



City of Kalama

Incorporated 1890



Staff Report and Recommendation

Date: January 14, 2015
To: Kalama City Council
From: Matt Buchanan, City Planner
Re: Port of Kalama East Port Regional Forcemain Project
Shoreline Substantial Development Permit

Open Record Public Hearing

List of Exhibits

- A) Shoreline Application Notices
- B) SEPA Determination
- C) Department of Ecology, Southwest Office letter—dated 1/14/15
- D) Project Site Plans—60% Submittal
- E) Critical Areas Report and Restoration Plan
- F) Cultural Resources Report

Proposal

The project completes the construction of a 9,890-foot sanitary sewer forcemain system to provide sanitary sewer service for areas east of I-5. A pump station located at Haydu Park will pump wastewater through the forcemain to the City of Kalama's Meeker Drive pump station. The majority of the pipe will be installed per open trench excavation, with the exception of five road crossings and one bridge crossing. Road crossings will be constructed by jack and bore installation of a steel casing pipe under the roadway, and sleeving the HDPE force main through the casing pipe.

The bridge crossing consists of the 6" diameter forcemain located on the east side of the Meeker Drive bridge across the Kalama River. The forcemain will be attached to the concrete approaches by hanging pipe supports from the guard rail base. The pipe will be supported with steel anchor bolts and brackets. On the middle portion of the bridge that is constructed of steel trusses, the 6-inch diameter forcemain will be attached to the superstructure with a steel support beam.

Recommended Council Action

Approve the Shoreline Management Shoreline Substantial Development Permit, with conditions provided in the Recommendation section (pages 6-7) of this staff report.

Project Location

The project will be located in Sections 31 and 32, Township 7 North, and Section 6 North, Township 6 North, Range 1 West of the Willamette Meridian. The sewer forcemain will be placed within existing city-owned rights-of-way along Kalama River Road and Meeker Drive, crossing the Kalama River on the Meeker Drive Bridge.

FINDINGS

1. **Zoning:** Properties within and adjacent to the project area are zoned (from Meeker Haydu Park pump station to the Meeker Drive pump station) Recreational (Rec), Mixed Use (MU), Single-family Residential (R-1), Highway Commercial (C-2).
2. **Comprehensive Plan:** Properties associated with this project are not specifically identified in the Comprehensive Plan, because they were annexed after the plan's adoption in 2005. However, the project proposal does advance several goals outlined in the Comprehensive Plan, including:
 - a) *Encourage economic enterprises that will support and enhance the community and will result in minimal environmental impact.*
 - b) *Conserve and protect groundwater and maintain good quality surface water.*
 - c) *Protect critical wildlife habitat and preserve the integrity of important corridors from development, while minimizing unavoidable impact.*
 - d) *Ensure that subdivisions and necessary infrastructure are designed and constructed to meet existing and future needs.*
 - e) *Encourage the orderly, efficient and beneficial development of lands within the city (including individual lots), while preventing an overload on existing infrastructure and services.*
 - f) *Ensure that urban services are developed, operated and maintained in an efficient and economical manner that protects the interests of the city and its citizens.*
 - g) *Ensure that new or extended public facilities are made available in a logical and timely manner.*
3. **Site Description:** The project is located south of the intersection of Kalama River Road and Norris Pit Road, extending west on the north side of Kalama River Road until crossing Old Pacific Highway South, and crossing Kalama River Road to extend south down the west side of Meeker Drive to the existing City of Kalama pump station. Much of the pipe is in place; the proposed project will connect the existing pipe segments across public roads (Kalama River Road, Old Pacific Highway, and Meeker Drive) and in fill slopes adjacent to public rights of way. Land use in the immediate vicinity of the project

consists of a mix of forestlands, fields in agricultural use, and large lot single family residential development east of Meeker Drive. West of Meeker Drive is Interstate 5 and industrial development. Vegetation in the project alignment includes grasses and forbs. The Kalama River crosses the project alignment on Meeker Drive between Kalama River Road and the pump station.

4. **Shoreline Master Program (SMP) and Shoreline Management Act (SMA):** All proposed developments in or adjacent to state shorelines must be consistent with the goals, policies, and regulations of the SMP and the SMA (RCW 90.58). A shoreline substantial development permit is required for the project because it meets the definition of substantial development and it lies within the jurisdictional area of the Kalama River, a shoreline of statewide significance. Therefore, the following review includes an analysis of the project's consistency with the goals and policies for development along shorelines of statewide significance and the regulatory criteria in the "Construction and Operations" SMP Use categories.

All shoreline projects must be constructed in accordance with the SMP construction and operation regulations, which include best management erosion control practices.

Conclusion: A condition requiring compliance with these regulations shall be placed on the permit.

5. **Shorelines of Statewide Significance:** Proposals located on shorelines of statewide significance must meet six criteria listed on page 2 of the SMP and in the Revised Code of Washington (RCW 90.58.020), as follows:

- a. *Recognize and protect statewide interest over local interest.*

Analysis: The state and local jurisdictions have an interest in maintaining the public health, safety and welfare, maintaining public access to rivers of statewide significance, and preserving aquatic and riparian resources. Increased demands along the Kalama River are anticipated, due to new development. This necessitates additional precautions to ensure the protection of our natural resources. The Port of Kalama has submitted application materials (exhibits D-G) to demonstrate how resources in the project area will be protected during and after construction. Furthermore, the project will allow for proper sewerage at Haydu Park, which will provide public access to the Kalama River.

Conclusion: The Port of Kalama's application materials (exhibits D-G) adequately demonstrate how resources in the project area will be protected during and after construction. Once complete, the project will allow for the proper disposal of wastewater at Haydu Park, creating a safe and healthy environment where the public can access the shoreline.

- b. *Preserve the natural character of the shoreline:*

Analysis: The shoreline area, within the project scope, has been previously disturbed with the construction of the Meeker Drive Bridge. Land adjacent to the bridge within the project scope is vegetated.

Conclusion: The character of the shoreline, within the project scope, will not be permanently modified or altered. Disturbance areas will be restored to original elevation and replanted with native or erosion control seed.

c. *Address uses that result in long-term benefit:*

Analysis: The project proposal will provide sewer service to several properties north of the Kalama River, including Haydu Park.

Conclusion: This proposal will provide long-term public benefits for the regional community. Providing sewer service ensures waste water is treated and disposed of at an appropriate location, ensuring a healthier and safer environment. It also improves facilities at Haydu Park, a Port-owned property that will provide public access to the Kalama River.

d. *Protect the resources and ecology of the shoreline:*

Analysis: The natural and ecological resources of the shoreline should not be adversely impacted long-term. Short-term impacts may occur due to construction work near the ordinary high water mark. Erosion control Best Management Practices (BMPs) should be in place, monitored and maintained throughout the lifetime of the project.

Any time construction occurs adjacent to the water, the potential of water contamination from construction materials, sediments, or hazardous materials exists. Such contamination could have detrimental impacts to aquatic species. Precaution measures should be in place if such a spill occurs.

Conclusion: To ensure adequate protection of the aquatic resources, water quality, and ecology construction and erosion control BMP's measures should be in place, monitored and maintained throughout the lifetime of the project. Further, the applicant should take precautions and direct actions should a spill of some hazardous material occur in or near the water.

To ensure that construction workers are aware of the activities allowed by the permit and any restrictions thereof, the applicant should provide a copy of the permit and conditions to the contractor and post it on site.

e. *Increase public access to publicly owned shoreline areas:*

Analysis: The Port of Kalama has provided increased public access and public lands to the Kalama River through construction of Haydu Park.

Conclusion: The Port of Kalama has met this criterion through construction of Haydu Park. This project enhances and protects Haydu Park's facilities through providing sanitary sewer service.

f. *Increase the public's recreational opportunities on these shorelines:*

Analysis: The Port of Kalama has provided additional recreational opportunities on these shorelines through construction of Haydu Park.

Conclusion: The Port of Kalama has increased recreational opportunities along the Kalama River through construction of Haydu Park. This project enhances Haydu Park's facilities through providing sewer service.

6. **Other Permits and Approvals:** Other known government approvals include Hydraulic Project Approval (Washington Department of Fish and Wildlife), Nationwide Permit 12 (Army Corps of Engineers), Critical Areas Permit (City of Kalama), Grading and Excavating Permit (City of Kalama) and Right of Way Permit (City of Kalama). Additional permits or approvals may be required. It is the applicant's responsibility to ascertain the requisite permits and obtain them. Obtaining a shorelines permit does not relieve the applicant of the necessity of acquiring all requisite local, state and federal permits for this project.
7. **Critical Areas-Floodplain:** A Critical Areas Review was completed. The project area north of the Kalama River is currently mapped by the FEMA Flood Insurance Rate Mapping as being located within Zones B, C, and A7 of the Kalama River. Zone A7 designation is classified as within the 100-year floodplain, Zone B is in the 100 year flood plain, and Zone C is an area of minimal flooding (Sheet 5). Under KMC15.02.140 all lands identified in FEMA Flood Insurance Rate Maps as within the 100-year floodplain are designated as frequently flooded areas and are subject to KMC Chapter 14.16. The project does not propose fill or removal in flood plains, as all excavation will be restored to pre-construction grade.
8. **State Environmental Policy Act:** Staff issued a Mitigated Determination of Non-significance on December 15, 2014 (Exhibit B). The comment period ended on January 14, 2015. One comment from the Department of Ecology (Exhibit C) regarding toxics cleanup and water quality. Those comments are being addressed in the conditions of permit approval, listed in the Recommendation section of this staff report (pages 6-7).
9. **Shoreline Public Notice and Comments:** Staff determined the shoreline application was complete on November 26, 2014. Public notice of the application was posted on the property, distributed to agencies and parties of interest, and published in *The Daily News* on December 14, 2014 and January 10, 2015. The comment period ended January 14, 2015. No comments were received. Notices are provided as Exhibit A.

CONCLUSIONS

The individual findings and conclusions stated above establish that this proposal either meets, or if conditioned as recommended below, will meet: 1) the standards established in the SMP; and 2) the six criteria for granting a substantial development permit on a shoreline of statewide significance. Completion of this project, if constructed as conditioned below, will therefore be consistent with the Shoreline Management Act, the County's Shoreline Management Master Program, and existing land uses in the project area.

Recommendation

Staff recommends the Shoreline Substantial Development Permit be approved subject to the following conditions:

1. Prior to construction, final engineering plans shall be submitted for review and approval by the City. Any proposed changes or modifications to these plans and specifications, including those required by other agencies, shall require additional regulatory review and approval by the Department of Building and Planning prior to implementation.
2. All construction shall be completed in accordance with the approved plans and the City of Kalama Development Guidelines and Public Works Standards.
3. Applicant shall comply with Construction and Operation Regulations in the Cowlitz County Shoreline Master Program (attached to permit).
4. Portions of the proposal location are near identified wetlands. Any development shall occur in accordance with procedures and regulations of Kalama Municipal Code (KMC) Chapter 15.02, Critical Areas Protection.
5. The applicant shall adhere to all plans, performance standards, mitigation measures, and recommendations listed in the Critical Areas Report and Restoration Plan for East Port Regional Forcemain, prepared by Ecological Land Services, Inc., dated October 20, 2014.
6. Proper erosion control measures shall be installed prior to any clearing, grading, or construction activities. These control measures shall be effective to prevent stormwater runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants. Erosion control structures or devices shall be regularly maintained and inspected to ensure their proper functioning throughout project construction.
7. Fill materials shall be clean materials. Any construction debris shall be disposed of at a commercial location and outside of shorelines jurisdiction.

8. Finished slopes shall be seeded and planted with native, woody vegetation to ensure bank stability. All woody vegetation shall be planted within the first growing season post construction activity. Re-seeding with native grasses shall be required within all disturbed areas upon project completion.
9. Any spills, soil or debris accidentally entering the water during construction shall be immediately removed by approved methods. All project work shall cease immediately until cleanup of such spills is completed. If a spill does occur, or if an oil sheen or distressed or dying fish are observed in the project vicinity, the applicant shall immediately contact Washington State Department of Ecology (DOE) at its Southwest Regional Spill Response Office, (360) 407-6300.
10. The applicant shall provide a copy of the permit, conditions, and drawings to all contractors performing any of the authorized work.
11. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.
12. Proper disposal of construction debris shall be on land in such a manner that debris cannot enter water of the state (e.g., Kalama River) and storm drains draining to waters of the state or cause water quality degradation of state waters.
13. Clearing limits and/or any easements or required buffers should be identified and marked in the field, prior to the start of any clearing, grading, or construction. Some suggested methods are staking and flagging or high visibility fencing.
14. A permanent vegetative cover should be established on denuded areas at final grade if they are not otherwise permanently stabilized.
15. Properties adjacent to the site of a land disturbance should be protected from sediment deposition through the use of buffers or other perimeter controls, such as filter fence or sediment basins.
16. Provision should be made to minimize the tracking of sediment by construction vehicles onto paved public roads. If sediment is deposited, it should be cleaned every day by shoveling or sweeping. Water cleaning should only be done after the area has been shoveled out or swept.
17. The applicant shall adhere to all recommendations listed in the Cultural Resources Report, prepared by Archaeological Investigations Northwest, Inc., dated October 14, 2014.
18. The applicant shall adhere to the Department of Ecology's directives, provided in the letter from the Southwest Regional Office, dated January 14, 2015 (Exhibit C).