Ecological Land Services

February 16, 2024

City of Woodland Community Development
Malene Garcia-DeBoard, Associate Planner
P.O. Box 9
Woodland, WA 98674

RE: TCC Woodland Industrial Project SEPA Comment Response

Dear Ms. Garcia-DeBoard:

Please find below our responses to SEPA comments received in your letter dated January 24, 2024, an email dated January 22, 2024 from Meghan Tait, Washington Department of Ecology (Ecology), and a letter dated January 30, 2024 from Isaac Holowatz, Washington Department of Fish and Wildlife (WDFW). Comments are stated or paraphrased below in italics followed by our response in regular font.

City of Woodland Comments

- *The Onsite Mitigation and Bank Use Plan written by Ecological Land Services uses WMC 15.08.400.F.2 to reduce the buffer of Wetland B from 80 feet to 60 feet. To do this, this code requires that measures to minimize the impacts of the proposed land uses are applied (see examples in Table 15.08.400-2). This should be discussed in the mitigation plan.*

  Examples of disturbance listed *WMC Table 15.08.400-2* are listed below in italics followed by measures of how these impacts will be minimized in regular font. These measures will be applied to both Wetland A and Wetland B. A variance is being sought for buffer reduction beyond what's allowed per code.

  Lights
  Exterior parking and building lighting will be hooded and will be oriented downward and away from the wetland to minimize effects.

  Noise
  Temporary increased noises level will occur during construction. The final project will generate noise from semi-truck use on the site and general increased traffic. Vegetation will be planted within the remaining buffers to help reduce noise and visually screen the wetlands from the development. Species utilizing the buffers and wetlands are likely adapted to noise levels typical of urbanizing and light industrial areas, as much of the surrounding land use is currently in those uses so are not anticipated to be heavily affected.

Toxic and Stormwater Runoff
All roadways and parking areas will be curbed directing runoff to catch basins containing oil-water separators. Runoff will then be conveyed to stormwater facilities for further treatment prior to release. Stormwater facilities will be located in natural drainage pathways and treated water will be released at pre-development rates so as not to affect wetland hydrology. The completed project is not anticipated to generate toxic runoff aside from stormwater runoff generated on roadways, parking areas, and roofs. Stormwater measures and facilities are further discussed on pages 12 through 15 of the Plan.

Change in Water Regime
Treated stormwater will be released to Wetland B similar to predevelopment rates. Release of stormwater in the wetland is also necessary to maintain the hydroperiod so as not to starve the wetland of hydrology. A portion of the clean stormwater generated by the future building roofs will be captured and released to Wetland A's buffer to maintain the wetland's hydroperiod. The amount captured and directed to Wetland A will be equal to pre-development contributing basin.

Pets and Human Disturbance
Pets and human disturbances are not expected as the development is a light industrial use. Signage will be posted every 100 feet around the final wetland buffer stating "Protected wetland area. Do not disturb. Contact the City of Woodland regarding uses, restrictions, and opportunities for stewardship."

Dust
Best management practices, including making a water truck available during construction, will be in place to prevent dust blowing. Disturbed areas that will not be paved will be seeded as soon as possible, which will also help prevent dust blowing.

- *The mitigation plan assigns an 80-foot buffer to Wetland A based on the habitat score of 5. This is inconsistent with the Wetland Delineation completed by Pacific Habitat Services, Inc. and Woodland Municipal Code (WMC). The mitigation plan points out that WMC 15.08.400 is not consistent with Ecology's rating system, but the buffer must still comply with WMC. Wetland A should have a buffer of 150 feet and any mitigation should be updated to reflect this.*

  Based on the email received on February 16, 2024, the City is deferring to Ecology's wetland rating system scoring over the City's code for wetland system scoring; therefore, the 80-foot buffer on Wetland A is consistent with WMC.

- *The mitigation plan's section on mitigation sequencing is not fully consistent with WMC 15.08.190. The sequencing provided must discuss all actions more preferred than compensation, including avoidance and minimization of impacts. The mitigation plan should explore this more to show why these actions are not feasible to justify why compensation should be accepted.*

  The Plan did not follow the exact format laid out in WMC 15.08.190 for mitigation sequencing. A discussion of avoidance and minimization measures is located on pages 12 and 13 of the Plan.

WMC 15.08.190 items A through G are listed below in italics followed by our response. I copied text from the Plan and included additional information regarding avoidance and minimization measures while addressing items A through G below.

A. *Avoid the impact altogether by not taking an action or parts of an action.*
As stated in the JARPA, Cowlitz County has a surging demand for industrial buildings, and the demand coupled with the lack of supply, has caused industrial rent to increase 19% since 2020. The Cowlitz County submarket needs more industrial buildings to help meet the region's demand and slow the rental rate burden of businesses. The project site is one of the few (and may be the only) sites in Woodland that can support buildings of this size. The proposed site plan will accommodate up to four separate tenants, which will help alleviate the demand and provide many jobs for the community. Eliminating one of the buildings or shrinking the buildings (including parking) will reduce or restrict the amount or types of tenants who would be able to utilize the site, so the project will not be as effective in alleviating market demand or attracting new businesses to the area.

   Efforts have been made to avoid and minimize impacts to the greatest extent practicable as described in the Plan and in this comment response. The design as shown maximizes the use of the large-sized industrial zoned property, which is limited in Woodland. Direct impacts to the non-exempt wetland (Wetland A) and the riparian habitat conservation area (Wetland B) were avoided. Due to the size of the critical area buffers and project needs and requirements, impacts to critical area buffers and Oak 1 could not be avoided.

B. *Minimize impacts by limiting the degree or magnitude of the action or its implementation, by using appropriate technology, or by taking steps such as project redesign, relocation, or timing to avoid or reduce impacts.*

   Project needs and requirements include requiring two access points off of North Pekin Road and the Rose Way extension, aligning the southern access on North Pekin Road with the existing access on the east side of the road (Woodland Engineering Standards for Construction 2.23 Section B), maintaining a minimum 40-foot clearance around each building, constructing interior drive areas to accommodate semi-truck maneuvering, loading and offloading, and meeting employee and tractor-trailer parking space requirements.

   The applicant designed each building to accommodate up to four separate tenants. Each building is a different configuration: the west building is a "cross-dock" with an industry-standard depth of 520' and the east building is a "rear-load" with a depth that approaches industry-maximum at 310'. These building depths, paired with their lengths, create widely accepted dimensions for each of the four tenant spaces in each building. Each space's dimensions allow for safe travel distance for fire/life safety egress.

   WMC requires adequate overall parking related to both the size of the building and the number of expected employees, depending on the nature of the operation or building use. Based on the assumed use of the project, including the amount of office space in each building, the applicant is meeting, but not exceeding the required parking. The applicant is seeking to provide code-minimum auto parking so employment opportunities, including industrial operations that require multiple shifts, are not diminished. The location of the

stalls must be near the future office locations to meet standards, including ADA, which will be at the corners of the buildings. Additionally, the general standard for similar building types is to have a trailer stall opposite each dock high door, which is not being proposed. Therefore, parking proposed for the buildings is the minimum required, and the amount of trailer stalls being proposed is below the general industry standard.

Multiple iterations of the site plan were evaluated. Three site plan alternative figures are located in Appendix C of the Plan. The original site plan consisted of one large, centrally located facility. The original single-building development plan involved direct impacts to Wetland B, effectively bisecting it, and removing 4 oaks. The original plan single-building plan was scaled back so that it encroached to within 5 feet of the boundaries of Wetlands A and B, nearly eliminating their buffers on the north and south sides, respectively (see Figure 1 in Appendix C). Additionally with this plan, Oak 1 (47-inch dbh) in the southeast corner of the site was proposed for removal and the majority of the canopies of Oak 7 (37-inch dbh) and Oak 6 (split trunk, 26-inch dbh) would be impacted. Storm pond locations also impacted oak canopies. Wetlands C, D, and E were avoided in the site plan.

The single-building site plan was changed to two smaller buildings reducing buffer impacts to Wetlands A and B, avoiding impacts to Oak 7, and removing Oak 1 (see Figure 2 in Appendix C). Wetlands C, D, and E were proposed to be filled in this scenario. Impacts would occur within the driplines of Oaks 2, 3, 6, and 10 from side-slope grading due to the amount of fill being imported to raise the site to an elevation high enough to achieve adequate drainage.

This two-building site plan was revised, and the southeastern access was modified to curve around Oak 1, avoiding removal. Included in this version of the site plan, stormwater would be released directly to Wetland B instead of its buffer. By releasing treated and detained stormwater directly to the wetland, the project would avoid importing significantly more fill material to raise the site to achieve adequate drainage. This would also avoid dripline impacts to Oaks 2, 3, and 10 and reduce dripline impacts to Oak 6. Wetlands C, D, and E would be filled in this scenario; however, filling the small wetlands and releasing treated and detained stormwater directly to Wetland B was preferred by the agencies over impacting Oak 1.

Upon further evaluation of the revised two-building site plan and discussion with the project engineers, fill and grading would still need to occur within the dripline of Oak 1, even though the access road avoided it. Because of the size and shape of the canopy, grading could not be completed without removing a large portion of the canopy for construction equipment to grade near the trunk. Additionally, the proposed building would be located immediately adjacent to the oak canopy. The canopy and critical root zone would likely be impacted by equipment accessing that side of the building during building construction even if additional fill and grading was not needed. Branches would eventually need to be removed from the southern portion of the canopy as well because they extend over the main access where semi-trucks will be entering and leaving. The oak would still be surrounded by fill, although fill would be shallower so it may be possible to drain water out of the depression. Because of the extent of construction activities needing to occur within

the dripline of the oak, even with the road and buildings being located outside the dripline, it is highly likely the oak would eventually die regardless of the avoidance efforts; therefore, it was decided to remove the oak and mitigate for impacts rather than have the oak become a hazard later and be removed, potentially without mitigation.

The project design also incorporated avoidance and minimization measures including the following:

- Moving the stormwater ponds and associated grading outside of oak driplines.
- Moving the discharge pipe from the northwestern stormwater facility outside of Oak 8 and Oak 9 driplines.
- Using a tall curb along the access near Oaks 2 and 3 to avoid grading in their driplines.

C. *Repair, rehabilitate, or restore the affected environment (wetlands, critical aquifer recharge areas, frequently flooded areas, habitat conservation areas) to historical conditions or conditions existing at the time of project initiation.*

Oak habitat in Mitigation Areas 1, 3, and 4 will be rehabilitated by removing heavy ivy infestations from existing oaks and removing other invasive species on the ground (blackberries and ivy). These areas will then be enhanced by planting native understory, which has been suppressed by farming activities for many decades. Additional habitat features including snags, downed, logs, and nest boxes will also be incorporated as detailed in the Plan.

D. *Minimize or eliminate the hazard by restoring or stabilizing the hazard area through engineered or other approved methods.*

There are no environmental hazards on the site.

E. *Reduce or eliminate the impact or hazard over time by preservation and maintenance operation during the life of the action.*

The remaining riparian habitat conservation area buffer on Wetland B, which mainly consist of mowed pasture, will be enhanced with Oregon white oaks, native shrubs, and habitat features which will provide more protection to the wetland. Oak woodland will also be created and rehabilitated/enhanced outside of critical area buffers (Mitigation Areas 3 and 4). Mitigation Areas 1 and 4 will create a contiguous corridor along the entirety of the northern property boundary.

F. *Compensate for the impact to wetlands, critical aquifer recharge areas, frequently flooded areas, habitat conservation areas by replacing, enhancing, or providing resources or environments.*

Mitigation is fully described in the Plan and includes onsite buffer enhancement, oak woodland rehabilitation and creation, and purchase of mitigation bank credits.

G. *Monitor the mitigation and provide remedial action when necessary.*
Monitoring of the onsite mitigation areas is fully described in the Plan beginning on page 28.

- *Wetland reports must address the entirety of WMC 15.08.160(C). The reports do not seem to fully address items 6 and 8.*

  Item *6. An analysis of development alternatives* is described above and on pages 12 and 13 of the Plan and is further described above.

  Item *8. A description of reasonable efforts made to apply mitigation sequencing to avoid, minimize, and mitigate impacts to critical area*s.
  Mitigation sequencing is described above and addressed on pages 12 and 13 of the Plan. Mitigation measures are described on pages 18 through 29 of the Plan, which include credit purchase at the mitigation bank and onsite mitigation.

  - *With regard to these items, Ecology provided comments stating: "it appears that there is substantial area on the development parcel to locate the proposed industrial buildings and parking outside of the 60 foot reduced buffer. The applicant should consider reducing parking or building size to meet the buffer requirements and avoid and minimize wetland impacts." Addressing this would meet the requirements of WMC 15.08.160(C).*
    See discussion above.

- *WMC 15.08.260(B)(3) states "Literal application of the provisions of this chapter would deny this applicant use and privileges enjoyed by other properties in the immediate vicinity, and the variance requested is the minimum necessary to provide that use and privilege." The narrative provided does not explain why the variance requested is the minimum necessary. Addressing the this further would also help address WMC 15.08.160(C) because it will show why less impactful development alternatives are not feasible and could also support mitigation sequencing to show how reasonable efforts were made to avoid or minimize impact.*

  A discussion of development options and avoidance and minimization efforts are described in the Plan and are further detailed above. Variance criteria are also fully detailed in the project narrative prepared by TRJ Planning (December 2023). A similar variance was recently granted to the Guild Road Industrial project to the northwest for decreased buffer widths to allow for similar industrial development (File No. SPR 22-006). Development on the Rose Way Industrial Park property immediately to the north is well within 200 feet of the same RHA buffer. The impacts to the buffers are the minimum necessary to achieve the scale of this industrial project as allowed by the zoning code and supported in the comprehensive plan.

WDFW Comments

- Given the size and ecological value to wildlife, we would recommend a more thorough exploration of ways to avoid and minimize impacts.

  See discussion above.

- *If, after careful exploration of alternative designs, removal is deemed necessary, then we would recommend following the mitigation guidance outlined in our newly published PHS management recommendation mentioned above.*

  The most recent guidance was not published until after the application was deemed fully complete. The oak mitigation, however, followed most of the measures in the new guidance based on personal communication with WDFW during preparation of the mitigation plan, including a 250:1 stem preplacement for the large oak being removed. A 10:1 ratio is being used for partial canopy impacts to Oak 6. The oak mitigation plan did follow the most recent published best available science available at the time. We believe that the oak woodland creation/enhancement/rehabilitation proposed should meet the requirements of the new WDFW guidelines.

Ecology Comments

- *The City of Woodland Critical Areas Ordinance states that for wetlands that score fewer than 5 points for habitat, the buffer can be reduced to that required for moderate land-use impacts (60 feet in this case) by applying measures to minimize the impacts of the proposed land uses in Table 15.08.400-2 (WMC 15.08.400.F.2). The applicant does not discuss implementing the minimization measures outlined in Table 15.08.400-2 in their mitigation plan.*

  See discussion above.

- *In addition, it appears that there is substantial area on the development parcel to locate the proposed industrial buildings and parking outside of the 60 foot reduced buffer. The applicant should consider reducing parking or building size to meet the buffer requirements and avoid and minimize wetland impacts.*

  See discussion above.

- *In the mitigation plan, the criteria reviewed by the applicant under WMC 15.08.730.D.6 states that in no case shall the standard buffer width be reduced by more than fifty percent using this provision. Are variances allowed when the provision says "in no case"?*

  A variance is being sought for buffer reduction beyond what is allowed per code.

If you have any further questions or need additional information, please contact me by phone at (360) 578-1371 x1018 or by email at steff@eco-land.com.

Sincerely,

Steffanie Simpson
Senior Biologist/Principal