

June 25, 2020

Via Email (CourtneyS@pscleanair.gov)

Ms. Courtney Shernan
Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
Seattle, WA 98101

Re: Lenz Enterprises – NOC #11753

Dear Courtney:

Thank you for the opportunity to provide additional information for the purposes of SEPA review by your agency. We have asked our attorneys at Tupper Mack Wells PLLC to respond to the first item in your email related to the status of land use approvals by Snohomish County. I have provided in bold and underlined text responses to your questions regarding water, noise, and traffic. Please let me know if you need any additional information or if you would like to discuss these responses.

2. SEPA Checklist, Section B.3: Water

The checklist states that groundwater is drawn from the site and used for sanitary needs; that sanitary wastewater is collected and hauled offsite; and that all stormwater on the site will be collected, treated, and reused onsite. We assume that is specifically referring to the composting areas of the property and request that you confirm that this assumption is accurate.

This assumption is correct, the information in the checklist is specifically referring to the composting activities.

The checklist further states that there will not be discharges to ground water or surface water from proposed operations. We understand that the stormwater and leachate issues will also be reviewed by the Snohomish Health District as part of their solid waste permit review implementing WAC 173-350 (with input from the Washington Department of Ecology).

This is our understanding of the permit review process as well.

Please confirm in writing that as proposed, there will be no stormwater discharges from the composting area of the property and no discharges to ground water or surface water. Any approval from the Agency will include that limitation.

There will be no stormwater discharges from the composting area of the property and no discharges to groundwater or surfacewater. The existing solid waste permit already includes requirements for leachate and stormwater (Permit SW-106 Section 3.N). Assuming those conditions are retained in a renewed solid waste permit additional limitations would be redundant.

3. SEPA Checklist, Section B.7.b: Environmental Health – Noise

The checklist describes in general terms the sources of noise from the proposal and further states that noise mitigation is included in the design of the equipment used onsite that can create noise and this mitigation will apply to both mobile and stationary equipment that can generate noise. The checklist also states the property size and vegetation provide additional buffer to noise impacts. In addition to the above, please confirm in writing, with supporting analyses, that your proposal will meet all pertinent requirements of Snohomish County Code, Title 10, Chapter 10-01 Noise Control (see [10.01](#)).

Please also let us know if you are proposing any specific measures necessary to achieve compliance with Chapter 10-01.

The proposal will meet all pertinent requirements of Snohomish County Code, Title 10, Chapter 10-01 Noise Control.

As stated in the SEPA checklist submitted for this proposal: “Short term noise from construction delivery trucks and general construction activities will occur during construction. Long term noise will be generated from loaders and compost turners.” The equipment identified for the compost process (loaders and turners) are already on site and have been operating for many years. Since no new equipment is proposed, and the equipment that is on site has been in compliance for many years, there is no requirement for supportive analysis.

Lenz has established over 33 years of operations that are in compliance with noise ordinances and is not planning any changes in operations or equipment that would generate additional noise.

Specific measures that have already been taken to achieve compliance with Chapter 10-01 include purchasing equipment that mitigates excessive noise and maintaining adequate buffers zones between operating equipment and noise receptors.

Snohomish County PDS has already approved the construction of the compost expansion and did not have any additional noise mitigation requirements or requirements for supportive analysis. Lenz requests that PSCAA defer to Snohomish County PDS for matters relating to noise.

4. SEPA Checklist, Section B.14: Transportation

The checklist states at B.14.f: “The proposed completed project will not generate any additional vehicular trips per day.” Based on that statement, the checklist states at 14.h that “No measures to reduce or control transportation impacts are proposed.” However, the proposal would increase the maximum amount of feedstock processed from 75,000 tons per year to 150,000 tons per year.¹ Lenz has stated that its assumption that no additional vehicular trips per day is based upon the concept that materials arriving and leaving the site will be accomplished with larger vehicles (i.e. larger load per vehicle).¹ The site is accessed via 52nd Ave. NW from SR 532. Please confirm in writing that as proposed, there will be no more than 77 total truck trips per day and 7,118 total truck trips per year for the compost facility,² and vehicular traffic will not increase. Any approval from the Agency will include that limitation. We are assuming that Lenz is able to maintain a record of each of these truck trips to verify compliance with this limitation.

The information provided to PSCAA, including the traffic component of “77 total truck trips per day and 7,118 total truck trips per year, for the compost facility is accurate.

Section A.10 of the checklist states that the only other government approval needed for this proposal is a solid waste permit modification. Please confirm in writing that there are no approvals or permits required from Snohomish County for this proposal, including review under Snohomish County Code, Chapter 30.66B for Concurrency and Road Impact Mitigation (see [30.66B](#)). If an approval or permit is required from Snohomish County, please confirm in writing, with supporting analyses, that your proposal will meet all pertinent requirements of Snohomish County Code, Chapter 30.66B for Concurrency and Road Impact Mitigation and whether, in addition to what is described above, you are proposing any measures to achieve compliance with Chapter 30.66B.

Lenz is not aware of any additional approvals or permits required from Snohomish County. This includes review under Snohomish County Code, Chapter 30.66B for concurrency and road impact mitigation. The building permit authorization for the compost facility upgrade have already been issued by Snohomish County PDS. Lenz Enterprises requests that PSCAA defer to Snohomish Count PDS for compliance with its road mitigation ordinance.

Thank you again for the opportunity to provide this additional information.

Sincerely,



Edward Wheeler, Program Director | Lenz Enterprises, Inc.

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