

- Special attention will need to be given to transfer connections particularly at intersections with other Swift corridors.
- Work with Lynnwood to identify the best path for High Capacity Transit between 196th St and 164th St.
- The development of transit priority infrastructure is essential for this corridor's success.

Current Conditions

This corridor begins at the Edmonds Ferry Dock, an area of substantial residential density. Densities remain high, with high-density commercial and residential development along 196th St in Lynnwood. Alderwood Mall Parkway, running across I-5 and along the east side of Alderwood Mall, has been identified as the north-south link between 196th St and 164th St. 164th St is a principal east-west arterial linking Mill Creek and SR-527 on the east with Lynnwood and SR-99 on the west. Interstate 5 intersects the corridor at the Ash Way (164th St / I-5) Designated Urban Center.

West of 80th Ave W, 196th St narrows to two lanes and an intermittent center turn lane. There are significant hills with short sight-distance curves near the Lynnwood city limit. Through most of Lynnwood the roadway is five lanes wide with sidewalks. Along 164th St. the roadway is comprised of four lanes and an intermittent center turn lane from Ash Way to 44th Ave W. The profile widens to seven lanes from Ash Way, over I-5 to Larch Way before narrowing to five lanes again from Larch Way to SR-527. There are bike lanes from SR-527 to Meadow Road and Ash Way to 22nd Ave W. Major Park & Rides are located at Ash Way and Swamp Creek (SR-525 overcrossing).

The corridor is configured well for transit service with a dense mixture of residential and commercial development immediately adjacent to the roadway. There is a complete pedestrian network and bicycle lanes on a significant portion of the route.

The portion of this corridor under Snohomish County jurisdiction is included in Community Transit's "Curb The Congestion" transportation demand management campaign. Funded by Snohomish County, the program markets commute options and provides incentives such as subsidized bus passes for individuals who agree to try transit.

Likely Future Changes

- 196th Street has been identified as a key corridor in Lynnwood's City Center Plan and is slated for redevelopment with higher densities, a greater diversity of land uses, pedestrian improvements, smaller block faces, consolidated driveway access, business access and transit (BAT) lanes and managed parking. All of these would serve to improve the market for transit and facilitate access for buses. Community Transit operates considerable levels of local bus service on the Edmonds and Lynnwood portions of the corridor (15 minute frequency between Edmonds and SR-99, 30 minutes between SR-99 and Alderwood Mall Parkway).
- The Edmonds Crossing Multi-Modal Ferry Terminal project will relocate the existing ferry terminal and improve intermodal connections to rail and bus, with links to a new Sounder commuter rail station and new bus facility. The project will also improve traffic circulation in downtown Edmonds by eliminating at-grade railroad crossings. Funding is not assured at this time.

- The old Safeway site, bounded by Main St. and Dayton St. in Edmonds will likely be redeveloped into a major transit-oriented center.
- Lynnwood plans for the construction of a regional transit center along 40th Avenue W between I-5 and 194th Street. It is adjacent to the 196th St. Transit Emphasis Corridor.

Issues

- This corridor is very close to Lynnwood's City Center Redevelopment Area, which is bounded by 48th Ave E., 194th St., and I-5. The best strategy for serving this area needs to be carefully considered.
- With completion of currently permitted development in the area, traffic volumes on 164th Street are expected to exceed adopted level of service requirements in the section east of I-5. There is sufficient bus service to help mitigate level of service issues but lack of a priority HOV or BAT lane makes transit a less attractive option. Without a path to bypass congestion, buses are limited to the same travel speeds as general purpose traffic. The success of transportation demand management (TDM) measures and transit in mitigating concurrency pressures will be largely dependent on availability of a priority path for HOV vehicles.
- Several jurisdictions have suggested that this corridor be extended along Seattle Hill Road at least as far as 132nd Street.
- The long length and varied character of this corridor highlights the potential for phasing of high capacity transit. An early implementation of *Swift* BRT might connect SR-99 at 196th St with Mill Creek Town Center at 164th St, serving approximately seven miles of the 17 mile corridor. Future phases could extend to eventual terminals at Edmonds Ferry and Cathcart. Phasing details would depend upon the pace of infrastructure investment, land use changes and availability of operational funding.

Recommendations

1. The 164th Street Corridor provides significant densities but trip generations are relatively low, especially commute trip generations. This does not mean the corridor is not congested, only that significant productions that use 164th and 196th are going to other parts of the region. Accordingly, when developed as a transit corridor special attention will need to be given to transfer connections, both to other BRT routes (at SR-99 and potentially SR-527) and to the network of commuter bus services (primarily at Lynnwood Transit Center and Ash Way Park & Ride).
2. Community Transit should continue to coordinate with Snohomish County, Lynnwood and Mill Creek on near-term TDM programs such as "Curb The Congestion" that improve transit mode share and help build the long-term transit market. Snohomish County funds this program out of TDM developer impact fees. Expanding this model to other jurisdictions would allow a broader scope and long-term sustainability for the TDM program.
3. Community Transit should work with Lynnwood to identify the best path for High Capacity Transit between 196th St and 164th St.
4. Success of both 196th St and 164th St as HCT corridors depends largely on the development of transit priority infrastructure. This is particularly important given the 17 mile length of the overall corridor and the challenge of maintaining transit speed and reliability. While Community Transit cannot fund or build this infrastructure, the agency should continue to work with

Transit Emphasis Corridors

Lynnwood, Mill Creek, Snohomish County and WSDOT to secure investment in bus lanes, signal technology and other transit priority elements.

Development Review
Lynnwood Crossing
Draft EIS 11/2/11



Responses to Letter No. 1—Community Transit

Comment 1: Your comments are acknowledged and hereby incorporated in the Final EIS.

Comment 2: Your comments are acknowledged and hereby incorporated in the Final EIS.

Comment 3: The City has an adopted Commute Trip Reduction (CTR) Plan (Lynnwood Municipal Code Chapter 11.14) that will be applied to the affected businesses of the proposed development. The goals of the plan are to reduce the proportion of drive-alone commute trips and vehicle-miles traveled per employee by affected employers. “Affected employer” means an employer that employs 100 or more full-time employees at a single worksite who are scheduled to begin their regular workday between 6:00 a.m. and 9:00 a.m. (inclusive) on two or more weekdays for at least 12 continuous months” (LMC 11.14.010.3). Specific goals for affected employers are set forth in the CTR Plan; CTR program requirements will be applied to employers that meet the criteria for CTR. The City contracts with Community Transit for CTR services.

Comment 4: The City acknowledges the desirability of providing pedestrian connections to transit facilities. The proposed site plan for the Preferred Alternative (Alternative 2) indicates a north-south connection will be provided between the Costco Warehouse and 184th Street SW through the center of the site. No connection is shown to Alderwood Mall Parkway. However, pedestrian connections to public right-of-way and through parking areas are required by the City, and will be evaluated as part of the design review process.

A possible mitigating measure listed in the *Parks and Recreation* section of the Draft EIS indicates that a trail for walking and jogging should be incorporated in the design of the proposed development, and that a connection be made to the Interurban Trail. If such mitigation is to be implemented, the City will consider pedestrian connections to transit in coordination with the design of this mitigation.

Comment 5: Your comments are acknowledged and hereby incorporated in the Final EIS.

Letter No. 2

From: Karen Walter [mailto:KWalter@muckleshoot.nsn.us]
Sent: Monday, November 21, 2011 12:01 PM
To: LHS.EIS
Cc: Holser, Ginger (DFW)
Subject: Former Lynnwood High School Redevelopment Project (Lynnwood Crossing) Draft Environmental Impact Statement

Mr. Bowler,

The Muckleshoot Indian Tribe Fisheries Division has reviewed the Draft EIS for the proposed redevelopment of the former Lynnwood High School. Per the DEIS, all of the action alternatives (1-4) involve placing 250 feet of Tunnel Creek (a City classified Type III stream tributary to Swamp Creek) into a pipe where the channel is currently open. The proposed mitigation for piping this portion of Tunnel Creek is to daylight 50 feet of Tunnel Creek west of the new roadway where it is currently piped. Generally we support the daylighting of streams to improve water quality, provide for fish habitat processes, and to improve connectivity to adjacent riparian areas. However, as described in the DEIS and Critical Areas Report, all of the action alternatives will result in a net loss of currently open stream channel area as a result of the new 250 feet of piping and the daylighting of only 50 feet of stream channel. As a result, none of the action alternatives will meet the "no net loss" of functions for Tunnel Creek. Instead, the preferred alternative should include additional mitigation, such as daylighting additional portions of Tunnel Creek or improve existing instream and adjacent riparian areas of other open channel portions of Tunnel or Swamp Creek, so that the preferred alternative to be implemented will meet at least a 1:1 impact to mitigation ratio. The FEIS should discuss the additional mitigation proposed to demonstrate that the preferred alternative will meet the "no net loss" of functions standard. Additional information regarding some of the potential impacts from stream piping can be found in Chapter 1 of the WDFW's Fish Passage Guidelines (available at <http://wdfw.wa.gov/publications/pub.php?id=00049>).

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We appreciate the opportunity to review this proposal.

Thank you,
Karen Walter
Watersheds and Land Use Team Leader

*Muckleshoot Indian Tribe Fisheries Division
39015 172nd Ave SE
Auburn, WA 98092
253-876-3116*

Responses to Letter No. 2—Muckleshoot Indian Tribe

Comment 1: The existing and proposed conditions of Tunnel Creek are as follows:

Current Condition

The total length of Tunnel Creek located on (or just north of) the project site is approximately 675 linear feet (lf), measured from the outlet of the offsite pond (to the north), to the northeast corner of the site. Approximately 425 lf is conveyed in an underground pipe, and 250 lf is in an open channel.

Proposed Condition

The total *proposed* length for Tunnel Creek on the site is approximately 650 lf, measured from the outlet of the offsite pond (to the north) to the northeast corner of the site. This slightly shorter overall proposed length is due to a realigned orientation necessary for the design of access roads and tie-in to the stormwater system. Of that proposed 650 lf, approximately 425 lf of Tunnel Creek will be piped (the same length as the existing condition) and 225 lf will be located in open channel.

We understand the concern regarding 250 lf of new pipe; however, most of this new pipe is replacement / upgrade (necessary for the realigned orientation). With the proposed alignment of the creek, 25 lf is lost – but the length of stream contained within a pipe remains unchanged.

Proposed Mitigation

The project proposes to mitigate this impact by restoring on-site portions of Tunnel Creek with native plantings and habitat features, as appropriate. The goal is for the project to have no net loss of water quality and habitat functions associated with Tunnel Creek. The Critical Areas Report will be revised accordingly in support of construction permits. The proposed mitigation will address the concerns raised in your comments.

Text revisions to the Draft EIS are provided below.

***Plants and Animals* Section, Page 3-49, third paragraph under Impacts is replaced with the following two paragraphs:**

Approximately 250 linear feet of Tunnel Creek that is currently open channel east of the existing access driveway would be placed into a culvert in order to accommodate the new roadway. The pipe will be designed to accommodate the flow from Tunnel Creek and some on-site and off-site bypass storm runoff. The design will be in conformance with the City of Lynnwood standards and the Washington Department of Fish and Wildlife standards. The City of Lynnwood permits culverting a stream when it is necessary to provide access to a lot when no other feasible means of access exists. It has been determined by the City of Lynnwood that the proposed new roadway is necessary to access the site under any of the Alternatives. The proposed alignment has been de-

signed to have the minimum number of road crossings and to avoid intersections to ensure that maintenance of the new roadway will occur.

Overall, the total length of Tunnel Creek that is currently located on (or just north of) the project site is approximately 675 linear feet (lf), measured from the outlet of the offsite pond (to the north), to the northeast corner of the site. Of that existing length, approximately 425 lf is conveyed in an underground pipe, and 250 lf is in an open channel. The total *proposed* length for Tunnel Creek on the site is approximately 650 feet, measured from the outlet of the offsite pond (to the north), to the northeast corner of the site. This slightly shorter overall proposed length is due to a realigned orientation necessary for design of access roads and tie-in to the stormwater system. Of that proposed 650 lf, approximately 425 lf of Tunnel Creek will be piped (the same length as the existing condition) and 225 ft. will be located in open channel. Therefore, Tunnel Creek will be located in open channel for approximately 25 ft. less with the proposed project than under existing conditions.

Plants and Animals Section, Page 3-51, first paragraph under Impacts is replaced with the following two paragraphs:

Compensatory mitigation is proposed on the site in the form of daylighting a portion of Tunnel Creek west of the new roadway currently contained in a pipe. Final design for this area has not yet been completed; however, it is anticipated that the new stream channel would be one to two feet deep and two to three feet wide. The stream buffer would be planted with a mix of native indigenous woody species and a seed mix appropriate to the specific conditions of the site.

Overall, Tunnel Creek will be located in open channel for approximately 25 lf less with the proposed project than under existing conditions. In addition to the buffer restoration described above, the project proposes to mitigate for this minor impact by restoring onsite portions of Tunnel Creek with native plantings and habitat features, as appropriate. The goal is for the project to have no net loss of water quality and habitat functions associated with Tunnel Creek.

Letter No. 3



November 21, 2011

Mr. John Bowler
Associate Planner
City of Lynnwood Community Development Department
4114-198th Street SW, Suite 7
Lynnwood, WA 98036

Dear John:

Attached please find comments from Costco's environmental consultant, Pacific Crest Environmental, LLC on the City's *Draft Environmental Impact Statement - Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project*, dated October 7, 2011.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Kahn".

Peter Kahn
Costco Wholesale Corporation
Director of Real Estate

ERROR! UNKNOWN DOCUMENT TYPE DEFINITION. 9901 Lake Drive, Issaquah, WA 98027 • 425/313-8100 • www.costco.com



PACIFIC CREST ENVIRONMENTAL

1531 BENDIGO AVENUE NORTH PO BOX 952 NORTH BEND, WA 98045
T 425.888.4990 F 425.888.4994

November 10, 2011

Mr. Peter Kahn
Costco Wholesale Corporation
Legal and Real Estate Department
999 Lake Drive
Issaquah, Washington, 98039

**RE: REVIEW COMMENTS FOR DRAFT ENVIRONMENTAL IMPACT STATEMENT
LYNNWOOD CROSSING MIXED-USE PROJECT
3001 184TH STREET SOUTHWEST
LYNNWOOD, WASHINGTON
PACIFIC CREST PROJECT NO. 103-022**

Dear Mr. Kahn:

This letter transmits to Costco Wholesale Corporation (Costco) comments provided by Pacific Crest Environmental, LLC on the *Draft Environmental Impact Statement - Comprehensive Plan Amendment and Zoning Map and Text Amendment for Lynnwood Crossing Mixed-Use Project* (DEIS) prepared by the city of Lynnwood, dated October 7, 2011. The comments provided herein relate to the sections in the DEIS describing the characterization and planned cleanup of petroleum hydrocarbon contamination at the Old Lynnwood High School property located at 3001 184th Street SW in Lynnwood, Washington (the Site). The intent of the comments is to provide clarity and to address consistencies noted between the DEIS and the documents submitted to the Washington State Department of Ecology (Ecology) pursuant to the cleanup action being undertaken for the Site in accordance with the Model Toxics Control Act (MTCA) cleanup regulation (WAC 173-340) under the Voluntary Cleanup Program (VCP).

Comment #1 – The reference section of the DEIS should be revised and/or amended to include the following documents, in order to be consistent with the information submitted to Ecology for review under the VCP:

Associated Earth Sciences, Inc. (AESI) 2011a. *Phase II Environmental Site Assessment, Lynnwood High School, 3001 184th Street SW, Lynnwood, Washington*. January 28. Revised May 23, 2011 (*Phase II ESA*).

_____ 2011b. *Phase II Environmental Site Assessment Addendum, Lynnwood High School, 3001 184th Street SW, Lynnwood, Washington*. April 20. Revised May 23, 2011 (*Phase II ESA Addendum*).

_____ 2011c. *Voluntary Cleanup Program (VCP) Application, Old Lynnwood High School, 3001 184th Street SW, Lynnwood, Washington*. May 25.

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_____2011d. *Draft Cleanup Action Plan, VCP Project No. NW2418, Old Lynnwood High School, 3001 184th Street SW, Lynnwood, Washington.* August 23.

Comment #2 - The information presented in the DEIS with reference to the *Phase II ESA* and *Phase II ESA Addendum* should be revised to reflect the final versions of these reports, as Revised May 23, 2011, and the Draft Cleanup Action Plan (DCAP) dated August 23, 2011. Specific items noted for revision are as follows:

- a. Page 3-2, paragraph 3:

"A Phase II Report was prepared by Associated Earth Sciences, Inc. (AESI) in January 2011, with an amendment in April 2011. At test pit locations 3, 6, 7, and 8, a strong creosote-like odor was observed in the fill with little to no odors observed in the underlying native sediments".

This paragraph should be revised to be consistent with the final versions of the Phase II ESA reports (Revised May 23, 2011). Per the *Phase II ESA Addendum* (page 7, paragraph 1):

"A strong hydrocarbon-like odor was observed in the fill soils encountered in exploration pits EP-3, EP-6, EP-7, EP-8, EP-11, EP-12, EP-16 and EP-18, all located in the vicinity of the elevator shaft."

Note that the *Phase II ESA Addendum* includes additional investigation data collected following preparation of the Phase II ESA, and that together these reports comprise the Phase II study.

- b. Page 3-2, paragraph 4:

"Contaminant concentrations in excess of the MTCA cleanup levels in groundwater were limited to diesel and motor oil-range TPH."

This statement should be revised to be consistent with Section 2.2 of the DCAP (AESI 2011d), which correctly states that the two water samples in which MTCA Method A groundwater cleanup levels for TPH were exceeded, were collected from surface water seepages (within one foot below ground surface), and are not representative of groundwater in the unconfined (groundwater table) aquifer. During the Phase II ESA, laboratory of one groundwater sample that was collected from a depth consistent with the unconfined aquifer (boring GP-2 at 12 to 15 feet below ground surface) did not detect concentrations of TPH exceeding MTCA Method A groundwater cleanup levels.

- c. Page 3-2, paragraph 4:

"It appears that the contamination is associated with fill that was used in the past to backfill a low area on the property"

This statement should be revised to be consistent with the final Phase II ESA documents and the DCAP, which conclude that contamination resides in the fill soil in the vicinity of the former elevator shaft, where hydraulic fluid was noted to have leaked. The hydraulic fluid line was identified as an area of concern in the *Environmental Site Assessment - Phase I Audit, Cypress Lynnwood, LLC Property* dated March 2008 prepared by Shockey/Brent, Inc., which noted, "The elevator shaft in the building has a history of (subsurface) hydraulic fluid leaking...".

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d. Page 3-2, paragraph 4, line 7:

"A voluntary clean-up plan (VCP) will be submitted to Ecology to ensure the contamination is remediated properly"

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This statement should be revised to reflect the current status of the cleanup action. The Site has been enrolled in Ecology's Voluntary Cleanup Program (VCP), and a DCAP that presents the cleanup approach is currently under review by Ecology.

Comment #3 - Page 3-70, line 2 under the heading: 'Soil Contamination..' the MTCA is referenced as Chapter 173-330 WAC; the correct chapter is 173-340 WAC.

6

Comment #4 - Pages 3-71 to 3-73. The section titled "Affected Environment..." should be revised to be consistent with Comments #1 and #2, above. Specifically:

a. Page 3-71, the final paragraph should be revised to clarify that contaminated soil samples were collected from the northern portion of former Building B (hydraulic fluid line release area). A hydrocarbon-like odor was noted in the fill with little to no odors observed in the underlying native sediments. These observations and laboratory testing results suggest that the contamination *resides in the fill soil and is consistent with a hydraulic fluid release.*

7

b. The references to "ground water" should be clarified as necessary to state "near surface water" or "perched groundwater".

Comment #5 - Page 3-72. The final paragraph appears to conclude that petroleum contamination is present at concentrations exceeding the MTCA Method A soil cleanup levels in the former auto shop UST area based on the presence of TPH in a surface water sample; and "orders of magnitude" lower detection limits achieved for water sample analyses in comparison to soil sample analyses. This conclusion is flawed, and should be revised to be consistent with the following:

8

• The data collected from soil borings (EP-1, EP-2 and EP-10), advanced in the former auto shop area proximate to the UST, did not indicate the presence of petroleum

hydrocarbons in soil based on laboratory analytical data, or visual or olfactory observations presented on the boring logs.

- The cleanup levels prescribed under MTCA Method A for diesel range organics (DRO) and oil range organics (ORO) in soil (2,000 milligrams per kilogram) and groundwater (0.5 milligrams per liter) (both equivalent to parts per million), differ by more than three orders of magnitude. The difference in the cleanup levels prescribed for TPH in soil and groundwater were determined based on a number of factors, including chemical behavior, toxicological data, and risk analysis. The detection limits achieved by the analytical laboratory for both media are consistent with regulatory and industry standards; and were below the MTCA Method A cleanup levels to which they were compared.

8

Comment #6 - Page 3-73, heading "2. Impacts of Alternative 1..." The text in this section should be revised to reflect the current status of the cleanup. (i.e., that the Site has been enrolled into the VCP [VCP Project No. NW2418]. A DCAP has been submitted to Ecology and is currently under review).

9

Comment #7 - Page 3-73, heading "3. Mitigating Measures for Impacts of Alternative 1..." The text in this section should be revised to reflect the current status of the cleanup (i.e., the Site has been enrolled in the VCP [VCP Project No. NW2418]. A DCAP has been submitted to Ecology and is currently under review).

10

Comment #8 - Page 3-74, paragraph 1, "Remedial Action Plan" should be revised to say "Cleanup Report, or equivalent".

11

Comment #9 - Page 3-74, the last two sentences of paragraph 1 state:

"Upon successful remediation of the Site, Ecology will issue a "No Further Action" decision. Once the decision is received, the site is considered safe for public use".

This section should be revised to be consistent with the actual process under MTCA, which is that a *request* for a "No Further Action" Opinion (NFA) will be submitted to Ecology with the cleanup report. The issuance of an NFA will signify Ecology's concurrence that the cleanup of the Site is complete. While the NFA is the *objective* of the cleanup action, the decision regarding issuance of an opinion regarding whether "Further Action" or "No Further Action" is required will be provided by Ecology based on review of the data presented in the cleanup report. Finally, the issuance of an NFA is *not synonymous* with a determination of "public safety"; rather, it is an opinion regarding the sufficiency of the cleanup action to mitigate the potential risk of exposure to current or future receptors through contact with impacted media in accordance with the substantive requirements of MTCA.

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Mr. Peter Kahn
November 10, 2011
Page 5

CLOSING

Pacific Crest appreciates this opportunity to provide environmental consulting services to Costco. Please call the undersigned at (425) 888-4990 if you have questions or require further information.

Sincerely,

PACIFIC CREST ENVIRONMENTAL, LLC



Lauren Carroll, LHG
Principal Hydrogeologist

LC/ijp

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Responses to Letter No. 3—Costco Wholesale (Comments made by Pacific Crest Environmental on behalf of Costco)

Comment 1: The suggested edits to adding and/or amending the references are appropriate as outlined in the letter. The page references in the following paragraphs refer to the Draft EIS.

Comment 2: Page 3-2, Paragraph 3, first and second sentences, an amended report was issued by AESI. The sentences should be amended to read: A Phase II report was prepared by Associated Earth Sciences, Inc. (AESI) in January 2011, with an amendment in May 2011, that found contaminated soils exceeding Model Toxics Control Act (MTCA) clean up levels in the area of the northern portion of the former main school building near the elevator shaft (Associated Earth Sciences, Inc., 2011a) A strong hydrocarbon-like odor was observed in the fill soils encountered in exploration pits EP-3, EP-6, EP-7, EP-8, EP-11, EP-12, EP-16 and EP-18, all located in the vicinity of the elevator shaft.

Comment 3: Page 3-2. Paragraph 4, second sentence should be revised to read: Contaminant concentrations in two locations exceeded the MTCA Method A groundwater cleanup levels for TPH. These two samples were collected from surface water (within one foot below ground surface), and are not representative of groundwater conditions in the unconfined (groundwater table) aquifer.

Comment 4: In reviewing the May 23, 2011 addendum prepared by AESI, Page 10, 4th paragraph, it states “It appears that the contamination is associated with fill that was used in the past to backfill to a topographic low on the property.” It is still the opinion of AESI that some of the contamination is related to the historic fill on the property; therefore, no change is warranted.

Comment 5: Page 3-2, paragraph 4, fifth sentence should be revised to read: A voluntary clean-up plan (VCP) has been submitted to the Washington State Department of Ecology (Ecology) (VCP Project No. NW2418) to allow Ecology the opportunity to input in the remediation process. A Draft Cleanup Action Plan (DCAP) outlining the cleanup approach has been submitted to Ecology and is currently under review.

Comment 6: Page 3-70, first sentence under “Soil Contamination” should be revised to read: Soil and ground water cleanup levels in Washington State are regulated under the Model Toxics Control Act (MTCA) – Chapter 173-340 WAC.

Comment 7: Page 3-71, 3rd paragraph under “Affected Environment”, first sentence should be revised to read: The soil samples were collected at or near the depth at which surface water infiltration accumulations were first encountered, where odors or other unusual characteristics were observed, or in the case of the auto shop tank, in close proximity to the UST.

Page 3-71, 4th paragraph under “Affected Environment”, first sentence should be modified to read: The soil sampling results indicated that contaminant concentrations exceeding the MTCA Method A cleanup levels were present in soil samples collected from exploration pits EP-3, EP-6, EP-7 and EP-8.

Page 3-71, 4th paragraph under “Affected Environment”, third sentence should be modified to read: A strong hydrocarbon-like odor was observed in the fill soils encountered in exploration pits EP-3, EP-6, EP-7, EP-8, EP-11, EP-12, EP-16 and EP-18, all located in the vicinity of the elevator shaft.

Page 3-72, 1st paragraph, first sentence should be modified to read: Contaminant concentrations in two locations exceeded the MTCA Method A ground water cleanup levels for TPH. These two samples were collected from surface water seepages (within one foot below ground surface), and are not representative of groundwater conditions in the unconfined (groundwater table) aquifer.

Page 3-73, 2nd paragraph, second sentence under “Mitigating Measures for Impacts of Alternative 1” should be modified to read: It is likely that the removal of the contaminated soils would correct the surface water contamination.

Comment 8: Page 3-72, last paragraph on the page should be modified to read: Soil contamination was not observed or measured in soil samples collected adjacent to the auto shop UST. TPH concentrations for diesel and heavy oil in excess of MTCA Method A clean up levels were measured in the surface water sample collected from exploration pit EP-10. This contamination may be associated with undocumented materials within the fill or unobserved soil contamination around the UST. The removal of the UST and any associated contaminated soil in the vicinity of the tank would effectively remediate the TPH in the ground water.

Comment 9: Page 3-73, second paragraph under “Impacts of Alternative 1” should be modified to read: Ecology has been notified about the contamination; a voluntary clean-up plan (CAP) has been developed by the Edmonds School District with input from Ecology to ensure the contamination is remediated properly. A DCAP has been submitted to Ecology and is currently under review.

Comment 10: Page 3-73, first paragraph under “Mitigating Measures for Impacts of Alternative 1” should be modified to read: As noted above, Ecology has been notified about the contamination in accordance with WAC 197-340-300(2). A CAP has been submitted to Ecology for its review and approved. This will ensure the contamination is remediated properly. A Draft Cleanup Action Plan (DCAP) has been prepared and submitted to Ecology for review and comment. The DCAP presents the proposed methods for remediation of the site.

Comment 11: Page 3-74, first paragraph, first sentence should be revised to read: Upon completion of the remedial action, a Cleanup Report or equivalent would be pre-

pared for submittal to Ecology that documents the results of the remedial action and includes the following:

Comment 12: Page 3-74, second paragraph should be amended to read: Upon successful remediation of the site, the District will request a “No Further Action” (NFA) Opinion letter from Ecology. This NFA opinion states that Ecology agrees that the remediation is sufficient to mitigate the potential risk of exposure to current or future receptors through contact with impacted media in accordance with the substantive requirements of MTCA.

Letter No. 4



The PSE Building
10885 N.E. Fourth Street, Suite 700
Bellevue, WA 98004-5579
PHONE: 425.635.1400
FAX: 425.635.2400
www.perkinscoie.com

R. Gerard Lutz
PHONE: (425) 635-1403
FAX: (425) 635-2403
EMAIL: JLutz@perkinscoie.com

November 9, 2011

VIA FEDERAL EXPRESS AND EMAIL

John Bowler, Associate Planner
City of Lynnwood Community Development
Department
4114-198th Street SW, Suite 7
Lynnwood, WA 98036
LHS.EIS@ci.lynnwood.wa.us

Re: LYNNWOOD CROSSING Mixed-Use Project; Edmonds School District's
(the "School District") Comments on Draft Environmental Impact Statement

Dear Mr. Bowler:

This Firm represents the School District in connection with the proposed redevelopment (the "Proposed Action") of the site of old Lynnwood High School, which the School District closed in 2009 (the "Old High School"). The School District previously provided comments on the City of Lynnwood's (the "City") preliminary draft Draft Environmental Impact Statement (the "draft DEIS") with respect to Parks and Recreation (Section G). The School District appreciates the City's willingness to revise Section G in response to those comments. However, the School District continues to believe that the City's analysis of impacts should take into account the status and term of the various interlocal agreements between the City and the School District governing use of the old Lynnwood High School Athletic Complex, and that, failing to recognize those parameters, the FEIS may be misinterpreted or misapplied to justify imposition of conditions on the Proposed Action in furtherance of the City's recreational goals that lack a sufficient "nexus" to the Proposed Action or exceed the "rough proportionality" standard for exactions or other mitigation.

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The interlocal agreements governing use and maintenance of the athletic facilities at the Old High School are between the School District and the City *in their proprietary capacities*, and the City's rights under those agreements were (and with respect to any remaining rights are) contractual. The School District's decision to close a school does not require a SEPA analysis; it

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Perkins Coie LLP and Affiliates

John Bowler, Associate Planner
November 9, 2011
Page 2

is categorically exempt. The City's rights under the interlocal agreements were to have lasted, at most, through 2019 unless the parties mutually agreed to extend them, and the City chose to shut down its athletic programs at the fields two years ago due to budget shortfalls.

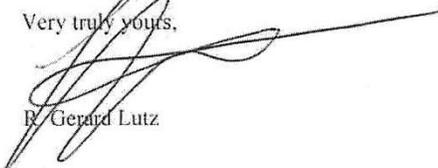
As you know, the interlocal agreements provide for dispute resolution, including binding arbitration. The School District looks forward to joining with the City in that process to resolve questions regarding the interlocal agreements through that process in the near future. The School District does not wish to hold up issuance of the FEIS pending the upcoming dispute resolution process. However, the School District requests that the FEIS be modified to note that the Section G analysis and subsequent permit decisions may be further informed by the outcome of that dispute resolution process. Further, as a precautionary matter, the School District reserves the right to challenge imposition of any mitigation identified in the FEIS or imposed by a subsequent permit process that is inconsistent with Chapter 197-11 WAC or exceeds the nexus and rough proportionality standards of constitutional mitigation based on resolution of issues pertaining to the Interlocal Agreements.

3

Again, please let me reiterate that the School District is excited the DEIS has been released for public comment, and looks forward to issuance of the FEIS and permits and for work to begin on the Proposed Action. Both during construction and after completion, this project will provide good local jobs, tax revenues for the City, and an income stream the School District can use to finance additional capital projects, improving educational conditions for students and providing even more local jobs. The School District looks forward to continuing to work with the City's representatives to see the project to a successful conclusion.

4

Very truly yours,



R. Gerard Lutz

cc: Paul Krauss
Marla Miller
Reid Shockey
Rosemary A. Larson

00358-0846/LEGAL.22088192.2

Responses to Letter No. 4—R. Gerald Lutz, Perkins Coie (Comments made on behalf of Edmonds School District)

Comment 1: Although the DEIS does not discuss the various ILA's regarding use and improvement of the LAC in detail, the DEIS does describe the ILA's in general terms (DEIS, Chapter 3, p. 3-111 through 3-113). The DEIS does not present inaccurate information regarding the status or term of the ILA's. The DEIS indicates that the term of at least one of the agreements concludes in 2019, and also mentions that a 1996 agreement replaced a prior 1979 agreement (DEIS, Chapter 3, p. 3-112). Thus, the 2019 termination date is stated in the DEIS. To the extent that the precise terms of the ILA's are relevant to the imposition of any mitigation in connection with the School District's development proposal, if there is any relevance, the ILA's could be considered in connection with the land use permitting decisions. There is no legal requirement that the terms of those agreements be detailed in the FEIS. Further, while the District has initiated the dispute resolution process under certain of the ILA's to resolve issues arising from termination of those agreements, the dispute resolution procedures have several steps, including administrative meetings and then a more formal arbitration proceeding. It is not certain that the dispute resolution process will be complete prior to the time of the hearings and/or decision on the District's land use permit applications. If the dispute resolution process is complete, then any relevant additional facts resulting from that process can be presented during the hearings. However, the dispute resolution process would not mitigate all significant adverse environmental impacts to recreation resulting from the District's proposal.

Comment 2: The School District is correct that the District's decision to close the old Lynnwood High School is categorically exempt from SEPA review (*RCW 43.21C.038*). However, the District's proposal to redevelop the LAC is not exempt from SEPA review, nor is the District exempt from mitigating the significant adverse environmental impacts of its development proposal, including impacts on recreation. The District's redevelopment proposal is the direct impetus for the elimination of the active and passive recreational facilities at the LAC, and the City's and the public's loss of those facilities. The City did permit the demolition of buildings at the LAC, but as noted in the DEIS, that was to accommodate the District's safety concerns and the District's desire to prepare the site for development (DEIS Chapter 3, p. 3-114). While the District implies that it was solely budgetary concerns that led the City to cease its recreational programs at the LAC, the DEIS notes that the principal consideration in the decision to suspend those programs was the District's pending development. Arguably, but for the redevelopment proposal, the parties would have extended the joint use and other agreements into the foreseeable future. The DEIS appropriately discusses the proposal's impacts on the LAC facilities.

Comment 3: As noted in Comment 1 above, it is not certain that the dispute resolution process will be complete prior to the time of the hearings and/or decision on the District's land use permit applications. If the dispute resolution process is complete, then any relevant additional facts resulting from that process can be presented during the

hearings. However, the dispute resolution process would not mitigate all significant adverse environmental impacts to recreation resulting from the District's proposal.

Further, the City questions how the District would have legal authority to apply for and develop the site with a mixed use project, with the intent of entering a long-term (99 year) lease to private commercial and/or residential tenants for the purpose of generating income for the District, but lack legal authority to mitigate adverse environmental impacts resulting from the development. However, even assuming that the District would lack authority to provide certain mitigation, the purpose of the EIS is to identify the potential significant adverse environmental impacts of a proposal and the actions or facilities that could be used or provided to mitigate those impacts. The impacts and proposed mitigation flow from the proposal. The proposed mitigation must be "reasonable and capable of being accomplished," but is not necessarily based on or tied to any particular entity being the applicant for the proposal (WAC 197-11-660). Therefore, the list of proposed mitigation is not inappropriate. Notably, the DEIS lists potential mitigation, and does not require that any particular mitigation be performed.

The statement regarding reservation of rights to appeal is not an environmental issue. Any appeal would need to be in accordance with applicable procedures and requirements.

Comment 4: Your comments are acknowledged and hereby incorporated in the Final EIS.

Letter No. 5

From: sumner b [mailto:sumnerb@hotmail.com]

Sent: Monday, October 31, 2011 5:54 PM

To: LHS.EIS

Subject: EIS comment - traffic signal

I'd like to see the traffic signal for turning left from Alderwood Mall Parkway into the East side of the Mall (by Sears, before Toys 'r Us) to get a dedicated turn signal that would also turn to a green arrow without having to wait for exiting traffic to trip a new sequence.

A flashing yellow turn would not work. Currently, before adding additional traffic, it's sometimes almost impossible to cross the on-coming (South bound) traffic and get turned into the mall. The reason is that the traffic from the North, from all three directions from the NE corner of the mall, accelerate to a degree that there are very few open spaces to get turned into the mall.

thanks,
Sumner Baltzell

1

Responses to Letter No. 5—Sumner Baltzell

Comment 1: It is acknowledged that it is difficult at times to make left turns against on-coming traffic at the location identified in your comment; there are other locations in the City with similar difficulties. The City analyzes traffic volumes and signal optimization at such locations to determine if a protected left-turn phase should be added to the signal cycle. In this case, the traffic analysis indicates the proposed action would not cause this problem to become significantly worse. As shown on Figures 3-14 and 3-22, southbound traffic volumes on Alderwood Mall Parkway south of 184th Street SW are estimated to increase by only 12 vehicles during the peak hour with development of the proposed project (from 873 to 885 vehicles per hour).

Issues that currently exist at this intersection are unrelated to the Lynnwood Crossing project and will not be significantly exacerbated by the proposal. As such, mitigation is not being proposed related to this project.

Letter No. 6

RECEIVED
NOV 21 2011
CITY OF LYNNWOOD
COMMUNITY DEVELOPMENT

Andrea Burgess
4911 189th St SW
Lynnwood, WA 98036
andrearenae@gmail.com

Lynnwood Community Development Department
ATTN: John Bowler, Associate Planner
P.O. Box 5008
Lynnwood, WA 98046-5008

November 16, 2011

Dear Mr. Bowler,

I am writing to express my comments on the DEIS for the Lynnwood Crossing Mixed-Use Project:

- I support Alternative 1 because of the additional office and medical space. There is too much vacant housing in the city of Lynnwood, so I do not support building new housing at this time. 1

- The proposed project area is known to have a high ground water table and soils with a low infiltration rate. I would like to see parking areas be pervious pavement with underground detention. 2

- It is unclear to me from the DEIS exactly what the proposed mitigation is for impacts to parks and recreation facilities. The loss of the athletic fields is a great loss to the city. The city needs a public track and soccer fields. I would like to see a requirement for the developer to include equivalent facilities elsewhere in the city. In addition, I feel the developer should set aside space within the development for an annex to the current Lynnwood recreation center. 3

- The site should include electric vehicle charging stations to encourage green modes of transportation. Also, consider a grade-separated pedestrian/bike path instead of bike lanes on the bypass. The number of turns in/out of the site presents a safety hazard to bike lane users. 4

• My greatest concerns are regarding transportation:

- Roundabouts should be considered in lieu of all traffic signals and right-in-right-out approaches. 5
- 184th St SW should be widened to the north as part of this development. The road is already over capacity and this development will increase volumes. If widening now is infeasible, the right of way should be set aside for future widening. Failure to exploit this opportunity to gain needed width now will be a mistake. 6
- I do not support configuration 3. Please do not add new traffic signals on Alderwood Mall Parkway. 7
- It appears the City will get nothing for additional mitigation, despite unavoidable adverse impacts to 196th at Alderwood Mall Parkway, 30th, and Poplar. This is due to the high credit given to the developer for the construction of the 3-lane bypass. I believe this is a bad deal for the city and at a minimum the ultimate 5-lane bypass configuration should be constructed now. I do not support a LID for future road improvements. 8
- The 2012 traffic forecast used in the analysis interpolates the 2005 baseline and the 2025 "with city center" land use forecast. However, the study acknowledges that the 1.5%/yr growth in the 2025 forecast has not materialized. This means that the 2012 forecast is too high. The traffic analysis adds traffic generated by the development to this 2012 (high) forecast, then "generally restores" the LOS back to the 2012 (high) forecast. This means it's being mitigated to a level that it's not even at yet. This spells immediate, worsened traffic conditions. Additional analysis should be done to create a 2012 forecast that more accurately represents traffic conditions in that year. 9
- There is a persistent problem on eastbound 188th St SW just west of 36th that needs to be addressed at some point. There is one through lane and no right turn lane. Now that the recreation center has expanded and there is additional parking on the southeast of that intersection, pedestrian volumes are much higher than before. When a pedestrian is using the crosswalk on the south leg of the intersection, cars intending to turn right 10

must yield, delaying all vehicles in the combined through/right lane. This frequently backs traffic up to 48th on weekends. The new development is likely to increase volumes on 188th as it is a major thoroughfare to the Alderwood Mall area. This intersection should be considered for traffic mitigation measures by the addition of a right turn lane.

Thank you for the opportunity to comment.

Best regards,


Andrea Burgess

Response to Letter No. 6—Andrea Burgess

Comment 1: Your comments are acknowledged and hereby incorporated in the Final EIS. The Project Proponent has selected Alternative 2—Project Sponsor's Preferred Alternative Without Office as the preferred alternative. Alternative 1 was not selected because of the inability to secure a medical office tenant.

Comment 2: Given that the site has a poor infiltration rate, a high groundwater table, and moisture sensitive soils, pervious pavement is not a feasible option. Pervious pavement will only increase the potential for surface water ponding in paved areas. Site stormwater will instead be managed with a conventional collection and conveyance system consisting of catch basins and underground piping. Stormwater will be detained in either a below-grade detention vault or a detention pond and treatment will be provided with stormfilter vaults, a wet vault and a wet pond. Groundwater will be collected in a number of below grade french drains and footing drains and will be bypassed around the site. Moisture sensitive soils will be cement-treated in order to improve the structural stability of the soil, which would further reduce infiltration potential.

Comment 3: Your comments are acknowledged and hereby incorporated in the Final EIS. The City intends to negotiate a parks and recreation mitigation package with the School District to address recreational impacts of the proposed action. Mitigation may take the form of some or all of the mitigating measures listed in the Draft EIS. The mitigation package will be included in a development agreement that will need to be approved by both the City and the School District. Without mitigation acceptable to the City, the proposed action is unlikely to be approved.

Comment 4: A decision whether to include electric vehicle charging stations will be made by the developer; it is not a requirement of the City. A grade-separated bike/pedestrian path will be included on one side of the bypass roadway. Two of the three site accesses from the bypass roadway will be signalized, which will provide better safety and reduce the hazard to bike path users. The intersection of 30th Place W and the bypass roadway will also be signalized. In addition, given the site configuration with the proposed development to the east (and south) of the bypass road, turn-ins and turn-outs to/from the site will occur on only one side of the bypass roadway.

Comment 5: Providing right-in/right-out driveways instead of full access roundabouts provides for better access management onto the bypass roadway from the parking areas, and avoids closely spaced multiple roundabouts. The site is located in an area managed by the City's traffic management center and traffic engineer wherein the traffic signal system is regulated. It is important the any new intersections be integrated into that system. It may be necessary to adjust signal timing on the bypass road intersections to manage other intersections surrounding the site. Timing may be adjusted to manage queues, improve intersection efficiency or accommodate peak demands. Roundabouts would not allow that management to function effectively. Finally, it is likely that roundabouts would increase right-of-way requirements in an area where there

are relatively steep slopes, cause additional loss of tree cover, and lead to greater wet-land impacts.

Comment 6: The traffic analysis shows that widening of 184th Street SW is not warranted. When the bypass is built, the background traffic actually would shift to use the bypass, which would reduce background traffic on 184th Street SW. Future widening of the bypass to five lanes will enhance that benefit. In comparing the level of service (LOS) indicated in Tables 3-11 (Baseline Conditions) and 3-19 (Alternative 2) in the Draft EIS, the LOS on 184th Street SW remains at B, B, and C at the intersections with the 33rd Avenue W Extension, the Nordstrom driveway to Alderwood Mall, and Alderwood Mall Parkway, respectively. Peak-hour traffic volumes at the latter two intersections would decrease with the proposed action.

Comment 7: Your comments are acknowledged and hereby incorporated in the Final EIS. Configuration 2 is the preferred option.

Comment 8: It is acknowledged that unavoidable adverse impacts would occur at the intersections of 196th Street SW with Alderwood Mall Parkway, 30th Place W, and Poplar Way W; there is no feasible way to upgrade the affected roadways. However, with implementation of mitigation identified for Alderwood Mall Parkway and Maple Road, there would be an improvement in overall citywide delay that would partially offset these adverse impacts. Further, the roadway improvements constructed by the developer, and the corresponding impact fee credits provided to the developer, are an equitable method of assigning responsibility for mitigation that also helps offset adverse impacts elsewhere. Finally, the LID funding options pertain to the future widening of the bypass roadway. It is one of several options to fund the roadway that will be considered. Other long-range transportation improvements in the City's Comprehensive plan are intended to improve Alderwood Mall Parkway. (For example, the Poplar Way bridge extension project will improve the intersection at 196th Street and Poplar Way.)

Comment 9: It is understood that the comment assumes that the difference in traffic volumes between modeled 2012 traffic volumes and actual 2012 volumes (which may be lower than modeled volumes due to slow growth in the last few years) is not accounted for when assessing mitigation. Further, the comment assumes that if this difference was accounted for, then mitigation requirements would be higher.

The analysis addresses both the absolute level of traffic congestion in terms of level of service and the increment of change in traffic volume between the baseline condition and the with-project condition. In the first instance, using higher modeled 2012 baseline volumes would tend to place a given intersection or roadway closer to an unacceptable level of service. Correspondingly, adding project traffic to this higher baseline volume would also tend to either further place a given intersection or roadway closer to an unacceptable level of service, or move it to an unacceptable level of service that requires mitigation. Therefore, using higher modeled traffic volumes is a conservative approach to ensure adverse impacts are identified.

In the second instance, analyzing the increment of change in traffic volume provides a more direct method for identifying what impacts are attributable to the proposed project.

Comment 10: The transportation analysis reports the following values for the intersection of 188th Street SW and 36th Avenue W (see footnotes, Table 3-11 of the Draft EIS for definitions of terms):

	<u>LOS</u>	<u>Delay</u>	<u>Volume:Capacity Ratio</u>	<u>Queue Ratio</u>
Baseline	D	37.3	0.67	EB 2.4 WB 1.2
Alternative 2	D	38.6	0.67	EB 2.7 WB 1.5

It is apparent that the proposed project would have minor effects at this intersection. Mitigation can be legally sustained only when there is a direct and demonstrable impact related to development of the project. However, it is acknowledged in the Draft EIS (page 3-161) that there could be queue effects on 188th Street SW, and the following mitigation is described:

"If it is determined that there are queue effects of increased traffic due to the Proposed Action for two off-site arterial corridors, 196th Street SW and 188th Street SW, a signal timing study should be required to minimize impacts. The City should periodically monitor and systematically adjust signal timing for signalized intersections citywide, which would help reduce the queues."

Letter No. 7

From: erin orourke [mailto:e_orourke@hotmail.com]
Sent: Thursday, November 03, 2011 12:49 PM
To: LHS.EIS
Subject: Comments Re:Lynnwood Crossing Mixed-use Project

Dear Mr Bowler:

My name is Erin Corey and I live just west of the proposed development of Lynnwood Crossing, the site of the former Lynnwood High School. I have lived in the City of Lynnwood for 30 years, the last 28 years in the same home on 180th PL SW. I have enjoyed living in the City of Lynnwood, and hope to continue to have an enjoyable life here in the city. However, I feel if Lynnwood Crossing is not developed correctly it will adversely affect the quality of life in the adjacent neighborhoods.

Let me state I was disappointed with the "Public Meeting" held on Oct 25th....

- 1) I asked representatives at the meeting what the height of the retaining wall would be at various points along the new bypass road...not one person there could answer me. It is a little hard to comment on the Draft EIS when you can't get any answers. 1
- 2) I asked where the buffer fence was along the property line to the North and West of the project, where the development would abut up against single-family residential property...not one person could answer me...and as we all know "fences make for good neighbors." 2
- 3) I asked Representatives the width of the buffer to west of the development, and I got answers ranging from 40ft to 110ft. 3
- 4) The traffic study maps were vague and didn't clarify what the #'s on the roads meant, nor were there any traffic mitigation studies on neither 179th nor 177th/30 Pl W for potential stoplights or roundabouts or speed bumps. 4
- 5) I also take issue with the suggested changes to the current Commercial-Residential zoning. The changes, allowing gas stations and tire centers, are for the sole purpose of satisfying one business, Costco. In the future when a site is zoned Commercial-Residential gas stations and tire centers will still be allowed. What if the gas station is 24 hours and 25 feet off a single-family home's backyard? It does not make good sense to change a type of zoning for just one business, I feel the City of Lynnwood is being shortsighted in even proposing these changes, and is not looking at possible future Commercial-Residential development sites. I also believe if we can see the gas station we will hear it. The Costco representative told me, that the first fueling trucks of each day pull in around 4am, I guess there'll be no need for an alarm clock in the future. Since no one could give me exact footage between the proposed gas station and our backyards I can't comment on potential carcinogenics from the fumes and brake dust of idling cars. 5
- 6) I feel the gas station can go over nearer to the Costco. The Costco Rep, Peter Kahn stated this was not a possibility because the store's loading docks are there, but I find this hard to believe, because the entrance to the gas station at the Costco on Hwy 99 and 188th is right where the store's loading docks are. 6

Let me state I am not against growth, however, I am for “RESPONSIBLE” growth. I feel that the old Lynnwood High School site could be developed while maintaining a good quality of life for the adjacent single-family residential homes. I feel that if a 10ft sound wall was constructed and placed on top of the retaining wall that is discussed in the Draft EIS the City could protect the surrounding single-family residential neighborhoods. I am only proposing this for the west and north sides of the development where the proposed 184th bypass 3-lane road is proposed. (Soon to be 5-lanes), and abuts up to single-family residential zoning. The current code calls for a “6 foot, solid one-inch thick board fence at the property line of the development, or one made of brick, rock or masonry materials may be substituted for a board fence.” This is supposedly to aid in site screening, noise abatement, and help to set definite buffers between different types of land use/or zoning. If a 10ft sound wall cannot be placed at the top of the retaining wall than perhaps if the required wood fence was instead a 6ft to 8ft cement wall not only would it have less maintenance issues, but also it could serve as a sound barrier between residential and commercial properties. Let’s face it, you are not just connecting the surrounding single-family residential properties to a strip mall, you will be connecting us to Alderwood Mall, one of the largest commercial retail centers in the state of Washington, which from the day after Thanksgiving for 8 solid weeks runs 24-7. Also, with the road being expanded to 5 lanes, (in the not too distant future), this would help to resolve noise abatement issues.

7
8

Every year, I listen to the candidates running for the City Council positions, and they all say how if elected they will work to protect and enhance neighborhoods and to strengthen sense of community, well here’s City Councils chance to fulfill their promises. We have a wonderful neighborhood. I know the names of everyone on my street. I stop on my way home most days and chat with one of the neighbors. I know the birthdays of most of the children in my neighborhood, (of course it helps that they remind me when it’s getting close). We all have keys to the homes of our neighbors, so in case one of us is running late the other can go feed the pets, or let the dog out. We have had an annual 4th of July neighborhood party for several years, even after the fireworks were cancelled at Lynnwood High we continued to have our neighborhood 4th of July party. Last year was our biggest yet! We are what the City of Lynnwood states one of their goals is in their comprehensive plan; we are an old-fashioned neighborhood, with a strong sense of community. When one of the neighbors is sick, another neighbor brings dinner over, when one of us needs help lifting or moving something we help each other.

9

Please don’t ruin our neighborhood and homes at the cost of more revenue to the city. I believe Costco can be a good neighbor, but only if the City requires a definite and permanent barrier between our single-family homes and Alderwood Mall.

Erin M Corey
3216 180th PL SW
Lynnwood, WA 98037

Response to Letter No. 7—Erin Corey

Comment 1: The wall height and length have been significantly reduced since the EIS was issued and the meeting you referenced occurred. The revised wall configuration, including the length and height, is shown on BCRA plan sheets C1.01A and C1.01B on the following pages. At the tallest point, the wall will be 10 to 13-feet in height. Additionally, a to-scale cross-section showing the location of the apartment buildings to the west, the wall location, and the fueling station has been provided.

Comment 2: The location for the fence requirement is along the property line.

Comment 3: The width of the buffer from the outer edge of the right-of-way of the bypass roadway to the property line would be 95 feet. Forty (40) feet adjacent to the property line is intended to remain undisturbed. The proposed code amendments to the C-R zoning district are intended to provide for this (vegetation retention). The remaining 55 feet adjacent to the right-of-way would be graded and replanted with vegetation.

Comment 4: The numbers on the *Transportation* section figures represent directional traffic volumes (number of vehicles) during the peak hour. For example, on Figure 3-22 in the Draft EIS, the number 694 on the north side of the bypass roadway just west of 30th Place W means that an estimated 694 vehicles will travel westbound on that section of the roadway during the peak hour.

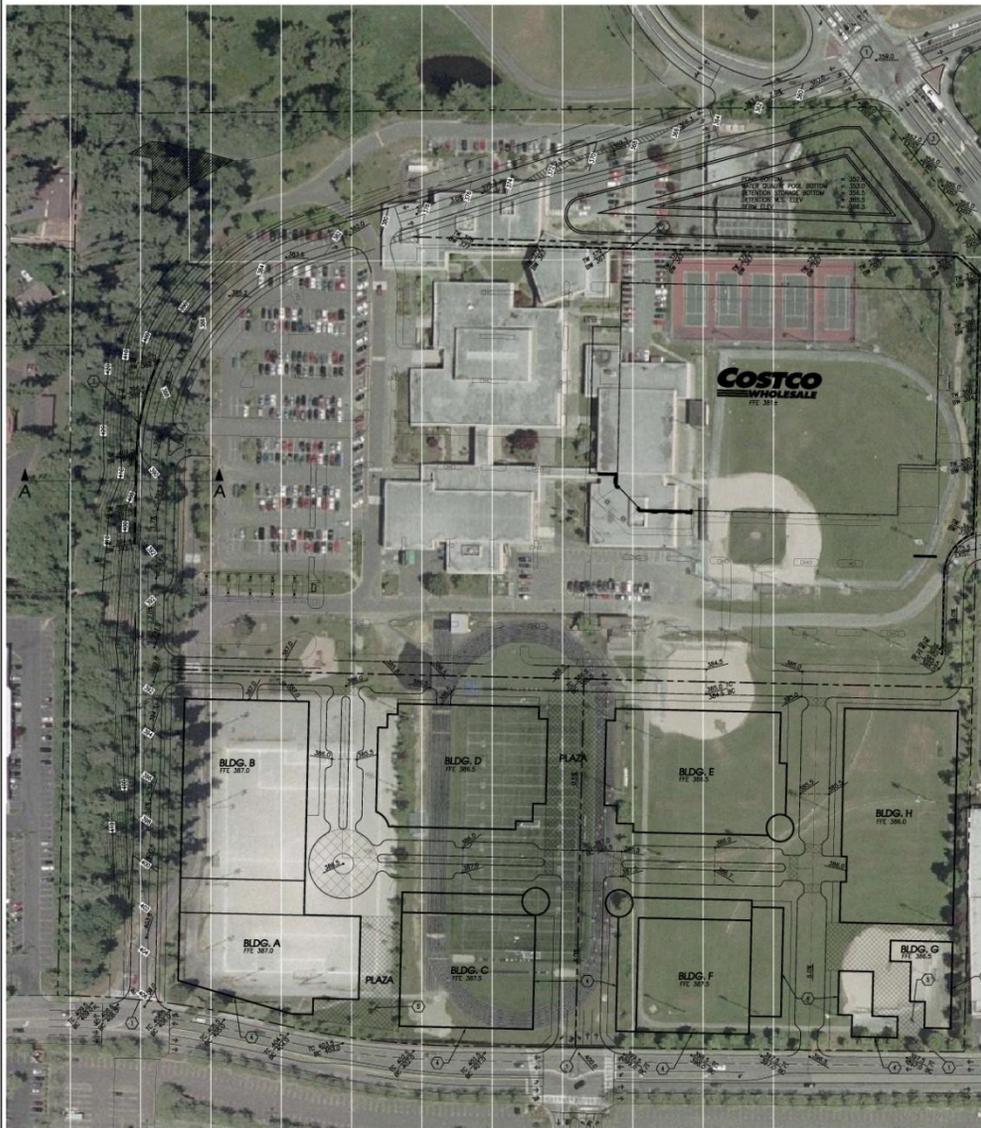
With respect to mitigation for 179th Street SW, the traffic analysis concluded that the proposed project would not have a significant effect on the street; mitigation would not be warranted. With Alternative 2, the traffic volume at 179th Place SW and 30th Place W would decrease from 1,041 vehicles during the peak hour with the 2012 baseline condition to 998 vehicles per hour under Alternative 2. Vehicle delay would decrease from 11.3 seconds per vehicle to 10.6 seconds per vehicle, and the level of service would remain LOS B.

Comment 5: Changes to the C-R zone require Planning Commission and City Council public hearings; testimony from the public is welcome during those hearings.

The distance from the proposed Costco station to the nearest residence on 182nd Place SW is about 325 feet west of the nearest fueling lane as estimated using preliminary site drawings. This is approximately the same distance to the previous high school driveway that was used by buses and vehicles accessing the school and parking lot. The distance from the nearest residence on 180th Place SW to the proposed fueling station is about 450 feet, which is about 40 percent of the distance to the travel lanes on Alderwood Mall Parkway and the existing fuel station at 177th Place SW.

Fuel deliveries would arrive between 6 AM and 10 PM at night. Noise from fuel deliveries would come primarily from the diesel truck arrivals and departures, because the trucks would be turned off during deliveries and the pumping mechanisms are located

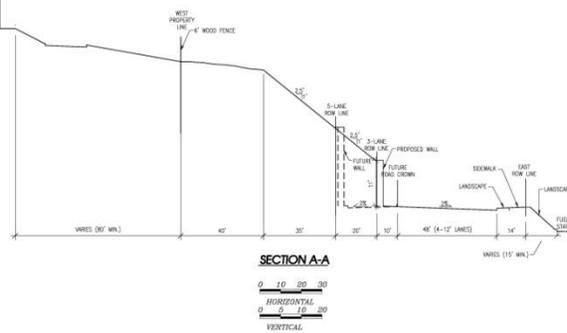
CONCEPTUAL GRADING PLAN (WITH AERIAL)



LEGEND

	BUILDING OUTLINE
	PROPOSED RIGHT-OF-WAY LINE
	EXISTING PROPERTY/BOUNDARY LINE
	SPOT ELEVATION
	GRADE BREAK
	SLOPE ARROW
	RETAINING WALL

- SHEET NOTES:**
- ① MATCH EXISTING GRADE
 - ② PROVIDE RETAINING WALL
 - ③ WITHIN EMBANKMENT BETWEEN POND AND ADJACENT ROADWAY
 - ④ BUILDING WALL TO FUNCTION AS RETAINING WALL
 - ⑤ ELEVATED PLAZA MATCHING GRADES ALONG 194TH STREET



PROJECT: LYNNWOOD CENTER ALDERWOOD MIXED USE
 SHEET: C1.01B
 DATE: 04.13.2011
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 OFFICE: [Address]
 PHONE: (206) 467-4747
 FAX: (206) 467-4748
 WWW.BCRANDAMERICA.COM

BCR&A
 2700 PACIFIC AVE, SUITE 300
 FEDERAL WASHINGTON BASE
 CONCEPTUAL GRADING PLAN

below-ground. Arrival of one fuel truck during early morning hours in conjunction with cars filling up at the fueling facility results in estimated sound levels ranging from 30 to 38 dBA at the nearest off-site residences and 24 to 39 dBA at on-site residences. These levels are well below the City of Lynnwood's nighttime noise limit of 47 dBA, applicable before 7 AM, and are not expected to result in significant noise impacts.

To minimize exposure to ambient pollutants from fueling activities for the users of the facility, on-site retail and residential uses, and at off-site residential locations, the fueling facility will use the most current safety and emissions control technology available. The controls would be designed in accordance with applicable US EPA, Ecology, and PSCAA rules and regulations intended to minimize potential impacts from fueling tankers and dispensers. The control equipment would include Phase I and II Enhanced Vapor Recovery (EVR) control technologies that capture vapors during tanker truck off-loading and vehicle fueling that are 98% and 95% effective, respectively, at controlling fugitive emissions from escaping into the environment. These control technologies not only control the loss of product and potentially harmful vapors but also reduce the potential for odors. With these controls in place, the potential for air quality or odor impacts at the nearest residences would be very low and ambient pollutant concentrations associated with fueling activities would be minimal if not similar to current levels due to nearby activities.

Comment 6: Rationale supporting the location of the Lynnwood fuel facility in the southwest corner of the site provided by the proponent/development sponsor is provided below:

- The southwest location provides relatively direct access to 33rd Avenue W, including convenient fuel delivery circulation paths that allow the deliveries to enter and exit via signalized intersections.
- A significant amount of the Costco Gasoline traffic is pass-by in nature (information supplied by Costco). Locating closer to the main public roadway (33rd Avenue W) avoids out-of-direction travel and unnecessary circulation on site. The location also minimizes Costco Gasoline vehicular traffic interaction with pedestrian crossings on site closer to the warehouse.
- By comparison, shifting to the east half of the site would tend to encourage more traffic to use 182nd Street SW, which is not desired due to limitations of the SW 182nd Street SW/Alderwood Mall Parkway intersection.
- The proposed location allows Costco to maintain separation between the warehouse and the fuel, in turn maximizing the area that can be dedicated to Costco Gasoline queuing.

- The building location avoids creating sight distance limitations along 33rd Avenue extension (if it was placed along the curve between the north-south and east-west segment of 33rd, the building could limit sight distance around the curve).
- Placing the Fuel canopy in the southwest corner of the site divides the site into quadrants and breaks up potentially long stretches of asphalt parking areas.
- Placing structures in different parts of the site creates variety in what the general public will see as they drive by the site. The character of the landscaping around the fuel facility is slightly different than the character of the landscaping adjacent to parking areas. Together, the variety in texture and rhythm along with the use of the architectural elements of the fuel canopy will make a more interesting streetscape than the City would experience if the fuel facility was moved further to the east.
- Customers of Costco’s warehouse park as close to the store entrance as possible as this shortens their return trips to their cars with heavily loaded carts. The proposed site layout with the fuel facility located in the extreme southwest corner of the site locates nearly all of the parking stalls closer to the warehouse entrance than the gas station. This layout also effectively eliminates pedestrian conflicts between shoppers trying to return to their cars and drivers entering and exiting the fuel facility.

In addition, the permissibility of the fueling station and related development standards may be addressed by the public during the public hearing process.

Comments 7: Because the proposed project, even with the proposed new public bypass road, is expected to result in increases of 2-dBA or less at residences west of the site, a 10-foot high sound wall on top of the proposed retaining wall would not be warranted or be considered effective. Furthermore, a 10-foot high sound wall on top of the proposed retaining wall would provide little to no benefit to the most-affected residences (i.e., the residences nearest the proposed extension of 179th Street SW to 30th Place SW), where the estimated increase of 6 dBA over existing levels would occur primarily due to the new extension of 179th Street SW.

Comment 8: Part of the applicant’s proposal is to rezone the former Lynnwood High School property from “Public and Semi-Public Zone” to “Commercial-Residential” (C-R). The proposal also includes certain amendments to the C-R zone text that would, if approved, allow for certain development features of the applicant’s proposal.

The existing C-R zone code landscaping and fencing requirement adjacent to single-family zones is provided for in LMC 21.54.240B.1(a), which states,

“a. Adjacent to a Single-Family Residential Zone. This planting strip shall be at least 20 feet in width and shall consist of two rows of evergreen conifer trees. The trees shall be staggered and spaced a maximum of 15 feet on center, so as to form an effective visual barrier within five years.

The minimum tree height at planting shall be six feet. A permanent six-foot site-screening fence shall be placed at the property line.”

LMC 21.54.240B.3 states, in part,

3. Fencing. As part of all buffer areas required by this paragraph, a solid one-inch-thick board (nominal dimensional standards) fence shall be placed at the property line. One made of brick, rock or masonry materials may be substituted for a board fence....”

The current C-R zone transitional code requirement therefore requires a six-(6) foot-high solid sight-screening fence at the property line and a minimum 20-foot-wide buffer consisting of two rows of evergreen conifer trees capable of forming a visual buffer within five years.

As part of the CR zone text amendment proposal, Staff will be proposing text amendments that provide the Community Development Director with the authority to require that existing trees be retained if the Director finds it will provide for an equal or superior amount of buffering than new plantings.

The City will consider the materials and height (i.e., whether it should be higher than six feet) of the fence during the processing of the applications.

Comment 9: Your comments are acknowledged and hereby incorporated in the Final EIS.

Letter No. 8

From: George [mailto:ggstealth25@gmail.com]
Sent: Monday, November 21, 2011 2:40 PM
To: LHS.EIS
Subject: Lynnwood Crossing EIS Comments

I have a few comments regarding the EIS:

1. Please provide more details on the planned 3-lane arterial that will be built due to the new development 1
2. Address how the new traffic noise issue can be minimized so as not to affect the existing homes along the northwest side of the development 2
3. The neighborhood lost the Lynnwood Athletic complex due to this new development. Besides your plans to create walking areas, what other plan does the city have in order to replace the lost Athletic complex? Can you make an effort to build one, within the city, a complex that is almost comparable to the one that the residents lost? 3

Thank you for your time.

DT Grepo
Lynnwood resident

Response to Letter No. 8—D.T. Grepo

Comment 1: The planned three-lane arterial (bypass roadway) will extend northward from 184th Street SW along the western boundary of the site and then turn eastward along the north property boundary where it will intersect with Alderwood Mall Parkway at Maple Road. There will be one through lane in each direction with a center turn lane. Access to the site will be provided at 30th Place W and at three other locations on the bypass roadway: one along the north leg and two along the west leg. Three of the access intersections will be signalized. A landscape strip and sidewalk will be provided on the east side of the roadway. The west side of the road will be landscaped or there will be a retaining wall that varies from 10 to 13-feet in height. The road and landscape will be designed in conformance with City of Lynnwood design standards.

Comment 2: See responses to Comment 5, Letter No. 7 and responses to Comments 2 and 3, Letter No. 9.

Comment 3: Your comments are acknowledged and hereby incorporated in the Final EIS. The City intends to negotiate a parks and recreation mitigation package with the School District to address recreational impacts of the proposed action. Mitigation may take the form of some or all of the mitigating measures listed in the Draft EIS. The mitigation package will be included in a development agreement that will need to be approved by both the City and the School District. Without mitigation acceptable to the City, the proposed action is unlikely to be approved.

Letter No. 9

From: Bob Rapp [mailto:bobrapp2@yahoo.com]
Sent: October 25, 2011 8:46 PM
To: LHS.EIS
Cc: Erin Corey; Karen Rapp
Subject: SEPA comment form

Mr. Bowler:

We have some comments about the Draft EIS:

1. The gasoline refueling trucks are diesel powered and are sure to make a lot of noise at early hours and late night hours as they pull up to the pumps. Their effect needs to be added to the noise model. | 1
2. Ditto for the street sweepers that will clean the Costco parking lot at night. I think you will agree that noise at night is some of the most intrusive noise there is. | 2
3. There is going to be a wall along the west side of the 33rd Avenue Extension. Is this wall going to border the three-lane road, or will the wall be placed so it borders the inevitable five-lane road? If the former, then the wall will have to be torn down when 33rd is widened, and then the wall will have to be rebuilt. That seems like an awful waste of money. | 3
4. All the traffic maps in the EIS (Figure 3-22, for example), need an explanation of what the numbers are. I was told they are peak trips per hour in each direction, but that needs to be said on each figure. | 4
5. I didn't see any elevation or profile drawings in the EIS. In particular, I am concerned about the noise of the refueling station and traffic on 33rd Ave Extension radiating westward. So I would like to see a cross-section from the refueling station and going westward. I attached a sketch of what I am talking about. The point is that I think that if the homes on 180th can see the traffic at the refueling station and on 33rd Ave Extension, then they will be able to hear them too. | 5
6. The EIS needs an overlay of the alternatives on top of an aerial photo of the property as it is today. This is because there was confusion even among the reps at the Open House about exactly where the 33rd Ave Extension would be with respect to the entrance to the old LHS. | 6
7. Why put the refueling station so close to existing homes? Surely it can be relocated away from homes to minimize noise and fumes. Perhaps the Costco could be moved to the west side of the property and the refueling station placed on the east side. | 7

Thank you.
Robert and Karen Rapp
17905 33rd PI W
Lynnwood

Response to Letter No. 9—Robert and Karen Rapp

Comment 1: See response to Comment 5, Letter No. 7.

Comment 2: Parking lot sweeping would be restricted to between the hours of 7 AM and 10 AM once a week during a weekday. The sound level during normal parking lot sweeping is approximately 77 dBA at 50 feet. Assuming a sweeper operates in the western parking area for an hour, the sound levels at the nearest off-site residences could range from 47 to 54 dBA. These levels would comply with the City of Lynnwood's daytime noise limit of 57 dBA.

Comment 3: The proposed retaining wall will be constructed along the west side of the 33rd Avenue extension at the location required for the three-lane configuration. The wall height and length have been significantly reduced since the EIS was issued. The revised wall configuration, including the length and height, is shown on BCRA plan sheets C1.01A and C1.01B (see response to Comment 1, Letter No. 7). Additionally, a to-scale cross-section showing the location of the apartment buildings to the west, the wall location, and the fueling station has been provided.

ENVIRON remodeled the traffic sound levels and fueling station sound levels with the revised grading plan. The traffic sound levels with the revised grading plan are similar to those identified in the Draft EIS, remain at 60 dBA or less in the future with the project and bypass road, and would represent a 6-dBA or less increase in noise over existing sound levels (the estimated increase in the DEIS was 5 dBA). The 60-dBA traffic sound level and the 6-dBA increase would occur at residences nearest the new proposed extension of 179th Street SW to 30th Place SW. Residences due west of the site would be exposed to traffic sound levels of 53 to 54 dBA, representing a 0 to 2 dBA increase over existing sound levels. These levels would not represent significant noise impacts.

Comment 4: Your comments are acknowledged and hereby incorporated in the Final EIS. The numbers on the *Transportation* section figures represent directional traffic volumes (number of vehicles) during the peak hour. For example, on Figure 3-22 in the Draft EIS, the number 694 on the north side of the bypass roadway just west of 30th Place W means that an estimated 694 vehicles will travel westbound on that section of the roadway during the peak hour. This applies to Figures 3-14 through 3-28 in the *Transportation* section.

Comment 5: A to-scale cross-section that shows the location of the apartment buildings to the west, the wall location and the fueling station has been provided on BCRA plan sheets C1.01A. Additionally, this plan sheet shows the proposed grading along the west side of the site overlaid with the existing trees (type and size included).

Comment 6: BCRA plan sheet C1.01B has been provided that shows an aerial of the site overlaid with the proposed improvements including the proposed grading to the west (see response to Comment 1, Letter No. 7).

Comment 7: See response to Comment 6, Letter No.7.

Letter No. 10

From: Bob Rapp [mailto:bobrapp2@yahoo.com]
Sent: Friday, October 28, 2011 7:16 AM
To: LHS.EIS
Subject: Typo in draft EIS

On page 1-32, "19705-33rd Place W." should read "17905-33rd Place W."

I should know because that is my house.

Thanks,
Bob Rapp

1

Response to Letter No. 10—Bob Rapp

Comment 1: Your comment is acknowledged and hereby incorporated in the Final EIS.

Letter No. 11

From: Yanika Vandij [<mailto:yanika.vandij@gmail.com>]
Sent: Sunday, November 06, 2011 7:50 AM
To: LHS.EIS
Subject: Proposal to lynnwoodtoday.com

My name is Yanika Vandij and I was wondering if you are interested in exchange links, I'll place your link on my sites exactly here:

britswiderski(dot)com PR3

If you agree please send me your site details:

Title:
Url:

I'll place your link in less than 24 hours, then I'll send you an email with my info.

Regards

If you don't want to receive more mails just reply with "unsubscribe".

1

Response to Letter No. 11—Yanika Vandij

Comment 1: No response required; comments did not pertain to the Draft EIS.

APPENDIX

Final EIS Distribution List

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US Army Corps of Engineers	Seattle District Regulatory Branch
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