



## City of Kenmore Development Services Notice of Decision and SEPA Mitigated Determination of Non-significance

**Property Owner:** Glacier Northwest, Inc.  
**Applicant:** Pete Stoltz, CalPortland

**File #:** SSDX23-0025 (PRJ23-0025)  
**City Planner:** Reilly Rosbotham  
**Telephone #:** 425-398-8900  
**E-mail:** [RRosbotham@kenmorewa.gov](mailto:RRosbotham@kenmorewa.gov)  
**Date Application Filed:** 4/28/2023  
**Date Determined Complete:** 5/24/2023  
**Date Notice of Decision Issued:** 6/3/2024  
**Date of Mailing:** 5/31/2024

**Project Location:** 6431 NE 175<sup>th</sup> Street Kenmore, WA 98028; King County tax parcel number 112604-9020.

**Project Description:** The proposed dredging will provide safe passage for vessel ingress and egress by removing approximately 800 cubic yards of sand, gravel, and small amounts of sediment material within the Lake Washington berthing area adjacent to Glacier Northwest (Glacier, dba CalPortland). Dredging will target a depth of +4.47 feet (USACE Kenmore Datum) to the top of the existing toe protection surface and is considered maintenance necessary for normal operations. The accumulated sand and gravel proposed for removal is clean construction aggregate that was released during offloading of barges at the facility (spillage); this material was deposited after maintenance dredging was last completed in 2004 and prior to 2010. In 2010, the hopper and conveyor used to offload barges were replaced with a system designed to minimize material spillage. Material dredged from the berth will be transferred to a bunker surrounded by a sand berm to filter water that drains from the dredged material onto the upland property owned by Glacier. Water will be collected, treated, and discharged to the sanitary sewer system. The dredged material, once drained, will be transported by truck and disposed of at an appropriate upland disposal site, either with Waste Management in Seattle or a similar permitted disposal facility. The dredged material will not be disposed of on-site or reused. The public has expressed concern that sediment containing legacy contaminants could potentially be present in the vicinity of the dredge prism. In order to address this concern, the portion of the dredge area outside of the toe protection will be dredge to an elevation of +3.47. A grab sample of the newly exposed sediment surface will be collected for analysis and the area will be backfilled with a 1-foot layer clean sand (totaling 215 cubic yards) to prevent potential contaminants that may be present in the newly exposed sediment from remaining exposed to the water column. The project includes a Water Quality monitoring Plan (WQMP) prepared in compliance with Chapter 173-201A WAC. The WQMP is designed to provide constant visual water quality monitoring throughout the duration of construction

**Permits requested in this application:** Shoreline Substantial Development Exemption (SSDX).

**Consistency with applicable City plans and regulations:** This proposal has been reviewed for compliance with all applicable City of Kenmore codes, including zoning code, road standards, surface water design manual, fire flow and fire access requirements.

**Relevant environmental documents are available at City Hall:** Yes.

**Other permits not included in this application, known at this time:** None.

**Appeals:** Shoreline Substantial Development Exemption permits are nonappealable administrative decisions. An appeal may be submitted for the associated SEPA Mitigated Determination of Non-significance (MDNS). Instructions for how to appeal the SEPA MDNS can be found on the next page.

KENMORE CITY HALL 18120 68<sup>th</sup> Avenue NE Kenmore, WA 98028





## City of Kenmore Development Services Notice of Decision and SEPA Mitigated Determination of Non-significance

**SEPA File#:** SEPA23-0027 (PRJ23-0025)

**Issuance Date:** 6/3/2024

**SEPA Official:** Samantha Loyuk, Development Services Director

**Property Owner:** Glacier Northwest, Inc.

**Applicant:** Pete Stoltz, CalPortland

**Project Location and Description:** 164XX 76<sup>th</sup> Avenue NE Kenmore, WA 98028; King County tax parcel number 563150-0860.

**Required Mitigation Under SEPA:** The following mitigation measures (1-3) are required as conditions under the SEPA Mitigated Determination of Non-significance (MDNS):

(1) Water quality monitoring is required. Water quality monitoring reports are subject to review by the Washington State Department of Ecology ("Ecology"). Water quality monitoring shall be conducted in accordance with a monitoring plan approved by Ecology and the State 401 water quality certification. In the event of water quality turbidity exceedance, the applicant shall provide notification to the City of Kenmore (City), in addition to those other agencies which require notification (e.g., Ecology). Water quality monitoring results shall be submitted to the City after work is completed, and the City will make the results publicly available on its website. Results shall be provided to the City promptly and as soon as practical. If results are delayed, the applicant shall notify the City;

(2) The project shall comply with recommendations provided by WDFW. Additionally, the applicant shall provide a copy of Hydraulic Project Approval (HPA) permit issued by the WDFW to the City of Kenmore. An HPA permit helps ensure the protection of fish and their aquatic habitats during construction. A copy of the HPA permit shall be provided to the City promptly and as soon as practical, and the City will make the permit available on its website; and

(3) Sediment testing is required. After dredging is complete, a grab sample of the lakebed adjacent to the existing dredging channel toe protection is required. The grab sample shall be tested for the chemicals identified in the Dredged Material Evaluation and Disposal Procedures (DMMP) User Manual Table 8-3 for Freshwater Projects within the DMMP Jurisdiction, including but not limited to heavy metals, dioxins, PCBs, and arsenic. The results of the analysis shall be entered into Ecology's EIM Database (which is publicly available) and reported to the City of Kenmore promptly and as soon as practical.

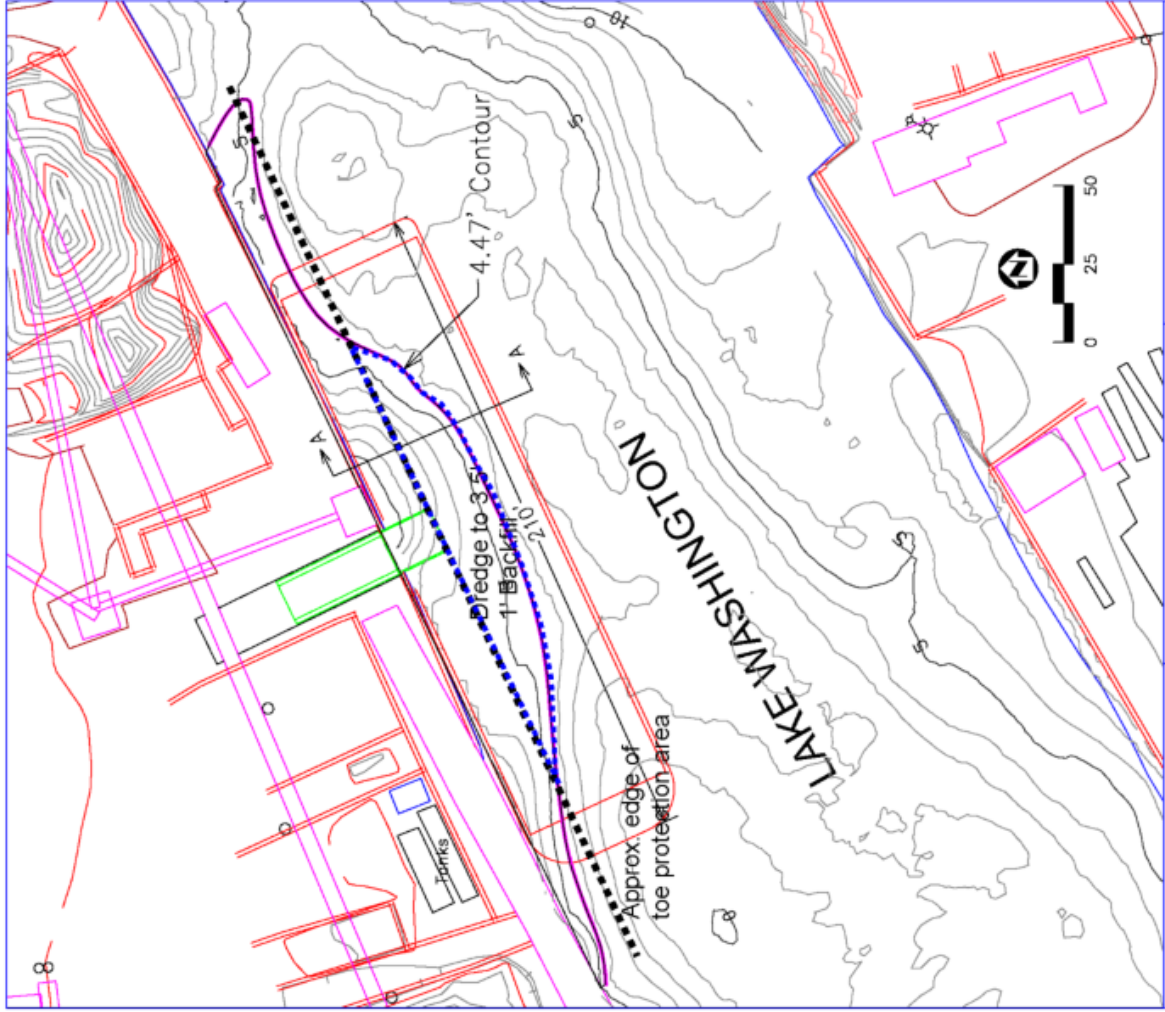
**SEPA Determination:** The City of Kenmore has determined that the above-referenced proposal does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. A Determination of Mitigated Non-significance (MDNS) is issued under WAC 197-11-350. The lead agency will not act on this proposal for 14 days from the issuance date. This MDNS is being issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the MDNS. All information is available for review at Kenmore City Hall. To request electronic copies of documents, complete a public records request at [www.kenmorewa.gov](http://www.kenmorewa.gov).

**Appeals:** Any agency or person may appeal SEPA procedural compliance to the Kenmore Hearing Examiner by filing a written notice and statement of appeal and \$134.40 filing fee with the Kenmore City Clerk. Such appeal must be filed within 14 days of the date of issuance of this Mitigated Determination of Non-significance. The last date for filing such an appeal will be **6/17/2024** at 4:30 P.M. Procedural determinations include the adequacy of the Mitigated Determination of Non-significance, whether proper notice has been given, and whether the commenting period has been observed. The statement of appeal shall state: 1) Specific reasons why the threshold determination should be reversed or modified; and 2) The harm suffered or anticipated by the appellant and relief sought. The scope of an appeal shall be based on matters raised in the Statement of Appeal. Failure to timely file a Notice and Statement of appeal deprives the Hearing Examiner jurisdiction to consider the appeal. The pendency of a procedural appeal shall stay any action on this proposal until final determination by the Hearing Examiner.

Information on office hours is available online at [www.kenmorewa.gov](http://www.kenmorewa.gov) or by calling (425) 398-8900.

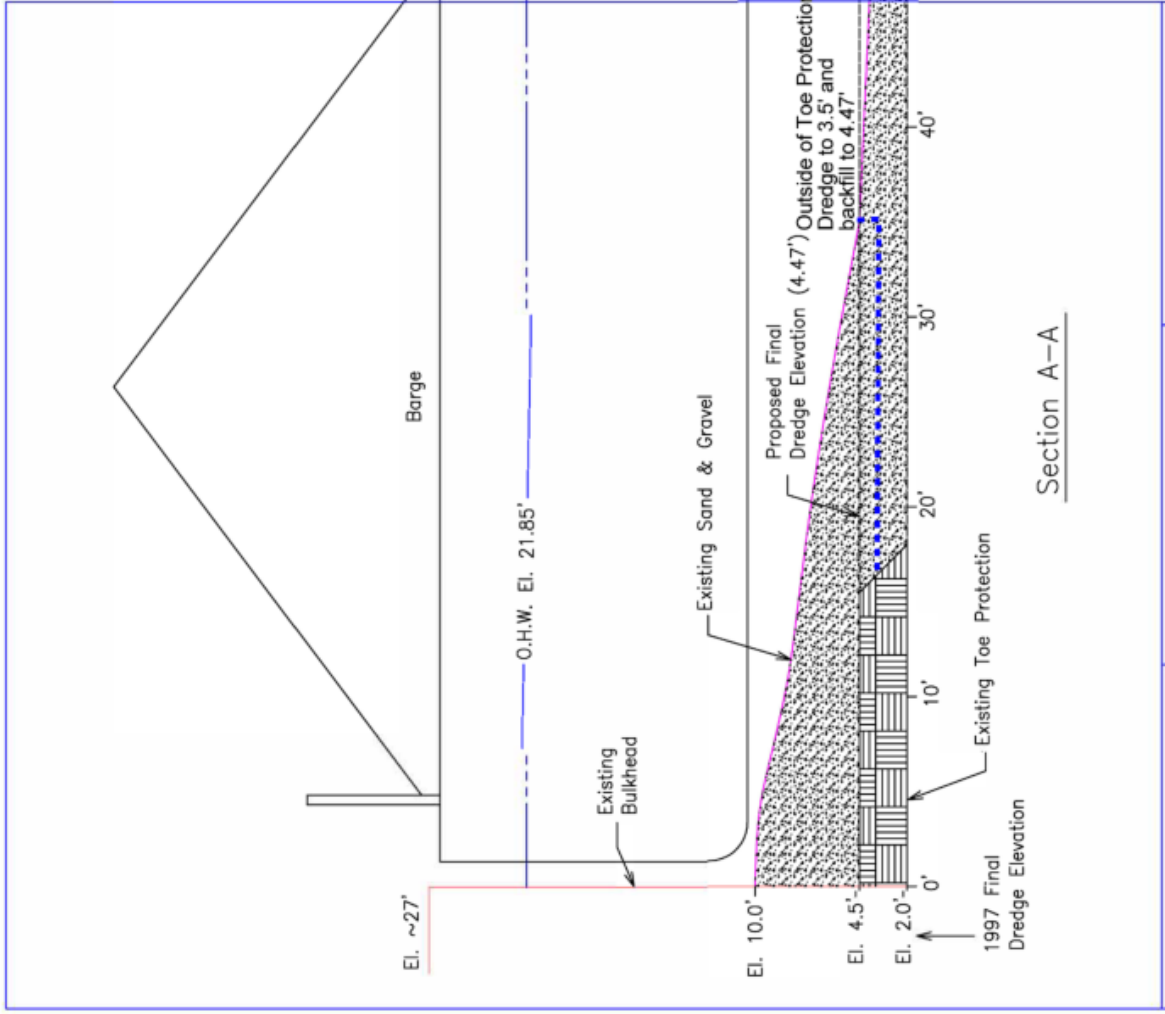
KENMORE CITY HALL 18120 68<sup>th</sup> Avenue NE Kenmore, WA 98028





Proposed: Dredge Approx. 800 CY of Material; 215 CY backfill  
 Vertical Datum: Corps of Engineers Lake Washington Datum

Applicant: Glacier Northwest  
 6423 N.E. 175th St, Kenmore  
 Waterway: Lake Washington  
 Sec. 11 26T. 4E R.



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