

City of Mukilteo, Washington
DETERMINATION OF NONSIGNIFICANCE (DNS)

DESCRIPTION OF PROPOSAL: Development Agreement to create site-specific development regulations and standards, specifically to increase the maximum allowable building height to 50 feet and to modify parking lot landscape requirements to facilitate large truck movements.

PROJECT NAME: Pacific Seafood Group Development Agreement

PROPONENT: Shep Cutler of Fisher Construction Group on behalf of Pacific Seafood Group

LOCATION OF PROPOSAL: 8007 – 44th Ave. W.

LEAD AGENCY: City of Mukilteo

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

COMMENT/APPEAL PERIOD

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen (14) days from **Friday, Oct. 2, 2015**. Comments/Appeals must be submitted by **Friday, Oct. 16, 2015**.

PROJECT CONTACT: *Glen Pickus, AICP, Planning Manager (425)263-8042*

RESPONSIBLE OFFICIAL:

*Patricia Love
Community Development Director
11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8041*

Signature:  Date: 9/28/15
Responsible Official

DATE OF ISSUANCE: October 2, 2015

Appeals: Parties of record may appeal this determination by filling out the appeal form and submitting it with the applicable appeal fee, which is non-refundable, to the "City of Mukilteo." Submit the appeal form and fee to the City of Mukilteo Planning Department at 11930 Cyrus Way, Mukilteo, WA 98275 by written comment no later than **4:30 pm. on Friday, October 16, 2015**.

At a State Environmental Policy Act (SEPA) hearing, all testimony shall be "under oath". You should be prepared to make specific factual objections. Contact the Planning Department to read or ask about the procedures for SEPA appeals.

pc:	Review Agencies	SEPA File	CDD Admin.
	Project File	Permit Tech.	Mukilteo Beacon
	Applicant/Contact Person		



11930 Cyrus Way, Mukilteo, WA 98275
(425) 263-8000
Fax (425) 212-2068

ENVIRONMENTAL CHECKLIST

PURPOSE OF CHECKLIST

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

INSTRUCTION FOR APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

USE OF CHECKLIST FOR NONPROJECT PROPOSALS

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (PART D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

Part Eleven WAC 197-11-960 Environmental Checklist

**CITY OF MUKILTEO
ENVIRONMENTAL CHECKLIST**

A. BACKGROUND

1. Name of proposed project, if applicable:
Pacific Seafood Group Mukilteo Distribution Facility
2. Name of applicant:
Pacific Seafood Group, LLC
3. Address and phone number of applicant and contact person:
Bill Marczewski
Pacific Seafood
16797 SE 130th Ave.
Clackamas, Oregon 97015
4. Date checklist prepared:
August 30, 2015
5. Agency requesting checklist:
City of Mukilteo
Planning and Community Development
6. Proposed timing or schedule (including phasing, if applicable):
Begin construction Oct 2015
Substantial completion April 2016
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:
No
8. List any environmental information you know about that has been prepared or will be prepared, directly related to this proposal:

This property was included in SEPA 2009-02 prepared for "Center 44" in March of 2009 and a MDNS was issued in February 2010.

A Phase I ESA was published in July 2012 for parcels A and B.

Another Phase I ESA was published in January 2013 for the Campbell's Track Shop site.

A geotechnical report for the original "Center 44" development was published in August 2001

A follow up report was published in April 2015 for the subject site.

9. Do you know whether applications are pending for governmental approvals of other proposals directly effecting the property covered by your proposal? If yes, explain:

None known

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10. List any government approvals or permits that will be needed for your proposal, if known:
City of Mukilteo
Land-use Development Permit
Developers Extension Agreement
Development Agreement
Building Permit
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description):

A new 83,000 sf 2 story concrete tilt up seafood repacking, storage and distribution facility located on a 5.3 acre vacant site. The building is comprised of 19, 000 sf of office, 16,000 sf of repackaging space and 50,000 sf of cold storage. The site will be developed as would an industrial site comprising 125 automobile parking spaces, 30 small delivery truck parking spaces and maneuvering space for large tractor trailer vehicles utilizing 11 loading bays. Landscaping will be concentrated along the perimeter of the site with increased attention to the landscaping along the main public access road, 44th Ave. W.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist:

8007 44th Ave. West, Mukilteo, WA

Please see Exhibit A for the current legal description. Note that this property is in the process of a lot consolidation the legal will change.

TO BE COMPLETED BY APPLICANT:

EVALUATION FOR
AGENCY USE ONLY

B. ENVIRONMENTAL ELEMENTS:

1. EARTH

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

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

6%-10%

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- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland:

Near surface soils are Glacier Till(Qvt) overlaid with loose organic material.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe:

None Known

- e. Describe the purpose, type and approximate quantities of any filling or grading proposed. Indicate source of fill:

On-site earthwork activities (cutting, filling, and grading) will be required to achieve final grades. It is estimated that approximately 15,000 cubic yards of material will moved on site. If structural fill is required to be imported, it will be from an approved supplier.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe:

Erosion during clearing and construction is possible since the existing site is covered with vegetation. However, Best Management Practices (BMPs) meeting the requirements of the 2012 Department of Ecology's *Stormwater Management Manual for Western Washington* will be utilized. In addition, a Stormwater Pollution Prevention Plan (SWPPP) will be implemented and maintained on-site by a Certified Erosion and Sediment Control Lead (CESCL) per the requirements of the Department of Ecology's Construction Stormwater General Permit.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

84% will be impervious

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Best Management Practices will be implemented, as prescribed by the City of Mukilteo and the Department of Ecology, to prevent/minimize the movement of silt laden air/water within and

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AGENCY USE ONLY

out of the site. A stormwater pollution prevention plan will be prepared and kept on-site to provide BMP support, and record-keeping of proposed inspections and discharge testing.

The project's SWPPP will contain the BMPs required for the project, such as filter fabric fence, catch basin inlet protection, construction entrances/exits, wheel washes, sediment ponds, and temporary/permanent seeding.

2. AIR

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known:

Air quality impact associated with commercial development is primarily a result of traffic generated by delivery truck, shipping and employee travel to and from work. Vehicle traffic could be expected to increase carbon monoxide levels, as well as other auto-generated emissions such as nitrogen oxides, hydrocarbons, and oxidants.

Construction activity would have temporary impacts on air quality including emissions from construction vehicles; increased suspended particulates (dust and smoke) during grading activities and odors from asphalt paving for brief periods.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe:

None Known

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Delivery trucks are maintained to meet or exceed EPA emissions standards.

Construction equipment would be properly maintained. During the dry season or other times of construction that may generate dust, the site will implement BMP's such as watering or early gravel base to minimize dust pollution.

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3. WATER

a. Surface:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into:

An existing wetland lies off site to the north, beyond the vacated 80th Street.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans:

No

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material:

Not applicable

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known:

No

- (5) Does the proposal lie within a 100-year flood plain? If so, note location on the site plan:

No

- (6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge:

No

b. Ground:

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

Ground water is not proposed to be withdrawn as a result of this project. Furthermore, storm water from the developed condition will be controlled by means of a detention vault and will only

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release storm water to a closed conveyance system.

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water Runoff (including storm water):

- (1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe:

Storm water runoff from the developed site will enter a private conveyance system and will be treated for water quality per the requirements of the City of Mukilteo and the 2012 Department of Ecology's *Stormwater Management Manual for Western Washington*. Storm runoff from entire site will enter a detention vault prior to release to the off-site conveyance system. The point of connection to the off-site storm conveyance system is located in the northeast corner of the project and ultimately drains north to an existing wetland.

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

Waste materials are not anticipated to enter the ground or surface waters. Waste material generated from the project will enter the proper treatment systems prior to release to sanitary or storm sewer conveyance systems. During construction, the project's SWPPP will identify measures of pollution control.

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

The project proposes a storm sewer conveyance system, filter-cartridge water quality treatment systems, and a detention vault sized per the requirements of the City of Mukilteo and the 2012 *Department of Ecology's Stormwater Management Manual for Western Washington*. The proposed storm facilities will be designed to only allow pre-developed hydrology to flow off of the site. During construction,

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City and DOE approved BMP's will be installed to prevent silt laden runoff from leaving the site, and entering neighboring properties and the public stormwater system.

4. PLANTS

- a. Check or circle types of vegetation found on the site:
- Deciduous tree: alder, maple, aspen, other
 - Evergreen tree: fir, cedar, pine, other
 - Shrubs
 - Grass
 - Pasture
 - Crop or grain
 - Wet soil plants: cattail, buttercup, bullrush, skunk, cabbage, other
 - Water plants: water lily, eelgrass, milfoil, other
 - Other types of vegetation Blackberries, wild grasses

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

Existing wild grasses and other undesirable vegetation will be removed for construction of the new buildings and the parking areas.

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

None known

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

It is proposed to landscape with low maintenance native material per the City of Mukilteo standards and code.

5. ANIMALS

- a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

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

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

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

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- b. List any threatened or endangered species known to be on or near the site:
- None known
- c. Is the site part of a migration route? If so, explain:
- No known migration routes utilize this site, though most of western Washington is part of a migratory route of waterfowl.
- d. Proposed measures to preserve or enhance wildlife, if any:
- The use of native trees and shrubs in the landscape should enhance habitat for the song birds.

6. ENERGY AND NATURAL RESOURCES

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
- Electricity will be used for operating the lighting, process equipment, refrigeration compressors and condensers associated with the processing and cold storage portion of the building. Electrical energy will be needed to operate the lighting, heating ventilation and air conditioning as well and normal power needed for the offices.
- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe:
- None known
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
- The building shell and operations, in general, will be designed to meet or exceed the requirements under the Washington State Non Residential Energy Code.
- The refrigeration system is a large consumer of energy and will be designed to utilize highly efficient ammonia as the refrigerating fluid, and include evaporative condensing, multiple suction levels, and motor speed control to ensure a system that exceeds

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current industry standards for efficiency and reliability.

7. ENVIRONMENTAL HEALTH

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

The refrigeration system utilizes the caustic substance ammonia as the refrigerant. Modern industrial refrigeration systems are designed to virtually eliminate the potential for a hazardous accidental release of ammonia. Please see attached narrative "Refrigeration Systems Containing Ammonia" which describes the refrigeration process and the systems in place for mitigating the hazards associated with the use of ammonia as a refrigerant. (Exhibit B)

- (1) Describe special emergency services that might be required:

Ammonia refrigeration systems and the management of them are carefully monitored by the fire department. Any issues arising from the accidental release of ammonia would require a response from the fire department's hazardous materials response team.

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

A Hazardous Materials Inventory Statement and a Hazardous Materials Management Plan, required under the 2012 International Fire Code, will need to be prepared by the owner's representatives and approved by the Fire Marshal. These documents shall be in place at the time of occupancy and shall govern the responsibilities of the owner for maintaining and operating the refrigeration system.

b. Noise:

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

Normal vehicle traffic on State Route 526. The site is located less than a mile from the end of runway 16R at Paine Field and will be subject to the noise associated with take off and landing of jet aircraft.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from

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the site.

The construction of the buildings would result in increased noise. Upon completion of the buildings, primary sources of noise would be the employees' and customers' vehicles. There would also be temporary noise impacts at the site during the construction phase at the site. Noisy equipment usage can be divided into two types: relatively stationary on-site construction equipment and transportation equipment moving to and from the construction site.

The temporary construction noise shall be limited so that no construction will occur between the hours of 10 p.m. and 7 a.m.

Any noise generated from the motors of the refrigeration condensers will be mitigated from the westerly residential areas because the condensers are located on the east side of the building. Impacts from noise associated with the condensers to the north and east is minimal since those properties are sparsely populated and the source of the noise is too far from the south properties as to be a significant impact.

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

Construction hours would be limited to daytime hours. Construction equipment would be properly muffled and would not exceed the state maximum noise standards

8. LAND AND SHORELINE USE

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

The site is vacant the property to the south is an older business park. Older established residential properties are to the west across 44th Ave and boarder the north property line.

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

Not apparent

- c. Describe any structures on the site:

There are two existing older commercial service garage buildings and a trailer residence.

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

The three buildings listed in item c. are planned to be demolished.

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- e. What is the current zoning classification of the site?
Planned Industrial
- f. What is the current comprehensive plan designation of the site?
Industrial
- g. If applicable, what is the current shoreline master program designation of the site?
Not applicable
- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify:
No
- i. Approximately how many people would reside or work in the completed project?
30 Office personal, 57 process and distribution employees
- j. Approximately how many people would the completed project displace?
None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
None required
- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
None required this project is a principal use for the zoning district.
9. HOUSING
- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing:
None
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing:
None

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

None required

10. AESTHETICS

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The parapet will not exceed 50' above the average existing grade. The exterior materials will be precast concrete wall panels with decorative reveals to break up the surfaces. The office adjacent to public space along 44th Ave West will have large amounts of glass to add human scale.

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

None known

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

None

11. LIGHT AND GLARE

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

Light and glare from the project would be of the type typically associated with office buildings. It would include lights in and around the buildings, parking areas and street lights and lights from vehicles traveling to and from the buildings. Light and glare would occur in the hours after dark.

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

Lighting associated with the proposal would not pose a safety hazard or interfere with views.

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

None known

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

Lighting will comply with City of Mukilteo standards. Light cut-off

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fixtures will be used to reduce direct glare. The lighting levels will be limited to low levels at the property boundaries.

12. RECREATION

- a. What designated and informal recreational opportunities are in the immediate vicinity?
None known
- b. Would the proposed project displace any existing recreational uses? If so describe?
No
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None required

13. HISTORIC AND CULTURAL PRESERVATION

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe:
None known
- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site:
None known
- c. Proposed measures to reduce or control impacts, if any:

None required

14. TRANSPORTATION

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any:

This site has two access points along 44th Ave West and has access to 84th Street SW which is one block away from access to State Route 526.
- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

Not known. Public transportation is available at various Boeing employee access gates approximately one mile away.

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- c. How many parking spaces would the completed project have? How many would the project eliminate?

125 Stalls for personal automobiles and 30 spaces for delivery trucks, no parking will be displaced.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

Street improvements to meet City of Mukilteo Development Standards Table A will be required along the east side of 44th.

- e. Describe the existing condition of the proposed access road, including width of easement, width of pavement or roadway, curbs, gutters, and/or sidewalks.

Currently 44th is a 24' wide two lane paved street with no curb, gutter or sidewalk adjacent to subject property.

- f. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

No

- g. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

This project is currently the subject of a traffic study.

- h. Proposed measures to reduce or control transportation impacts, if any:

None planned

15. PUBLIC SERVICES

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe:

It is not anticipated that there would be increase needed for services over and above normal demand through added industrial business to the n the system.

- b. Proposed measures to reduce or control direct impacts on public services, if any:

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None planned

16. UTILITIES



a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:

Water

Water is provided to the site by Mukilteo Water and Wastewater District. New water mains will be designed and constructed on site to provide the proper fire hydrant coverage for the proposed building.

Electricity

Electricity will be provided by Snohomish County PUD

Sanitary Sewer Disposal

Sanitary Sewer disposal will be provided by Mukilteo Water and Wastewater District. New side sewers will be designed and constructed connecting the new building to the existing sanitary sewer main on site.

Storm Drainage

The proposed storm drainage system will be private and will be designed and constructed per the requirements of the City of Mukilteo and the 2012 Department of Ecology's *Stormwater Management Manual for Western Washington*.

Solid Waste

Solid waste disposal will be provided by Waste Management

Telephone

Telephone to be provided by Frontier Communications.

Cable

Cable to be provided by Comcast

Natural gas

Puget Sound Energy

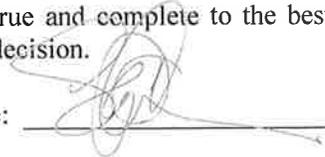
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TO BE COMPLETED BY APPLICANT:

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C. SIGNATURE

The information and answers provided in the Environmental Checklist (including Supplement for Non-project Actions, if applicable) are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  _____

Date Submitted: September 16, 2015

Agency Evaluation completed by: _____ Date: _____

Note: boxes () are checked to indicate agency review of items in checklist.

Exhibit A

LEGAL DESCRIPTION

PARCEL A:

LOT 1 OF CITY OF MUKILTEO BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 201210290638, AND SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 201210295003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1 OF CITY OF MUKILTEO SHORT PLAT RECORDED UNDER AUDITOR'S FILE NO. 8304080271, RECORDS OF SNOHOMISH COUNTY, WASHINGTON; EXCEPT THE SOUTH 15 FEET THEREOF, BEING A PORTION OF LOT 98 WEST & WHEELERS SEAVIEW FIVE ACRE TRACTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE(S) 12 AND 13, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

PARCEL B:

LOT 2 OF CITY OF MUKILTEO BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 201212200420, AND SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 201212205001, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 2 OF CITY OF MUKILTEO BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 201210290638, AND SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 201210295003 RECORDS OF SNOHOMISH COUNTY, WASHINGTON;

TOGETHER WITH THAT PORTION OF PARCEL A OF CITY OF MUKILTEO BOUNDARY LINE ADJUSTMENT RECORDED UNDER AUDITOR'S FILE NO. 201210290639, AND SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 201210295003, RECORDS OF SNOHOMISH COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST SOUTHWEST CORNER OF SAID PARCEL A;
THENCE NORTH 00°37'47" EAST, A DISTANCE OF 290.21 FEET;
THENCE NORTH 88°37'43" WEST, A DISTANCE OF 10.27 FEET;
THENCE NORTH 00°42'45" EAST, A DISTANCE OF 148.32 FEET;
THENCE SOUTH 88°47'17" EAST, A DISTANCE OF 175.47 FEET;
THENCE SOUTH 00°15'55" WEST, A DISTANCE OF 150.85 FEET;
THENCE NORTH 89°15'43" WEST, A DISTANCE OF 60.02 FEET;
THENCE SOUTH 00°15'55" WEST, A DISTANCE OF 286.00 FEET;
THENCE NORTH 89°15'43" WEST, A DISTANCE OF 108.16 FEET TO THE POINT OF BEGINNING;
BEING A PORTION OF LOTS 97 AND 98, WEST & WHEELERS SEAVIEW FIVE ACRE TRACTS, ACCORDING TO THE PLAT

THEREOF RECORDED IN VOLUME 7 OF PLATS, PAGE(S) 12 AND 13, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
TOGETHER WITH THAT PORTION OF VACATED 80TH STREET SOUTHWEST ADJACENT THERETO, AS VACATED BY CITY OF MUKILTEO ORDINANCE NO. 1238, RECORDED UNDER AUDITOR'S FILE NO. 201302111033.

PARCEL C:

LOT 1, SNOHOMISH COUNTY SHORT PLAT NO. SP128(4-76) RECORDED UNDER RECORDING NO. 7605100281, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN.

PARCEL D:

LOT 2, SNOHOMISH COUNTY SHORT PLAT NO. SP128(4-76) RECORDED UNDER RECORDING NO. 7605100281, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN.

PARCEL E:

LOT 3, SNOHOMISH COUNTY SHORT PLAT NO. SP128(4-76) RECORDED UNDER RECORDING NO. 7605100281, RECORDS OF SNOHOMISH COUNTY, WASHINGTON, BEING A PORTION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 28 NORTH, RANGE 4 EAST OF THE WILLAMETTE MERIDIAN.

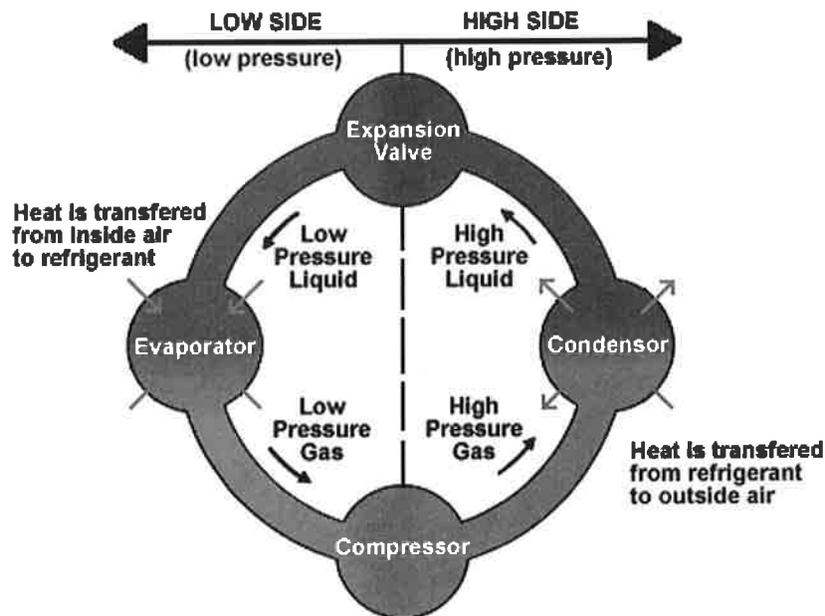
ALL SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

Exhibit B

Refrigerated systems containing ammonia

Overview is taken from the Southwest Technical College course material

Basic Refrigeration Cycle



Principles of Refrigeration

- Liquids absorb heat when changed from liquid to gas
- Gases give off heat when changed from gas to liquid.

For an air conditioning system to operate with economy, the refrigerant must be used repeatedly. For this reason, all air conditioners use the same cycle of compression, condensation, expansion, and evaporation in a closed circuit. The same refrigerant is used to move the heat from one area, to cool this area, and to expel this heat in another area.

- The refrigerant comes into the compressor as a low-pressure gas, it is compressed and then moves out of the compressor as a high-pressure gas.
- The gas then flows to the condenser. Here the gas condenses to a liquid, and gives off its heat to the outside air.

- The liquid then moves to the expansion valve under high pressure. This valve restricts the flow of the fluid, and lowers its pressure as it leaves the expansion valve.
- The low-pressure liquid then moves to the evaporator, where heat from the inside air is absorbed and changes it from a liquid to a gas.
- As a hot low-pressure gas, the refrigerant moves to the compressor where the entire cycle is repeated.

Note that the four-part cycle is divided at the center into a high side and a low side. This refers to the pressures of the refrigerant in each side of the system

Refrigerant

Anhydrous ammonia is a natural refrigerant, is toxic, but has no ozone depleting potential and is used extensively in industrial refrigeration systems. Several advantages of ammonia have contributed to its popularity in industry, including high latent heat and therefore less required mass flow, low pressure losses in connecting piping, and low reactivity with refrigeration lubricants. In refrigeration systems, the liquid is part of an enclosed system of pipes and devices designed to be contained under pressure. When the pressure is reduced, the liquid boils and evaporates rapidly, transforming into vapor or gas. The rapid evaporation causes the temperature of the liquid to drop until it reaches the normal boiling point of -28°F at atmospheric pressure or 0 psig; a similar effect occurs when water evaporates off the skin, thus cooling it. This is why ammonia is used in refrigeration systems

Ammonia Accidental Release:

With proper design, modern equipment and a comprehensive Risk Management Plan in place ammonia systems constitute a low risk hazard.

In a closed refrigeration system ammonia operates under low differentials in pressure. Referring to the refrigeration cycle above the low pressure side operates at 60 PSI and at the high side of the cycle the pressures can vary from 140 to 180 PSI depending on the current ambient temperature of the engine room. The danger for ammonia release in the past has been from equipment that was not designed to maintain the pressures or not maintained properly and leaks occurred. Modern ammonia charged refrigeration systems on the other hand can be designed and tested to meet pressures exceeding 250 psi, well above the operating pressures. Unusual circumstances such as an electrical power outage that would affect engine room ventilation may cause the engine room to rise in temperature. If the ambient outside air were to reach 114 degrees F. (unlikely in Valdez) the pressures in the refrigeration system could approach a pressure that will trigger the alarms and kick in the emergency systems that will notify operators or automatically correct the error before any situation becomes a problem.

Throughout the refrigeration system automatic ammonia detection systems are in place to detect any leak of ammonia in the system. Should a leak be detected audible alarms are sounded and equipment is placed on standby. Ventilation is maintained in the engine room and personnel are on alert to correct the problem. Ammonia detection, alarms, and emergency response falls under the requirements 2009 International Fire Code. Included will be the Risk Management Plan and Business Plan documents required for occupancy.

All of the vent fans in the refrigeration room are powered from Copper Valley's transformer that feeds switch board SWBD5. In the event of a power failure/outage from Copper Valley's transformer there is a manual transfer switch to move the power for the engine room exhaust fans on to the temporary diesel fueled electrical generators if needed.

The system is charged with ammonia once and the procedures are well regulated. The total anticipated charge is approximately 40,000lbs of ammonia. A document called System Ammonia Charging Procedure will be supplied to the City of Valdez Fire Department for approval prior to system activation. Included with the procedures is fire department involvement with testing and supervision. Long after the initial charge should the system require a "topping off" of ammonia operators would likely use a 500 pound bottle to add refrigerant within the fire protected and environmentally controlled engine room.

The Compressors

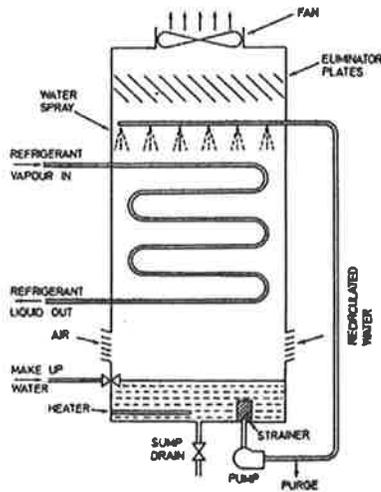
Electric motors are located in the engine room.

The compressor performs the work in the refrigeration system, and typically consumes most of the required system energy, as Figure 3 illustrates. This facility anticipates having a total of 2100 tons of refrigeration requiring an estimated 6330 HP total horsepower, primarily resulting from high horsepower electric motors powering the compressors (totaling 5500 HP). Compressors will be positive-displacement type which compresses the low pressure suction and into high pressure discharge gas that exits the discharge side of the compressor.

The Condensers

Are located outside adjacent to the engine room and supported on a pile supported structural frame.

Condensers are heat exchangers used to reject the heat from the refrigeration cycle to the outside air. *Evaporative condensers*, illustrated below, are the most common type of condenser for industrial refrigeration systems. Evaporative condensers use a recirculation pump to spray water over the condenser tube bundle. Fans move ambient air across the tubing, similar to an air-cooled condenser, transferring heat away from the heat exchanger to the outside environment. The water is evaporated by the heat of the refrigerant gas as the refrigerant condenses inside the condenser tube bundle.



Water Usage at the condensers:

The peak evaporation rate for each condenser is nearly 37gpm. For both condensers just under 75gpm will evaporate under full load and at most another 75gpm should be bled for water treatment (2 cycles) and 150gpm design make-up would be required. At peak capacity with sustained design wet bulb the condenser would consume at most 216,000 gal/day. Design accounts for approximately 225,000 gallons of water consumed per day to replenish the evaporation during peak times. Approximately 112,500 gallons of this becomes wastewater that will be treated and discharged to the sewer.

Expansion Devices- May vary depending on the type of refrigeration system that is installed; some will be located within the refrigeration room and others will be located at the evaporators. Expansion devices reduce high-pressure liquid refrigerant into a low pressure liquid/vapor mixture that then feeds into the evaporators. They will also serve as metering devices to control flow to the evaporators or liquid make-up into vessels.

Evaporators are located at the point of cooling. Locations include the Ice House and Freeze Tunnels. The evaporator is a heat exchanger that removes heat from the refrigerated space or process and serves as the link between the cooling of the product load and the refrigeration system. *Air coil heat exchangers* consist of a series of tube coils which have fins bonded to them in order to increase the surface area of heat transfer.

Conclusion

Refrigeration is a simple technology that has become quite sophisticated to meet the demands of industry and safety regulations. Ammonia refrigeration is the most cost effective and energy conscience method for large scale refrigeration. Complying with current health and safety regulations in addition to using modern technology in design will reduce the likelihood of an accidental ammonia release and therefore possess a low risk hazard.