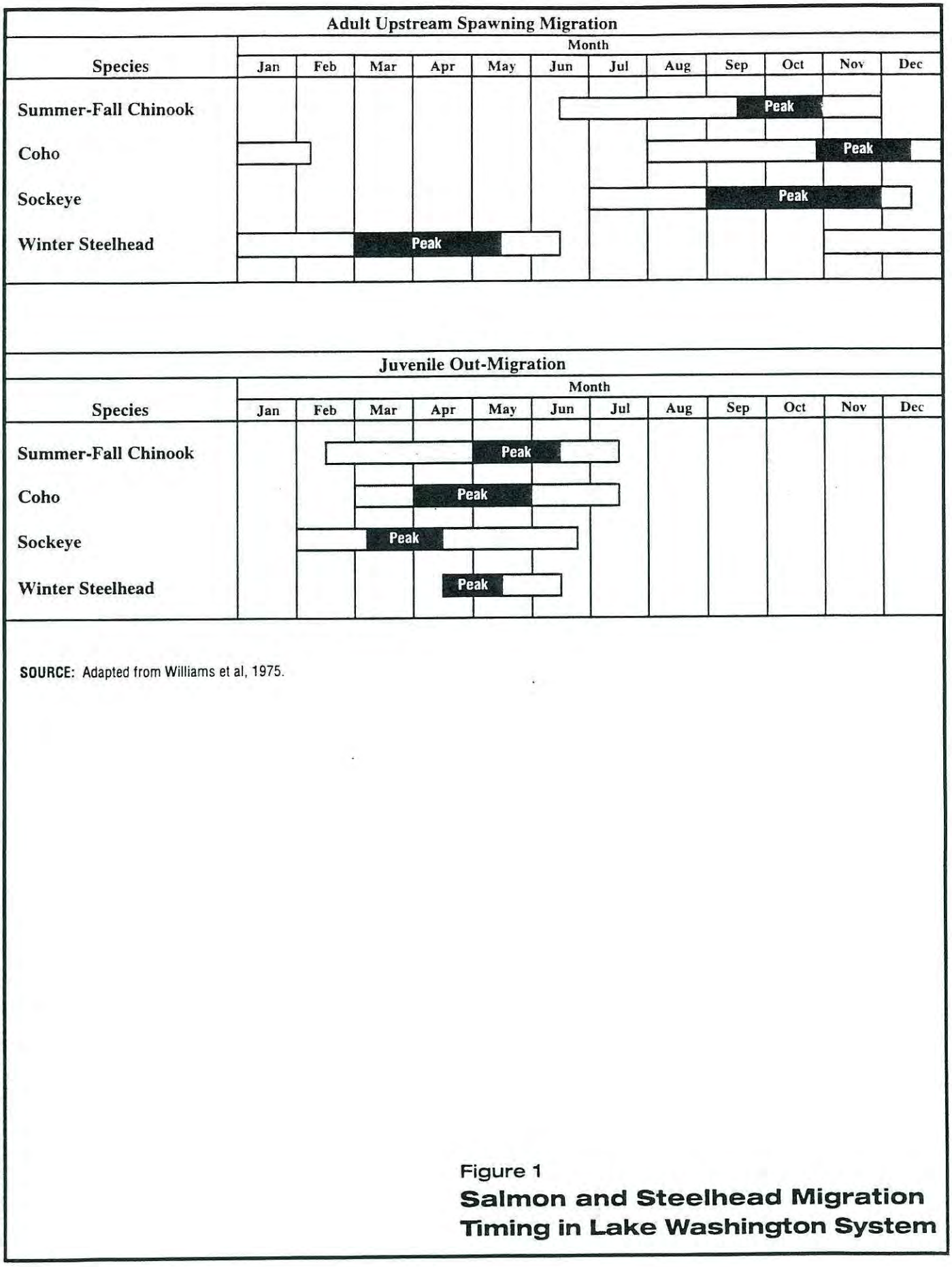
**Timing and Distribution.** The Sammamish River basin supports a variety of anadromous salmonids, including chinook (*Oncorhynchus tshawytscha*), coho (*O. kisutch*), and sockeye salmon (*O. nerka*), and steelhead (*O. mykiss*) and cutthroat trout (*O. clarki*) (Williams et al. 1975; Washington Department of Fish and Wildlife et al. 1994). The Sammamish River system also supports runs of nonanadromous kokanee (*O. nerka*) salmon and adfluvial cutthroat trout (King County 1993). The mouth of the Sammamish River provides rearing habitat for salmonids and is a migration corridor for adult and juvenile salmon.

The majority of the spawning and rearing activity of salmon and trout migrating past the Lakepointe site occurs in tributaries to the Sammamish River and Lake Sammamish, including Issaquah, North, Swamp, Big Bear, Little Bear, and Cottage Lake Creeks. Both natural and artificial production occurs in Issaquah Creek. Timing of the various life history stages of each species is shown in Figure 1 and described below.

Anadromous juveniles produced in this system emigrate through the Sammamish River, passing by the Kenmore Pre-mix property, before reaching Lake Washington (see Beak [1998] for site maps and project description). Washington Department of Fish and Wildlife (WDFW) personnel suspect that outmigrating juvenile salmonids may temporarily hold in the shallow beach area at the western edge of the Kenmore Pre-Mix Property before migrating through Lake Washington (Fisher, WDFW, pers. comm., 1996). The migratory habits of juvenile salmonid outmigrants have never been studied at the mouth of the Sammamish River, so it is not known whether sockeye fry or other salmon smolts have a migratory preference. Chinook and coho are known to have a strong shoreline preference and thus would be expected to turn north or south at the river mouth. Sockeye are known to move relatively quickly offshore upon reaching a lake, but some have been found to use shoreline areas for their first month of residence (Martz et al. 1996a, b) in Lake Washington.

Adult fall chinook salmon begin entering Lake Washington in early July. River entry and upstream spawning occurs from mid-September through October (Williams et al. 1975). Juvenile chinook generally rear in tributaries for 3 months before migrating to sea (Williams et al. 1975), but some juveniles in the Lake Washington system might remain in freshwater for longer periods given the rearing environment provided by the lake (Wydoski and Whitney 1979). Seaward migration occurs from early March to early July (Williams et al. 1975; Martz. et al. 1996a,b).

Adult coho salmon enter Lake Washington as early as August. River entry and spawning in north Lake Washington tributaries occurs from late October to mid-December (Williams et al. 1975). Coho juveniles rear throughout the year in streams and rivers, with very few thought to use Lake Washington for rearing (B. Tweit, WDFW, pers. comm. 1998). Coho smolts migrate to sea between early March and early July as yearlings (Williams et al. 1975).




**SOURCE:** Adapted from Williams et al, 1975.

Figure 1

**Salmon and Steelhead Migration Timing in Lake Washington System**

145173 B1 ZZ • Salmon and Steelhead Migration • 5/12/98 • LW

Adult sockeye enter Lake Washington in mid-June. River entry and spawning in Lake Washington/Sammamish tributaries takes place from early September through November (Williams et al. 1975; Wydoski and Whitney 1979). Lake Washington shoreline spawning occurs between November and mid-January (Wydoski and Whitney 1979). Sockeye fry produced in the Sammamish Basin migrate to Lake Washington from mid-January through April, with the peak of outmigration occurring from early March to mid-April (Seiler and Kishimoto 1997). Sockeye juveniles rear in the lake for 1 or 2 years before migrating to the sea. Peak smolt migration occurs from late April to mid-May (Martz et al. 1996a).

Adult steelhead begin entering Lake Washington in mid-December. Spawning in lake tributaries takes place from early March to early June. Steelhead juveniles typically rear in streams for 1 to 3 years. Seaward migration of smolts occurs from April through June, with the peak of outmigration taking place in mid-April (Wydoski and Whitney 1979). Resident rainbow trout live throughout the year in Lake Washington, spawning in tributary streams about the same time as steelhead.

Three forms of cutthroat trout exist in the Lake Washington basin: anadromous, adfluvial, and fluvial (King County 1993). The fluvial form spend their entire lives in the same stream. The adfluvial form grows to maturity in Lake Washington or Lake Sammamish and return to their natal streams to spawn. The sea-run, or anadromous form, spawns in tributary streams, rear for 2 to 5 years, then migrate to sea where they mature. Sea-run cutthroat spawn from late December to February, whereas resident cutthroat typically spawn from April to early May. Seaward migration of smolts occurs from January through June, but the majority migrate from April through June (Wydoski and Whitney 1979).

The size at migration of juvenile salmonids varies among species and among stocks within a population. Fry typically enter the lower Sammamish River and Lake Washington at a relatively small size. The salmon fry are weak swimmers compared to larger yearling outmigrants and are particularly susceptible to predation. Sockeye migrate into Lake Washington as fry, chinook as subyearling smolts, coho as yearling smolts, and steelhead as 1- and 2-year old smolts.

**Salmon Stock Inventory.** WDFW and western Washington treaty tribes jointly assembled specific information for the Lake Washington basin in developing a Washington State Salmon and Steelhead Stock Inventory (SASSI). The current status of salmon and steelhead stocks in the basin was evaluated as of 1992 (Washington Department of Fish and Wildlife et al. 1994). This is information summarized in Table 1 and described below.

***Chinook Salmon.*** Three stocks of summer-fall run chinook salmon have been identified by state and tribal biologists in the Lake Washington System (Washington Department of Fish and Wildlife et al. 1994): the Issaquah Creek, the Cedar River, and the North Lake Washington tributary chinook stocks. The status of the Issaquah Creek stock is healthy, and this stock is supported by hatchery production. An average of 2,000 fish are used as broodstock at the hatchery. Excess escapement and hatchery fish that spawn in Issaquah Creek below the hatchery form a naturalized group; i.e., they spawn and rear naturally but have hatchery/non-native genetic disposition. The status of the two native stocks is unknown

**TABLE 1**
Summary of SASSI Information for Anadromous Stocks of Salmonid Fish Stocks in Lake Washington, with Updated Escapement Numbers as Indicated

| Species | Stock | Stock Status | Stock Origin | Escapement Range | Escapement Average | Notes |
|---|---|---|---|---|---|---|
| Summer/fall chinook | Issaquah Creek | Healthy | Non-native | 500 - 5,000 | 2,000 | Hatchery production Natural production |
| Summer/fall chinook | North Lake Washington tributaries | Unknown | Native | 716 - 3082<br>34 - 524 | 1,731[a]<br>221[a] | Wild production<br>Natural[b] |
| Summer/fall chinook | Cedar River | Unknown | Native | 600 - 4,300 | 1,900 | Wild production |
| Coho | Lake Washington/ Sammamish River tributaries | Depressed | Mixed | Unknown[c] | Unknown[c] | Hatchery and wild production |
| Coho | Cedar River | Healthy | Mixed | Unknown | Unknown | Wild production with some hatchery plants |
| Sockeye | Lake Washington/ Sammamish River tributaries | Depressed | Unknown[d] | 3,601 - 29,713 | | Wild production |
| Sockeye | Lake Washington Beach spawning | Depressed | Unknown | 54 - 103 | | Wild production |
| Sockeye | Cedar River | Depressed | Non-native | 76,000 - 365,000 | | Wild and hatchery production |
| Winter Steelhead | Lake Washington | Depressed | Native | 474 - 1,816 | | |

[a] 5-year average. Source: C. Smith, WDFW.
[b] Natural: hatchery fish spawning in Issaquah Creek.
[c] Presumed to be very low (B. Tweit, WDFW).
[d] Now thought to be native origin based on electrophoresis (J. Ames, WDFW).

due to insufficient information. Excluding the naturalized hatchery population in Issaquah Creek chinook spawning escapement to the Sammamish River system ranges from 34 to 524 fish, averaging 221 (C. Smith, WDFW, pers. comm. 1998). The Issaquah Creek naturalized stock averages about 1,700 fish. Hatchery production and naturalized production dominate smolt production in the Sammamish system, with a combined total of roughly 2 million outmigrants (Table 2). Wild smolt production has been calculated to be about 22,000 fish, based on escapement (C. Smith, WDFW, pers. comm. 1998).

**TABLE 2**
Estimated Fry and Smolt Production of Anadromous Salmonids in Sammamish River System

| Species | Fry/Smolt Production (recent average) | | | |
|---|---|---|---|---|
| | Wild | Natural[a] | Hatchery[b] | Total |
| Chinook | 22,100[c] | 173,000[c] | 1,943,000 | 2,138,100 |
| Coho | 13,398[d] | Unknown | 1,862,000 | 1,875,400 |
| Sockeye | 1,395,000[e] | N/A | N/A | 1,395,000 |
| Steelhead | <1,000[f] | N/A | 13,500[f] | 14,000 |
| Total | 1,431,498 | 173,000[e] | 3,818,000 | 5,422,500 |

[a]Natural spawning refers to hatchery fish spawning and rearing naturally. This occurs extensively in Issaquah Creek, upstream not downstream from the hatchery. Some wild fish might be mixed in with this group.

[b]Average of 1996 and 1997 data only (Beak 1998).

[c]Based on escapement estimates, calculated survival (see Appendix A).

[d]Based on the total Lake Washington outmigrant estimate and apportioned by watershed size (B. Tweit, WDFW, pers. Comm. 5/98).

[e]Average of 1997 and 1998 outmigrant estimates in Sammamish River (D. Seiler, WDFW, pers. Comm. 1998).

[f]Wild production estimate is an optimistic estimate. Hatchery production is the number being reared at Issaquah Hatchery at present for release next spring ().

***Coho Salmon.*** There are two stocks of coho salmon identified in the Lake Washington system: one is supported by the Lake Washington/Sammamish tributaries stock and the other by the Cedar River (Washington Department of Fish and Wildlife et al. 1994). The status of the Lake Washington/Sammamish tributaries stock is considered depressed, while the Cedar River stock is considered to be healthy. Both of these stocks are of mixed native and non-native production. Escapement and production of wild coho in the Sammamish system is unknown but is thought to be quite low due to urban-related impacts (B.Tweit, WDFW, pers. comm. 1998). Egg-to-fry survival has been estimated to be near zero in some years in some streams. Smolt production from the entire Lake Washington system was estimated to be about 77,000 fish for 1997 (B. Tweit pers. comm. 1998). Based on the proportion of watersheds draining into the lake, the production of natural coho smolts from the Sammamish system would be about 13,400 fish (Table 2). Hatchery production dominates coho production in the Sammamish system, with about 1.9 million fish produced in recent years.

***Sockeye Salmon.*** There are three stocks of sockeye salmon identified in the Lake Washington basin: the Cedar River, Lake Washington/Sammamish tributaries, and Lake Washington beach spawners. Sockeye were introduced into Lake Washington in 1935 from the Baker River stock, and planting of sockeye in the lake continued until the early 1960s. There is evidence that the beach spawners and northern tributary spawners (primarily Bear Creek) might be native in origin, but they are classified as unknown at this time.

The Lake Washington sockeye run size estimates have varied substantially over the years, ranging between 98,000 and 621,000 fish. The best production years can produce an order of

magnitude more returning fish than poor years. There are many factors thought to be involved with this variability in survival, including redd scour from floods, river and lake predation, changes in the plankton community, and competition for forage. Egg-to-fry survival can vary by an order of magnitude or more between years (J. Ames, D. Seiler, WDFW, pers. comm. 1998).

Approximately 70 percent of the Lake Washington system sockeye spawn in the Cedar River. The remainder spawn primarily in Bear Creek and Issaquah Creek in the Sammamish system, with small numbers scattered in small tributaries. The escapement goal of 350,000 sockeye was met in 1988 and again in recent years. However, all three stocks are considered depressed based on declining escapements. In four of five recent years, run sizes were below 100,000 fish. Fry production from the Sammamish system was estimated to be about 930,000 from about 60,000 spawners in 1996. The 1997 brood year produced about 2,000,000 fry from about 10,000 spawners (D. Seiler, WDFW, pers. comm. 1998). Sockeye from the Sammamish system mostly move into Lake Washington as fry in early spring to rear (Figure 1). The number rearing to the smolt stage in Lake Sammamish is unknown.

***Steelhead Trout.*** Winter steelhead are managed as a single unit in the Lake Washington basin. This stock is considered a distinct wild winter native steelhead run, although hatchery smolts were also stocked in the system between 1982 and 1992. Wild winter steelhead escapement has ranged from 474 to 1,816 fish since 1983. An escapement goal of 1,600 wild winter steelhead was set for the Lake Washington system in 1985. Escapement since 1985 has averaged 868 fish and only exceeded the goal one time. The status of the stock is considered depressed. At present, escapement is on the rebound, with about 650 spawners observed in the Cedar River in 1997/1998. Escapement to other tributaries is very low in the Sammamish system, with estimated numbers on the order of 2 or 3 fish per stream for tributaries such as Issaquah Creek, Bear Creek, North Creek, and Cottage Creek (S. Foley, WDFW, pers. comm. 1998). Wild smolt production is probably less than 1,000 fish currently (S. Foley, WDFW, pers. comm. 1998).

**Site-Specific Surveys.** Beak Consultants performed a series of fish surveys at the Kenmore Pre-mix/Lakepointe site in 1996 and 1997. Methods included electrofishing, gillnetting, snorkeling, and beach seining. Refer to *Final Lakepointe Technical Report on Natural Resources*, Section 3, Fisheries (Beak, 1998), for details on methodology and results.

It is our judgment that the methods used by Beak for assessing fish use at the Kenmore Pre-mix/Lakepointe site are useful only to document presence or absence of fish and to make relative comparisons among sampling sites. These methods cannot quantitatively assess fish use with any degree of reliability, for a number of reasons. The beach seining deployed from shore tends to scare off many fish before they can be caught, and shoreline obstructions required lifting of the net at times. Gillnets are problematic for quantitative estimates because of deployment in consistency and high variability in capture rates for different species. Of all of the methods used, nighttime electrofishing was probably the most effective, but it was conducted either too infrequently or with the wrong equipment. In 1996, a backpack shocker was used from shore for 4 minutes per site on six occasions. A backpack shocker does not have much sampling range and is typically used effectively only in small streams. In 1997, a boat shocker was used in the inner harbor on three occasions, fishing the entire shoreline. Theoretically, this should have worked well, although three sampling periods during the entire outmigration must be viewed as sparse coverage.

In a crude attempt to use the electrofishing data quantitatively to estimate salmon use in the project area and to serve as a reality check, we expanded the 1996 data based on distance and time sampled. Because the fish were moving through the area on their way out to the lake, we assumed that the fish were traveling at a cruising speed of 0.325 foot per second Bell 1986). This analysis suggests that salmon use in the inner harbor was 7,400 fish during the period between the first (March 29) and last (June 24) sampling dates in 1996 (Table 3). Estimates for the Sammamish River shoreline and lakeshore were 18,929 and 21,650 fish, respectively (See Appendix A for the method of calculation).

These estimates of shoreline fish use in the project area are a very small proportion of the estimated 5 million juvenile salmonids migrating out of the Sammamish system each year. This large difference suggests that either a very large proportion of the fish travel offshore or that there was significant avoidance of the electrofishing gear by fish along the shoreline. There are numerous potential sources of error for the computation of these numbers, most of which are listed in the assumptions given for the calculation methods in Appendix A.

The conclusion of this estimating exercise is that, at the very least, several thousand out-migrant salmonids use the inner harbor each year. The sampling data suggest that fewer salmonids use the inner harbor compared to the adjacent river shoreline and lakeshore. This is plausible due to the shallowness of the shoreline at the mouth of the inner harbor. Many fish might simply pass across the mouth of the harbor on their way to the lake.

**TABLE 3**
Estimate of Nearshore Juvenile Salmonid Use in Lakepointe Project Area Using Beak (1998) Electrofishing Data, 1996 Season

| Site | Total Salmonids Collected | Salmonids Caught per Foot (mean) | Length of Shoreline Sampled (feet per day) | Length of Shoreline (feet) | Estimate of Total Salmonid Use | Ratio Compared to River Catch Data (expected) |
|---|---|---|---|---|---|---|
| Sammamish River Shoreline | 28 | 0.0133 | 350 | 2,182 | 18,929 | 1.0 |
| Lakeshore | 41 | 0.0152 | 450 | 727 | 21,650 | 1.14 (0.5) |
| Inner Harbor | 11 | 0.0048 | 50 | 2,000 | 7,400 | 0.39 (0.5) |

## Other Fish Species

Lake Washington contains a wide variety of nonsalmonid fish species, some of which are considered "warm water" species. Easy access to the Sammamish River from Lake Washington makes it likely that many of these lake species occasionally journey into the river. Fish inhabiting Lake Washington and the Sammamish River are both native and non-native in origin (Table 4).

The most abundant fish in Lake Washington in terms of biomass are sculpins. Of fish susceptible to oneida tap capture, yellow perch are most abundant, comprising 42 percent by number (Pfeifer and Weinheimer 1992).

**TABLE 4**
Lake Washington Fish

| Common Name | Scientific Name | Origin |
|---|---|---|
| Sockeye salmon and kokanee | *Oncorhynchus nerka* | Introduced |
| Chinook salmon | *O. tshawytscha* | Native |
| Coho salmon | *O. kisutch* | Native |
| Cutthroat trout | *O. clarki* | Native |
| Steelhead trout and rainbow trout | *O. mykiss* | Native |
| Squawfish | *Ptychocheilus oregonensis* | Native |
| Rocky Mountain whitefish | *Prosopium williamsoni* | Native |
| Peamouth chub | *Mylocheilus caurinus* | Native |
| Large-scale sucker | *Catostomus macrocheilus* | Native |
| Coastrange sculpin[a] | *Cottus aleuticus* | Native |
| Prickly sculpin | *Cottus asper* | Native |
| Riffle sculpin | *Cottus gulosus* | Native |
| Three-spined stickleback | *Gasterosteus aculeatus* | Native |
| Longfin smelt | *Spirinchus thaleichthys* | Native |
| Pacific lamprey | *Entosphenus tridentatus* | Native |
| Brook lamprey | *Lampetra planeria* | Native |
| River lamprey | *Lampetra fluviatilis* | Native |
| Redside shiner | *Richardsonius balteatus* | Native |
| Large mouthed bass[b] | *Micropterus salmoides* | Introduced |
| Small mouthed bass[b] | *Micropterus dolomeiui* | Introduced |
| Yellow perch[b] | *Perca flavescens* | Introduced |
| Common carp[b] | *Cyprinus carpio* | Introduced |
| Brown bullhead[b] | *Ictalurus nebulosus* | Introduced |
| Black crappie[b] | *Pomoxis nigromaculatus* | Introduced |
| White crappie[b] | *Pomoxis annularis* | Introduced |
| Bluegill[b] | *Lepomis macrocheilus* | Introduced |
| Tench[b] | *Tinca tinca* | Introduced |
| Atlantic salmon[b] | *Salmo salar* | Introduced |
| Goldfish[b] | *Carassius auratus* | Introduced |
| Pumpkinseed sunfish[b] | *Lepomis gibbosus* | Introduced |

[a]The pelagic sculpin frequently found in association with sockeye salmon and long-fin smelt has not been officially identified but might be a subspecies of the coast range sculpin (Wydoski and Whitney 1979).

[b]Introduced species.

Source: Wydoski and Whitney 1979.

In the Pfeifer and Weinheimer study, largemouth bass, squawfish and smallmouth bass represented 9.65, 1.26, and 0.22 percent of the total (Table 5). Clear differences in capture efficiency were apparent in their data among oneida trap, electrofishing, and gillnetting techniques.

**TABLE 5**
Species, Number, and Relative Abundance of the Aggregate Sample of Warmwater Fish from Lake Washington, 1982

| Species | Number | Percent |
|---|---|---|
| Yellow perch | 1,688 | 41.57 |
| Brown bullhead | 547 | 13.47 |
| Peamouth chub | 491 | 12.09 |
| Black crappie | 479 | 11.80 |
| Largemouth bass | 392 | 9.65 |
| Pumpkinseed | 79 | 1.95 |
| Largescale sucker | 71 | 1.75 |
| Stickleback | 52 | 1.28 |
| Squawfish | 51 | 1.26 |
| Carp | 48 | 1.18 |
| Tench | 44 | 1.08 |
| Sculpin | 43 | 1.06 |
| Rainbow trout | 35 | 0.86 |
| Sockeye salmon | 10 | 0.25 |
| Coho salmon | 10 | 0.25 |
| Longfin smelt | 9 | 0.22 |
| Smallmouth bass | 9 | 0.22 |
| Chinook salmon | 3 | 0.07 |
| Total | 4,061 | 100.00 |

Source: Pfeifer and Weinheimer 1992.

The best method for assessing bass populations is through the use of mark and recapture methods (Pfeifer pers.comm.1998). Two such studies have been done in Lake Washington. Fayram (1996) estimated smallmouth and largemouth bass populations to be 1,001 and 145 in Lake Washington, respectively. Stein calculated a population size for largemouth bass of 2,100. No population estimates have been made for squawfish, but they are known to be very abundant throughout the lake.

At the Kenmore Pre-mix/Lakepointe inner harbor site, methods used by Beak for capturing nonsalmonids included electrofishing and gillnetting. In 1996, the most abundant were prickly sculpin (134), three-spine stickleback (181), and squawfish (53) (Beak Consultants 1998). Four largemouth bass and no smallmouth bass were caught. In 1997, very few fish were caught.

## Threatened and Endangered Species

There are at present no fish species in the Lake Washington/Sammamish River system listed as threatened or endangered under the federal Endangered Species Act (ESA) or un-

der the Washington Administrative Code (WAC 232-12-297). Several Pacific salmon species are currently under review for listing including coho, and chinook salmon (Table 6). Puget Sound fall chinook were formally proposed for listing as a threatened species in February 1998 by National Marine Fisheries Service (NMFS). It is possible that they will be listed by 1999. This would include fall chinook in the Lake Washington system.

**TABLE 6**
Federal ESA Listing Status for Aquatic Species of Concern in Lake Washington System

| Species | Federal ESA Status |
|---|---|
| Chinook salmon | Under review for listing; proposed threatened |
| Coho salmon | Under review for listing |
| Sockeye | Not proposed for listing |
| Pacific lamprey | Species of concern |
| River lamprey | Species of concern |
| Bull trout | Under review for listing; proposed threatened |

WDWF publishes a state Species of Special Concern (SSC) list that includes native Washington species listed as State Endangered, State Threatened, State Sensitive, or State Candidate as established by Washington Administrative Code (WAC 232-12-297), as well as species listed or proposed for listing under the federal ESA (discussed in the previous section). Currently, there are no additional Lake Washington fish species on the state SSC list that are not included in the federal list.

# Potential Impacts of Proposed Project

## Introduction

Features of the proposed Lakepointe Development specific to shoreline areas surrounding the Kenmore Pre-mix property include: 1) a public shoreline park along the north bank of the Sammamish River; 2) a fixed moorage pier; 3) public plazas and viewpoints along the northeastern shore of the inner harbor (Beak 1998); and 4) floating moorage slips in the eastern half of the Inner Harbor. The design specifications of the Lakepointe project have evolved through the EIS process, making impact analysis somewhat difficult. To clarify the scope of the current project as it pertains to this analysis, shoreline features are quantified in Table 7.

The concern by regulatory agency and tribal biologists over this project stems primarily from the proximity of the site to the Sammamish River mouth and from the status of the salmon runs regionally and in the Lake Washington watershed. About 5 million salmon fry and smolts travel down the Sammamish River on their way to Lake Washington and ultimately to the ocean. They become very concentrated at this point and are particularly vulnerable to predation during this migration. Coho and chinook salmon as well as steelhead trout populations are at historically low numbers. Development-related activities

in the watersheds are considered a primary cause for their decline. The proposed listing of fall chinook salmon in Puget Sound as threatened under ESA has alerted the entire region that changes need to be made to reverse these declines.

The following discussion addresses the major issues related to fisheries as indicated by the comment letters received on the Final Lakepointe Report on Natural Resources report dated May 30, 1997, prepared by Beak Consultants.

**TABLE 7**
Summary of Shoreline Treatments and Water Structures Under Existing Conditions, Proposed Marina Described in Draft SEIS, and Revised Proposed Marina

| | Existing Conditions | | Proposed Marina | | |
|---|---|---|---|---|---|
| | Draft SEIS | Revised | Draft SEIS | Revised | Change from Revised Existing Conditions |
| Area of Surface Water Overhang (sq. ft.)q | 7,642 | 8,938[a] | 32,488 | 9,504 | +566 |
| Area of Floating Material | | | | | |
| Floats | 7,795 | 7,795 | 12,700 | 9,340 | +1,545 |
| Boats | 25,800 | 29,648[b] | 14,632 | 26,045 | –3,603 |
| Total Shaded Area | 41,237 | 46,381 | 59,820 | 44,889 | -1,492 |
| Lineal Feet of Bulkhead | 1,131 | 1,131 | 1,016 | 1,016 | -115 |
| Number of In-Water Pilings | 365 | 395 | 449 | 255 | -140 |

Source: Beak Consultants 1998.

[a]Surface water overhang and number of pilings increased due to inclusion of an existing private covered moorage dock that is located within the site. These structures were assumed to be offsite in the Draft SEIS.

[b]The amount of floating boat surface area increased to include tug berthing areas, commercial vessel berthing, and other miscellaneous boat moorages shown in photographic documentation of the inner harbor during spring 1996. These areas were not incorporated into previous estimates of boat surface water coverage in the Draft SEIS.

## Water Quality

Water quality associated with the proposed project appears to be adequately addressed in meeting National Pollutant Discharge Elimination System (NPDES) requirements. Stormwater detention and treatment are stated to conform with King County Surface Water Management Standards and thus comply with best management practices (BMPs) for surface water. This is adequate for meeting National and State Environmental Policy Act (NEPA and SEPA) requirements. Water quality was not identified as a major issue.

## Habitat Quality

### Shallow Water Habitat

The existing habitat quality along the entire perimeter of the Kenmore Pre-Mix site is degraded to varying degrees. The inner harbor area is seriously degraded with bulkheads,

piers, docks, floats, construction debris, abandoned structures, major vessel moorage, and industrial activity. The channel is periodically dredged.

The protected nature of the harbor reduces wave action and allows temperatures to rise above that found on adjacent shorelines. This probably attracts bass and other warm water fish that are known to prey on juvenile salmonids.

The proposed project would do little to alter the shorelines along the Sammamish River and the lakefront area. A few trees would be removed and others planted. The southern exposure of the river shoreline precludes these trees from creating any shade at present. The inner harbor would be cleared of wood debris, construction debris, abandoned piers, major vessels, and house boats. The overall amount of shading from overhead structures and boats would be reduced. A bulkhead would be removed and replaced with shallow semi-natural shoreline for a length of 115 linear feet. Since tug traffic would cease, turbidity will probably be reduced, although the increased small boat traffic might create the same problem in shallow water. Overall, it would appear that rearing habitat for salmonids will not be degraded from its present condition. This was not identified as a major issue.

### Dredging

With commercial barge traffic eliminated, the need for dredging would presumably be eliminated or drastically reduced. This would reduce the periodic disturbance and would result in gradual burying of the mildly contaminated sediments found there. This benefit, however, might be offset by contaminants originating from the new vessels at the new marina. Dredging was not identified as a major issue.

## Predation

Predation has been identified as the primary concern of the state, county, and tribal biologists. The greatest predation rates on juvenile salmonids in Lake Washington are likely from other adult and pre-smolt salmonids fishes, primarily resident cutthroat and rainbow trout (Beauchamp et al. 1992; Beauchamp 1994, Tabor and Chan 1996b). However, some warm water species might also occasionally prey on juvenile salmonids. These species include northern squawfish, largemouth and smallmouth bass, pumpkinseed, black crappie, catfish, prickly scuplin, brown bullhead, and yellow perch. Of these piscivores, the squawfish, bass, and sculpin are thought to offer the greatest potential to occasionally prey on small salmonid outmigrants in Lake Washington ( Forester 1968; Stein 1970; Bartoo 1972; Olney 1975; Eggers 1978; Eggers et al. 1978; Tabor and Chan 1996b; Martz et al 1996a,b; Fayram 1996).

The inner harbor is a backwater area that provides spawning and rearing habitat for squawfish, largemouth bass, and perhaps smallmouth bass. The exact number of these species using the inner harbor is not known. However, survey results from three of the above studies showed at least some use by these species, except smallmouth bass. Extensive use by these species in the harbor is probable for several reasons. Lake Washington does not have abundant shallow backwater areas that warm up sufficiently in May and June to support successful spawning for either species of bass. Areas that do warm up above 13.0 degrees C in May would be sought out. The abundance of in-water structure would tend to attract ambush predators such as bass throughout the year. Squawfish spawn on rocky

substrates, but little is present in the project area. However, they do tend to concentrate in bays during the spring and summer (Olney 1975).

Juvenile salmonids are present and migrating through the project area at the same time that bass would be present (May and early June). The majority of sockeye fry might pass by the site before bass arrive but the occurrence of chinook and coho smolts is coincident with the expected arrival and metabolic activation of smallmouth and largemouth bass.

### Structures

Several different types of structures are planned for addition, deletion, or modification as a part of the Lakepointe Development. These include bulkheads, floating docks, fixed pier structures, and boats. Bulkheads currently present will remain with the exception of 115 feet of bulkhead at the very end of the harbor that will be removed and replaced with a semi-natural shoreline. There will be a decrease in over-water structure (Table 7). This, in association with a net loss of pilings, should be a beneficial impact. It is well known that ambush predators such as large- and smallmouth bass associate with structures such as these (Pflug 1981), although other studies have found minimal association (e.g., White 1975).

The behavioral characteristics of juvenile salmon around piers, docks, bulkheads, and floats are not well understood. The bulk of information comes, with a few exceptions, in the form of anecdotal visual observations of fish behavior from experienced fisheries biologists. Ratte and Salo (1985) observed that pink salmon fry would swim along the shoreline under a pier rather than travel along the perimeter. This author, however, has observed the opposite behavior in chinook salmon and chum salmon smolts in Port Gardner and in Elliot Bay. In those studies (Parametrix, 1984a, 1984b, 1985a, 1985b), chinook and chum smolts traversed the perimeter of the piers and would not venture underneath even if startled. A fish passage study at the Manchester fuel pier (Dames and Moore 1993) found that chum salmon smolts confronted with a relatively high, narrow pier (with good light penetration under it) would pass under or go around it in approximately equal proportions. The configuration of the Manchester fuel pier probably represents the transition point in terms of lighting for salmonid under-pier migration, at least for chum salmon. There is no reason to believe that salmon smolt migratory behavior around pier structures is different in the estuarine environment during the first week of marine residence from their behavior in fresh water. In both situations, the fish are active migrants.

The limited behavioral observations of salmon around piers suggest that the perimeter of over-water structure rather than surface area would be a better parameter to assess potential impacts of predation. Therefore, the perimeter of over-water structures was measured for the existing configuration of the inner harbor and compared with the proposed configuration. Some of the over-water structures or objects were deleted from consideration as ambush cover because they were too far from shore. These included moored barges for the existing condition and the entire detached pier structure in the proposed design. It was assumed that 10 feet was the maximum striking distance for a bass foraging foray. Since the existing configuration of structures in the inner harbor is for large objects, the surface area is large in comparison to the perimeter. The numerous finger piers of the proposed configuration create a greater perimeter. The perimeter comparison is:

| | |
|---|---|
| Existing structure perimeter: | 1,820 feet |
| Proposed structure perimeter: | 2,675 feet |
| Proposed perimeter along ends of finger piers | 1,150 feet |

If out-migrant salmonid smolts or fry (in the case of sockeye) traverse the perimeter in the shoreline, they would traverse 855 feet additional feet of structure with the proposed project. There is no way of knowing how many predators might inhabit 855 feet or how many juvenile salmonids they might eat in the course of the outmigration. Based on the low bass population density in the lake, the number might not be more than a few fish. If the migrating salmon traverse the ends of the finger piers, which is a real possibility due to the occupancy of slips with boats, effective perimeter length would be less with the proposed project (1,150 feet) and the potential predation on salmon would be less than under existing conditions.

### Species-by-Species Analysis

In order to give a more comprehensive perspective on the issue of predation, a species-by-species discussion is offered in the following subsections.

**Cutthroat Trout.** Cutthroat trout are important predators of sockeye fry as well as coho and chinook salmon smolts. They are viewed as an important salmonid predator in Lake Washington (Martz et al. 199a, b; Tabor and Chan 1996a) as well as in other sockeye lakes (Beauchamp et al. 1995). They are effective predators for a number of reasons, including compatible temporal and spatial distribution, and a high degree of mobility and abundance. Although cutthroat trout population estimates for Lake Washington and Lake Sammamish have not been made, they are considered fairly abundant (S. Foley, WDFW, pers. comm. 1998). The niche of cutthroat trout in waters with anadromous forms is well known to include congener piscivory in the larger fish. This relationship is a co-evolved one and well established. Cutthroat trout are cruising predators, at least in lakes, as opposed to sessile or ambush predators. For this reason, the presence or absence of docks, floats, piers offers little habitat value. The diversion of fry and smolts away from the refuge of shallow shorelines might increase predation effectiveness by cutthroat trout, however. Cutthroat trout were collected in the inner harbor and can be assumed to be there post-project.

The uncertainty about the migrational characteristics around the finger piers and the uncertainty as to the relative increase in vulnerability from shoreline diversion precludes judgment as to whether there is a net gain or loss of smolt vulnerability to these predators. Since cutthroat trout are not attracted to warm water and since there are hundreds of docks along the shoreline of Lake Washington, the incremental increase in predation from this project by cutthroat trout is likely to be negligible.

**Rainbow Trout.** Resident rainbow trout, like cutthroat trout, behave as congener and conspecific predators. The degree of piscivory in rainbow trout varies with stock. In Lake Washington, rainbow trout were found to exhibit a relatively high degree of piscivory, especially for a hatchery stock (Beauchamp 1990). About 250,000 trout juveniles are planted every year in Lake Washington. The analysis for rainbow trout parallels that given for cutthroat trout.

**Northern Squawfish.** Northern squawfish are known to be predators of juvenile salmonids and are abundant in Lake Washington. As with cutthroat and rainbow trout, they co-

evolved with salmon and thus can be expected to be spatially and temporally in tune with salmonid smolt migratory behavior. Squawfish are opportunistic feeders showing a high degree of adaptability depending on food availability. When littoral resources are ebbing, they feed on longfin smelt and sockeye pelagically (Eggers et al. 1978). When littoral resources are abundant, they exploit those. It is not surprising that Prickly sculpin, the most abundant fish in Lake Washington in terms of biomass, is extensively exploited by squawfish (Eggers 1978; Martz at al. 1996a, b). Squawfish are known to concentrate and exploit seasonal concentrations of juvenile salmonid out-migrants in situations where the opportunity presents itself. Such is the case in the Columbia River, where squawfish congregate in the tailraces of hydroelectric projects and upper sections of reservoirs to prey on smolts (Beamesderfer et al. 1987; Poe et al. 1991). In Lake Washington, squawfish prey heavily on sockeye fry at the mouth of the Cedar River and along the southern end of the lake in spring and early summer. These are bottleneck situations that are energetically profitable to exploit. The same situation would be expected to exist at the mouth of the Sammamish River and adjacent shorelines. Squawfish were found in moderate numbers in the Kenmore inner harbor.

Squawfish are not ambush-type predators, and in-water or over-water structures would not be expected to increase their habitat. However, the displacement of migration juvenile salmonids into deeper water along the pier faces might increase their vulnerability as with trout. As stated previously, this effect, if any, depends on the behavior of out-migrants in response to the proposed marina design.

Assuming that squawfish are attracted to the inner harbor and that the increased structure perimeter increases smolt vulnerability to predation to some degree, it is likely that a small but unmeasurable loss of salmon outmigrants would occur seasonally due to squawfish. Since the project will not create conditions more suitable for squawfish spawning or juvenile rearing, reproduction and dispersal concerns are not warranted for this species.

While the project may increase rearing habitat for largemouth bass to a small degree, it is unknown whether spawning habitat will increase. Largemouth bass spawn in shallow water. In Lake Sammamish, Pflug (1981) found nest sites at depths ranging between 2 and 5 feet in the presence of aquatic vegetation. It would seem as though there might be conflict between the use of shallow depth and the considerable human activity the marina would generate. The activity might discourage spawning. There is little reason to believe that the project would increase largemouth bass spawning success in the inner harbor. Thus, it is improbable that reproductive augmentation and subsequent dispersal concerns are warranted.

**Largemouth Bass.** Largemouth bass are not abundant in Lake Washington (Fayram 1996) but are concentrated in quiet, weedy, silt-bottomed shorelines (Pflug 1981). They are ambush-type predators and thus associate with cover such as vegetation, woody debris, or docks and pilings. In Lake Sammamish, largemouth bass were found to be spatially separated from smallmouth bass for the most part (Pflug 1981). Largemouth bass move into warmer sheltered areas of the lake to spawn in spring. The Kenmore inner harbor qualifies as a sheltered and warm area of the lake and thus constitutes bass habitat. The Beak surveys found juvenile largemouth bass but no adults. The use of the inner harbor by bass and salmonids overlaps during the months of May and June. This puts largemouth bass in contact with some of the sockeye and most of the coho and chinook out-migration.

Largemouth bass are opportunistic feeders. They might not target salmonids but will prey on them when they are available and abundant (Pflug 1981).

The in-water and over-water structures in the inner harbor can be expected to be used by bass as habitat. An increase in structure perimeter can be expected to increase habitat for ambush predators like largemouth bass. The amount of increased usage of 855 feet of added perimeter is unknown but probably small. Increased predation to some small but unquantifiable amount might occur in the absence of mitigation.

**Smallmouth Bass.** According to the work of Stein (1970), Fayram (1996), Pfeifer and Weinheimer (1992) and judging from trends in bass tournament catches, it appears that the smallmouth bass population is expanding at the expense of largemouth bass in Lake Washington (B. Pfeifer, WDFW, pers. comm. 1998). Even so, they cannot be considered abundant. Surveys by Beak in 1996 and 1997 did not find any smallmouth bass in the inner harbor, the lakefront area, or at the river mouth. The one night survey by the Muckleshoot Tribe (MIT 1997) in the vicinity likewise did not catch smallmouth (but did catch largemouth). Pfeifer and Weinheimer (1992) surveys in the Kenmore area were in agreement. Largemouth bass do not generally live in sympatry with smallmouth bass (Pfeifer and Weinheimer 1992), both have distinct habitat preferences (Pflug 1981; Pflug and Pauly 1984), and smallmouth bass were not found while largemouth bass were. These facts suggest that smallmouth bass might not use the Kenmore inner harbor. Their preference for rocky or gravel substrate and dropoffs also suggests that they might not use this area.

**Prickly Sculpin.** Large sculpin are capable of capturing sockeye fry and are known to use this resource at least in the vicinity of the Cedar River (Tabor and Chan 1996a, b). This probably occurs at the mouth of and in the Sammamish River seasonally. Even though their predation rate is not high and limited to the larger individuals, their abundance makes their predation on sockeye significant. Life history and habitat requirements of prickly sculpin in Lake Washington has not been studied to date. Their abundance, wide distribution, and ability to exploit many types of food resources suggests an ability to use a variety of habitats. In the Kenmore inner harbor, prickly sculpins were captured in numbers second only to sticklebacks. Based on their small size and generalized behavior, it is doubtful that prickly sculpins benefit from the presence of floating docks. If such an assumption can be made, the increase in dock perimeter and reduction in dock surface area would not result in a change in predation by sculpins.

### Lighting

Largemouth bass and other predators can be expected to use artificial lighting to some degree to extend feeding opportunities on juvenile salmon. The amount of lighting that currently exists at the Kenmore Pre-Mix plant is sufficient to augment predation. However, the post-development lighting is not expected to be greater than what currently exists.

## Impact Summary

The major fisheries concern associated with the Lakepointe Development is the potential for project features in the inner harbor to attract resident fish, such as bass, which in turn could prey on the numerous juvenile salmon that pass through the project area each spring. In response to this concern, the develop has reconfigured the inner harbor features. The result is to produce a net reduction in the surface area

of over-water structures (docks, boats overhang), fewer lineal feet of bulkhead, and fewer in-water pilings, compared to existing conditions. All of these modifications should reduce the potential to attract predator fish.

The modified dock configuration also would increase the perimeter of over-water structure in the inner harbor. Because juvenile salmon tend to go around rather than under docks, it is possible that the increased dock perimeter would increase the exposure of juvenile salmonids to ambush predators residing under the docks. However, if boats are moored in the slips between docks, it is likely that the juvenile salmonids would travel along the periphery of the docks, thus being exposed to less predation.

### Recommendations

The new configuration of the project features in the inner harbor should eliminate potential new impacts associated with salmonid predation. However, there is some degree of uncertainty with this conclusion because of our reliance on assumptions regarding fish behavior. Therefore, to provide additional certainty of non-impact, we recommend that a minor reconfiguration of the floating dock area be considered. We suggest that the floating docks be detached from the shoreline by about 5 to 10 feet. Human access to the docks would be via above-water walkways. This modification would produce an open water area along the shoreline where juvenile salmonids could pass without being directly exposed to predators around the dock perimeter.

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APPENDIX A

# Calculations

APPENDIX A

# Calculations

## Assumptions for Estimates of Chinook Production

1. Fecundity: 4,000 eggs/female
2. Sex ratio: 1 to 1
3. Egg to fry survival: 10 percent (actual range 0 to 20 percent)
4. Fry to smolt survival: 50 percent
5. All migrants are subyearling smolts

Wild:

$$221 \text{ adults } x \frac{4{,}000 \text{ eggs}}{\text{pair (2)}} \text{ x } 0.1 \text{ x } 0.5 = 22{,}100$$

Naturalized:

$$1{,}731 \text{ adults } x \frac{4{,}000 \text{ eggs}}{\text{pair}} \text{ x } 0.1 \text{ x } 0.5 = 173{,}100$$

## Estimate of Nearshore Juvenile Salmon Use at Kenmore Pre-Mix/Lakepointe Site

The juvenile salmonid sampling program conducted in 1996 and 1997 do not lend themselves to an accurate estimate of fish use in Kenmore Harbor. The method used here is necessarily loaded with assumptions. Each assumption listed represents a potential source of error, many of which are multiplicative in nature.

The logic behind calculation methods are as follows: Known lengths of shoreline were sampled on six dates. Three locations were sampled; the Inner Harbor, the shoreline facing the lake, and the river shoreline. To extrapolate the daily catch to cover the whole season, the total catch was averaged and multiplied by the number of days between March 29 and June 24 (87 days). Since the shoreline covered by electrofishing was a fraction of the total at each location, catch rates were expanded in proportion to the length sampled. If juvenile were resident in nature, this would be the endpoint. These fish, however, are active migrants. Since the shoreline reaches involved are short, an individual fish might traverse the entire project area in a single night. Thus, the estimate needed to be adjusted accordingly. To estimate transit time without a mark and recapture study, a number of assumptions were necessary. The swimming speed selected was that of cruising sockeye salmon fry (Bell 1986). While larger smolts such as coho would swim faster, feeding and

milling behavior in all species may result in a slower average migrational velocity. Migrational movement was assumed to occur only at night which averaged 14.05 hours during the March 29 - June 24 period.

## Assumptions

1. Sampling season (March 29 through June 24) spanned entire outmigratory period.
2. Electrofishing methods were 100 percent effective and covered area offshore.
3. Sampling days were representative for characterization of outmigration numbers.
4. Cruising speed of the average smolt or fry equals 0.325 fps (cruising speed of sockeye fry; Bell 1986).
5. Sampling efficiency was equal at each sampling station.
6. All migration is at night (average = 14.05 hr).
7. All sockeye fry migrants stay inshore for first day of lake residence.
8. One-half of the migrants turn north at river mouth and one-half turn south.
9. 1.5 million sockeye fry migrants.

## Calculations

$$\frac{\text{No. fish}}{1} \times \frac{\text{days / season}}{\text{days / sampled}} \times \frac{\text{Ln tot}}{\text{Ln sampled}} \times \frac{\text{passage turnover}}{\text{rate (PTR)}} = \frac{\text{No. fish passage}}{\text{season}}$$

$$\text{PTR} = \frac{0.325\ \text{feet}}{\text{sec}} \times \frac{46{,}800\hat{}\text{sec}}{14.05\hat{}\text{hr}/1\ \hat{}\text{night}} \times \frac{1}{\text{shoreline}\hat{}\ \text{Ln}\hat{}(\text{feet})} = \frac{\text{fish}\hat{}\text{group s/night}}{\text{passed}\hat{}\text{by}\hat{}\ \text{a}\hat{}\text{given}\hat{}\text{lo cation}}$$

# APPENDIX C

# TRANSPORTATION UPDATE

# Lakepointe Development
## Transportation Update

prepared for:
King County

prepared by:
KJS Associates, Inc.

July 1, 1998

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## Introduction

The purpose of this transportation update to the Lakepointe Development Supplemental Environmental Impact statement is to determine how the project will impact its surrounding transportation system based on updated traffic volumes. This report is written as an update to the Lakepointe Development Traffic Impact Analysis (Lakepointe TIA), June 27, 1997, prepared by Transportation Planning and Engineering (TP&E). That report was prepared as a supplement to the Lakepointe Transportation Analysis for Northshore Community Plan and Area Zoning Amendment (NSCP Lakepointe TA), December 9, 1994, prepared by the Transpo Group.

Significant differences between the current report, and the Lakepointe TIA report or the NSCP Lakepointe TA, will be discussed where applicable. In general, the principal changes in this report are:

- The base year for the traffic analysis has been updated to 1997 conditions; traffic volumes from the previous two reports were based on 1993 conditions.
- A consistent method has been used to distribute local and regional trips generated by the proposed development. The previous reports used different methods for these categories of trips which resulted in inconsistencies.
- The level of service analysis now incorporates the effects of back-ups from congested downstream intersections at each intersection to provide a more reasonable evaluation of conditions through sets of closely spaced signals.
- Various minor inconsistencies between the traffic analysis and the project description have been corrected.
- The trip generation for the proposed action has been adjusted to correspond exactly with the description of the proposed action in the EIS.

### Contents

The report contains the following sections:

**Existing Transportation Conditions** describe the roadways, nonmotorized facilities, and traffic volumes as they appear in 1997.

**Traffic Forecasts** describes four scenarios; No Action Alternative (2005 without project), Proposed Action Alternative (2005 with project), Lakepointe

TIA Alternative, and the NSCP Lakepointe TA Alternative. Table 1 compares each development alternative.

- The No Action Alternative describes the conditions in 2005 if the project were not constructed, and discusses how future traffic volumes were forecast.

- The *Proposed Action Alternative* is a mixed-use development of 1,200 housing units, approximately 191,000 square feet of retail space, approximately 205,600 square feet of office space, a 36,000 square-foot health club, an eight screen movie theatre, a 150-room hotel, and a 53-slip marina. Figure 1 shows the proposed site plan.

- The *Lakepointe TIA Alternative* consisted of 1,200 housing units, approximately 191,000 square feet of retail space, approximately 192,000 square feet of office space, a 36,000 square-foot health club, an 8 screen movie theatre, a 150-room hotel, and a 52-slip marina.

- The *NSCP Lakepointe TA Alternative* included 1,000 residential units, 318,000 square feet of retail space, 150,000 square feet of office space, a six screen movie theatre, and a 50-slip marina.

The **Nonmotorized and Transit Facilities** section describes how the pedestrian and transit facilities will operate under the four alternatives above.

The **Traffic Analysis** section describes how the roadway network will operate in terms of overall system delay, intersection levels of service, and queuing conditions in the area. The Analysis includes 1997 existing conditions, 2005 conditions without the project, and 2005 conditions with the project under the Proposed Action, the Lakepointe TIA, and the NSCP Lakepointe TA Alternatives.

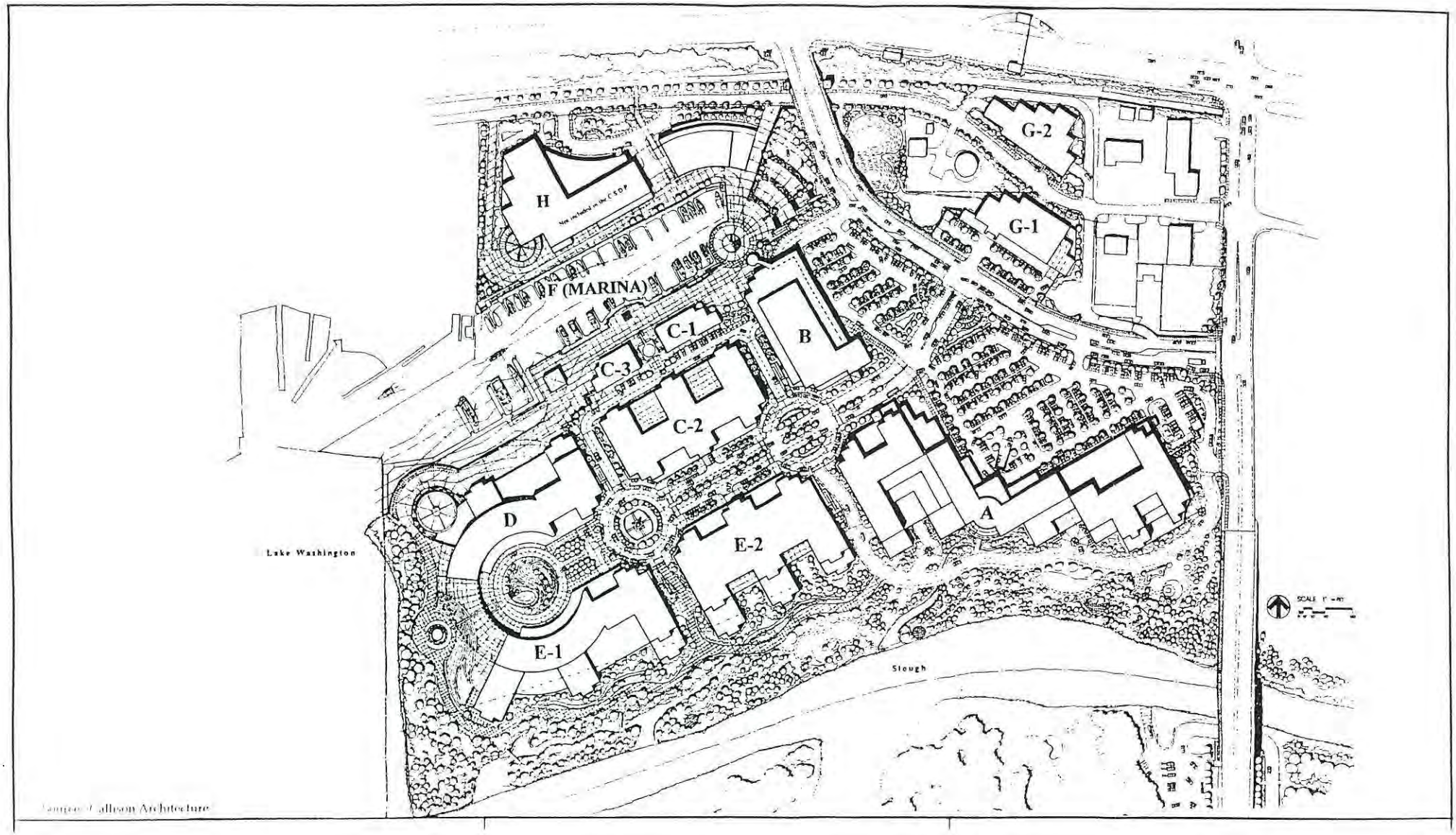
The **Funding of Public and Private Transportation Improvements** section discusses that subject.

The **Mitigation** section discusses the roadway deficiencies that result both with and without the proposed project and outlines mitigation for the above listed scenarios.

The **Unavoidable Adverse Impacts** section lists the impacts to the street system that are unavoidable with or without the proposed project that cannot be mitigated.

## Table 1: Comparison of Development Alternatives

| Land Use | No Action | Proposed Action | Lakepointe TIA | NSCP Lakepointe TA |
|---|---|---|---|---|
| Residential Units | 0 | (600 mid-rise, 200 condos) 1,200 | (700 mid-rise, 100 condos) 1,200 | 1,000 |
| Retail Space | 0 | 191,182 SF | 191,082 SF | 318,000 SF |
| Office Space | 0 | 205,588 SF | 191,830 SF | 150,000 SF |
| Hotel | 0 | 150 Rooms | 150 Rooms | 0 |
| Movie Theatre | 0 | 8 Screens | 8 Screens | 6 Screens |
| Health Club | 0 | 36,270 SF | 36,270 SF | 0 |
| Marina | 0 | 53 slips | 52 slips | 50 slips |




# Figure 1: Proposed Site Plan

# Existing Transportation Conditions

## Concurrency Issues

The proposed Lakepointe development is located in Transportation Service Area 1 as defined in the King County Comprehensive Plan. The significance of this designation is that the Transportation Adequacy Measures (TAMs) for that service area will allow the average of the intersections within the service area to be at LOS F with an average critical link zonal volume-to-capacity (V/C) ratio greater that 1.0 if adequate HOV and transit service is available, which is the case for the Lakepointe site (see Transit and Nonmotorized Facilities Section, below). Therefore, the Lakepointe proposal meets concurrency per Section 27 of King County Ordinance No. 11617. In the north Lake Washington area, it appears that no amount of increase in roadway capacity will be effective in mitigating regional commuter congestion and delays out of LOS F conditions at the critical intersections of SR 522/SR 104 and SR 522/68th Avenue NE without major right of way acquisition and local business disruption.

## Roadway System

The following roadways will be impacted by project traffic and are presented in Figure 2.

**SR 522 (Bothell Way)** is a five-lane east-west principal arterial connecting I-405 on the east side of Lake Washington with I-5. An eastbound transit-only lane is available between 41st Avenue NE and 73rd Avenue NE. A westbound transit-only lane is available between 73rd Avenue NE and 147th Street NE.

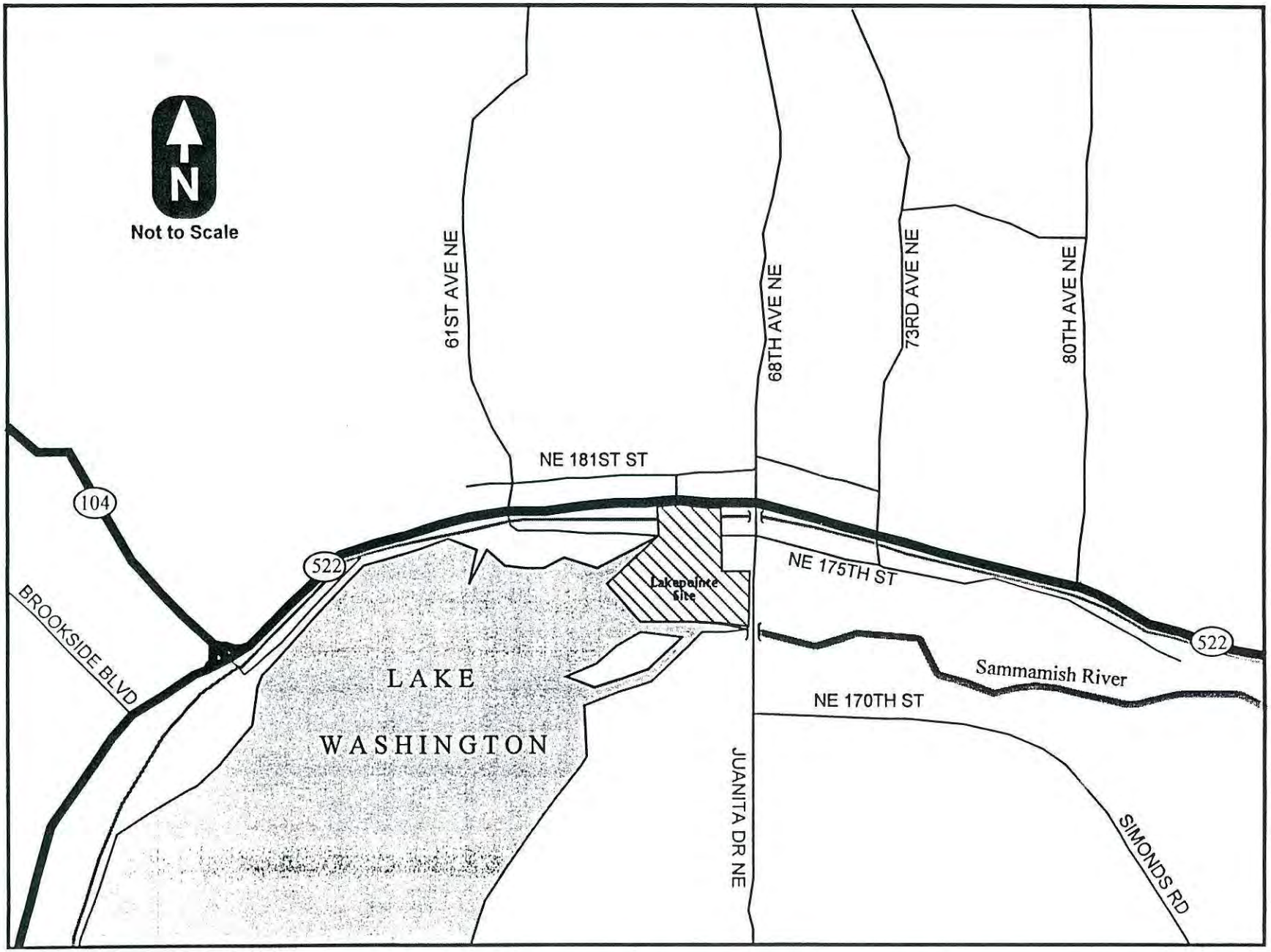
**SR 104 (Ballinger Way)** is a three-lane north-south principal arterial connecting SR 522 and Edmonds. It provides the primary connection between SR 522 and I-5 for Kenmore and Lake Forest Park.

**61st Avenue NE** is a north-south minor arterial connecting SR 522 and the residential area north of that roadway.

**68th Avenue NE (Juanita Drive)** is a principal north south arterial adjacent to the project site providing the major connection to Juanita and Kirkland.

**73rd Avenue NE** is a north-south collector arterial east of the project site that also provides a connection between SR 522 and residential areas.

**80th Avenue NE** is a north-south minor arterial connecting SR 522 and the residential areas in northeast Bothell.




# Figure 2: Project Site Vicinity

**NE 175th Street** is an east-west commercial access street that parallels SR 522 south of the Burke-Gilman Trail. It is designated as a principal arterial between 61st and 68th Avenues NE and as a collector arterial between 68th and 73rd Avenues NE. This roadway provides access to the existing land uses on the Lakepointe site.

**NE 170th Street (Simonds Road)** is an east-west minor arterial connecting residential areas southeast of the site to 68th Avenue NE.

## 1997 Existing Traffic Volumes

Figures 3 and 4 show the 1997 AM and PM peak hour turning movement volumes and the average daily traffic (ADT) volumes on the streets surrounding the proposed Lakepointe development.

Background traffic volumes were compiled from the WSDOT Office of Urban Mobility's ongoing SR 522 Corridor Study and from traffic counts conducted in April 1998 at the following intersections:

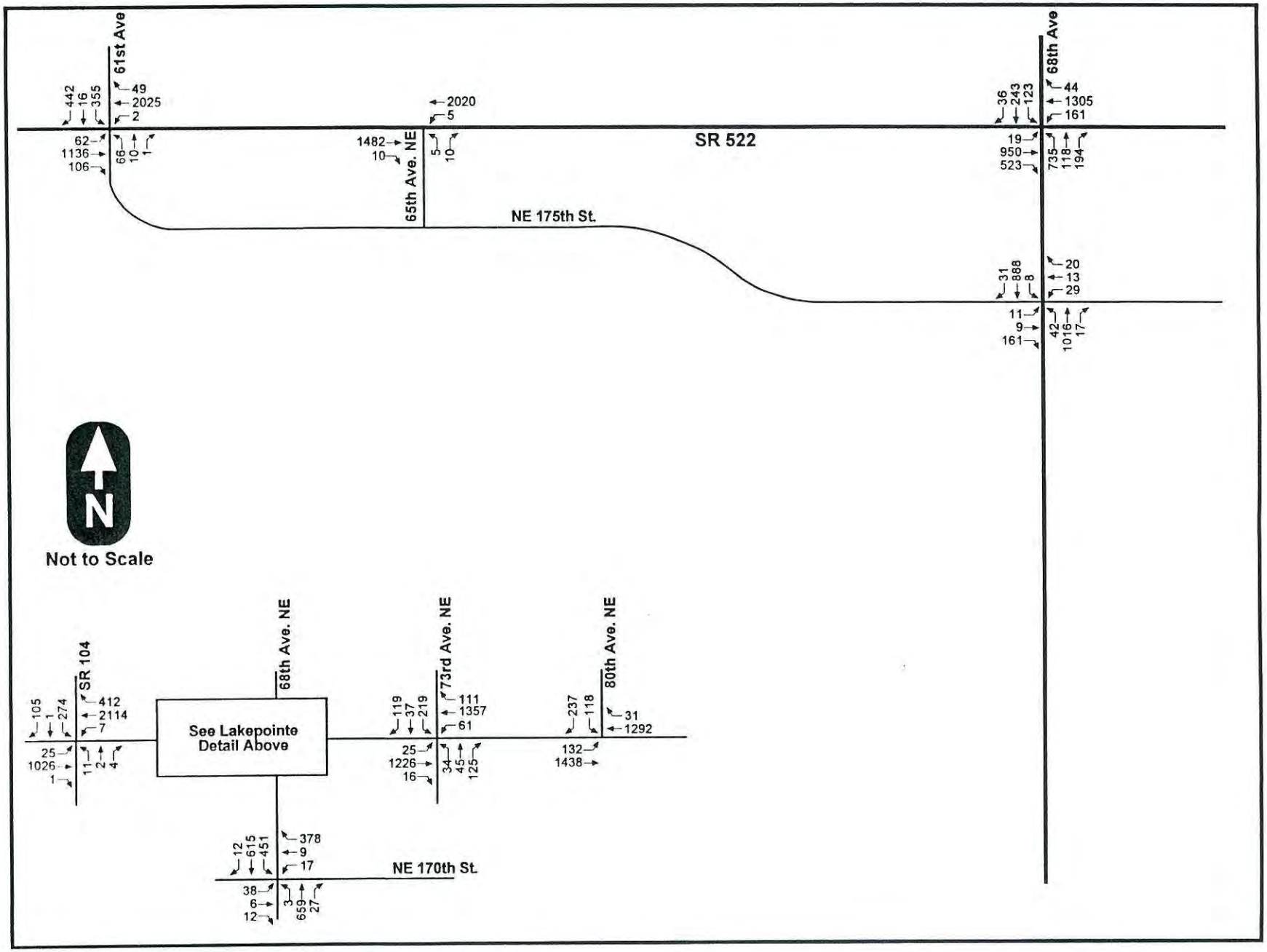
- SR 522 at 68th Avenue NE;
- NE 175th Street at 68th Avenue NE; and
- NE 170th Street at 68th Avenue NE.

To double check the accuracy of WSDOT volumes and the traffic counts, an additional set of traffic counts in the project area was obtained at the 68th Avenue, 73rd Avenue, and 80th Avenue intersections along SR 522. These counts were conducted in February 1998.

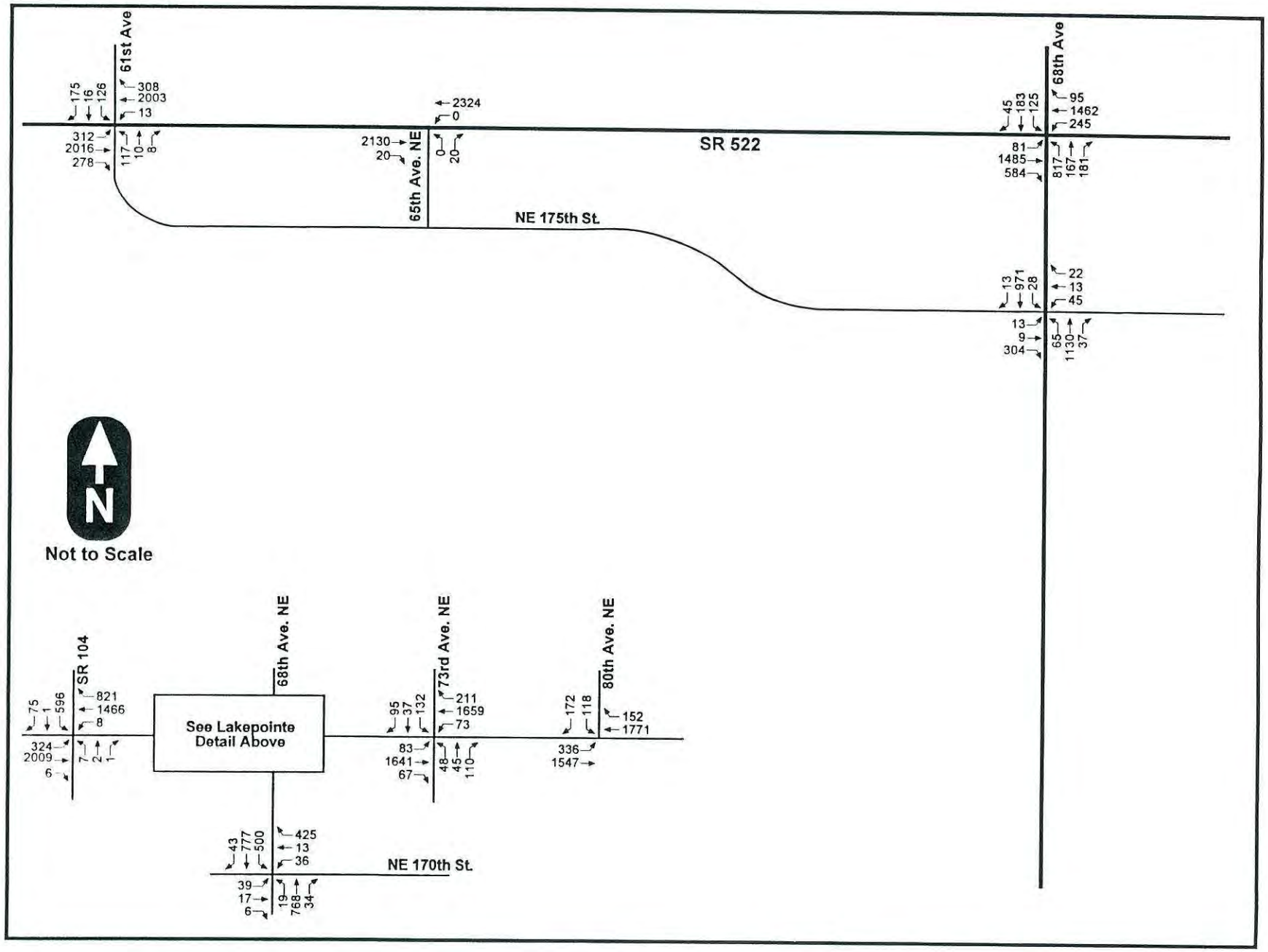
At the 73rd Avenue and 80th Avenue intersections, the WSDOT volumes and the February and April traffic counts were all similar in terms of total entering volume and on a turning movement-by-turning movement basis.

At 68th Avenue, the February and April traffic counts were similar in terms of both total entering volume and on a turning movement-by-turning movement basis. The WSDOT volumes at 68th, on the other hand, had a significantly higher total entering volume, and significant differences between several of the turning movements.

Based on the similarities between the WSDOT, February, and April counts at 73rd and 80th, each appeared to represent an accurate indication of traffic along the SR 522 corridor. Therefore, the WSDOT volumes were used to ensure consistency with the SR 522 Corridor Study.




# Figure 3: 1997 Existing AM Peak Hour Traffic Volumes




# Figure 4: 1997 Existing PM Peak Hour Traffic Volumes

At 68th Street, the February and April traffic counts provide a closer match of eastbound and westbound volume when compared to traffic from the 73rd Avenue count. The counts conducted in April 1998 were selected because they were the most recent data available.

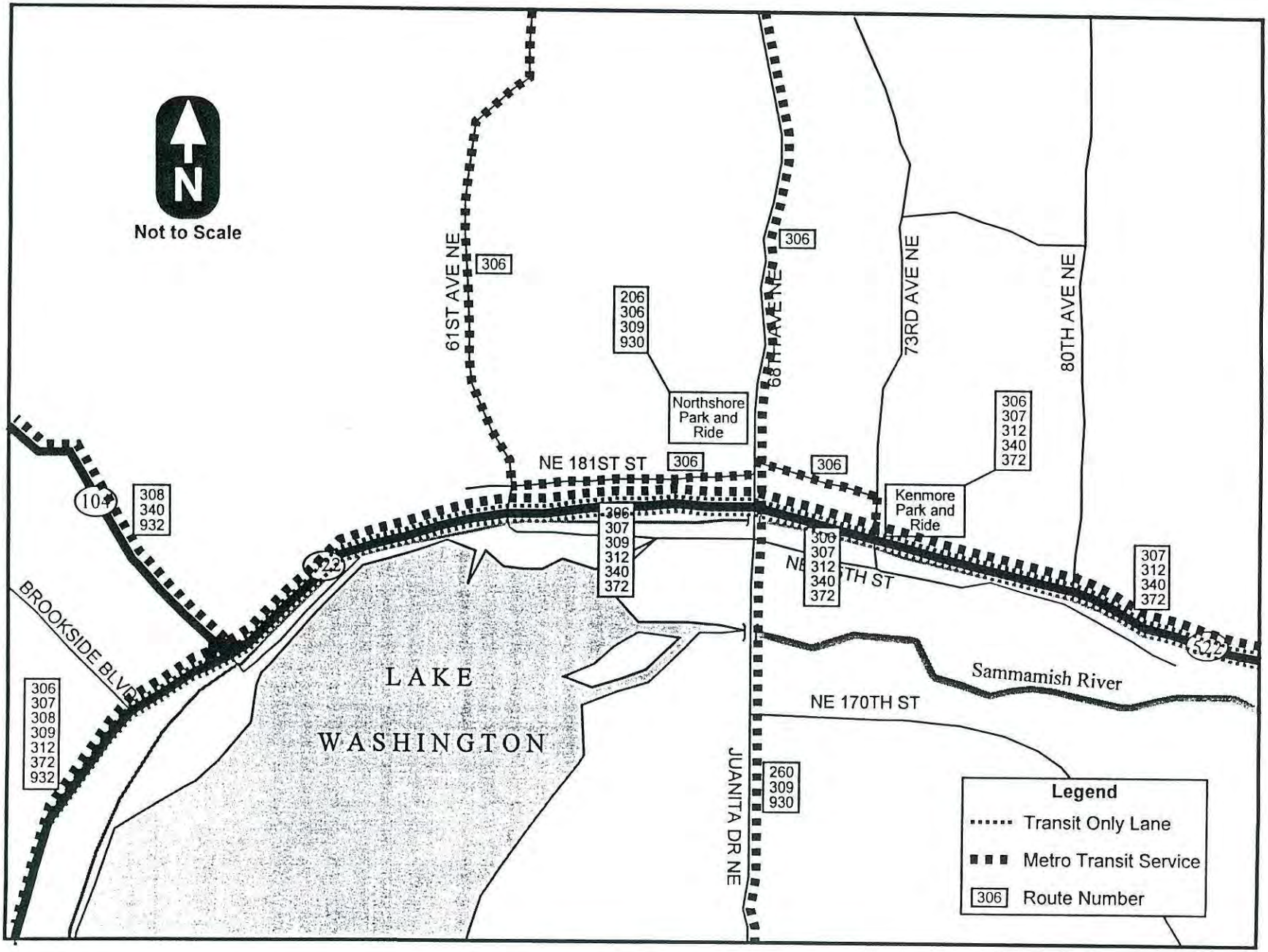
The similarity between the February count and the April count at 68th Avenue NE/SR 522 indicated that "spring break" holidays at the University of Washington and other area schools had no noticeable effect on traffic volumes or patterns in the area. Therefore, the April count conducted at 68th Avenue/175th Street and 68th Avenue/170th Street were used, as well.

Once the complete set of volumes had been selected, traffic flows were adjusted slightly so that the traffic volumes entering and exiting one intersection were similar to the traffic volumes entering and exiting the adjacent intersections. This task ensured that no vehicles "disappeared" from or "appeared" on the system along stretches of road where no driveways or intersections were located.

## Accidents

Traffic accident information from 1994 to 1996 (the most recent three year data set available) was collected from WSDOT and King County for the intersections within the study area. Table 2 summarizes the number of accidents and accident rates at each of the intersections. As indicated by the table, the SR 522 intersections at SR 104 and 68th Avenue NE and the 68th Avenue NE/NE 175th Street intersection have accident rates greater than 1 accident per million entering vehicles. Though this accident rate is less than the statewide average rate, because of the high traffic volumes, it translates into a high number of incidents each year.

The most common type of accident at all intersections in the study area with the exception of 68th Avenue NE/NE 175th Street are rear-end accidents. These types of accidents are typical when congested conditions are prevalent. At the 68th Avenue NE/NE 175th Street intersection, accidents involving vehicles making a left turn were the most prevalent. Two factors that may contribute to that types of accidents are the northbound queuing from the SR 522 intersection combined with a high through volume in the southbound direction. This intersection was ranked number 2 in the1996 King County Traffic Engineering High Accident Location, with recommendations to add left turn lanes on 68th Avenue NE and eliminate the northbound right turn lane.




# Figure 5: Existing Transit Service

Table 2: 1994-1996 Accident Rates

| Intersection | Average Number of Accidents per Year | Accident Rate (Acc. per MEV) | Most Common Accident Type (percent of total) |
|---|---|---|---|
| SR 522 @ SR 104 | 21.00 | 1.08 | Rearend (76%) |
| SR 522 @ 61st Avenue NE | 17.00 | 0.87 | Rearend (53%) |
| SR 522 @ 65th Avenue NE | 7.33 | 0.45 | Rearend (21%) |
| SR 522 @ 68th Avenue NE | 23.67 | 1.19 | Rearend (59%) |
| SR 522 @ 73rd Avenue NE | 14.67 | 0.95 | Rearend (48%) |
| SR 522 @ 80th Avenue NE | 11.00 | 0.74 | Rearend (48%) |
| 68th Ave NE @ NE 175th St | 14.67 | 1.52 | Left turn (41%) |
| 68th Ave NE @ NE 170th St | 8.33 | 0.85 | Rearend (76%) |

MEV – Accidents per Million Entering Vehicles

## Transit Service

The Lakepointe site and surrounding Kenmore area are well served by King County Metro Transit, with connections to communities on both sides of Lake Washington. Figure 5 shows the existing transit service in the study area.

All day transit service is provided both eastbound and westbound on SR 522, connecting Kenmore with Lake Forest Park, Lake City, Northgate, the University district, and downtown Seattle. This service is generally provided on 30 minute or less headways. This same level of transit service is provided east of the study are, connecting Kenmore with Bothell and Woodinville. The all-day service is supplemented with additional peak-hour, peak direction service to downtown and the U-district. All-day transit service along SR 522 through Kenmore also provides transit connections between Shoreline and Bothell, Bellevue, Kirkland, Renton, Sea-Tac, and Burien. This service is provided in both directions with 15 to 60 minute headways.

Peak hour express service is provided adjacent to the Lakepointe site via 68th Avenue NE. this service includes connections from the Northshore Park-and-Ride lot north of SR 522 to Kirkland and the SR 520 corridor to Seattle. Peak hour service is also available between Juanita and Lake Forest Park, Lake City, and downtown Seattle. A local circulation route between Kenmore and Bellevue provides all day service on 68th Avenue.

Approximately 230 buses pass the Lakepointe site every weekday, with 58 passing the site in the AM peak hour and 56 in the PM peak hour.

Two park-and-ride lots are located in the Kenmore area. The Kenmore Park-and-Ride, located east of the SR 522/73rd Avenue NE intersection has 432 spaces and is used to over 90 percent of capacity, based on 1994 data (the most recent data for the lot). The Northshore Park-and-Ride, at NE 182nd/68th Avenue NE is has 376 spaces and is used to less than 20 percent of its

capacity (1994 data); it has the lowest utilization of all of Metro's North District park-and-ride lots.

As noted above, SR 522 has eastbound and westbound transit-only lanes in the vicinity of the site. These lanes are also used by right turning vehicles at the major intersections along SR 522.

## Nonmotorized Facilities

The Lakepointe Site and greater Kenmore area are served by the Burke-Gilman Trail. This trail begins in Ballard and connects with the Sammamish River Trail east of Bothell. The Sammamish River Trail then connects with Woodinville and Redmond.

Figure 6 shows the nonmotorized facilities in the vicinity of the project. Except for the Burke Gilman trail, there are no striped bicycle lanes in the vicinity of the project. Facilities exist primarily north of SR 522, with no facilities along SR 522.

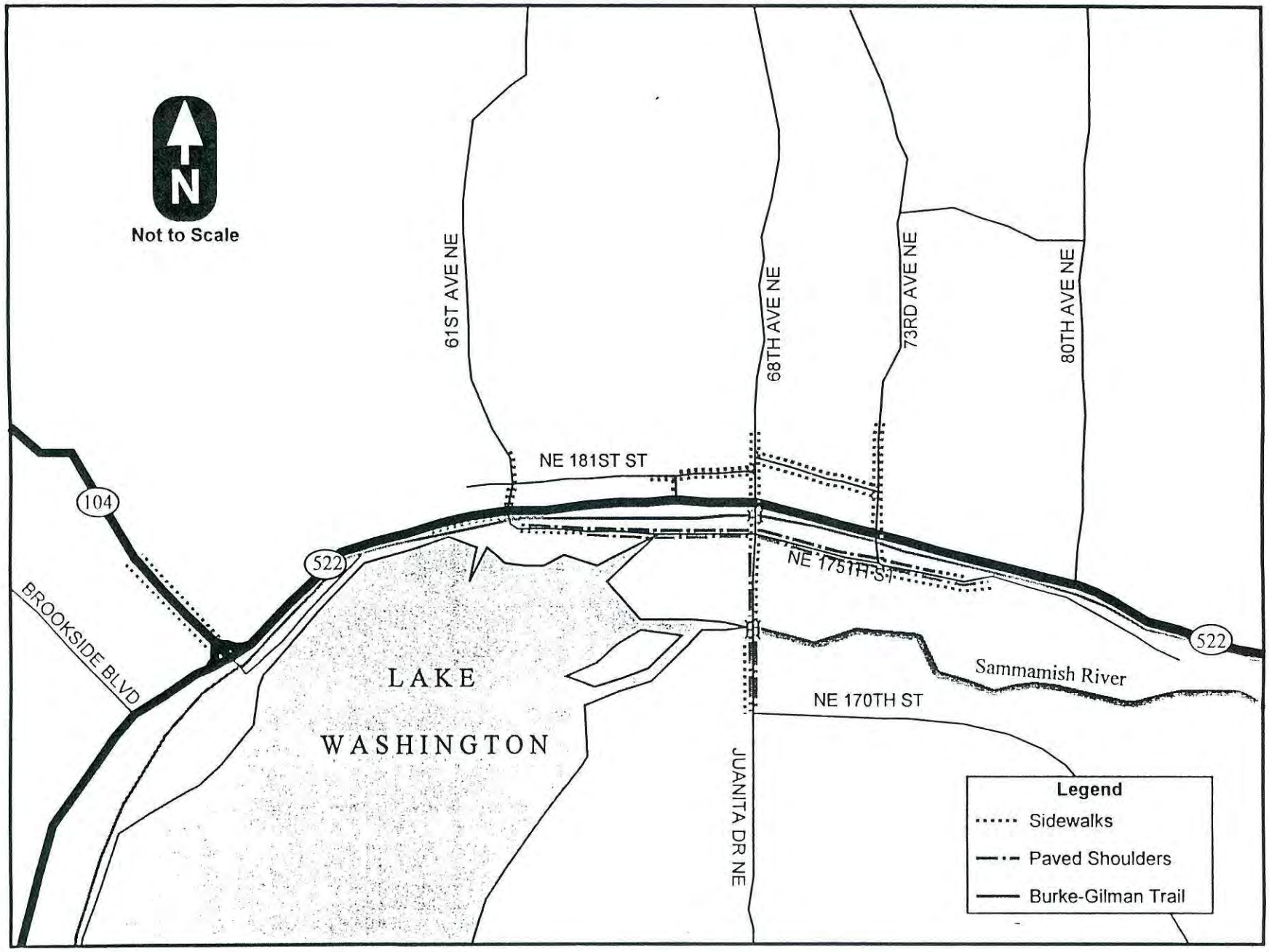
Sidewalks are available on both sides of 68th Avenue NE between the Sammamish River Bridge and 182nd Streets, along NE 181st Street between 65th and 73rd Avenues NE, on 73rd Avenue NE between SR 522 and NE 182nd Street, and on the south side of NE 175th Street in the vicinity of 73rd Avenue. North of SR 522, sections of 65th Avenue NE also have sidewalks.

On the Sammamish River Bridge six-foot wide paved sidewalks are available on both sides of the road. South of the bridge, the west side of the road has a six-foot sidewalk and a 10-foot paved shoulder, while the east side has a 10-foot paved shoulder only.

Pedestrian safety along SR 522 is a major concern. The lack of sidewalks, limited delineation of driveways and varying distances between traffic signals creates significant conflicts between pedestrians and automobiles. These issues also result in a barrier for pedestrian access to transit, especially near the Kenmore Park-and-Ride. Currently many of the west-to-east transit routes drop passengers off on the south side of SR 522, requiring park-and-ride users to cross SR 522.

## Planned Transportation Improvements

Several transportation improvements are planned in the Lakepointe project vicinity. The 1997 Transportation Need Report is a comprehensive list of recommended improvements to serve County-wide transportation needs through the year 2012. Only those projects listed in the 1997 King County Capital Improvement Program (CIP) are funded. The following improvements are funded for the area:




# Figure 6: Existing Nonmotorized Facilities

- CIP # 100193: 68th Avenue NE from NE 181st Street to NE 185th Street. Widen to three lanes plus bicycle lanes (scheduled for construction in 2001).

- CIP #100395: Lakepointe Drive from 64th Avenue NE/SR 522 to 68th Avenue NE. Construct new intersections on SR 522 and 68th Avenue NE for Lakepointe Way NE (developer is currently under negotiation).

- CIP #100399: 68th Avenue NE/SR 522 from SR 522 to NE 181st Street. Add northbound lane on 68th Avenue to match roadway section to the south, regrade (design in 1999).

The remaining improvements are not CIP funded:

- 1997 TNR N-6.10: NE 181st Street from 65th Avenue NE to 73rd Avenue NE (unfunded, medium priority).

- 1997 TNR N-6.20: NE 181st Street from 62nd Avenue NE to 65th Avenue NE (unfunded, low priority, private).

- 1997 TNR N-7.40: NE 181st Street/68th Avenue NE intersection. Realign intersection (unfunded, high priority).

- 1997 TNR N-9.20: NE 175th Street from 68th Avenue NE to 73rd Avenue NE. Add two-way left turn lane, realign intersection (unfunded, medium priority).

- 1997 TNR N-10: 65th Avenue NE from SR 522 to NE 175th Street. Realign intersection and install signal. This project would be eliminated by the proposed action (unfunded, low priority).

- 1997 TNR N-40: 80th Avenue NE from SR 522 to County line. Pave shoulders, provide equestrian facility (unfunded, medium priority).

- 1997 TNR N-51: SR 522 from 61st Avenue NE to 80th Avenue NE. Curb, gutter and sidewalk(part of this project has been constructed by WSDOT as part of the eastbound transit lane project.

- 1997 TNR N-52.20: Juanita Drive from NE 153rd Street to NE 170th Street. Widen to three lanes, with bicycle lanes and sidewalks (unfunded, high priority).

- 1997 TNR N-64: SR 522/80th Avenue NE intersection. Upgrade traffic signal (unfunded, high priority, WSDOT).

- 1997 TNR N-66: 73rd Avenue NE from SR 522 to NE 175th Street. Reconstruct roadway, upgrade signal (unfunded, high priority, WSDOT/King County).

- 1997 TNR N-73: 61st Avenue NE from SR 522 to County line. Reconstruct roadway, add bicycle lane (unfunded, medium priority).

- 1997 TNR N-74.30: Simonds Road from Juanita Drive to 100th Avenue NE. Pedestrian, bicycle access, safety improvement study (unfunded, medium priority).

- 1997 TNR N-108: SR 522 Pedestrian overcrossing west of 68th Avenue NE (unfunded, high priority, WSDOT/King County/private)

- 1997 TNR N-124.20: Replace 68th Avenue NE Bridges over Sammamish River (unfunded, low priority).

- 1997 TNR N-138: NE 182nd Street from 68th Avenue NE to 73rd Avenue NE. Reconstruct roadway (unfunded, high priority).

- 1997 TNR N-139: NE 181st Street from 73rd Avenue NE to Kenmore Park-and-Ride. Construct walkway/pathway (unfunded, high priority).

- SR 522 Multi-modal Project: I-5 to I-405. Enhance roadway safety and optimize the people-carrying capacity (planning and design underway in 1998, construction 1999-2001, WSDOT)

## Traffic Forecasts

This section presents estimates of future traffic volumes in the Lakepointe vicinity without and with the Proposed Action. It is recognized that the SR 522 corridor from Bothell to Seattle is generally at or near its peak hourly capacity today (1998), and, with or without the Lakepointe project, this corridor will not be able to carry very much more through traffic in the peak hour than it does today. Therefore, the AM and PM peak hour traffic forecasts described in this and subsequent sections should be viewed as measures of the growth in ***peak hour travel demand*** in the corridor rather than as absolute traffic volumes that the system can be expected to accommodate during the peak hour. It is more likely that the additional demand will be accommodated by a continued lengthening of the peak period ("peak spreading") to encompass several hours of the morning and afternoon commuter periods, with drivers experiencing severe congestion for more hours of the day. The analysis of ***travel demand*** does, however, provide a good indication of increased delay and congestion caused by background traffic growth and shows the relative impacts and benefits of the proposed Lakepointe development and its traffic mitigations.

The following subsection presents year 2005 traffic estimates without the project, and the next subsection describes in detail the traffic volumes expected to be associated with the proposed Lakepointe development.

## No Action Alternative (2005 without project)

The No Action Alternative describes the 2005 roadway conditions as if the Lakepointe project was not constructed. This is the 2005 without the project condition.

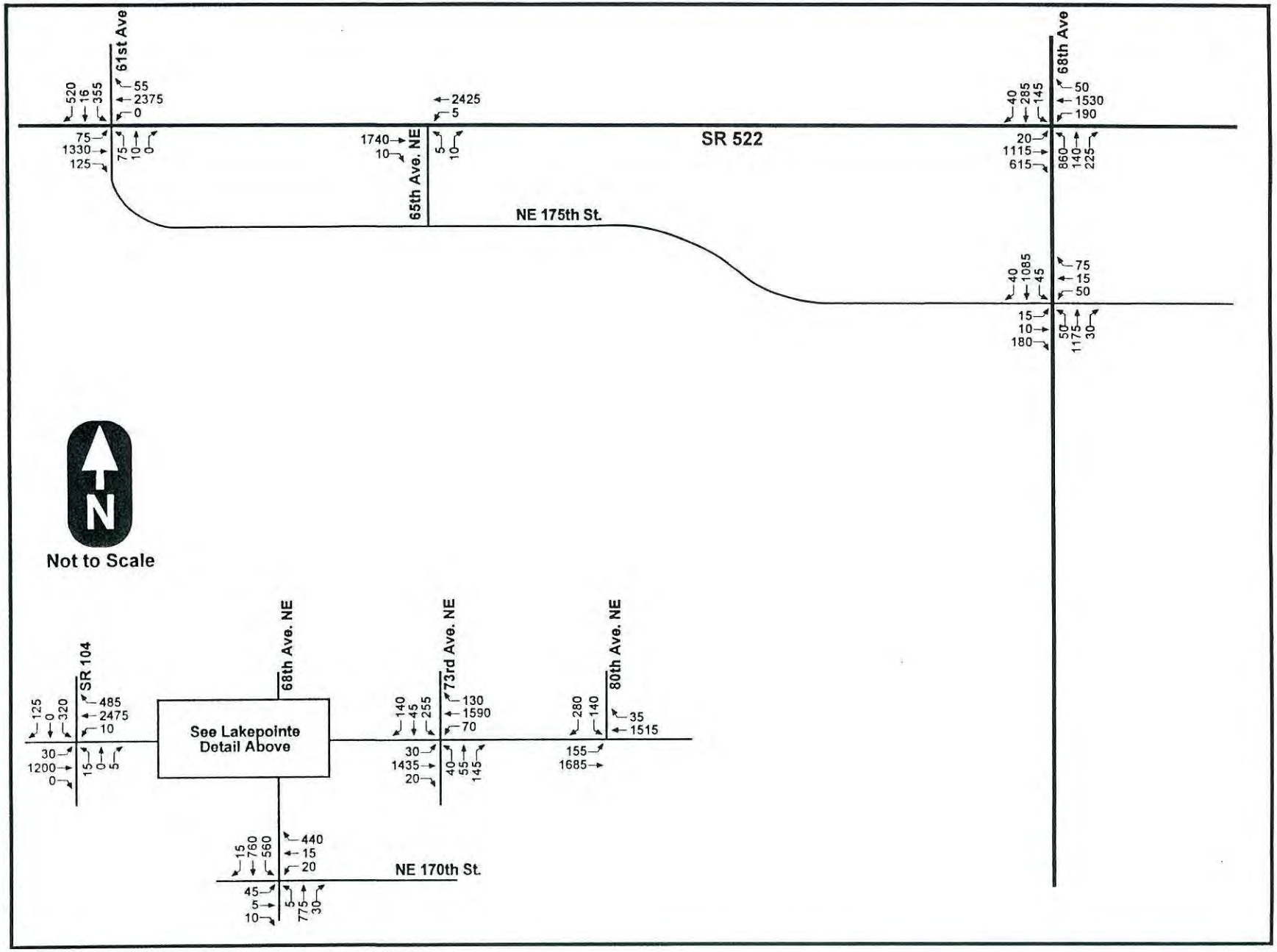
To forecast future background traffic volumes along SR 522 in the year 2005, a 2 percent annual growth rate was applied to the 1997 base year volumes. This growth rate was obtained from WSDOT's SR 522 Corridor Study. This growth rate was considerably higher than the growth rate used along SR 522 in the previous analysis. For the remaining two intersections along 68th Avenue NE, an annual growth rate was derived from the King County traffic model and applied to existing volumes. These growth rates were compared to rates used in the previous Lakepointe analysis and were found to be consistent. They ranged from 1 to 2.5 percent per year

Several other developments have been planned in the area that will be completed by the time the Lakepointe development is built. King County indicated that traffic from these developments is accounted for in the background traffic growth rate. However, traffic from the development proposed for the Plywood Supply site across 68th Avenue NE was included at the 68th Avenue NE/NE 175th Street intersection to better represent the increase in volumes on the east leg of that intersection. The inclusion of this traffic was consistent with the methodology used in the previous Lakepointe traffic analyses.

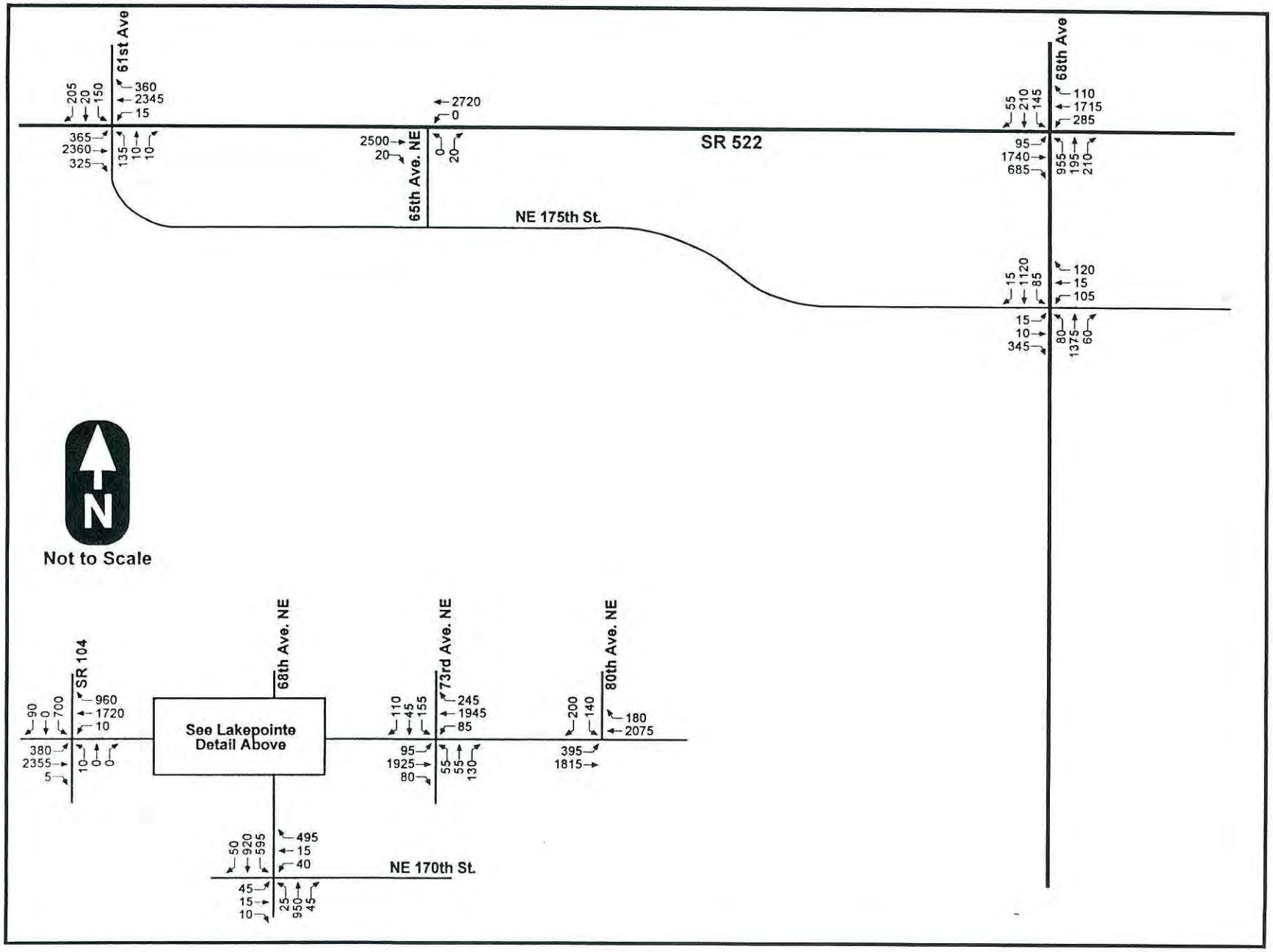
Once the volumes had been forecast, traffic flows were adjusted slightly again so that the traffic flows throughout the corridor were consistent from one intersection to the next. Figures 7 and 8 show the 2005 AM and PM peak hour projected traffic volumes without the project.

## Proposed Action

The Proposed Action for the Lakepointe site includes the construction of two primary access streets, Lakepointe Way NE and Lakepointe Boulevard. Lakepointe Way NE would be a new four lane principal arterial connecting SR 522 and 68th Avenue NE and intended to be a bypass route between these two major roadways. The right of way would be 120 feet wide and 1,250 feet long. The roadway would have two lanes in each direction, left turn pockets at each of the three internal site intersections (Lakepointe Boulevard, retail




# Figure 7: 2005 AM Peak Hour Traffic Volumes Without Project




# Figure 8: 2005 PM Peak Hour Traffic Volumes Without Project

driveway to building A and retail driveway to building B), and a planted median strip. The western end near SR 522/65th Avenue NE would be grade-separated over the Burke-Gilman Trail and NE 175th Street, both of which will need to be lowered by approximately 3 feet. Lakepointe Way's intersection with 68th Avenue NE would be approximately 300 feet south of the current 175th Street intersection. Traffic signals would be provided at 68th Avenue NE, Lakepointe Boulevard, and SR 522. Figure 9 shows the site circulation plan.

Lakepointe Boulevard would be the primary internal access from Lakepointe Way NE to the site. This 1,200-foot street would have two travel lanes in each direction, access to parking garages for residential and commercial uses, a planted median, on-street parking spaces, and three roundabouts. This street is intended to be the "Main Street" area of the Lakepointe development.

## Access Points

Eight access points to the project site are planned from the through public road system. One of these locations is Lakepointe Boulevard, the major center spine roadway within the site, which is also proposed to be a public roadway. Lakepointe Boulevard will provide access to nine parking lots or parking garage driveways. The eight access points are:

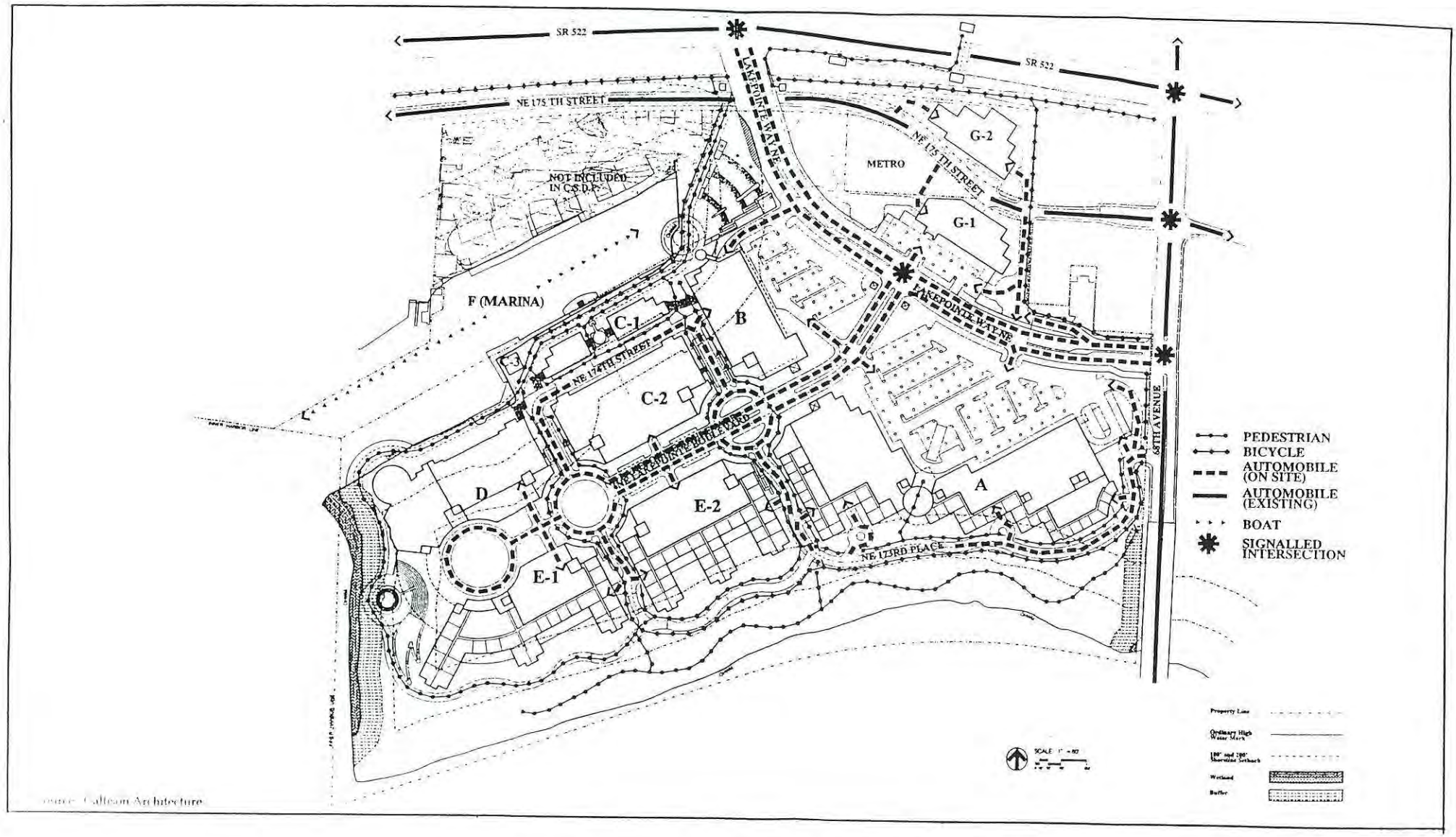
From Lakepointe Way Northeast:

a. Lakepointe Boulevard (south) – major project spine road to the south, servicing all upper parking lots with driveways and/or ramps to all parking garages southeast of Lakepointe Way NE. A traffic signal will be provided at Lakepointe Way NE.

b. Lakepointe Boulevard (north) – upper access to office building north of Lakepointe Way NE with garage ramp connection to the south side of Lakepointe Way NE via a ramp under that roadway. Uses the same signal as (a.) above.

c. Driveway to the retail/residential area in the southeast portion of the site (near Building A). This is a right in/right out/left in stop sign controlled driveway on Lakepointe Way NE to the upper deck parking area. That area is connected to lower level parking by an internal ramp near Building A. A ramp down from westbound Lakepointe Way NE to the lower level parking area will also be provided. This ramp will have a 12-foot travel lane, an 8-foot bicycle lane and an 8-foot pedestrian walkway.

d. Driveway to the office/retail/cinema area west of the Lakepointe Way NE/Lakepointe Boulevard intersection (near Building B). This is a right




# Figure 9: Site Circulation Plan

e. in/right out/left in stop sign controlled driveway on Lakepointe Way NE to a ramp to the lower level parking garage on the north side of Building B. Vehicles will not have access to the upper level lot.

From 68th Avenue NE

f. A right in/right out driveway from 68th avenue NE to the retail/residential area in the southeast portion of the site. This driveway will connect to the upper deck parking for retail and into the parking garage for residential via a direct ramp and via NE 173rd Place.

From NE 175th Street

g. A stop sign controlled driveway under Lakepointe Way NE that leads to the service areas and the parking garage via a local access road under both Lakepointe Way NE and NE Lakepointe Boulevard.

h. A driveway to the office buildings in the northeast portion of the site.

i. A driveway to the office buildings in the northeast portion of the site and connected to the parking garage south of Lakepointe Way NE via a ramp under that roadway.

In addition to the access points from the public road system, access to the site will be available from the second level, on an internal private roadway that would be located immediately below and parallel to Lakepointe Way, at the 25-foot level. This road will provide access to the various parking lots on that level and provide truck access to loading dock areas. A stop sign at the NE 175th Street intersection and stop bars on the parking lot rows would provide access control.

## Trip Generation

Trip generation for the various land uses on the site was derived from *ITE Trip Generation Manual, 6th Edition* and is presented in Table 3. There are several changes in the trip generation estimates for the proposed action from those presented in the Lakepointe Development Transportation Impact Analysis Final Report, June 1997:

- **Residential Development:** The number of mid-rise apartments proposed for the site was reduced from 700 to 600 units and the number of condo/townhouse units was increased from 100 to 200 units.

- **Retail Development:** The retail development originally considered in total under the ITE Shopping Center designation (ITE Land Use Code

## Table 3: Trip Generation for the Lakepointe Development

| Category | Land Use | Code | Quantity | | Daily Trips | AM Peak Trips | Inbound | Outbound | PM Peak Trips | Inbound | Outbound |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Housing | Retirement Community | 250 | 200 | Units | 408 | 34 | 15 | 19 | 59 | 33 | 26 |
| | Extended Care Senior | 253 | 200 | Units | 160 | 10 | 5 | 5 | 16 | 10 | 6 |
| | On-site shoppers[2] | | | | -57 | -4 | -2 | -2 | -7 | -4 | -3 |
| | Transit/TDM[3] | | | | -85 | -7 | -3 | -4 | -11 | -6 | -5 |
| | ***Subtotal*** | | | | ***426*** | ***33*** | ***15*** | ***18*** | ***56*** | ***32*** | ***24*** |
| | Mid-Rise Apartment | 223 | 600 | Units | 2,340 | 180 | 56 | 124 | 234 | 150 | 84 |
| | On-site workers[1] | | | | -117 | -6 | | -6 | -7 | -7 | |
| | On-site shoppers[2] | | | | -234 | -18 | -6 | -12 | -23 | -15 | -8 |
| | Transit/TDM[3] | | | | -351 | -27 | -8 | -19 | -35 | -22 | -13 |
| | ***Subtotal*** | | | | ***1,638*** | ***129*** | ***42*** | ***87*** | ***168*** | ***105*** | ***63*** |
| | Condo/Townhouse | 230 | 200 | Units | 1,174 | 89 | 15 | 74 | 78 | 50 | 28 |
| | On-site workers[1] | | | | -59 | -4 | | -4 | -2 | -2 | |
| | On-site shoppers[2] | | | | -117 | -9 | -2 | -7 | -8 | -5 | -3 |
| | Transit/TDM[3] | | | | -176 | -13 | -2 | -11 | -12 | -7 | -4 |
| | ***Subtotal*** | | | | ***822*** | ***63*** | ***11*** | ***51*** | ***56*** | ***35*** | ***21*** |
| | **Total, Housing** | | 1,200 | | **2,886** | **224** | **68** | **156** | **280** | **172** | **108** |
| Retail | Shopping Center | 820 | 136,927 | sq. ft. | 8,601 | 195 | 123 | 72 | 802 | 401 | 401 |
| | Shopping/Office Captured[4] | | | | -156 | -36 | -32 | -4 | -34 | -6 | -28 |
| | On-site shoppers[2] | | | | -292 | -22 | -7 | -16 | -28 | -17 | -10 |
| | Pass-by[5] | | | | -3,268 | -74 | -47 | -27 | -305 | -152 | -152 |
| | ***Subtotal*** | | | | ***4,884*** | ***63*** | ***38*** | ***25*** | ***435*** | ***225*** | ***210*** |
| | Specialty Retail | 814 | 54,255 | sq. ft. | 2,207 | 348 | 167 | 181 | 267 | 152 | 115 |
| | Shopping/Office Captured[4] | | | | -62 | -14 | -2 | -13 | -13 | -11 | -2 |
| | On-site shoppers[2] | | | | -116 | -9 | -3 | -6 | -11 | -7 | -4 |
| | Pass-by[5] | | | | -838 | -132 | -63 | -69 | -102 | -58 | -44 |
| | ***Subtotal*** | | | | ***1,190*** | ***193*** | ***99*** | ***93*** | ***141*** | ***76*** | ***65*** |
| | **Total, Retail** | | 191,182 | | **6,075** | **255** | **137** | **118** | **577** | **302** | **275** |
| Office | Office | 710 | 205,588 | sq. ft. | 2,420 | 334 | 298 | 37 | 316 | 54 | 262 |
| | Shopping/Office Captured[4] | | | | -218 | -50 | -45 | -6 | -47 | -8 | -39 |
| | On-site workers[1] | | | | -121 | -10 | -10 | | -10 | | -10 |
| | Transit/TDM[3] | | | | -363 | -50 | -45 | -6 | -47 | -8 | -39 |
| | **Total, Office** | | 205,588 | | **1,718** | **224** | **198** | **26** | **211** | **38** | **174** |
| Misc | Hotel[6] | 310 | 120 | rooms | 997 | 64 | 38 | 25 | 105 | 57 | 48 |
| | Health Club | 493 | 36,270 | sq. ft. | 1,451 | 11 | 5 | 6 | 156 | 94 | 62 |
| | Movie Theater | 444 | 8 | screens | 1,227 | 11 | 5 | 5 | 152 | 105 | 47 |
| | ***Subtotal*** | | | | ***3,674*** | ***85*** | ***48*** | ***37*** | ***413*** | ***255*** | ***158*** |
| | Health Club Pass-by[5] | | | | -551 | -4 | -2 | -2 | -59 | -36 | -24 |
| | **Total, Miscellaneous** | | | | **3,123** | **81** | **47** | **34** | **354** | **220** | **134** |
| | **Total External Trips** | | | | **13,802** | **785** | **450** | **334** | **1,422** | **731** | **691** |
| | Existing Use Reduction[7] | | | | -1,116 | -93 | -65 | -28 | -93 | -39 | -54 |
| | **Net New Offsite Trips** | | | | **12,686** | **692** | **385** | **306** | **1,329** | **692** | **637** |

1. Residential trips reduced 5% for inbound PM Peak and outbound AM Peak hour trips.
2. Residential trips reduced 10%.
3. Reduced 15% to account for transit use and TDM measures.
4. Daily trips reduced 9%, Peak hour trips reduced 15% to account for Office/Shopping captured trips.
5. ITE equations for pass-by trips yield 36% based on size and 40% based on 50,000 ADT; average of 38% was used.
6. ITE rates are for occupied rooms, with 80% occupancy assumed on a daily basis.
7. Trips generated by existing on-site uses to be replaced by the project. Based on actual PM peak hour traffic count.

820) was divided into Specialty Retail (ITE Land Use Code 814) as well as Shopping Center to more accurately reflect the character of the various portions of retail uses.

- **Office:** Medical Office Building was removed from the trip generation estimates. All revised estimates were based on General Office Building (ITE Land Use Code 710).

- **Miscellaneous:** The movie theater trip generation was changed to Movie Theater with Matinee (ITE Land Use Code 444).

### Trip Reductions

The *ITE Trip Generation 5th Edition* includes a discussion on applying appropriate reductions to trips generated by an individual land use to obtain reasonable net trips produced by the project. These reductions consider the interaction of trips between other land uses on the site, the interaction between the site and traffic that is already using adjacent roadways, the effects of transit use and Travel Demand Management (TDM) measures, and traffic from the existing land uses occupying the site. The following trip reductions were assumed for the site:

- **On-Site Workers:** 5 percent of the outbound AM peak and inbound PM peak residential trips were assumed to work on the site. This assumption was taken from Table 3, Appendix C of the NSCP Lakepointe TA Report.

- **On-Site Shoppers:** 10 percent of the residential trips were assumed to shop on the site. This assumption was also taken from Table 3, Appendix C of the NSCP Lakepointe TA Report and is well within the area forecasts of home-based other trips to nearby zones in the PSRC regional travel demand forecasting model.

- **Shopping/Office Captured Trips:** 9 percent of daily office trips and 15 percent of peak hour office trips were assumed to shop at the shopping center or specialty retail stores on the site. This assumption was used in the 1997 Lakepointe Traffic Impact Analysis and is consistent with the low end of data reported in Chapter 1 of *ITE Trip Generation, 5th Edition.*

- **Pass-by Trips:** Based on the traffic volume of SR 522, the ITE manual recommends a pass-by trip reduction of 40 percent of the retail trips (shopping center and specialty retail) and health club trips, but based on the size of the development proposed, the ITE manual recommends a 36 percent reduction. As a compromise, a reduction of 38 percent was used. This assumption was also used in the 1997 Lakepointe Traffic Impact Analysis.

- **Transit/TDM Measures:** 15 percent of office and residential trips were assumed to be transit trips or trips using TDM measures such as carpools, vanpools, telecommuting, etc. This assumption was based on the availability and frequency of transit service in the area and on transit forecasts for the area from the PSRC travel demand forecasting model. It is also consistent with the assumptions used in the previous two Lakepointe analyses.

- **Existing On-Site Traffic:** Traffic from existing on-site uses was based on actual daily and peak hour traffic counts. This traffic was subtracted from the existing roadways in the vicinity of the site based on the trip distribution assumptions used for the proposed project.

The results of the trip generation yield a decrease from the 1997 Traffic Impact Analysis in daily trips from 13,700 to 12,700, and in PM peak trips from 1,460 to 1,330. AM peak trips increased slightly from 640 to 690.

### Trip Distribution and Assignment

To determine the trip distribution for the project, the year 2020 trips from the traffic zone in which the project is proposed were isolated on the PRSC travel demand forecasting model's road links. The land uses associated with the development were included in the zone forecasts for the model, which first estimated the trip generation for the zone and then distributed the zone trips onto the road network. The distribution percentage from the model assignment was then used as the basis for assigning the KJS-calculated trips to the roads in the vicinity of the site. The procedure yielded the following distribution and assignment:

- North: 38 percent
  - 12 percent on 61st Avenue NE
  - 9 percent on 68th Avenue NE
  - 7 percent on SR 104 (via SR 522)
  - 5 percent on 73rd Avenue NE; and
  - 5 percent on 80th Avenue NE
- South: 6 percent, all on 68th Avenue NE
- East: 28 percent
  - 16 percent on SR 522; and

- 12 percent on Simonds Road (via 68th)

- West: 28 percent, all on SR 522

Figure 10 illustrates the overall project trip distribution. To determine trip distribution and assignment at the driveways within the site, the trip generation for each building on the site was determined, and then assigned to site driveways based on the internal roadway connections that provide the most logical and convenient access to parking for that building. Figures 11 and 12 show the AM and PM peak hour project traffic. Figures 13 and 14 show cumulative 2005 AM and PM peak hour traffic volumes with the project traffic added to the No Action (background) traffic growth. Note that with the Lakepointe Way connection in place, the traffic volume using 175th Street to by-pass the 68th Avenue intersection on SR 522 will reduce by approximately 110 vehicles. Nevertheless the volume of traffic using this by-pass would remain significant (over 200 vehicles) because the eastbound queue at 68th Street would extended past the Lakepointe Way intersection.

## Nonmotorized and Transit Facilities

### No Action Alternative (2005 without Project)

The pedestrian, bicycle, and transit facilities without the Lakepointe project would be the same as those described in the Existing Conditions section of this report.

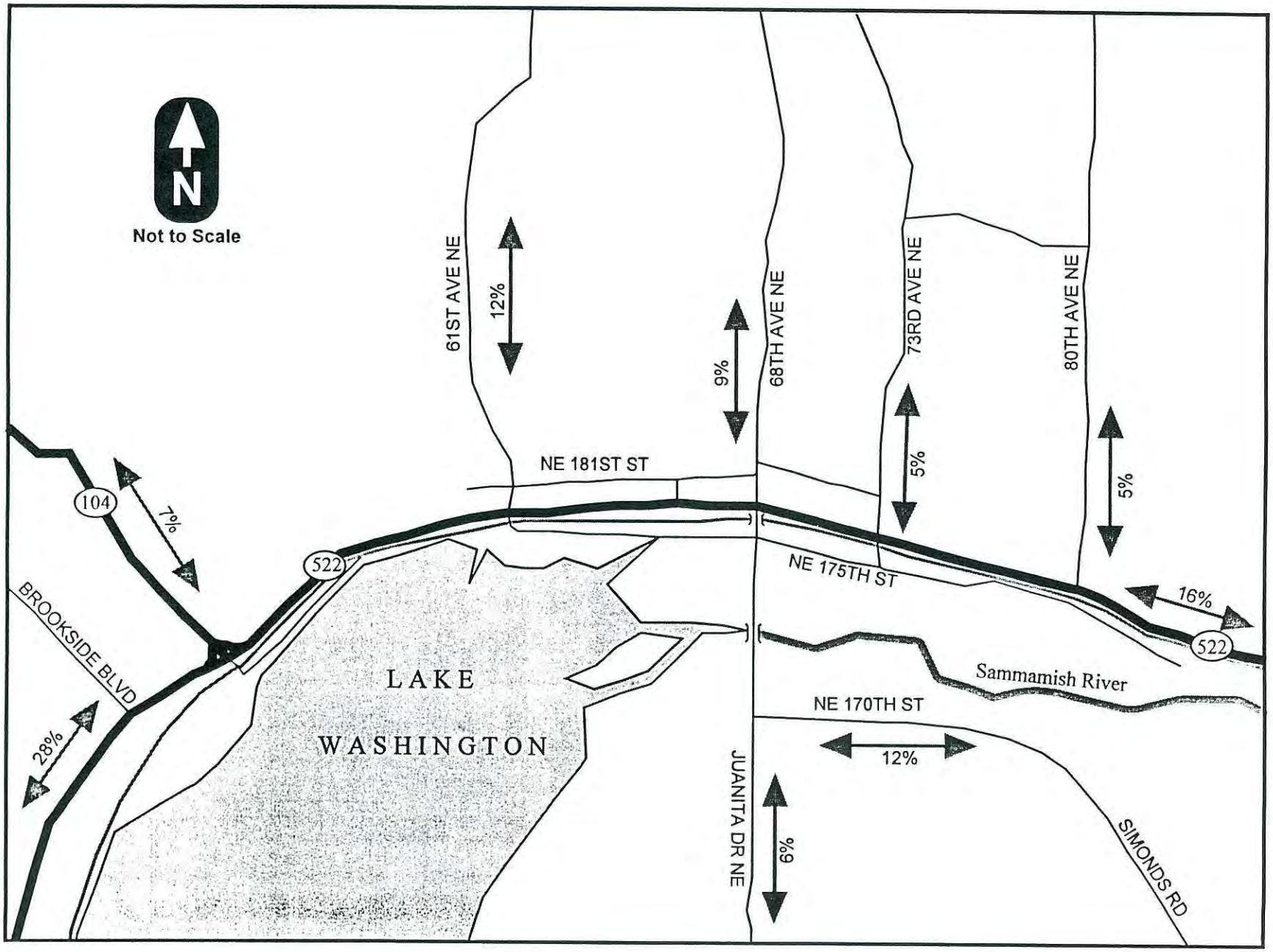
### Proposed Action

#### Pedestrian and Bicycle Traffic

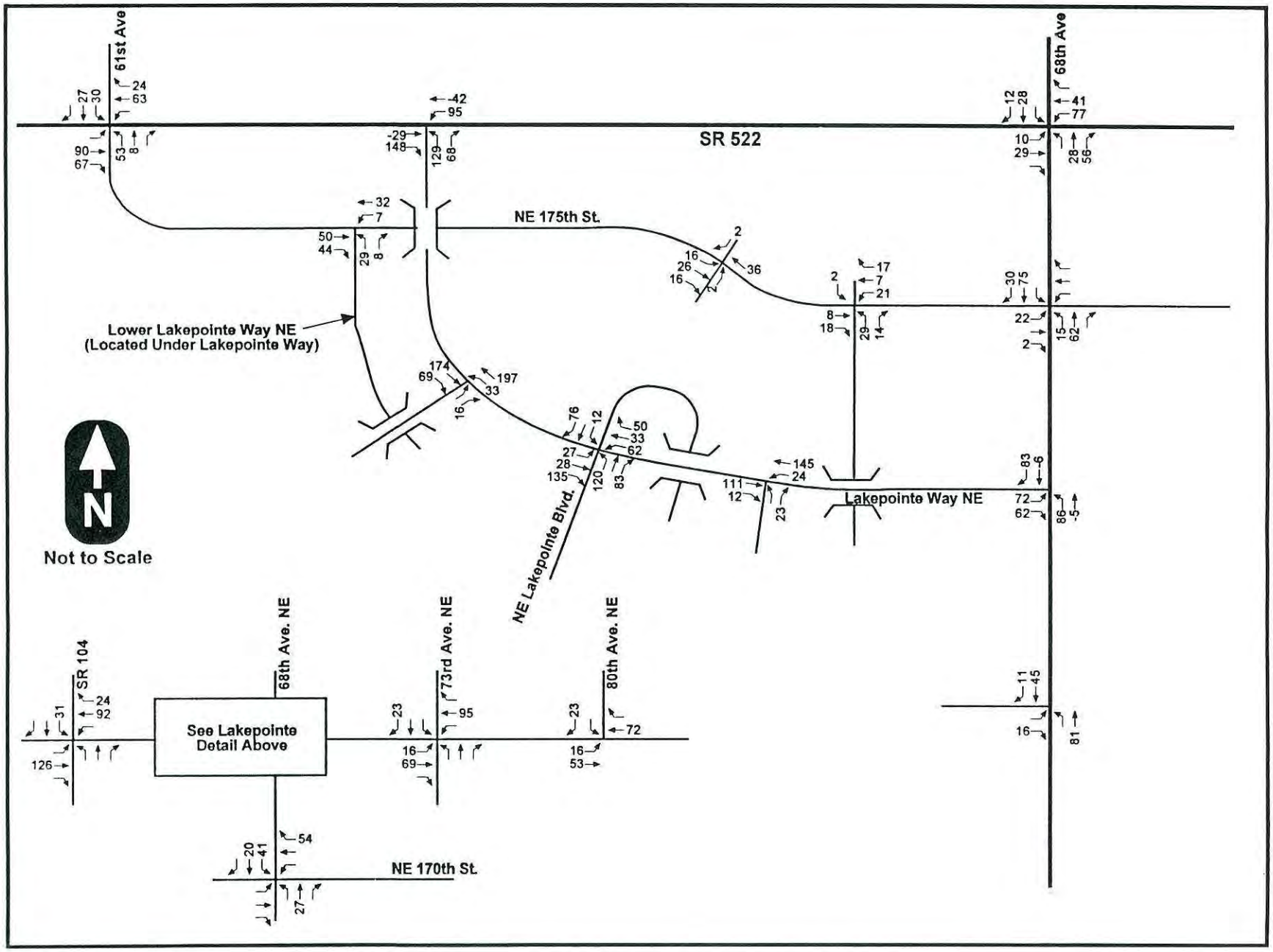
The proposed pedestrian and bicycle access plan was included in Figure 9. All new facilities would conform to national, state, King County, and Metro standards for access for the disabled. All new crosswalks will be well illuminated, signed, and designed to County standards for maximum pedestrian safety.

##### On-Site Facilities

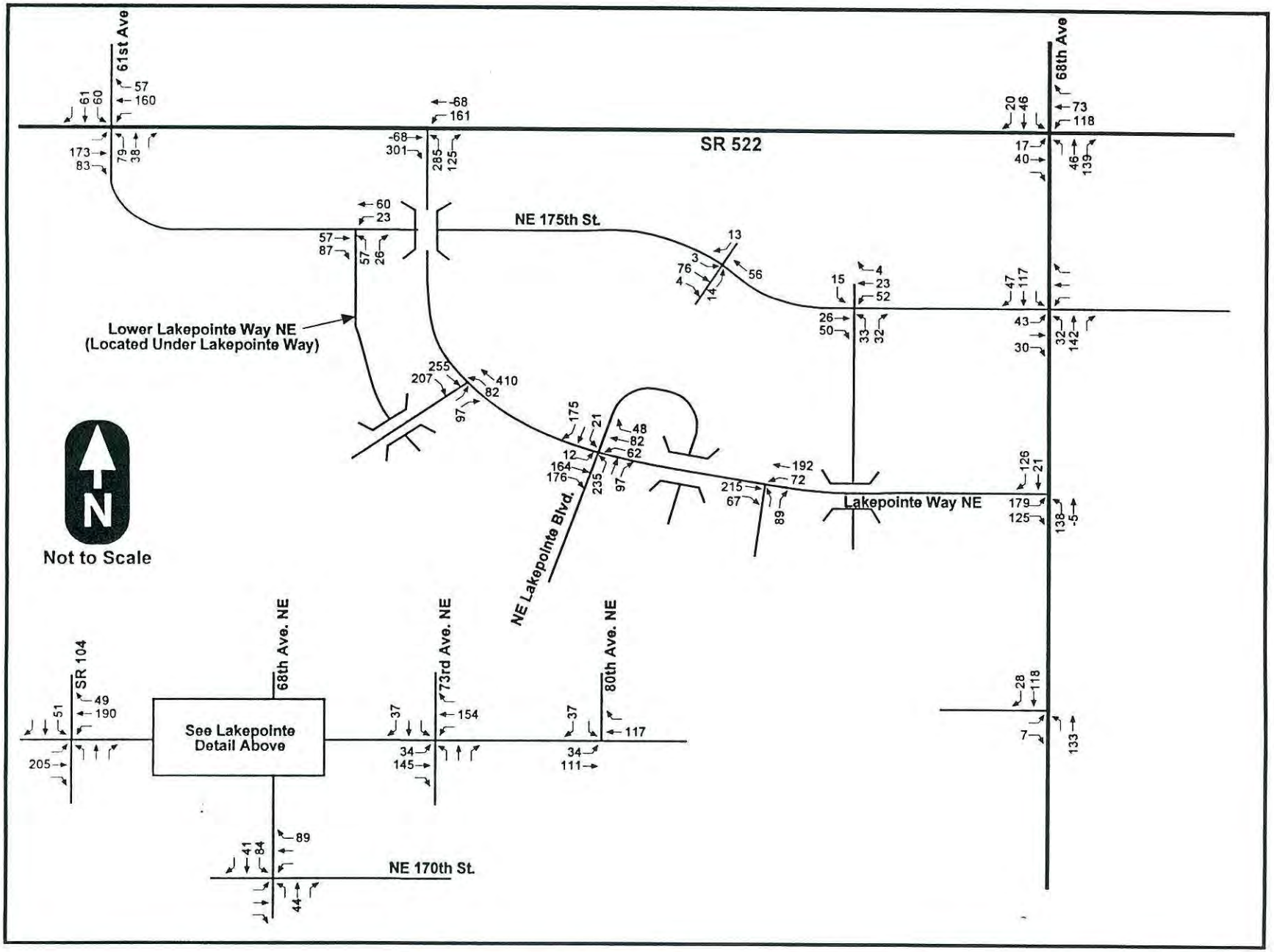
The periphery of the site would be dedicated to pedestrian and bicycle use. NE Lakepointe Boulevard would have an urban character, and the shoreline, harbor and waterfront would be connected by view and access corridors that traverse the site. Barrier-free pedestrian and bicycle links between the site's public spaces, the Burke-Gilman Trail and the Metro transit stops would be



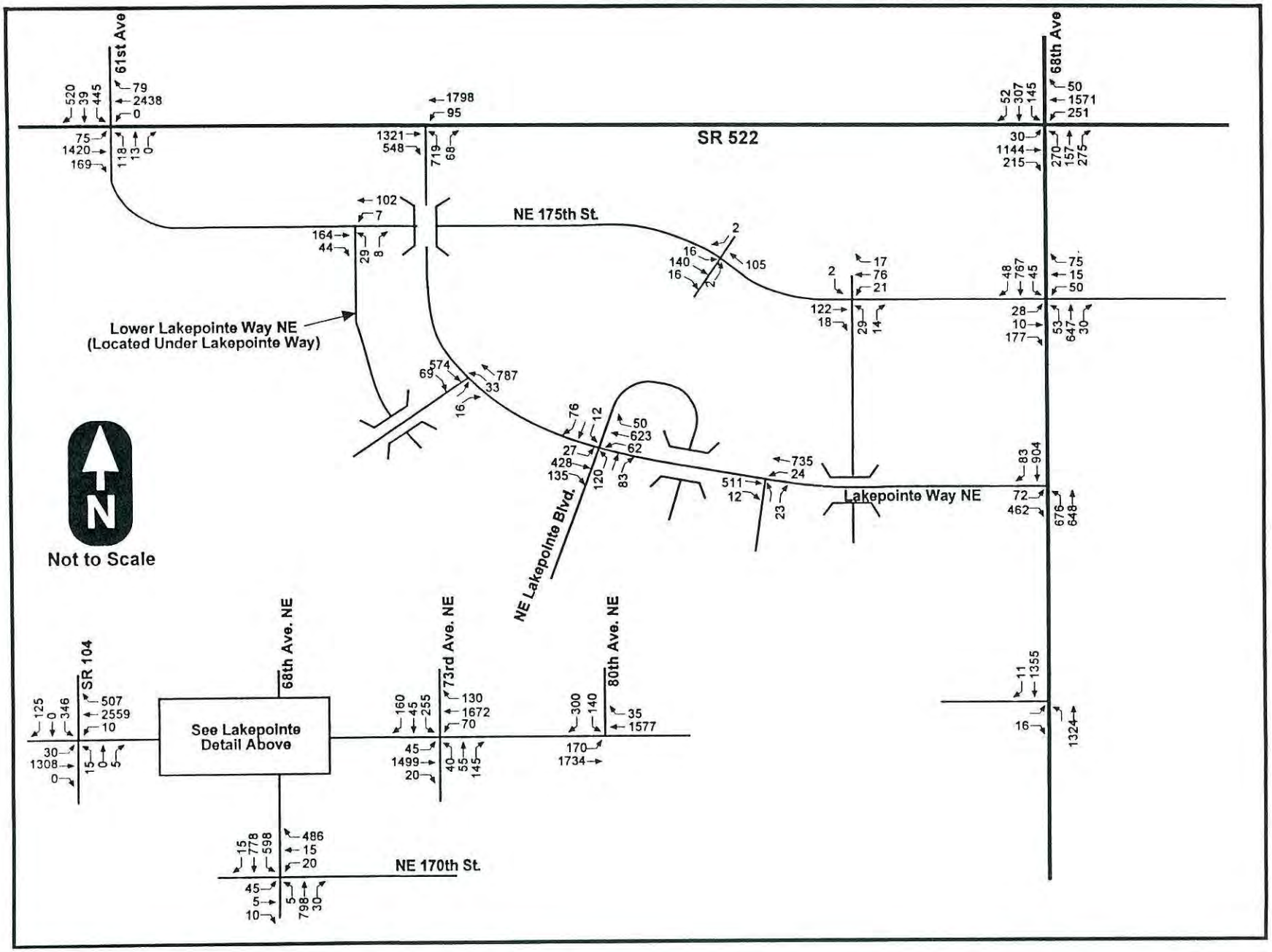

# Figure 10: Lakepointe Trip Distribution



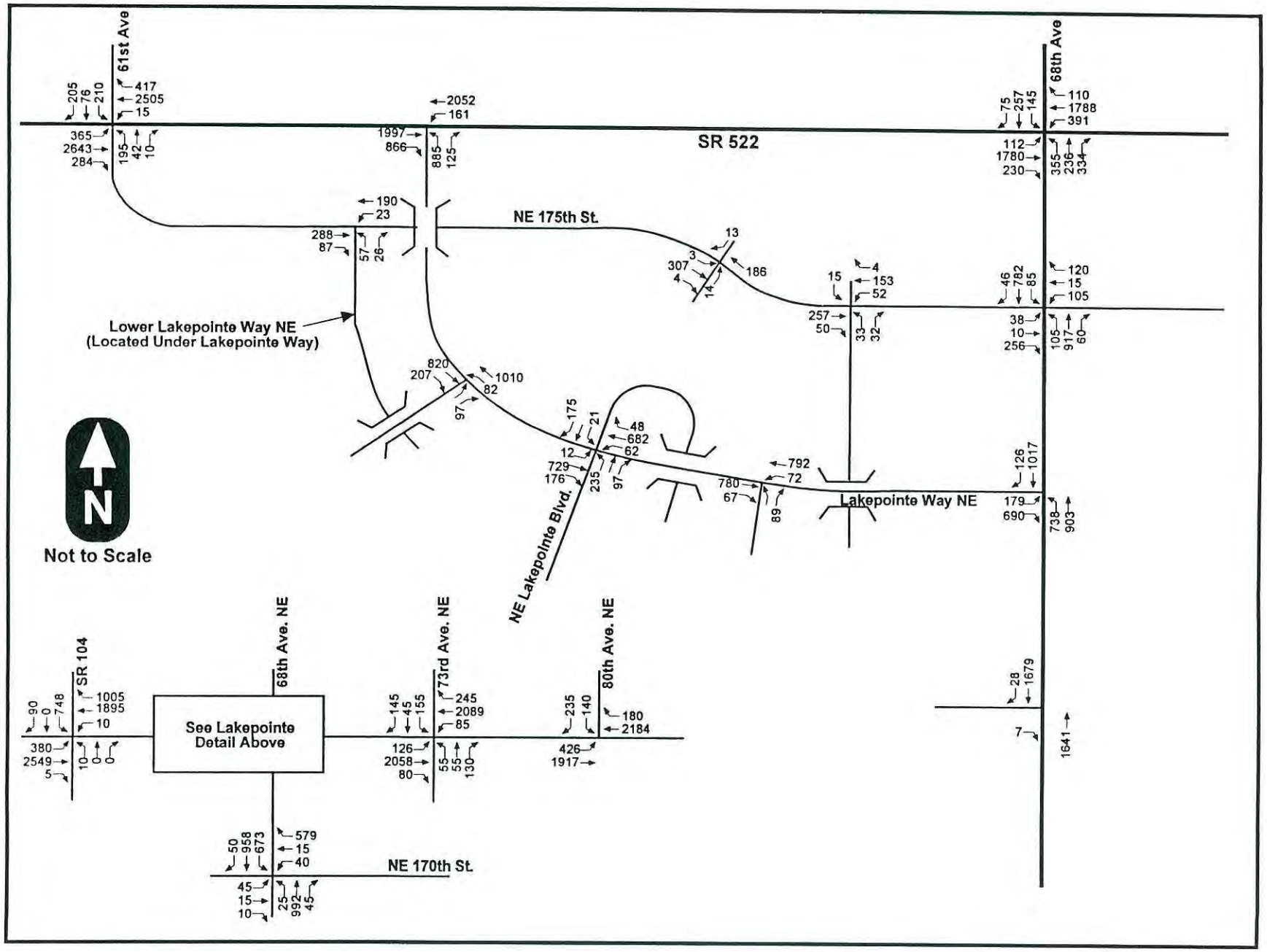

# Figure 11: AM Peak Hour Project Traffic




# Figure 12: PM Peak Hour Project Traffic




# Figure 13: 2005 AM Peak Hour Traffic Volumes with Project




# Figure 14: 2005 PM Peak Hour Traffic Volumes with Project

clearly marked. Public access to views and Lake Washington, the harbor, and the Sammamish River, as well as other parts of the development, would be provided at many points around the site.

The trail along the Sammamish River is planned with native growth and opportunities for natural habitat viewing and interpretive depictions for learning experiences.

The shoreline Trail, each of the soft surfaces to the river's edge, the Canal esplanade, and all pedestrian walkways and connections would be accessible and open to the general public.

**Off-Site Connections**

The Burke Gilman Trail will be reconstructed below its existing grade to allow for clearance under Lakepointe Drive. This will be done in conjunction with the NE 175th Street undercrossing of Lakepointe Way NE.

Bicycle traffic would be discouraged on Lakepointe Way NE since this new arterial would connect to SR 522, which does not have bicycle lanes. As is standard throughout King County where separation of bicycles and vehicles is not provided, bicycles are required to follow the rules and traffic patterns of vehicles on the roadway. From 68th Avenue NE to Lakepointe Way, access to the site for bicycles would be via the left turn lanes, the same as is provided for vehicle traffic. A ramp providing pedestrian access to the lower level of the site would be provided immediately west of the 68th Avenue/Lakepointe Way intersection. The bicycle lane and pedestrian lane would each be 8-feet wide. From the bottom of the ramp, bicyclist can access the Burke-Gilman trail either via the bike lanes on lower Lakepointe Way or use the driveways to Buildings G-1 and G-2. Pedestrians can use the sidewalk adjacent to the driveways east of Buildings G-1 and G-2.

Access to the proposed future transit hub and pedestrian bridge crossing SR 522 is available from the Burke Gilman Trail. New signalized crosswalks would be provided across SR 522 on the east side of Lakepointe Way NE, across Lakepointe Way NE on the south side of SR 522, across Lakepointe Way on the east side of NE Lakepointe Boulevard, and across 68th Avenue NE on the north side of Lakepointe Way NE. Traffic signal timing would be adjusted at these crosswalks to allow sufficient time for safe pedestrian crossings. Sidewalks would be available on street frontages.

An alternative design would be to prohibit pedestrians on the southwest corner of SR 522 at Lakepointe Way NE. This would be accomplished by not reconstructing the sidewalk along the southwest edge of the right turn lane (the newly constructed sidewalk along SR 522 west of 65th Avenue NE will have to be removed to construct the right turn lane), not providing a sidewalk

on the west side of Lakepointe Way NE from SR 522 to NE 175th Street and not providing the crosswalk across Lakepointe Way NE on the south side of SR 522. The pedestrian linkage would be provided via the Burke Gilman Trail as follows:

- A pedestrian connection from SR 522 west of the proposed eastbound right turn lane on SR 522 (for traffic turning right into Lakepointe Way NE) to the Burke Gilman Trail,
- A connection between the trail and the site at the lower level via a crosswalk across NE 175th Street at Lakepointe Way NE to the Grand Stairs/Boardwalk area,
- An elevator/stair connection from the Burke Gilman Trail to the upper level Lakepointe Way NE east sidewalk which then connects to the SR 522 sidewalk and transit stop east of Lakepointe Way NE, and
- A barrier-free access ramp at the Grand Stair from the Boardwalk to the west (south) sidewalk of Lakepointe Way Northeast.

This would remove the pedestrians from the high traffic volume, high speed, free flowing right turn traffic movement from eastbound SR 522 to Lakepointe Way NE and provide connections to the grade-separated Burke Gilman Trail. The number of pedestrians using the sidewalk, or the alternative route, (whichever is provided) is expected to be quite low because the first business to the west is 800 feet west of the new Lakepointe Way NE intersection. The transit-only lane construction did not construct a sidewalk for the next 1000 feet to the west where there are limited pedestrian facilities and the Burke Gilman Trail provides an inviting alternative walking route.

The crossing of NE 175th Street would be at the intersection of the service and parking access road under the elevated Lakepointe Way Northeast. The estimated daily traffic volume on NE 175th Street is 4,200 vehicles per day (417 vehicles in the PM peak hour). Pedestrians and bicyclists would be provided a path next to the Grand Stair leading to the Harbor Viewpoint, the Boardwalk, and the rest of the on site system.

A second crossing of NE 175th Street would be at the eastside of access point h. (see Figure 9 and sheet A2.3a, CSDP). At this crossing of NE 175th Street the traffic volume would be approximately 5,500 vpd (513 vph). Both of these access point intersections are projected to operate at LOS A with stop sign control of the access points. Pedestrians and bicyclists are projected to have adequate gaps available in the NE 175th Street traffic to make safe and easy crossings. This connection to Burke Gilman Trail would lead to:

- The phase 6 buildings (Buildings G-1 and G-2),

- A grade separated crossing of Lakepointe Way NE through the lower retail/residential area parking garage to the Shoreline Trail, and

- To the north sidewalk of Lakepointe Way NE, where connection can be made to the existing facilities on 68th Avenue NE via the new traffic signal and crosswalk.

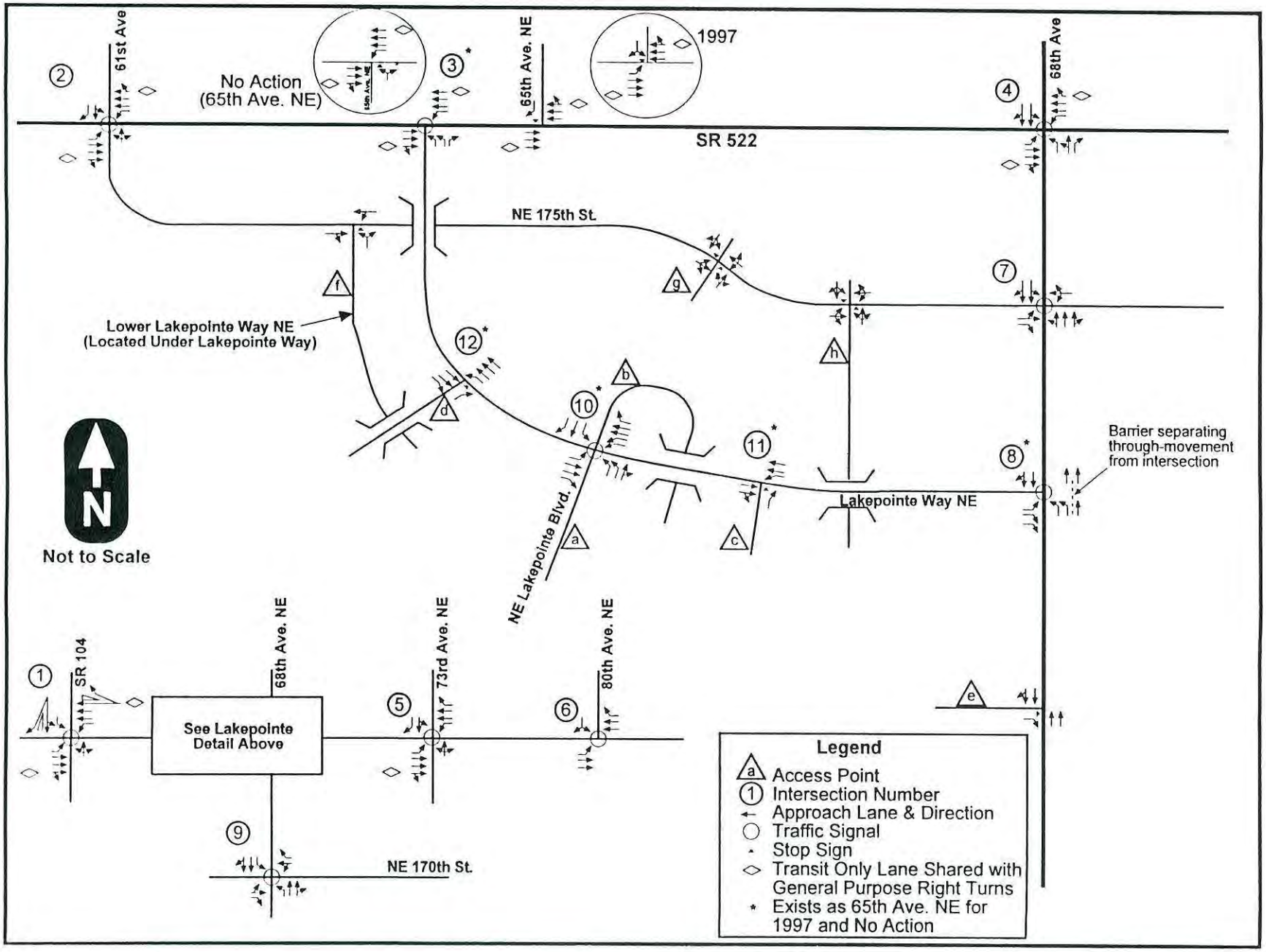
## Transit

The requirement that the residential component occur throughout the various phases of the development of the Proposed Action would ensure that transit and transportation linkages occur from the very beginning of the project. Pedestrian access from the core of the project to the transit stops is an integral part of the design of the project.

A transit stop is proposed on the south side of SR 522 between Lakepointe Way NE and 68th Avenue NE, and an overpass over SR 522 would eventually be provided through coordinated efforts with the County to facilitate north-south pedestrian crossings of SR 522. A new pedestrian crosswalk would be provided across SR 522 at the Lakepointe Way Northeast intersection connecting to the transit stop on the north side of SR 522. The new transit stop on the south side of SR 522 would be connected to the lower level of the project via a stair and elevator (See Barrier Free Access Plan, Sheet A2.3b of the Commercial Site Development Permit, Dec. 23, 1996.)

The sidewalks and crosswalks associated with Lakepointe Way NE and the transit stop on SR 522 with its pedestrian connection to the project would be provided during the first phase of construction. The future pedestrian overcrossing of SR 522 would supplement the new crosswalk across SR 522 when installed per King County's Transportation Needs Report project N-108 as described in Section II.E.

The November 1996 voter approval of the Regional Transit Authority (RTA) puts significant emphasis on enhancing the transit system by implementing Regional Express Bus service with enhanced community connections at critical locations. The Implementation Guide for Sound Move: The Ten-Year Regional Transit System Plan was approved by the RTA Board in May 1998. The Implementation Guide calls for an Express Bus Route along SR 522 connecting Woodinville to Northgate by 2000 with community connections at these locations plus Bothell, Lake Forest Park, and Lake City. This Express Bus route will connect with two other Express Bus routes each on I-5 an I-405, providing Kenmore with Express Bus connections to Seattle, Bellevue, Everett and the entire region via RTA and local service.




# Figure 15: Proposed Lane Configuration

# TRANSPORTATION OPERATIONS ANALYSIS

This section describes the analysis of transportation system conditions and impacts without and with the proposed Lakepointe project in 2005.

## System Description

Figure 15 shows the lane configuration for the intersections analyzed in 1997, 2005 without and 2005 with the project. The roadway assumptions are the same as used in the Lakepointe TIA report with the following exceptions:

1. Northbound 68th Avenue NE at NE 175th Street has been changed from two to three lanes to reflect the existing road geometry. The northbound right turn pocket for the SR 522 intersections extends past the NE 175th Street intersection, thereby providing the third lane.
2. A westbound right turn pocket was added to the SR 522/80th Avenue NE intersection. This pocket was added as part of the construction of a gas station on the northeast corner of the intersection.

## Proposed Action and No Action Alternative

This section describes the impacts of the Proposed Action and the No Action Alternative.

### *Transyt7F* Analysis

The *Transyt7F* software package was used to comprehensively evaluate traffic operations of the major intersections in the study area. The *Transyt7F* model is a tool that can assist in evaluating how traffic may operate in the future, but like all computer simulations, it cannot exactly predict delays, travel speeds, or traffic queues. The future conditions analyzed in this study (2005 both with and without Lakepointe) include locations where the forecasted traffic volumes exceed the available capacity for certain traffic movements. Under these conditions the *Transyt7F* model can produce unreliable results, especially in the estimated delay values. However, because the same process is used to predict delays, comparisons can be made in the relative differences between delay values for different scenarios. For instance, an intersection that is reported as having 120 seconds of delay would experience relatively better operations than an intersection that reports 180 seconds of delay, even though the actual delays at both locations may be shorter or longer than reported.

*Version 8* of this tool, the most recent release, was used for the updated analysis. Unlike previous releases, *version 8* models the entire 60-minute peak period, no longer ignoring queuing vehicles that are not serviced by an intersection after only one or two cycles. Also, *version 8* measures queue impacts by accumulating backups from a congested intersection along the

roadway so that the effects of vehicle queuing at one intersection are also reflected as delays at impacted intersections upstream.

The *Transyt7F* model analyses a coordinated traffic signal system on an arterial or a network of arterials. Coordinated traffic signal systems require a common cycle length for all traffic signals in the system. The cycle length is the total time for a signal to complete one cycle. The *Transyt7F* model has the capability of either using a predetermined cycle length, or it can determine the optimum cycle length for the systems.

For this analysis, the cycle length was optimized by testing cycle lengths between 90 and 180 seconds in one-second increments for each scenario. The results indicated that for 1997 existing and 2005 No Action conditions 180-second cycles resulted in the optimum progression. For 2005 With Project conditions, 178-second cycles optimized the system.

## Analysis Scenarios

For purposes of this impacts analysis, the key use of the model is to provide relative comparisons between future conditions with and without the Lakepointe development and associated roadway improvements. The model output also assists in the evaluation of potential changes in traffic operations in the corridor between existing (1997) and future (2005) conditions (with or without Lakepointe).

*Transyt7F* model runs were performed for 2005 with project conditions for the Proposed Action and compared to existing and 2005 without project (No Action) conditions. The existing and 2005 without project conditions were obtained from the Lakepointe TIA report and are the same, with two exceptions. The westbound approach to the SR 522/80th Avenue NE intersection was revised to assume a right turn pocket that was constructed as part of a gas station on the northeast corner. Also, the northbound approach to the 68$^{th}$ Avenue NE/NE 175$^{th}$ Street intersection was revised to assume three through lanes to reflect the actual geometry of the intersection (the northbound right turn pocket at the SR 522 intersection extends through the 175$^{th}$ Street intersection).

Since each scenario represents optimized operation, the results for the analysis of 1997 conditions, No Action (2005 without the project) and the Proposed Action (2005 with the project) in Tables 4, 5, 6, and 7 are directly comparable.

## Performance Analysis

A systemwide analysis was performed for the 2005 with project conditions and compared to existing and 2005 without project conditions. Table 4 shows

the AM peak hour comparison and Table 5 shows the PM peak hour comparison.

In addition to over "system" operations, traffic flows, speeds and delays were evaluated for three major corridors.

- Travel along SR 522 between SR 104 and 80th Avenue Northeast.
- Travel along 68th Avenue NE/SR 522 between SR 104 and NE 170th Street, using the existing roads.
- Travel along 68th Avenue NE/Lakepointe Way NE/SR 522 between SR 104 and NE 170th Street using the new roadway.

**Analysis results**

In all cases, the system deteriorates from 1997 to 2005 without the project (No Action Alternative) due to the increased traffic demand resulting from the application of a 2 percent per year growth rate. Comparisons of "total delay" and "system speed" data for the columns labeled "1997" and "2005 No Action" in Tables 4 and 5 show significantly more vehicle hours of delay and much lower speeds for 2005 than for 1997.

Comparing the "2005 Proposed Action" with "2005 No Action" in Table 4, we can see that for the morning peak hour (Table 4) delays are generally less and speeds generally higher with the project than without. During the morning peak, the "system speed" values increase with the project in all cases, meaning vehicles would travel faster on average, with the project in place. This occurs despite the fact that the total travel and the total travel time increased on all routes. The speed improvements are the result of the added capacity provided by the new Lakepointe Way NE arterial connection.

This new connection diverts a significant number of trips away from the highly congested SR 522/68th Avenue NE intersection, and results in improved flow and levels of service through the local project area. The addition of project traffic to intersections that are not impacted by the trip diversion accounts for in the increase in total travel and total travel time.

During the PM peak hour summarized in Table 5, there were slight degradations in speeds with the project, despite the new Lakepointe Way connection. This is a result of the delays due to additional project traffic at intersections not impacted by the trip diversion to Lakepointe Way off-setting the improved flow on SR 522 and 68$^{th}$ Avenue NE between the Lakepointe Way NE intersections. Nevertheless, the magnitudes of the speed degradations (ranging from 0.1 mph to 0.5 mph) are small enough to be imperceptible to typical drivers and conditions can be construed to be the same both with and without the project.

## Table 4: AM Peak Hour Performance Measures

| Route | Performance Measure | 1997 | 2005 No Action | 2005 Proposed Action |
|---|---|---|---|---|
| **Systemwide** | Total Travel (veh.-mi.) | 8,256 | 9,665 | 11,986 |
| | Total Travel Time (veh.-hr.) | 477 | 1,188 | 1,214 |
| | Total Delay (veh.-hr.) | 232 | 902 | 846 |
| | System Speed (MPH) | 17.3 | 8.1 | 9.9 |
| **Major Corridors** | | | | |
| **SR 522 Only** | Total Travel (veh.-mi.) | 6,504 | 7,630 | 8,844 |
| SR 104 to 80th | Total Travel Time (veh.-hr.) | 282 | 733 | 740 |
| via SR 522 | Total Delay (veh.-hr.) | 95 | 513 | 481 |
| | System Speed (MPH) | 23.0 | 10.4 | 11.9 |
| **SR 522/** | Total Travel (veh.-mi.) | 2,894 | 3,413 | 5,832 |
| **68th Ave NE** | Total Travel Time (veh.-hr.) | 153 | 488 | 620 |
| SR 104 to 170th | Total Delay (veh.-hr.) | 66 | 385 | 440 |
| via SR 522 & 68th | System Speed (MPH) | 18.9 | 7.0 | 9.4 |
| **SR 522/** | Total Travel (veh.-mi.) | -- | -- | 5,179 |
| **Lakepointe/68th** | Total Travel Time (veh.-hr.) | -- | -- | 595 |
| SR 104 to 170th | Total Delay (veh.-hr.) | -- | -- | 433 |
| via SR 522, Lakepointe, & 68th | System Speed (MPH) | -- | -- | 8.7 |

## Table 5: PM Peak Hour Performance Measures

| Route | Performance Measure | 1997 | 2005 No Action | 2005 Proposed Action |
|---|---|---|---|---|
| **Systemwide** | Total Travel (veh.-mi.) | 10,618 | 12,496 | 15,864 |
| | Total Travel Time (veh.-hr.) | 1,005 | 2,873 | 3,782 |
| | Total Delay (veh.-hr.) | 692 | 2,504 | 3,305 |
| | System Speed (MPH) | 10.6 | 4.3 | 4.2 |
| **Major Corridors** | | | | |
| **SR 522 Only** | Total Travel (veh.-mi.) | 7,643 | 8,969 | 10,881 |
| SR 104 to 80th | Total Travel Time (veh.-hr.) | 575 | 1,686 | 2,187 |
| via SR 522 | Total Delay (veh.-hr.) | 355 | 1,428 | 1,874 |
| | System Speed (MPH) | 13.3 | 5.3 | 5.0 |
| **SR 522/** | Total Travel (veh.-mi.) | 4,437 | 5,218 | 7,049 |
| **68th Ave NE** | Total Travel Time (veh.-hr.) | 327 | 976 | 1,474 |
| SR 104 to 170th | Total Delay (veh.-hr.) | 195 | 820 | 1,263 |
| via SR 522 & 68th | System Speed (MPH) | 13.6 | 5.3 | 4.8 |
| **SR 522/** | Total Travel (veh.-mi.) | -- | -- | 6,145 |
| **Lakepointe/68th** | Total Travel Time (veh.-hr.) | -- | -- | 1,390 |
| SR 104 to 170th | Total Delay (veh.-hr.) | -- | -- | 1,204 |
| via SR 522, Lakepointe, & 68th | System Speed (MPH) | -- | -- | 4.4 |

## Level of Service Analysis

AM and PM peak hour levels of service (LOS) were evaluated for 2005 without and with Lakepointe project traffic. The levels of service were derived from the *Transyt7F* runs.

Table 6 shows the level of service comparison for the AM peak hour and Table 7 shows the comparison for the PM peak hour. The delay values in the table represent the average total delay computed by *Transyt7F* divided by 1.3 to enable comparison with *HCM* parameters for average stopped delay. The 68th Avenue NE/NE 170th Street intersection is included in the table because it was included in the *Transyt7F* analysis and is part of the assumed interconnected traffic system.

### SR 522 at SR 104 and 61st Avenue NE

The intersections on SR 522 at SR 104 and 61st Avenue NE deteriorate to LOS F in 2005 without the project and would remain at LOS F in 2005 with the project in both the AM and PM peak hours. At both locations the average delay increases with additional project traffic. The SR 104 intersection is fully built out with no apparent additional capacity increases available without significant right of way purchases and/or grade separated roadways with ramps. At the 61st Avenue NE intersection, the operation could be improved slightly by the provision of a separate southbound left turn lane and the implementation of a southbound right turn phase overlap (i.e., a green arrow would be given to the southbound right turn during the eastbound left turn phase). Both of these improvements can be implemented with pavement marking changes and little or no pavement widening, but would not be sufficient to bring the level of service better than LOS F.

### SR 522 at 68th Avenue

The intersection of SR 522 at 68th Avenue NE would deteriorate to LOS F in 2005 during both peak periods without the project. With the project it operates at LOS E in the AM peak and LOS F in the PM peak. The average delay decreases with the project due to the traffic volumes that would shift to Lakepointe Way, bypassing the SR 522/68th intersection.

Though the area is fully built out, WSDOT is studying potential right-of-way acquisition for improvements to the intersection as part of the SR 522 corridor project. WSDOT has preliminarily identified construction of a second westbound left turn lane on SR 522, separating the northbound left-through lane on 68th into separate left turn and through lanes, and construction of a southbound left turn pocket on 68th Avenue.

Table 6: AM Peak Hour Levels of Service

| | 1997 | | 2005 No Action | | Proposed Action | |
|---|---|---|---|---|---|---|
| Intersection | LOS | Delay (sec) | LOS | Delay (sec) | LOS | Delay (sec) |
| SR 522/SR 104 | C | 19 | F | 94 | F | 139 |
| SR 522/61st Ave NE | D | 28 | F | 127 | F | 162 |
| SR 522/Lakepointe Way NE | A | 0 | A | 0 | B | 14 |
| SR 522/68th Ave NE | E | 49 | F | 208 | E | 48 |
| SR 522/73rd Ave NE | C | 18 | C | 20 | C | 24 |
| SR 522/80th Ave NE | C | 19 | D | 27 | D | 30 |
| 68th Ave NE/NE 175th St | D | 37 | F | 158 | D | 34 |
| 68th Ave NE/Lakepointe Way | -- | -- | -- | -- | D | 28 |
| 68th Ave NE/NE 170th St | E | 41 | E | 52 | F | 74 |
| Lakepointe Way/Lakepointe Blvd | -- | -- | -- | -- | C | 19 |
| Lakepointe Way/east site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/west site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/Retail Drives | -- | -- | -- | -- | A | 1 |

Table 7: PM Peak Hour Levels of Service

| | 1997 | | 2005 No Action | | Proposed Action | |
|---|---|---|---|---|---|---|
| Intersection | LOS | Delay (sec) | LOS | Delay (sec) | LOS | Delay (sec) |
| SR 522/SR 104 | D | 32 | F | 157 | F | 292 |
| SR 522/61st Ave NE | C | 22 | F | 117 | F | 326 |
| SR 522/Lakepointe Way NE | A | 0 | A | 1 | E | 50 |
| SR 522/68th Ave NE | F | 233 | F | 632 | F | 376 |
| SR 522/73rd Ave NE | C | 15 | C | 15 | C | 22 |
| SR 522/80th Ave NE | D | 34 | F | 135 | F | 237 |
| 68th Ave NE/NE 175th St | F | 184 | F | 454 | F | 126 |
| 68th Ave NE/Lakepointe Way | -- | -- | -- | -- | F | 82 |
| 68th Ave NE/NE 170th St | E | 46 | F | 123 | F | 283 |
| Lakepointe Way/Lakepointe Blvd | -- | -- | -- | -- | C | 20 |
| Lakepointe Way/east site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/west site access | -- | -- | -- | -- | A | 0 |
| Lakepointe Way/Retail Drives | -- | -- | -- | -- | A | 1 |

These improvements would reduce delays at the intersection to LOS D in the AM peak with the project, but operation would remain at LOS F during the PM peak hour. They would, however, provide operational benefits at the NE 175th and Lakepointe Way intersections along 68th Avenue NE by reducing the impact of queues backing up from SR 522 through these intersections.

### SR 522 at 80th Avenue NE

The intersection of SR 522 at 80th Avenue NE would worsen to LOS F during the PM peak hour in 2005 both with and without the project. The addition of

a southbound right turn pocket would improve operation to LOS B with an average stopped delay of 12 seconds during the AM peak, and LOS D with an average delay of 28 seconds during the PM peak. This improvement can be accomplished with pavement marking changes and requires little or no pavement widening.

### 68th Avenue NE at NE 175th Street

The intersection of 68th Avenue NE at NE 175th Street would operate at LOS F in 2005 without the project, during both the AM and PM peak hours. With the project, the intersection would operate at LOS F only in the PM peak. The level of service at this intersection is governed by the northbound delays at the SR 522/68th Avenue NE, since waiting vehicles at that intersection regularly back up through this location. Without these back ups, the intersection would operate at LOS C. If the improvements outlined for the SR 522/68th Avenue NE intersection were undertaken, the level of service at this location would improve to LOS D in the PM peak, with an average delay of 34 seconds.

### 68th Avenue NE at NE 170th Street

The intersection of 68th Avenue NE at NE 170th Street would operate at LOS E in the AM peak hour without the project and LOS F with the project in 2005. In the PM peak hour, it would operate at LOS F both with and without the project. The addition of a westbound right turn signal phase overlap would improve operations slightly, but not enough to bring it above LOS F. The area around the intersection is built out with no apparent additional capacity available without significant right of way purchases.

### 68th Avenue NE at Lakepointe Way NE

The new intersection of 68th Avenue NE at Lakepointe Way NE is projected to operate at LOS D in the morning peak, but LOS F in the afternoon peak. As with the NE 175th Street intersection, operations at this location would be largely impacted by the northbound queuing at the SR 522/68th Avenue NE intersection because backups there would extend through this location. The improvements outlined for the SR 522/68th Avenue NE intersection would alleviate queuing at the Lakepointe intersection, improving operation to LOS D during the PM peak, with an average stopped delay of 27 seconds.

### Lakepointe Way NE, NE 175th Street and NE Lakepointe Blvd. Intersections

The other four new intersections on Lakepointe Way NE (SR 522, NE Lakepointe Blvd, and two internal driveways) are projected to operate at LOS D or better in the AM peak, and LOS E or better in the PM peak hour with the project in 2005. The three new driveways on NE 175th Street are projected to operate at LOS A in the AM and PM peak hour with single lane approaches and stop sign control of the driveways. The driveway intersections with NE

Lakepointe Boulevard are expected to operate at LOS A in the AM and PM peak hours.

## Traffic Queues

Table 8 shows the results of the queue length calculations from the *Transyt7F* model at the 10 signalized intersections within the study area. The data in this table show the expected maximum lengths of vehicle back ups (i.e., queue lengths), in number of vehicles, during the peak hour for the critical movements at each intersection.

The values in the "queue storage" columns in Table 8 are based on the space available for storage at 25 ft. per vehicle. It represents the storage in all lanes available for a particular movement at a red signal, expressed in terms of vehicles. The queue storage for a left turn movement, for example, is the left turn pocket length without extending into the adjacent through lane. For through movements, it is the number of vehicles that can be stored in all through lanes before queues extend back into the adjacent intersection.

Note that the queue storage for northbound left turn movement on 68th Avenue NE at Lakepointe Way NE includes the northbound inside lane across the Sammamish River Bridge and south to NE 175th Street because this lane is planned to only feed the left turn movement at Lakepointe Way NE. Note also that the eastbound queue storage at the SR 522/68th Avenue NE intersection is greater for the existing and no action conditions because the Lakepointe Way intersection will only be present under the proposed action. The existing intersection at that location is unsignalized with minimal side street volumes and the eastbound queue at 68th Avenue NE regularly extends through and blocks that location.

### SR 522 at SR 104

For the PM peak, the analysis indicates that extensive queuing is anticipated in the eastbound direction for both the through and left turn movements, with and without the project in 2005. The queues for the southbound through and left turn movements are also anticipated to extend beyond available capacity. These queues would extend back into the adjacent intersections on all three legs, impacting operation at those locations as well. As noted in the previous section, the intersection is fully built out with no apparent additional capacity available without significant right of way purchases and/or grade separated roadways with ramps.

For the AM peak the westbound through movement with the project is anticipated to exceed capacity by 34 percent (439 vehicles versus storage for

# Table 8: Queuing for Critical Movements

| Intersection | Movement | AM Peak Hour 1997 Existing (Veh.) | AM Peak Hour No Action (Veh.) | AM Peak Hour Proposed Action (Veh.) | PM Peak Hour 1997 Existing (Veh.) | PM Peak Hour No Action (Veh.) | PM Peak Hour Proposed Action (Veh.) | Queue Storage (Veh.) | |
|---|---|---|---|---|---|---|---|---|---|
| SR 522/ SR 104 | EB LT | 1 | 1 | 1 | 17 | 44 | 121 | 28 | |
| | EB TH | 23 | 29 | 33 | 100 | 453 | 624 | 93 | |
| | WB TH | 96 | 252 | 439 | 58 | 94 | 152 | 321 | |
| | SB LT | 13 | 16 | 17 | 30 | 68 | 55 | 40 | |
| | SB TH | 13 | 16 | 17 | 30 | 68 | 55 | 40 | |
| SR 522/ 61st Ave NE | EB LT | 4 | 4 | 4 | 19 | 113 | 163 | 161 | |
| | EB TH | 34 | 42 | 45 | 65 | 142 | 424 | 321 | |
| | WB LT | 1 | 1 | 1 | 1 | 1 | 1 | 80 | |
| | WB TH | 87 | 208 | 276 | 71 | 179 | 383 | 160 | |
| SR 522/ Lakepointe Way | EB TH | | | 41 | | | 118 | 160 | |
| | EB RT | | | 0 | | | 0 | 80 | |
| | WB LT | | | 5 | | | 15 | 6 | Queue Storage For Existing and No Action Conditions |
| | WB TH | | | 16 | | | 24 | 74 | |
| | NB LT | | | 33 | | | 68 | 60 | |
| | NB RT | | | 0 | | | 2 | 30 | |
| SR 522/ 68th Ave NE | EB LT | 1 | 1 | 2 | 5 | 10 | 9 | 18 | same |
| | EB TH | 40 | 64 | 38 | 350 | 735 | 536 | 74 | 234 |
| | WB LT | 9 | 13 | 15 | 57 | 116 | 133 | 59 | same |
| | WB TH | 73 | 301 | 89 | 78 | 323 | 109 | 118 | same |
| | NB LT/TH | 44 | 106 | 21 | 115 | 137 | 53 | 16 | same |
| | NB RT | 7 | 9 | 11 | 7 | 8 | 12 | 8 | same |
| SR 522/ 73rd Ave NE | EB LT | 1 | 2 | 2 | 4 | 4 | 8 | 59 | |
| | EB TH | 19 | 9 | 27 | 8 | 12 | 23 | 118 | |
| | WB TH | 19 | 34 | 76 | 24 | 32 | 34 | 211 | |
| | SB LT/TH | 10 | 12 | 12 | 6 | 7 | 7 | 20 | |
| | SB RT | 5 | 5 | 6 | 4 | 4 | 6 | 20 | |
| SR 522/ 80th Ave NE[1] | EB LT | 2 | 7 | 7 | 22 | 94 | 148 | 106 | |
| | EB TH | 50 | 47 | 74 | 32 | 51 | 59 | 211 | |
| | WB TH | 43 | 62 | 74 | 78 | 223 | 327 | 240 | |
| | SB LT/TH/RT | 17 | 21 | 21 | 16 | 21 | 47 | 20 | |
| 68th Ave NE/ NE 175th St | NB LT/TH | 40 | 320 | 9 | 318 | 356 | 41[2] | 19 | |
| | SB LT/TH | 17 | 32 | 17[2] | 25 | 79 | 41[2] | 16 | |
| 68th Ave NE/ Lakepointe Way | EB LT | | | 4 | | | 8 | 11 | |
| | EB RT | | | 9 | | | 13 | 23 | |
| | NB LT | | | 22 | | | 23 | 127 | |
| | NB TH | | | 16 | | | 32 | 63 | |
| | SB TH/RT | | | 22[2] | | | 20[2] | 19 | |
| 68th Ave NE/ NE 170th St | WB RT | 19 | 25[3] | 42[3] | 22[3] | 109[3] | 207[3] | 20 | |
| | NB TH | 31 | 40 | 41 | 39 | 50 | 79[2] | 40 | |
| | SB LT | 22 | 31 | 39 | 25 | 52 | 145 | 63 | |
| | SB TH/RT | 14 | 22 | 19 | 20 | 33 | 34 | 63 | |
| Lakepointe Way/ Lakepointe Blvd | EB LT | | | 1 | | | 1 | 9 | |
| | EB TH | | | 10 | | | 18 | 18 | |
| | EB RT | | | 1 | | | 1 | 12 | |
| | WB LT | | | 3 | | | 3 | 15 | |
| | WB TH | | | 3 | | | 10 | 45 | |
| | WB RT | | | 0 | | | 1 | 6 | |
| | NB LT | | | 6 | | | 11 | 13 | |
| | NB TH/RT | | | 4 | | | 4 | 8 | |

Shaded cells indicate locations where queues exceed capacity

1 Queues can be reduced to below capacity with construction of a southbound right turn pocket.

2 Queuing can be reduced significantly at this intersection with construction of the SR 522/68th Avenue NE improvements.

3 Queuing can be reduced significantly for this movement with installation of a westbound right turn overlap phase

321), and extend back beyond the 61st Avenue intersection. This is reflected by the poor level of service at 61st Avenue with the project. Without the project, none of the queues are forecast to exceed capacity.

### SR 522 at 61st Avenue NE

For the PM peak, the analysis indicates that without the project queues are projected to exceed capacity by 12 percent in the westbound direction (179 vehicles versus 160 vehicle capacity). With the project, extensive queuing is projected for both the eastbound and westbound through movements, and the eastbound left turn movement would slightly exceed available capacity (by three (3) vehicles). The through-direction queues would extend back beyond the adjacent intersections in both directions.

For the AM peak, queues are projected to exceed capacity for the westbound through movement, both with and without the project, impacting the Lakepointe Way intersection.

### SR 522 at Lakepointe Way

During the PM peak period, queues would exceed storage for the westbound and northbound left turn movements. The westbound queue can be accommodated by extending the storage lane by 250 feet within the existing right-of-way. The northbound queue would extend back to the Lakepointe Way/Lakepointe Boulevard intersection, but is not projected to adversely impact level of service there. Eastbound right turns would share the transit-only lane at this intersection. The eastbound joint use of that lane must extend nearly to 61st Avenue NE to avoid eastbound right turning vehicles being blocked by the eastbound through queue that may be created from 68th Avenue Northeast.

During the AM peak period, queues are projected to be within storage capacity.

### SR 522 at 68th Avenue NE

Without the project in 2005, the eastbound and westbound through movements and all northbound movements would experience extensive queuing and impact the adjacent intersections on each of those legs. With the project, queues would still exceed capacity on the eastbound through, westbound left turn, and all northbound movements, though in all cases the queues would be shorter than for the No Action condition. Queues would still impact the adjacent upstream intersection in the eastbound direction (Lakepointe Way). As noted in the previous section, the northbound queuing would impact both the NE 175th Street and Lakepointe Way NE intersections on 68th Avenue NE. The improvements outlined in that section would reduce the impacts of these queues. Queues would still effect the NE 175th

intersection with the proposed improvements in place, but would not extend back to the Lakepointe Way intersection.

During the AM peak hour without the project, extensive queuing is projected for the westbound through movement and for all northbound movements. With the project, queues would exceed capacity on the northbound leg by 31 percent (21 vehicles versus storage for 16 for the combined left turn and through movements).

### SR 522 at 73rd Avenue NE

No traffic queuing problems are expected at the SR 522/73rd Avenue NE intersection during the AM or PM peak hours with the Proposed Action.

### SR 522 at 80th Avenue NE

During the AM peak hour with and without the project and during the PM peak without the project, the southbound leg is expected to slightly exceed storage capacity (21 vehicles versus storage for 20). During the PM peak with the project, extensive queuing is projected the westbound through movement. The eastbound left turn is projected to exceed capacity by 40 percent (148 vehicles versus storage for 106), and the southbound queue would exceed capacity by 27 vehicles.

With the southbound right turn pocket, identified as a potential improvement to this intersection, no queues are projected to exceed storage on any of the legs due to the additional capacity southbound, and the additional green time that would be made available for the east and westbound movements.

### 68th Avenue NE at NE 175th Street

The NE 175th Street/68th Avenue NE intersection would not experience over-capacity queues from its own operation, but as noted above would be impacted by northbound queues at the SR 522 intersection and by southbound queues from the Lakepointe Way intersection. The improvements identified above would not eliminate queuing at this location, but would shorten queues and improve overall intersection operation.

### 68th Avenue NE at Lakepointe Way NE

At the Lakepointe Way NE/68th Avenue NE intersection, the northbound through movement would receive continuous green time, except during pedestrian crossings of 68th Avenue NE. (A raised barrier on 68th Avenue from the north stop line across the intersection to the south stop line would separate the far right lane on 68th Avenue NE.) The queue forecast during the PM peak hour results from congestion at the SR 522/68th Avenue NE intersection, and would result in queues that extend back to the intersection of

NE 170th Street/68th Avenue Northeast. The northbound left turn movement queue at the Lakepointe Way NE/68th Avenue NE intersection is not expected to impact traffic operations at NE 170th Street/68th Avenue Northeast, however. The single northbound inside lane across the bridge plus the dual left turn lanes north of the bridge would provide storage for more than 120 vehicles, with a projected peak demand of only 23 vehicles.

The southbound approach to the Lakepointe Way NE/68th Avenue NE intersection is expected to back up beyond the upstream intersection of NE 175th Street/68th Avenue Northeast during both the AM and PM peak hours. This is due to the short distance between these two intersections, about 320 feet measured center-to-center. This southbound queue is not projected to extend back to SR 522, however.

### 68th Avenue NE at NE 170th Street

Vehicle back ups are projected to exceed capacity for the westbound right turn movement for all conditions in 2005. The addition of a westbound overlap phase would greatly minimize queuing due to the increase in green time. Queues are also projected for the northbound through movement during the PM peak period only, a result of the congestion along 68th Avenue NE. The improvements to the SR 522/68th Avenue intersection would alleviate this queuing. Queuing beyond capacity is also forecast for the southbound left turn movement with the project during the PM peak, extending back into the Lakepointe Way intersection. Signal timing or interconnect improvements would help to minimize the impacts of this queue.

### Lakepointe Way NE at NE Lakepointe Blvd.

No traffic queuing problems are expected at the Lakepointe Way NE/NE Lakepointe Blvd. intersection during the AM or PM peak hours with the Proposed Action.

### Queues Over Capacity

Table 8 shows that there are seven locations in the AM (affecting eight intersections) and eight locations in the PM (affecting nine intersections) that are modeled to be over capacity for the Proposed Action. Without the project, there are five locations in the AM (affecting five intersections) and six locations in the PM (affecting six intersections). This extensive queuing is to be expected given the high traffic volumes forecasts in the corridor.

## Parking

Table 9 shows the parking requirements per King County Code and the parking provided in the Proposed Action, by parcel. The data shows that

Table 9: On-Site Parking

| Parcel | Commercial Retail/Other SF | Commercial Office SF | Housing Apartment Units | Housing Senior Housing Units | Housing Condo Units | Parking KCC 21A-18 Parking Required | Parking As Designed Drwgs Dated 7/16/96 |
|---|---|---|---|---|---|---|---|
| A | 87,669 | | 240 | 400 | | 852 | 1,202 |
| B | 99,333 | 60,000 | | | | 897 | 743 |
| C | 54,255 | 40,100 | 140 | | 100 | 524 | 744 |
| D/E1<br>Hotel<br>Health Club | <br>36,270<br>161,100 | | | | 100 | 1,208 | 954 |
| E2 | | | 220 | | | 300 | 432 |
| F | 53 Slips | | | | | 26 | 0 |
| G | | 105,488 | | | | 351 | 433 |
| **Total** | **438,627** | **205,588** | **600** | **400** | **200** | **4,158** | **4,508** |
| **GRAND** | **644,215 Gross SF** | | **1,200 Dwelling Units** | | | | |
| **TOTAL** | **Commercial Space** | | | | | | |

Source: Lakepointe Development, Revised Commercial Site Development Permit, 12/23/1996, Sheet A2.2

4,508 parking stalls are planned, which is a surplus of 320 stalls above the code requirements. The parcels are identified in the Revised Commercial Site Development Permit plan set, Dec. 23, 1996. The data in Table 9 are from Sheet A2.2 of that plan set.

## Access Restrictions

The addition of a new traffic signal on SR 522 at Lakepointe Way NE would create the need to prohibit left turns to and from SR 522 in the vicinity of the intersection. The existing connection between SR 522 and NE 175th Street at 65th Avenue NE would be closed, and Lakepointe Way NE would intersect SR 522 at about the same location. 65th Avenue NE between SR 522 and NE 181st Street would remain open, but left turns would be prohibited at SR 522. Westbound right turns in and out of 65th Avenue NE would be allowed with a stop sign controlled 'T' intersection just east of the new Lakepointe Way NE intersection with SR 522.

Left turns into and out of several private businesses on the north side of SR 522 would also need to be prohibited. The approximate limits of the prohibitions would be 67th Avenue NE to the east and 250 feet west of 65th Avenue NE to the west. This would affect U.S. Bank, the BP gasoline station, the Nu Lite Restaurant, a commercial building and the Texaco gasoline station. Left turns to and from 67th Avenue NE may be allowed depending upon WSDOT requirements. This will be determined in the Design Memo being prepared concurrently with the environmental documentation.

Left turns into and out of four driveways to the businesses west of 61st Avenue NE may be impacted by these pavement marking changes. The impact may range from no change to full left turn restrictions, depending upon the traffic operation analysis of the pavement marking changes approved by King County.

### Construction Traffic

Construction traffic and impacts are not anticipated to change from those outlined in the June, 1997 Lakepointe Traffic Impact Analysis. No significant traffic operational impacts are anticipated.

## FUNDING OF PUBLIC AND PRIVATE TRANSPORTATION IMPROVEMENTS

Lakepointe Way NE from SR 522 to 68th Avenue NE (including the intersection improvements), NE Lakepointe Blvd. from Lakepointe Way NE to the roundabout near the hotel entrance (between phases D, C-2, E-1 and E-2) and the pedestrian street (between phases C-1 and C-2) are proposed to be public roadways in dedicated King County rights-of-way, constructed with funding through a Road Improvement District (RID). The reconstruction of NE 175th Street and the Burke Gilman Trail in the vicinity of the Lakepointe Way NE overcrossing would be part of the RID project. The transit stops on the north and south sides of SR 522 and the connection to the Burke Gilman Trail would also be part of the RID. The RID may also include a pedestrian bridge over SR 522, pedestrian improvements to the Sammamish Slough bridge at 68th Avenue NE and the required fire lanes on the project site.

Lakepointe Way NE, NE Lakepointe Blvd. and the local access roadway underneath Lakepointe Way NE is proposed to be owned by King County. Maintenance of the public roads would be by King County,

All on-site driveways, access roads, parking areas and pedestrian and bicycle features would be constructed and maintained with private funding.

## MITIGATION

In order to mitigate the potential adverse transportation impacts of the Lakepointe Development Proposed Action, the proponent has proposed the following roadway improvements:

1. Lakepointe Way NE (SR 522 to 68th Avenue NE)

   - Dedicate right of way and construct new five lane arterial connecting with 68th Avenue NE approximately 400 feet south of NE 175th Street and with SR 522 at the location of the existing south leg of 65th

Avenue NE; work with King County and Metro to define potential HOV treatments along the new roadway.

- Provide sidewalks and bicycle facilities meeting County requirements for handicap accessibility.
- Provide grade-separated crossing of Burke Gilman Trail at 65th Avenue NE

2. SR 522 at Lakepointe Way NE
   - Reconstruct intersection to provide dual northbound left turn lanes and a single northbound right turn lane.
   - Provide crosswalks on the south and east approaches to the intersection.
   - Signalize intersection including pedestrian actuated phasing.
3. Lakepointe Way NE at 68th Avenue
   - Widen 68th Avenue NE to provide dual northbound left turn lanes; the new left turn lane will extend approximately 100 feet south of the intersection. (Improvement may require an administrative variance to King County Road Standards; specific design and need for a variance will be determined as part of the Design Memo.)
   - Provide a single left turn lane and dual right-turn lanes on the eastbound approach.
   - Provide crosswalk.
   - Signalize intersection including pedestrian actuated phasing.
4. NE 175th Street at Lakepointe Way NE (65th Avenue NE)
   - Reconfigure intersection to provide grade separation and realignment to connect at the site access roadway; other potential configurations. Provide a service road/parking access under Lakepointe Way NE.
5. NE Lakepointe Boulevard at Lakepointe Way NE
   - Provide dual left-turn lanes for traffic exiting the Lakepointe site.
   - Provide new access connections to replace east leg of NE 175th Street/65th Avenue NE intersection.
   - Provide crosswalks.

- Signalize intersection including pedestrian actuated phasing.

6. 80th Avenue NE at SR 522

   - Restripe southbound approach to provide separate left and right turn lanes (with or without Lakepointe).

7. 68th Avenue NE at NE 170th Street (Simonds Road)

   - Monitor signal operations and modify signal phasing to provide overlap signal phase for the southbound left turn and westbound right turn movements (with or without Lakepointe). This improvement will not be sufficient to improve level of service above LOS F, but will improve arterial operation (See Unavoidable Adverse Impacts, below).

8. 61st Avenue NE at SR 522

   - Provide exclusive southbound left turn lane and implement a southbound right turn phase overlap. This improvement will not be sufficient to improve level of service above LOS F, but will improve arterial operation (See Unavoidable Adverse Impacts, below).

9. SR 522 (61st Avenue to 68th Avenue) 68th Avenue NE (SR 522 to NE 170th Street, and Lakepointe Way NE (SR 522 to 68th Avenue NE)

   - Work with King County and WSDOT to coordinate signal systems and timings to optimize progression along these three arterials.

10. Pay the County Code-required Mitigation Payment System (MPS) fees as determined by the County after credits are applied for the cost of Lakepointe Way NE construction and other applicable roadway improvement costs as determined by the SEPA review process.

11. Construct Lakepointe Way NE and other applicable roadway improvements in accordance with the Design Memo (preliminary engineering report for off-site road improvements identifying design criteria) that is concurrently being prepared with the Environmental Impact Statement, with full credit against the required MPS fees. Excess credits, if any, will be applied to future impact mitigation or MPS fees that may be required of future phases of the Lakepointe Development.

12. Construct a transit stop on each side of SR 522 east of Lakepointe Way NE with access to the Burke Gilman Trail per WSDOT and King County Metro standards.

13. Develop and enforce a Transportation Management Plan (TMP) to be approved by King County.

# UNAVOIDABLE ADVERSE IMPACTS

The intersections of SR 522 at 68th Avenue NE, 61st Avenue NE, and SR 104, and the intersection of 68th Avenue NE and NE 170th Street are projected to operate at LOS F in 2005 without the proposed action. These intersections would continue to operate at LOS F with the proposed action. Because of the capacity deficiency, the addition of project traffic will increase the queue lengths on SR 522 at SR 104 and 61st Avenue NE and on 68th Avenue at NE 170th Street that would occur without the project.

Despite the additional capacity that would be provided by Lakepointe Way NE, even more capacity improvements are needed in order to alleviate queuing and delays along the SR 522 corridor. There are no apparent improvements in capacity that can be made to the intersections without major right of way acquisition and local business disruption; significant increases in the capacity of the SR 522 corridor can only be achieved by providing additional lanes for through traffic.

# APPENDIX D

# NORTHSHORE COMMUNITY PLAN P-SUFFIX CONDITIONS

# P-Suffix Condition Query Results

## Pre-Conversion Condition: NSP-P14

*(Prior to August 18, 1997)*

### Description

Mixed-Use Pedestrian Oriented Area

### Condition Text

Pedestrian Oriented Area

To implement policies CI 4 , K 2 and K 12, special conditions are attached to the property known as the Kermmore Pre Mix site. The discussion and mitigation below applies specifically to the Pre Mix site (shown on Map A).

The Mixed Use District is intended to be a pedestrian oriented place, where residents and visitors can enjoy an "urban village" extension of Kenmore. The design of the Mixed Use District is intended to integrate different land uses and activities and minimize the conflicts between vehicles, pedestrians and cyclists. It includes a new "pedestrian street" that will connect the new Lakepointe Drive to the waterfront park. Shops and dining establishments will front the street, with residences above.

The Mixed Use District will provide almost a mile of Lake Washington and Sammamish River channel shoreline public access. A waterfront promenade will be developed for pedestrian use along the existing barge basin, and will include trees, benches, public viewpoints, walking paths and sidewalk cafes. The promenade will lead to a new public waterfront park at the end of the peninsula with a special public gathering place for musical events and other occasions. The park will have unobstructed views down Lake Washington available to residents of the Kenmore community.

Pedestrian improvements will include a new public shoreline park along the Sammamish River channel, which will incorporate a shoreline/wildlife interpretive trail and bike path. Townhouse style homes will be set back from the shoreline to allow for enhancement of this new natural area. The shoreline/wildlife interpretive trail will lead to a new public community shoreline park with public restrooms and a trailhead interpretive center.

Mixed business residential use is recognized as a viable use in the long term for the Kenmore Pre-Mix site. However, any development in this area requires mitigation of environmental impacts. Therefore, a site-specific mitigation program is incorporated in the Psuffix conditions for this area. The objective of this mitigation plan is to ensure that all impacts of the proposed development are mitigated.

SR-522 in Kenmore is recognized to be at "ultimate design." Roads that are at ultimate

design cannot be widened without significant destruction of existing development and potential environmental damage because the land around the roadway is already developed and/or contains natural features. King County recognizes that while some improvement to adjacent roadways is possible, congestion below County thresholds is likely to continue on SR 522. The level of acceptability cannot be based on current County standards due to the ultimate design characteristics of the SR-522 roadway described above.

The King County Department of Public Works has identified transportation improvements which will facilitate traffic flow in Kenmore. Transit improvements have also been identified. The transportation P suffix conditions in this package identify ways to mitigate transportation impacts as a result of mixed use development on the Pre Mix site.

The following p suffix conditions apply to the Kenmore Pre Mix site:

1. _Permitted Uses

_Permitted uses shall include those uses permitted in the various zones within the overlay district, except the following:

_a._Gasoline service stations

_b._Drive through restaurants

_c._Retail nurseries

_d._Car washes

_e._Stores with outdoor storage

_f._Single retail tenants with a gross floor area in excess of 65,000 square feet

_For properties in the Neighborhood Commercial, Waterfront, and Waterfront Extension Subdistricts (described below), the location of residential dwelling units shall be prohibited on the ground floor, and retail and service uses are encouraged on the ground floor. Other ground floor uses (including parking) may be permitted when designed so as to be compatible with the pedestrian orientation of the development.

2._Building Development

_Orientation to Pedestrian Street

_For properties with frontage on the primary pedestrian street (shown on Map A), the following building setback requirements shall apply:

__Street Setback: maximum of 5 feet; larger setbacks shall be allowed if arcades, street side outdoor cafes, patios, parks, plazas, or other public spaces are provided along the street.

__For properties with frontage on the primary pedestrian street, the primary ground floor building entrance should orient to either the street or public spaces such as plazas, arcades, and parks.

_For development located on the primary pedestrian street, a minimum of 75% of the street shall be fronted by buildings at grade. A minimum of 50% of the buildings on the street shall be fronted by retail or service uses.

_Public pedestrian access to the waterfront located at the rear of buildings located on the primary pedestrian street shall be provided a minimum of every 300 feet of street frontage.

_Street Facade Requirements

_The building street facade of ground floor retail and service uses that front the primary pedestrian street shall include windows and overhead protection. The use of blank walls without facade ornamentation is not permitted along the primary pedestrian street.

_Building materials such as concrete, brick, masonry, glass, tile, stone, metal, or wood are required on the building street facade. Sheer, uninterrupted glass curtain walls, all mirrored glass and cinderblocks are not permitted on the building street facade along the primary pedestrian street.

_Height

_Maximum heights shall be 92 feet in the northern and central portions of the mixed use development area. A 45-foot height limit shall apply to all development within 100 feet of the channelized edge of the Lake Washington shoreline. The boundary of the channelized edge shall extend to the inner harbor line. A 35-foot height limit shall apply to all development within the first 200 feet, and a 45-foot height limit to all development within the next 100 feet of the Sammamish River shoreline edge and the Lake Washington shoreline edge that is not channelized.

_Street Frontage

_The frontage of Lakepointe Drive shall be designed as to be attractive to passing road users and to screen surface parking adjacent to the roadway. For example, parking areas fronting on Lakepointe Drive should be screened either by bermed landscaping or buildings. Street trees shall be provided along Lakepointe Drive.

3._Parking

_Amount and Location

_At full build out, off street parking shall be no greater than one space for every 400 square feet of floor area in the waterfront, waterfront extension, and residential subdistricts; provided that during initial phases of development, off street parking standards may be exceeded in anticipation of future development.

_In the Neighborhood Commercial subdistrict, minimum parking requirements for office, retail and commercial uses shall be reduced to one space for every 300 square feet of floor area.

_Surface parking shall be located to the greatest degree possible in the rear of buildings that front the primary pedestrian street. Any parking which cannot be accommodated in the rear of the building may be provided on the side of the building.

_At full build-out, on-site surface parking shall consume a maximum of 50% of the total site area in the Neighborhood Commercial subdistrict, and 25% of the total site area in the Waterfront, Waterfront Extension, and Residential subdistricts. The remaining off street parking requirements shall be accommodated using one or a combination of the following:

__On site parking structure

__On street parking spaces

__Off site common parking facility

_At full build out, 75% of the parking in the Waterfront, Waterfront Extension, and Residential subdistricts shall be provided in structures or on street.

_In the Neighborhood Commercial subdistrict of the Pre Mix site, a maximum of 60 parking stalls are permitted in any one surface parking lot. At a minimum, parking lots must be separated by buildings, streets, or 12 feet of type two landscaping.

_Design

_All parking areas that front sidewalks (except along Lakepointe Drive) shall be screened by a streetwall and landscaping.

_Retail uses shall be provided on the first floor of the street side edges of parking structures.

4._Transit and Transportation Circulation

_Mitigation for development of the Pre Mix site should emphasize enhancement of transit and non vehicular use and improvement of local access and circulation within the Kenmore area. Therefore, mitigating conditions (as specified in paragraph 14 below) include dedication and construction of Lakepointe Drive, signalization of the intersection of this road with 68th Avenue and with SR 522, dedication and improvement of a transit stop on SR 522, contribution to development of a pedestrian bridge crossing SR 522, construction of a pedestrian street, provision of commuter parking, the construction of Lakepointe Drive and improvements to a new intersection at 65th Avenue NE, and development and enforcement of a transportation management plan on site.

_Fair share participation in applicable projects listed in the current Mitigation Payment System Program, as well as contribution towards other transportation projects identified through the Master Plan and development plan approval process.

_Furthermore, the requirement that residential development occur throughout the various phases of development of the Pre Mix site will ensure that transit and transportation linkages occur from the very beginning of development.

5._Pedestrian and Bicycle Circulation

_Design of the Mixed Use District shall emphasize public pedestrian access and linkages to the transit facilities and adjacent sites. This includes contribution to development of a pedestrian bridge across SR 522, as specified in Condition 14 below,

if approved by King County and WSDOT. Required primary public pedestrian and bicycle routes are shown on Map B. Other, minor pedestrian routes shall be identified through the Master Planning and building permit review processes.

_All pedestrian walkways and connections, including shoreline pedestrian routes, shall be accessible and open to the general public. Public vehicular access may be limited to the Residential area. Pedestrian access within the Residential area shall be limited to two public access corridors across the subdistrict.

_Bicycle and pedestrian linkages to the Burke Gilman Trail, and to the transit hub required as part of Condition 14 below, shall be provided. See Map B. Location of these linkages is subject to the review and approval of King County.

_Bicycle parking facilities shall be provided at all major public destination points.

6._Landscaping and Public Amenities

_All properties that front the pedestrian street must provide sidewalk landscaping and other amenities (street furniture, street trees, and special lighting).

_20% of the entire mixed use development shall be designated as public open space for the general public. Major public activity nodes are identified on Map B. A public gathering place which accommodates a minimum of 50 people shall be provided on the site. See Map F and G. These public open space areas shall be easily accessible to the pedestrian, and shall be considered in the pedestrian circulation plan. Waterfront access areas, public parks and sensitive area buffers may be utilized to calculate the 20% requirement. Internal pedestrian walkways, public streets, and private open space areas shall not be utilized to calculate the 20% requirement. Public access shall be provided around the entire waterfront edge of the site, See Map B.

_Street trees shall be provided in all roads constructed with the development. The normal landscaping requirements of the code, with the exception of parking area landscaping, are hereby waived.

7._Vehicular Access and Circulation

_Driveways on the primary pedestrian street shall be limited to an average of one for every two hundred lineal feet.

_The on site vehicular circulation system shall contribute to pedestrian movement and safety by including all of the following items that are feasible, considering the overall design of the development:

· Pedestrian crosswalks at key crossing areas

· Signage that clearly communicate the location of vehicular and pedestrian

· Designated passenger drop off areas

· Parking on interior roads, to slow down vehicular traffic

· The primary pedestrian street shall be built in the Waterfront subdistrict. Location of this pedestrian route as shown in Map B is conceptual. Actual location may vary based

on road and signalization design. The street shall be built to the general specifications of the illustrative street section in Map C and Map D.

8._Public Viewpoints

_Public viewpoints, linked with the pedestrian routes, shall be provided. Public viewpoints shall provide views of the Sammamish River and Lake Washington. See Maps B, E, F and G. Public viewpoints shall be integrated into the pedestrian plan for the site and shall be easily accessible to the public. Development of the public viewpoint areas shall include pedestrian amenities such as seating and signage.

9._Shoreline Enhancement

_The shoreline edge of the Sammamish River and Lake Washington shall be improved to enhance water quality and wildlife and marine habitat. A wetland and riparian enhancement plan subject to the review and approval of King County, shall be performed by a qualified wetland biologist. Setbacks shall be subject to the King County Sensitive Areas Ordinance and the Shoreline Master Program with a minimum 100-foot setback for structures from the river's edge. Variations to adopted setbacks, may require off site mitigation, to be determined in the Master Plan process. No disturbance of the Sensitive Areas Ordinance required buffers is permitted, except at minimum 300 foot intervals, wildlife viewing trails extending into the buffer may be allowed if no significant impact to the wildlife and marine habitat is anticipated to occur. The use of moorage developed in the barge channel shall be limited to private use. Public moorage shall be provided, if feasible, on the Lake Washington frontage of the site, subject to approval under the King County Sensitive Areas Ordinance, the Shoreline Master program and other agencies with jurisdiction. Approval of all water moorage is subject to mitigation of marine/air conflicts. A special study shall be performed to determine if boat moorage will have a negative impact on salmon runs entering the Sammamish River or feeding at the River mouth. If it is found that moorage and associated boat traffic may have an impact, boat moorage shall not be provided. AT the time of the creation of this condition package, no setbacks are required along the inner harbor line. Regulations adopted subsequently may require setbacks within this area.

10._Affordable Housing.

_Affordable housing units amounting to 10% of the total number of units in the development shall be provided. Compliance with this requirement shall be required (a) upon occupancy of the first 400 units at the Pre Mix site, and (b) thereafter, upon the completion of each additional 260 residential units at the site. Compliance may be achieved through construction of affordable units or provision of adequate security to the County to ensure their future development. The affordable units need not be provided within the development, but must be provided within the Northshore planning area. Units may be either rented or sold. Affordable housing shall be calculated as follows: Rented units shall be provided only to households earning less than 50% of the median income. Monthly rents shall be no greater than 30% of the monthly income from households earning 50"m of the median income. Sold units shall be sold to first time buyers (i.e. person not having owned a home in the past three years) earning less than 80"m of the median income. Home prices shall be Affordable based on FHA lending standards. Covenants shall be established which guarantee the fulfillment of this obligation.

11._Residential Density.

_Residential density at full build out shall be calculated at the following levels per acre for the gross land area of each subdistrict in the development:

_Neighborhood Commercial

_Waterfront & Waterfront Extension

_Residential

_Residential uses in the mixed use area shall not exceed 75% and shall not fall below 50% of the total built floor area of the development at full build out. Where feasible, buildings with non residential uses (in particular, large buildings), shall include residential uses as well. A minimum of 25% of total floor area of each phase of development shall be residential.

12._Hazardous Waste Removal

_Prior to any development, the applicant shall conduct additional environmental assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up on accordance with the remediation schedule.

13._Fair Share Mitigation.

_In applying the above conditions on individual properties, mitigation "shall be at a reasonable level related to each proposed development.

14._Phasing Requirements

_The approved Master Site Plan for and all approvals for development of phases of the Pre Mix site, shall satisfy the following requirements for phasing, provision of mitigation, and development by subdistrict.

_a._Subdistrict Development. The Pre Mix site shall be divided into four subdistricts, as shown on Map A. The location of the subdistrict boundaries may vary somewhat from Map A; the final boundaries for each subdistrict will be determined in the master plan process. Development in each subdistrict is subject to all P Suffix conditions of the zone set forth above, as well as the subdistrict specific conditions described below and any mitigations identified through the Master Site Plan approval process. The Residential Subdistrict may overlap with the adjacent subdistricts for the purpose of distributing density across the site, as set forth under the approved Master Plan. This plan contemplates that ultimate development of the outright RB zoned portion of the Pre Mix site (not including the Waterfront Extension Subdistrict) will include approximately 1000 units of residential development and approximately 500,000 square feet of commercial (including approximately 250,000 square feet of office/professional service, and 250,000 square feet of retail and entertainment) development.

__(1)_Neighborhood Commercial (approximately 12 18 acres). This area will serve as the focus of neighborhood scale retail and commercial development, because of its proximity to road and transportation infrastructure. It may also include entertainment uses, and will incorporate residential development, though at a lower density than the remainder of the Mixed Use District. Where feasible, residential uses will be included in the same structure as retail and office uses. Some vertical integration of residential and retail/office uses shall occur in this area.

__(2)_Waterfront (approximately 10 14 acres). This subdistrict will emphasize pedestrian scale access and development, both at and near the channelized edge of the inner harbor. Development will be mixed use, with a higher density of residential than in the Neighborhood Commercial Subdistrict. Enjoyment of the urban shoreline environment and pedestrian connections throughout the site will be stressed.

__(3)_Residential (approximately 10 14 acres). The residential subdistrict will be the center of residential development on the site. This area will be linked to the neighboring commercial and waterfront subdistricts, as well as to the transit hub, by pedestrian corridors, bridges, and other linkages. Residential development will respect the natural shoreline of the Sammamish River, where public access will be provided.

__(4)_Waterfront Extension (approximately 4 8 acres). This future phase (potentially zoned RB P) will develop after the discontinuation of the existing industrial use.

_(b)_Phasing. There are no restrictions on when or where development may occur within the Pre Mix site, so,long as it is in accordance with the approved master plan.

_(c)_Mitigation Phasing Requirements. The purpose of identifying mitigation phasing requirements in the area zoning is to insure that adequate mitigation is in place for development of each portion of the mixed use development site. These requirements are designed to insure that most of the capital project roadway mitigations for the entire Pre Mix site shall occur at the beginning of development. Thus most of the roadway related capital infrastructure and amenities will be in place in connection with initial development to support full development of the Pre Mix site. Certificates of occupancy shall not be issued for a particular subdistrict until the mitigation requirements of that subdistrict have been satisfied or adequate security to ensure their satisfaction has been provided King County (unless these p suffix conditions or the approved Master Plan set forth a different timetable for completion of the mitigation).

__Mitigation provided under these conditions shall be credited where appropriate against mitigation requirements otherwise applicable to the project through the SEPA process or under County codes. The property owner may fund mitigation improvements based upon agreements for reimbursement of portions of such costs by public agencies or other benefited private parties.

__The intersection of SR 522 and 68th Avenue currently operates at LOS F. Significant mitigation of this intersection is not possible, and therefore mitigation for the development of the Pre Mix site must be directed to improving access and circulation in other ways. Satisfaction of the linkage requirements set forth below shall be construed as satisfying the County's concurrence and intersection standards for the overall project.

__(1)_Overall Project Mitigation. The following items shall be provided in connection

with initial development of the Pre Mix site. Certificates of occupancy shall not be issued for development on the Pre Mix site until the following mitigation requirements have been satisfied or adequate security to ensure their satisfaction has been provided King County.

___(a)_Full signalization of the intersection of 68th Avenue and Lakepointe Drive (listed in the CIP), and intersection improvements to include a northbound left turn and left turn/pass through lanes on 68th Avenue but not including improvements to the 68th Avenue Bridge over the Sammamish River;

___(b)_Dedication of right of way adequate for a five lane principal arterial on site for Lakepointe Drive, connecting 68th Avenue to SR 522 at the northwest corner of the Pre Mix site;

___(c)_Construction of Lakepointe Drive on site in a five lane cross section with landscaped median within the dedicated right of way, connecting 68th Avenue to SR 522;

___(d)_Provide for signalization and reconfiguration of the intersection of SR 522 and Lakepointe Drive (listed in the CIP), once signal installation authority has been obtained from the State of Washington by King County;

___(e)_Provide for realignment of existing 175th Street with a grade separated crossing under Lakepointe Drive (listed in the CIP), as set forth in Map B;

___(f)_Construction of two enhanced transit stops (to be listed in the CIP), which shall be located on the north and south side of SR 522 and north of the Burke Gilman Trail and shall include seating areas, weather protection, and specially designed landscaping and walkway surfaces. The transit stop may be in lane or pull out, and King County shall be responsible for land acquisition and for obtaining approvals for the transit stops;

___(g)_The developer shall be responsible for achieving SOV trip reduction for the project by providing 50 commuter parking stalls in a location accessible to the southern enhanced transit stop or by contributing its fair share to the construction of a new park and ride facility in the Kenmore area, as determined in the approved Transportation Management Plan.

___(h)_Payment of fair share mitigation fees, including those for a fair share contribution to the transit lane improvements planned on SR 522 with credit, if applicable, for the system improvements (e.g., Lakepointe Drive) constructed for the project;

___(i)_Pedestrian access from the developed area to the transit stop and the 68th Avenue/SR 522 intersection;

___(j)_Provision of other minor roadway improvements identified by the Master Plan, such as signal phasing, lane realignment, etc.;

___(k)_Provide a touchdown location on site for the proposed pedestrian bridge crossing SR 522;

___(l)_Provide for a grade separated connection for the Burke Gilman Trail under the to

be constructed Lakepointe Drive, that is compatible with the design of the Burke Gilman Trail undercrossing at 68th Avenue. The Trail shall have a 1 2 foot clear height and project design shall seek to enhance linkages between the Trail and pedestrian routes in the project and reasonably to minimize grade change along the Trail. A curb-cut shall be provided on SR 522 east of 65th Avenue N.E. for access to a parking structure, and the Trail level portion of the parking structure shall include retail or pedestrian services or open space oriented to the Trail (subject to WSDOT approval);

___(m)_The developer shall provide cash incentives, such as transit subsidies, parking fees, or rent abatement for transit use, in residential leases, if called for under the approved transportation management plan;

___(n)_The developer shall maintain access on the existing 175th Street for the off site lots adjacent to the northeast corner of the project site, as long as the design and function of such access is acceptable to the owners of the off site lots and will not result in adverse impacts to the use of these lots;

___(o)_Development of shoreline enhancement, including public recreation and access areas on the Sammamish River shoreline of the Mixed Use District. Development in the initial phase shall include parking, public restrooms, trailhead facilities, vehicle turnaround, public viewpoint, construction of shoreline interpretive trail, enhancement of the riparian edge of the Sammamish River, and provision of a public viewpoint;

___(p)_Prior to any development, the applicant shall conduct additional environmental assessment as specified by King County and, if contamination is found, shall prepare a remediation plan and schedule acceptable to the King County Executive. Prior to development of any phase of the project, contamination (if any) on the portion of the site to be developed in that phase shall be remediated in accordance with the remediation plan and all legal requirements. The remainder of the site shall be cleaned up on accordance with the remediation schedule.

___(q)_The developer shall appoint an on site transportation coordinator, and provide cash incentives, such as transit subsidies, parking fees, or rent abatement for transit use, in residential leases in the residential subdistrict, if called for under the approved TMP;

__(2)_Neighborhood Commercial Subdistrict Mitigation. The requirements for the Neighborhood Commercial Subdistrict are satisfied with the initial phase development. Therefore, additional mitigation requirements are not set forth for further development in the neighborhood commercial subdistrict. Although single use commercial buildings are not prohibited in this subdistrict, residential and commercial uses in various structures should be integrated to the greatest degree possible, through the use of walkways and other functional connections between buildings. Further, the prohibition on ground floor residential units will encourage the inclusion of mixed uses in residential structures. A conceptual plan for a portion of the neighborhood commercial area is shown on Map J.

__(3)_Waterfront Subdistrict Mitigation. Additional mitigation requirements for the Waterfront Subdistrict, identified below, are focused on enhancing open space opportunities in this portion of the mixed use district and on emphasizing pedestrian connections within the development. Development shall satisfy the following criteria, in addition to the standards of the underlying zoning:

___(a)_The pedestrian street shall be constructed. See Maps C and D. Construction of the street shall be' phased so that the street is constructed in conjunction with development of adjacent buildings. The pedestrian street shall be developed to County road standards as a business access street including two traffic lanes, two 8 foot parallel parking strips, and two 1 0 foot sidewalk areas.

___(b)_The harborside promenade shall be constructed. See Map E. Like the pedestrian street, the construction of the harborside promenade shall be phased to occur in conjunction with development of adjoining buildings. The harborside promenade shall be constructed as a 20 foot wide hard surfaced pedestrian walkway, beginning at the channelized edge, and shall include pedestrian features such as seating, landscaping, sidewalk cafes, and pedestrian amenities.

___(c)_Upon completion of the pedestrian street, a public parking area shall be developed at the southern end of the pedestrian street. The parking area shall provide parking for approximately 20 vehicles.

___(d)_A harborside viewpoint shall be constructed in conjunction with the harborside promenade, at a location identified in the approved master plan. See Map E.

___(e)_A lakeside viewpoint shall be developed at the southern end of the site, at a location identified in the approved master plan. Development of the lakeside view point shall occur upon completion of the pedestrian street. See Map B and F.

___(f)_A public gathering place shall be developed at the southern end of the pedestrian street, adjacent to the lakeside viewpoint and in a location identified in the approved master plan. See Map F. The major public gathering place shall provide area for gathering of at least fifty people. It shall be developed upon completion of the pedestrian street.

__4._Residential Subdistrict Mitigation. Additional mitigation/linkage requirements for the residential subdistrict are geared toward enhancing pedestrian connections within the site, reducing reliance on single occupancy vehicles, and enhancing transit use. Development shall satisfy the following criteria, in addition to the standards of the underlying zoning:

___(a)_Internal pedestrian connections from the residential subdistrict to the transit hub shall be provided;

___(b)_A pedestrian bridge over SR 522 shall be provided (subject to WSDOT approval) when fair share funding for construction is available from sources other than the developer. The developer shall be required to pay its fair share toward the cost of the bridge;

___(c)_At build out of the Residential District, the developer shall provide a shuttle service to connect the development with the transit hub, if called for under the approved TMP;

__5._Waterfront Extension Stage Mitigation. Mitigation requirements for the waterfront extension stage are provided in connection with development of the other subdistricts. Therefore, additional mitigation requirements are not set forth for development in the

Waterfront Extension Subdistrict. Development in this subdistrict may not proceed until mitigation for the overall development and Waterfront subdistrict have been provided.

15.__Mixed Use Master Plan Submittal Requirements.

__Before development can occur, a Master Plan shall be completed and approved. The following requirements apply to the process for obtaining Master Plan approval for development of the Pre Mix site. The Master Plan application shall be subject to review and approval by DDES. The Master Plan application shall establish vehicular, pedestrian and open space connections within the entire development. These vehicular, pedestrian and open space connections and transportation mitigations shall be binding. Approval of the Master Plan shall assure:

__a._the Mixed Use development area in its entirety meets the goals, policies and criteria of the Northshore Community Plan;

__b._that there is adequate environmental review of the cumulative impacts of all mixed use development in Kenmore;

__c._that there is detailed project level review of environmental impacts of the phase or phases that comprise the development application;

__d._that there is adequate mitigation developed for the project level review;

__e._that specific criteria of the Northshore Area Zoning and these p suffix conditions are met;

__f._that each phase of development will adequately meet the expressed goals for the mixed use area, and adequately mitigate for its impacts at the time of development.

16._Required Elements for Plan and final Development Applications:

_The following elements are required of the Master Plan applications in the mixed use development area. This application may include development approval for one or more phases of the entire mixed use area. The discussion of the following elements should be conceptual in nature in the preliminary master plan application, except for phases for which final development approval is sought.

_a._Environmental documents assessing project level impacts of the development. Appropriate mitigation necessary for site specific impacts should be identified.

_b._Housing units for all phases shall be identified by number and type for each phase including affordable housing requirements of item 10 of the area zoning. Any phase included in a final development application shall also identify location and value of housing units in that phase, if applicable.

_c._Retail/Commercial uses for all phases shall be identified by square footage per phase. Any phase included in a final development application shall also identify major tenant types and building locations in that phase.

_d._Office uses for all phases shall be identified by square footage. Any phase included in a final development application shall include building footprints and employment data for that phase.

_e._Public and private facility improvements shall be identified for the entire mixed use development area. Appropriate size or capacity, location, operational characteristics and relationship should be estimated or defined in further detail as defined in other sections of the mixed use requirements.

_f._Open space shall be identified for all phases and broken down by the amount per phase and type of facility. Specific improvements should be identified for the phase of a final development application.

_g._Vehicular circulation and access shall be identified for all phases. Any phase included in a final development application shall include locations of driveways and parking and a plan for internal circulation.

_h._A map and text identifying pedestrian and bicycle circulation through the entire Mixed Use Development Area is required. Major routes are identified on Map B. Major pedestrian and bicycle connections identified by King County through the staff report shall be binding for subsequent building permits, unless revised. Detailed design of facilities within any phase applying for final development approval shall be included for that phase.

_i._The application shall include a description of how proposed mitigation for the project conforms to the requirements of the P suffix conditions or, if alternative mitigation is proposed, how such alternative mitigation meets the goads and intent of the P suffix conditions and the Northshore Plan. The mitigation plan should identify the project's actual cost of proposed mitigation and its fair share for mitigation. The County may approve such alternative mitigation if it is warranted, based on changed conditions relating to, for example, transit plans, road alignments, pedestrian connections, other planning or capital improvement changes, or infeasibility of proposed mitigation or p suffix conditions, and if the goals and intent of the P suffix conditions and the Plan

_j._An agreement identifying timing and funding of public and private funding commitments for identified capital and transit improvements shall be prepared by King County. This agreement shall also include funding commitments necessary to mitigate impacts for the phase or phases proposed in the development application. The plan shall be consistent with the p suffix conditions. If the application proposes funding or construction of improvements in excess of the developer's fair share, the application shall also include a plan that describes how such excess contributions can be recaptured from public or private sources and/or credited against mitigation required for development of future phases, including the waterfront extension district.

_k._A transportation management plan shall be created for the entire site to reduce single occupancy vehicle trips related to the project. Strategies to be considered shall include transit subsidies, parking fees, and rent abatement. Mitigations should not be required in excess of the project's overall fair share.

_l._King County shall be required to conduct SEPA review of the Master Plan. King County and the applicant have completed the transportation analysis for the project, and the transportation related p suffix conditions are based on this analysis and are intended to mitigate the impacts of the development. This transportation study will be incorporated in the SEPA review for this area zoning. Future SEPA review for the

Master Plan and more specific elements of the project should rely on previously conducted analysis where appropriate and should be scoped so as to focus review on impact areas not previously reviewed.

17._ Subsequent Applications

_The following elements are required of subsequent development applications within the mixed use development area:

_a._Developer shall make application to DDES for final development approval of portions of the site prior to actual construction. The application shall include the information identified in Section 16 above for final development plans and shall also include building elevations for review of mixed use and pedestrian-oriented requirements of these p-suffix conditions. The final development plan shall be approved if it is consistent with the Master Plan.

_b._Revisions to the Master Plan may be approved by King County in connection with future development of the site, as long as the revisions to the Master Plan conform to the goals and intent of the P suffix conditions and the Northshore Plan.

## Ordinance

10703

## Effective Date

February 11, 1993

# Rationale for Changes to NSP-P14.

Listed below is the replacement Condition for NSP-P14.

## Status

Multiple

## Rationale

No Code Equivalent

Specific to development, repeal language lowering general code standards (waiver of landscape standards.....) and other administrative clarifications.

## Post-Conversion Equivalent

NS-P4

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